

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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May 26, 2011
Start: 10:30 am
Recess: N/A

HELD AT: Committee Room
250 Broadway - 16th Fl.

B E F O R E:
JOEL RIVERA
Chairperson

COUNCIL MEMBERS:
Leroy G. Comrie, Jr.
Elizabeth S. Crowley
Inez E. Dickens
Erik Martin Dilan
Lewis A. Fidler
Vincent J. Gentile
Robert Jackson
James Vacca
Albert Vann
Karen Koslowitz
James S. Oddo
Christine C. Quinn

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2 CHAIRPERSON RIVERA: Good morning,
3 everyone. My name is Joe Rivera. I'm the chair
4 of the Committee on Rules, Privileges and
5 Elections. Before we begin, let me introduce my
6 colleagues who are here with us today. To my
7 left, we have Council Member Lew Fidler, Council
8 Member Leroy Comrie, Council Member Jimmy Vacca,
9 Council Member Erik Dilan. To my right, we have
10 Council Member Vincent Gentile. We have Council
11 Member Karen Koslowitz and we have Council Member
12 Al Vann to our front. That's who we have so far.
13 We're also joined by Chuck Davis and Lamon Bland
14 from the Committee as well.

15 Today we have just one candidate
16 for our review for appointment to the Taxi and
17 Limousine Commission. She is LaShann DeArcy Hall,
18 a Manhattan resident, for appointment by the mayor
19 to the TLC. If the Council gives its advice and
20 consent, Ms. DeArcy Hall will replace Jeffrey Kay
21 and serve for the remainder of a seven-year term
22 that expires on January 31st of 2012.

23 I will briefly explain the
24 functions of the TLC. The TLC consists of nine
25 members appointed by the mayor, all with the

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2 advice and consent of the Council. Five of said
3 members, one resident of each of the five boroughs
4 of the city, are recommended for appointment by a
5 majority vote of the Council Members of the
6 respective borough. Commission members are
7 appointed for terms of seven years and can serve
8 until the appointment and qualification of a
9 successor. Vacancies other than those that occur
10 at the expiration of a term shall be filled for
11 the unexpired term. The mayor may remove any such
12 member for cause upon stated charges. The mayor
13 designates one member of the commission to act as
14 the chairperson and chief executive officer. The
15 chairperson shall have charge of the organization
16 of his or her office and have authority to employ,
17 assign and suspend the superintended duties of
18 such officers and employees as may be necessary to
19 carry out the provisions of Chapter 65 of the
20 Charter. The Charter provides that the
21 chairperson shall devote his or her full-time to
22 this position and as such, receive compensation as
23 set by the mayor. The chair currently receives
24 \$192,198 annually. Other members of the TLC are
25 not entitled to compensation.

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The Commission is responsible for the continuance, further development and improvement of taxi and limousine service in the city. It shall be further purpose of the Commission consonant [phonetic] with the promotion and protection of the public comfort and convenience to adopt and establish an overall public transportation policy governing taxi, coach, limousine and wheelchair access van services as it relates to the overall public transportation network of the city. The Commission is also responsible for establishing certain rates, standards and criteria for the licensing of vehicles, drivers, chauffeurs, owners and operators engaged in such services and for providing authorization to persons to operate commuter van services within the city.

Welcome, Ms. DeArcy Hall. Will you please raise your right hand and be sworn in?

CLERK: Ms. DeArcy Hall, do you swear or affirm that the statements that you will be making will be truthful to the best of your knowledge?

LASHANN DEARCY HALL: I do.

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CLERK: Thank you so much.

CHAIRPERSON RIVERA: Do you wish to make an opening statement?

LASHANN DEARCY HALL: Can you hear me now?

CHAIRPERSON RIVERA: Yes, I can hear you now.

LASHANN DEARCY HALL: Yes, I would. First, I'd like to thank the members of the Council for taking the time today to consider my candidacy. As the Chair stated, I am a Manhattan resident. In fact, most of my life, I have lived in New York City, with the exception of the time that I spent away at college at Howard University School of Law and a brief stint in the United States Military—the air force. I come today as a candidate—I was as you know, nominated to be here by the mayor. I was approached by Andrea Davis not long ago and when she came to me, I thought that this was an ideal opportunity for me to serve. This city and my roots here are important. I knew that I needed to find the right place for me. I live currently in Harlem on 145th Street between St. Nicholas and Edgecomb. As an

1 attorney, I spend many days and hours in yellow
2 taxis in the central Manhattan district; however,
3 as a Harlem resident, I also use our livery cabs,
4 which I think are an important component of our
5 taxi system. I believe that because my own
6 experience, I believe I really bring a unique
7 perspective; perhaps, not wholly unique, but
8 certainly a unique perspective that would be
9 important to the TLC, especially in these times
10 when it's considering some very complex issues
11 that I think touch me in my personal life.
12

13 CHAIRPERSON RIVERA: Thank you very
14 much. We've also been joined by Council Member
15 Robert Jackson, who I believe is your Council
16 Member.

17 LASHANN DEARCY HALL: Yes.

18 CHAIRPERSON RIVERA: And Council
19 Member Inez Dickens as well. Council Member Erik
20 Dilan has a few questions or a statement.

21 COUNCIL MEMBER DILAN: Ms. DeArcy
22 Hall, I just have a brief statement. I did have a
23 question, but you happened to have answered the
24 question in your testimony, and I thought I was
25 going to get a chance at quick revenge at my

1
2 colleague, Council Member Jackson because not too
3 long ago, my borough appointee had got appointed
4 to the TLC board, and he asked them directly, how
5 often do you take a cab? It just so happens that
6 two weeks later I happened to share a cab with
7 Council Member Jackson, and he didn't realize he
8 told me in that cab how often he takes cabs. I
9 won't go on the record and say how often he does
10 or doesn't.

11 COUNCIL MEMBER JACKSON: Not too
12 often.

13 COUNCIL MEMBER DILAN: I thought
14 this would be the perfect opportunity to get back
15 at him. Unfortunately, fortunately—forgive me for
16 saying unfortunately—you have the experience of
17 taking both types of cabs and I'm sure that you'll
18 find in your near term experience, you'll have to
19 make a very important decision on that issue, so I
20 look forward to seeing you on the board. Just the
21 inside jab between myself and Council Member
22 Jackson aside, I do intend to vote in support for
23 your candidacy. It's just a little friendly
24 gamesmanship going on here. So I look forward to
25 your service to the city.

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LASHANN DEARCY HALL: Thank you.

CHAIRPERSON RIVERA: Council Member, let's see if Council Member Jackson tries to one up you. He is next.

COUNCIL MEMBER DILAN: My appointee is going to kill me, but she so far has proven to be a better attorney because she diffused the problem before it happened. My attorney let it go on.

[laughter]

COUNCIL MEMBER JACKSON: Well, thank you, Mr. Chair. Let me just say that I am very, very pleased on the nominee for the TLC—one of my constituents, and in fact, I had the opportunity to sit down with her last week and we had a very, very good conversation. I think from a New York City resident point of view, she is someone that has both feet on the ground--solid as far as what's going on in New York City, solid as far as her involvement in city groups and organizations, solid as far as she indicated—riding both yellow cabs and livery car service taxis in our community, and then also, I was very, very pleased that she was—let me be more

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2 specifically—a person of color, a black woman in
3 which as you know, we pass the law just the other
4 day, where taxi drivers that were going to refuse
5 to take passengers to parts of the cities that
6 they deemed was unsafe or too far, that we
7 increase those fines. As a person of color more
8 clearly, those type of experiences happen more and
9 more especially in my opinion. I know that some
10 people may disagree with that, but let me just say
11 overall, I think that this nominee is an excellent
12 individual based on everything that I know, and I
13 would highly recommend her appointment to the TLC.
14 So, that's it.

15 CHAIRPERSON RIVERA: Thank you very
16 much. We are also joined by Council Member
17 Letitia James, and I believe she wants to say a
18 few words.

19 COUNCIL MEMBER JAMES: It's an
20 honor and a privilege to be before this Committee
21 and I thank the Committee for giving me an
22 opportunity to speak on behalf of this young lady,
23 Ms. DeArcy Hall, who is a proud graduate of Howard
24 University School of Law. Right, Council Member
25 Al Vann? That's right. Represent. She obviously—

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2 Howard University School of Law is a school, which
3 is focused on social justice--a school, which
4 produces candidates who are interested and
5 committed to social engineering in the city of New
6 York. She would be a proud representative and
7 it's an honor and a privilege to urge each and
8 every one of you to support her without any
9 hesitation, with full support. She has a very
10 impressive resume--currently, serving at Marston
11 and Forrester [phonetic]. She was also senior
12 litigation associate at Gibson, Dunn and Crutcher
13 and also served as a litigation associate at
14 Cravats, [phonetic] Wayne and Moore. She has a
15 wide range of experience in the area of litigation
16 and I urge all of my colleagues in the City
17 Council to support this fine, wonderful candidate
18 who is a proud graduate of my alma mater. I'm
19 125%. You can't... Thank you. Please. I urge your
20 support. Thank you.

21 LASHANN DEARCY HALL: Thank you.

22 CHAIRPERSON RIVERA: Council Member
23 Lew Fidler?

24 COUNCIL MEMBER FIDLER: Ms. DeArcy
25 Hall, after having heard all this glowing

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2 testimony and banter, I have no doubt I'm going to
3 vote for you, but I have to ask you a question
4 because as a matter of consistency as a member of
5 this Committee for nine and a half years, I've
6 asked every person in this situation the same
7 question, which is part of your background check
8 tells us that you last voted in an election in
9 November of 2008. In my recollection, there were
10 a couple of important elections in 2009 and 2010
11 that you passed on. Would you comment on that at
12 all?

13 MALE VOICE: I wouldn't have voted
14 for Robert either.

15 COUNCIL MEMBER FIDLER: I was
16 thinking of Billy Thompson actually, but...

17 [laughter]

18 LASHANN DEARCY HALL: I actually
19 wish that I could give you what I would consider
20 to be a good answer. To be honest, there is no
21 good answer. I think that quite frankly, I fell
22 and defaulted on my responsibility as a citizen of
23 the city to participate in the last elections, so
24 there is no good answer.

25 COUNCIL MEMBER FIDLER: I very much

1
2 appreciate the honesty of the answer though, so I
3 welcome you to service. I hope you'll remember to
4 vote on election day, especially since you're a
5 registered Democrat.

6 LASHANN DEARCY HALL: I am.

7 COUNCIL MEMBER FIDLER: That's it.

8 Thanks.

9 LASHANN DEARCY HALL: Thank you.

10 FEMALE VOICE: We all fall short of
11 the glory of God.

12 [laughter]

13 CHAIRPERSON RIVERA: Seeing no
14 other questions from the members of the Committee,
15 based on all the glowing testimony, I recommend an
16 aye vote from the members. Will the Committee
17 clerk please call the roll?

18 CLERK: Kevin Pin, Committee Clerk,
19 roll call in the Committee on Rules, Privileges
20 and Elections. Council Member Rivera?

21 CHAIRPERSON RIVERA: I vote aye.

22 CLERK: Comrie?

23 COUNCIL MEMBER COMRIE: Aye.

24 CLERK: Dilan?

25 COUNCIL MEMBER DILAN: Aye.

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CLERK: Fidler?

COUNCIL MEMBER FIDLER: Aye.

CLERK: Jackson?

COUNCIL MEMBER JACKSON: [no
response]

[background conversation]

[laughter]

CLERK: Vann?

COUNCIL MEMBER VANN: Aye.

CLERK: Gentile?

COUNCIL MEMBER GENTILE: With
congratulations, I vote aye.

LASHANN DEARCY HALL: Thank you.

CLERK: Dickens?

COUNCIL MEMBER DICKENS:
Congratulations, aye.

CLERK: Vacca?

COUNCIL MEMBER VACCA: Aye.

CLERK: Koslowitz?

COUNCIL MEMBER KOSLOWITZ:
Congratulations, and I do take a lot of cabs, and
I vote aye.

LASHANN DEARCY HALL: Thank you.

CLERK: By vote of nine in the

1
2 affirmative, zero in the negative and no
3 abstentions, the item has been adopted. Members
4 please sign the Committee report.

5 [applause]

6 LASHANN DEARCY HALL: Thank you.

7 [background conversation]

8 CLERK: Oddo?

9 COUNCIL MEMBER ODDO: Yes.

10 CLERK: The vote stands at ten in
11 the affirmative, zero in the negative, no
12 abstentions.

13 CLERK: Jackson?

14 COUNCIL MEMBER JACKSON:

15 Absolutely, yes.

16 CLERK: The vote stands at eleven
17 in the affirmative, zero in the negative, no
18 abstentions.

19 [background conversation]

20 CLERK: Speaker Quinn?

21 SPEAKER QUINN: Aye.

22 CLERK: The vote stands at 12 in
23 the affirmative, zero in the negative and no
24 abstentions.

25 [background conversation]

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CLERK: Crowley?

COUNCIL MEMBER CROWLEY: I vote
aye.

CLERK: Final vote in the Committee
on Rules, Privileges and Elections, 13 in the
affirmative, zero in the negative, no abstentions.

[gavel]

FEMALE VOICE: This is the closing
of the Rules Committee on May 26th, 2011.

C E R T I F I C A T E

I, Kimberley Uhlig 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

Kimberley Uhlig

Date

June 15, 2011