

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON RULES, PRIVILEGES & ELECTIONS

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January 18, 2011

Start: 11:03am

Recess: 12:15pm

HELD AT: Committee Room - 16th Floor
City Hall

B E F O R E:

JOEL RIVERA
Chairperson

COUNCIL MEMBERS:

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

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

Herbert Berman
Former member
New York City Council

Jamila Ponton Bragg
Special Assistant to CEO
The Atlantic Philanthropies

Lesley Horton
Attorney
Paul, Weis, Rifkind, Wharton & Garrison

Margaret Morton
Deputy Commissioner of Cultural Affairs
New York City

2 CHAIRPERSON RIVERA: Okay, good
3 morning, ladies and gentlemen, my name is Joel
4 Rivera, I chair the Committee on Rules, Privileges
5 and Elections. Before we begin, let me introduce
6 my colleagues who are here with us today. To my
7 left we have Council Member Erik Dilan, Council
8 Member Jimmy Vacca, we have Assistant Majority
9 Leader Lew Fidler, Deputy Majority Leader Leroy
10 Comrie, and to my right we have Council Member Liz
11 Crowley, Council Member Karen Koslowitz, Council
12 Member Vincent Gentile, and we are joined by Chuck
13 Davis and Lamont Bland, Counsel to the Committee.
14 Today we have before us four candidates for
15 appointment and designation to the New York City
16 Lobbying Commission. They are Herbert Berman, our
17 former colleague in the City Council, is being
18 considered for joint appointment by the Mayor and
19 by the Council as a member of the Lobbying
20 Commission, and is being considered for joint
21 designation as Chair of the commission. If
22 appointed as a member and designated as chairman,
23 Mr. Berman will serve an undefined term. Next we
24 are joined by Jamila Ponton Bragg, is being
25 considered as well for joint appointment by the

2 Mayor and the Council as a member of the Lobbying
3 Commission. If appointed, Ms. Ponton Bragg will
4 serve an undefined term. Next we have Lesley
5 Horton, is being considered for joint appointment
6 by the Mayor and the Council as a member of the
7 Lobbying Commission. If appointed, Ms. Horton
8 will serve an undefined term. And Margaret Morton
9 is being considered for joint appointment by the
10 Mayor and the Council, and as a member of the
11 Lobbying Commission if appointed, Ms. Morton will
12 serve an undefined term. And let me briefly
13 explain the functions of the Lobbying Commission.
14 New York City administrative code section three
15 provides for the establishment of a Lobbying
16 Commission. The Commission consists of five
17 members jointly appointed by the Mayor and the
18 Council. Also the Mayor and Council jointly
19 designate a Chair from among the Commission
20 members. The Commission members and the Chair are
21 appointed to undefined terms and serve without
22 compensation. The Commission serves as an
23 advisory body to review and evaluate the
24 activities and performance of the New York City
25 Clerk in implementing the provisions of the city's

2 lobbying laws. Within six months of the
3 appointment of the Commission members, the
4 Commission shall report to the Mayor and the
5 Council on its review and evaluation of the City
6 Clerk's activities and performance. The
7 Commission's report shall include any
8 administrative and legislative recommendations on
9 strengthening the administration and enforcement
10 of the city's lobbying laws, as well as whether
11 the dollar threshold for the filing of a statement
12 or registration should be raised. Welcome, Mr.
13 Berman, Ms. Ponton Bragg, Ms. Horton and Ms.
14 Morton, will you please raise your right hands and
15 be sworn in.

16 COMMITTEE COUNSEL: Do each of you
17 swear or affirm that your statements will be
18 truthful to the best of your knowledge?

19 ALL: Yes.

20 COMMITTEE COUNSEL: Thank you.

21 CHAIRPERSON RIVERA: Thank you very
22 much, we'll begin with Mr. Berman. He has an
23 opening statement.

24 MR. BERMAN: First of all, Mr.
25 Chair, ladies and gentlemen of the Committee,

2 thank you for the opportunity to be here today.
3 It's wonderful being back, and it's wonderful
4 seeing all you great folks. Inconsistent with my
5 past time spent in the Council, I'll be
6 extraordinarily brief. The ... I think that the
7 establishment of a Lobbying Commission is
8 something that is due and it's important that it's
9 being created. I believe that there is a lot to
10 be done. I believe that there's a lot of
11 oversight that has to be done, and obviously
12 corrections that have to be made. The three
13 people that are here with me, I met them before,
14 and I think that they are brilliantly qualified to
15 exercise that oversight, and I'm looking forward
16 to doing what has to be done in order to fulfill
17 the expectations and to meet the requirements of
18 the reporting within six months, and again I thank
19 you for the opportunity for being here. Thank
20 you.

21 CHAIRPERSON RIVERA: Thank you very
22 much. Next we'll go with Ms. Ponton Bragg. Press
23 the button in.

24 MS. PONTON BRAGG: Good morning,
25 Council, I'm Jamila Ponton Bragg, I'm a resident

2 of Harlem. I have over ten years of experience in
3 nonprofit organizations, both at direct-service
4 level and foundation level, and I plan to bring
5 that experience and that perspective to the
6 Lobbying Commission, to go through and think about
7 what a nonprofit thinks about as they're lobbying,
8 and what they're doing, what they need to think
9 about from that perspective. So I'm very much
10 looking forward to this opportunity to contribute
11 in a small way to the great work of the Council.

12 CHAIRPERSON RIVERA: Thank you very
13 much. Next we'll move on to Ms. Horton.

14 MS. HORTON: Good morning, my name
15 is Lesley Horton. I'm also another proud resident
16 of Harlem. I currently work as a commercial real
17 estate attorney at Paul, Weis, Rifkind, Wharton &
18 Garrison. I too just have a strong commitment to
19 really doing what I can to better our community
20 and our city, whether that's been my service as a
21 pro bono counsel to various nonprofits working on
22 behalf of affordable housing and senior housing
23 here in the city, or just my community involvement
24 through mentoring and things like that. And so
25 I'm extremely just looking forward to the

2 opportunity to serve our city in an even greater
3 capacity as a member of the New York City Lobbying
4 Commission. I too think it's extremely important
5 that we make sure our lobbying laws are as
6 effective as possible, and really insuring full
7 disclosure. And so it's really an honor to be
8 part of the effort to do just that. So let's end
9 by just saying thank you to each of you all for
10 your consideration of me for this appointment.
11 Thank you.

12 CHAIRPERSON RIVERA: Thank you very
13 much. And last but not least, Ms. Morton.

14 MS. MORTON: Yes, good morning, and
15 thank you all, Councilmen and Councilwomen, my
16 name is Margaret Morton, I'm the Deputy
17 Commissioner of Cultural Affairs. I want to thank
18 you all and I want to thank the Council, the
19 Speaker and the Mayor, for this opportunity and
20 this vision of creating an opportunity to take a
21 look back of how this law has been implemented,
22 how it's been enforced, with a view toward
23 insuring that we, you know, give the best possible
24 and in the most intelligent way, access to people
25 who work with you and work with the Mayor and the

2 agencies in access to our city and being involved
3 in this process. Thank you.

4 CHAIRPERSON RIVERA: Thank you very
5 much. At this point in time, do any of my
6 colleagues have any questions for the candidates
7 here before us? Seeing none ... oh, Council Member
8 Fidler, I apologize about that.

9 COUNCIL MEMBER FIDLER: Actually I
10 have a lot of questions for Herb Berman, but I see
11 he's carrying a big stick with him today, and I've
12 decided not to. I just wanted to ... it would be
13 inappropriate to let the occasion pass without
14 saying that, for everyone here who knows that Herb
15 Berman was my predecessor as the Councilman of the
16 46th district. There is nobody in the world who is
17 more qualified to chair this commission and
18 understanding the Council, how it works, how it
19 interacts with lobbyists, and who will do a better
20 job at giving us an honest analysis of the laws,
21 and Herb, it's really going to be a pleasure to
22 vote for you here today, Herb, and for the rest of
23 you Commission members on the floor later today as
24 well.

25 CHAIRPERSON RIVERA: Next we have

2 Council Member Karen Koslowitz.

3 COUNCIL MEMBER KOSLOWITZ: Thank
4 you, Mr. Chair. I had the great pleasure of
5 working with Herb Berman as council members for
6 eleven years, and I have to say he is quite a guy
7 and will do well in this Commission. We are very
8 proud of you, I am very proud of you. I consider
9 you a friend, and I just want to go off the words
10 of my colleague, Council Member Fidler.

11 CHAIRPERSON RIVERA: Do any other
12 members have questions? Council Member Jimmy
13 Vacca.

14 COUNCIL MEMBER VACCA: Yes, I'd
15 like to echo those remarks. Herb Berman, you and
16 Speaker Vallone really were the hallmarks of a
17 great Council, and the Council that took over when
18 the Board of Estimate was dissolved, the
19 effectiveness of that leadership was due to you.
20 The young ladies, I welcome you, you'll do a great
21 job, your resumes are great. Ms. Morton, I
22 welcome you, you are my constituent, and I do want
23 the record to show that you live on City Island.
24 And you will be supervising lobbying, but I hope
25 if you have the chance, you will lobby the other

2 side at City Hall to keep our firehouse open when
3 the budget cuts are made. So with that in mind, I
4 feel I have a friend when it comes to fire
5 protection. All the best to you. It's an honor.
6 For that you don't have to register. Thank you.

7 CHAIRPERSON RIVERA: We're actually
8 just waiting for Council Member Inez Dickens, who
9 wanted to make a statement on the record as well.
10 She should be here in less than 30 seconds.

11 COUNCIL MEMBER DILAN: Mr.
12 Chairman, I would like to request permission to
13 filibuster, if I may?

14 CHAIRPERSON RIVERA: Go right
15 ahead.

16 COUNCIL MEMBER DILAN: I didn't
17 plan on making a statement, but since we are
18 waiting here, I just have to say that it's been a
19 pleasure knowing Mr. Berman for all these years of
20 his service to the City Council's Finance
21 Committee. I know this endeavor is long overdue,
22 since the Council first established legislatively
23 this Commission. So I look forward to the work
24 that the four of you are about to undertake, and I
25 know you will all do a great job. To the ladies

2 that I don't know, I look forward to meeting you
3 all, and learning about the work that you do and
4 the work that you undertake in a very short period
5 of time. So with that I will end my filibuster.
6 I know it wasn't long enough, so if you like, I
7 can, you know, I can drag it out a little bit.

8 CHAIRPERSON RIVERA: That's all
9 right, she's back.

10 COUNCIL MEMBER DILAN: I know the
11 Jets are off the subject, but I am the biggest Jet
12 fan, and, you know, just thank you all and I look
13 forward to all the work that you guys are about to
14 do. Thanks.

15 CHAIRPERSON RIVERA: Thank you,
16 Council Member. We'll actually just go for the
17 vote, and then she can make her statement when she
18 votes as well, so that will be fine. We've been
19 joined by the Minority Leader, Jimmy Oddo, and at
20 this point in time, the Chair recommends an aye
21 vote for all the members, you know, as were stated
22 earlier, you all are esteemed members of our city,
23 and we believe that your duties are going to be
24 exemplary, and we know that your services to the
25 City of New York in the past have been exemplary,

2 so with that the Chair recommends an aye vote. If
3 the clerk can please call the roll.

4 COMMITTEE CLERK MARTIN: William
5 Martin, Committee Clerk, roll call vote in the
6 Committee on Rules, Council Member Rivera.

7 CHAIRPERSON RIVERA: I vote aye.

8 COMMITTEE CLERK MARTIN: Comrie.

9 COUNCIL MEMBER COMRIE, JR.: I just
10 want to make an observation. I'm very pleased
11 that we have such an esteemed former colleague,
12 Herb Berman, to chair the Commission, but I don't
13 know if he's going to be able to think straight
14 with these three beautiful, intelligent women on
15 the Committee. So I'm going to ... you know, so I ...
16 yes, so good thing his vision is going and, you
17 know, just watch out for the cane, ladies. And
18 you know, but I know that you will learn a lot
19 from him, he truly is a prince of the city, and to
20 be surrounded by three princesses who are
21 intelligent and want to give to the city, I want
22 to thank you as well. I vote aye.

23 CHAIRPERSON RIVERA: Before you
24 move on to the next one, I think Liz Crowley and
25 Jim Caras are taking notes in the back. Based on

2 that statement, Liz Fine, sorry, Liz Fine.

3 COMMITTEE CLERK MARTIN: Dilan.

4 COUNCIL MEMBER DILAN: I vote aye.

5 COMMITTEE CLERK MARTIN: Fidler.

6 COUNCIL MEMBER FIDLER: Aye.

7 COMMITTEE CLERK MARTIN: Gentile.

8 COUNCIL MEMBER GENTILE: It is
9 really an honor to be able to vote yes on all the
10 nominees today, and as most of the people said,
11 that we all know Herb Berman, and it's good to
12 know that we'll have someone, and I would assume
13 it would be the same for everyone, who has we know
14 the common sense that Herb has, and the real-life
15 experience in city government. So it is a
16 pleasure to vote yes for all, and Herb, in your
17 spare time maybe you can give us some advice on
18 budget matters too. Thanks

19 COMMITTEE CLERK MARTIN: Vacca.

20 COUNCIL MEMBER VACCA: It's my
21 honor to vote yes, and I wish you all success.
22 Thank you for serving our city.

23 COMMITTEE CLERK MARTIN: Crowley.

24 COUNCIL MEMBER CROWLEY: I'm going
25 to vote aye.

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2 COMMITTEE CLERK MARTIN: Koslowitz.

3 COUNCIL MEMBER KOSLOWITZ: It is
4 with great pleasure I vote aye.

5 COMMITTEE CLERK MARTIN: Oddo.

6 COUNCIL MEMBER ODDO: Yes.

7 COMMITTEE CLERK MARTIN: By a vote
8 of nine in the affirmative, zero in the negative,
9 no abstentions, all items have been adopted.
10 Members, please sign the Committee reports. Thank
11 you.

12 CHAIRPERSON RIVERA: We're going to
13 hold the roll open for other Council members who
14 will be joining us, and also the Speaker, who will
15 be here at a later point. (pause) (crosstalk)

16 COMMITTEE CLERK MARTIN: Council
17 Member Dickens.

18 COUNCIL MEMBER DICKENS: Permission
19 to explain my vote? Thank you so much, Chair,
20 thank you for holding this open. I won't read my
21 whole support statements for both Ms. Bragg and
22 for Ms. Horton. Suffice it to say that they are
23 both strong candidates, they will be strong
24 advocates for the public. They make great, great
25 additions to the Lobbying Commission. I think

2 that my Committee at least had their resumes and
3 is familiar with their backgrounds, both
4 professionally and personally. So I just, you
5 know, I won't get into the whole thing, but I do
6 strongly support both of these candidacies to the
7 Lobbying Commission, and I was going to ask the
8 support of my colleagues. Thank you. And I vote
9 aye. As long as everybody understood where I was
10 at. Aye on all.

11 COMMITTEE CLERK MARTIN: The vote
12 currently stands at ten in the affirmative.

13 CHAIRPERSON RIVERA: Thank you very
14 much, and we're going to leave the roll ...

15 COMMITTEE CLERK MARTIN: Speaker
16 Quinn.

17 SPEAKER QUINN: Late, but aye.

18 COMMITTEE CLERK MARTIN: The final
19 vote on the Committee on Rules is now eleven in
20 the affirmative, zero in the negative and no
21 abstentions. Thank you.

C E R T I F I C A T E

I, Richard A. Ziats, 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 _____

Date January 20, 2011