

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

CITY COUNCIL STATED MEETING

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May 5, 2016  
Start: 1:40 p.m.  
Recess: 4:15 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E:

MELISSA MARK-VIVERITO  
Speaker of the Council  
LETITIA JAMES  
Public Advocate

COUNCIL MEMBERS:

Inez D. Barron  
Joseph C. Borelli  
Fernando Cabrera  
Margaret S. Chin  
Andrew Cohen  
Costa G. Constantinides  
Robert E. Cornegy, Jr.  
Elizabeth S. Crowley  
Laurie A. Cumbo  
Chaim M. Deutsch  
Inez E. Dickens  
Daniel Dromm  
Rafael L. Espinal, Jr.  
Mathieu Eugene  
Julissa Ferreras-Copeland  
Daniel R. Garodnick

## COUNCIL MEMBERS:

Vincent J. Gentile  
Vanessa L. Gibson  
David G. Greenfield  
Barry S. Grodenchik  
Corey D. Johnson  
Ben Kallos  
Andy L. King  
Peter A. Koo  
Karen Koslowitz  
Rory I. Lancman  
Brad S. Lander  
Stephen T. Levin  
Mark Levine  
Alan N. Maisel  
Steven Matteo  
Darlene Mealy  
Carlos Menchaca  
Rosie Mendez  
I. Daneek Miller  
Annabel Palma  
Antonio Reynoso  
Donovan J. Richards  
Ydanis A. Rodriguez  
Deborah L. Rose  
Helen K. Rosenthal  
Rafael Salamanca, Jr.  
Ritchie J. Torres  
Mark Treyger  
Eric A. Ulrich  
James Vacca  
Paul A. Vallone  
James G. Van Bramer  
Jumaane D. Williams  
Ruben Wills

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

Chief Scott Shanley  
Critical Response Command Unit  
New York City Police Department

Lieutenant Andrew Childs  
Critical Response Command Unit  
New York City Police Department

Orange Wave Basketball Team  
Thomas Jefferson High School

Kerome Grant  
Orange Wave Basketball Team  
Thomas Jefferson High School

Coach Lawrence Pollard  
Thomas Jefferson High School

I.S. 192 Queens  
The Robotics Team

Roselyn  
I.S. 192 Queens  
The Robotics Team

Principal Diaz  
I.S. 192 Queens

Rev. Juan Carlos Ruiz  
St. Jacobi Evangelical Lutheran Church

1  
2                   **TRANSCRIPTION NOTE:** Spanish spoken by  
3 Menchaca at time stamp 02:14:04 and Rodriguez at  
4 02:16:33.

5                   SPEAKER MARK-VIVERITO: Alright, we're  
6 gonna get started; we have three ceremonials. We'll  
7 ask Costa... where's Costa? Here he is and the  
8 honorees to come step up, please. Our colleague,  
9 Costa Constantinides is gonna be honoring Inspector  
10 Scott Shanley and Lieutenant Andrew Childs from the  
11 strategic response group for their stopping a crime  
12 and murder spree in Astoria. So great day to  
13 recognize [applause] and thank you so much, thank  
14 you, thank you, thank you. And I'll hand it off to  
15 Costa to say a few words before we read the  
16 proclamation. And yes, all... all those that came to  
17 support, please come on up; you're always welcome up  
18 here.

19                   COUNCIL MEMBER CONSTANTINIDES: Thank  
20 you, Madame Speaker and thank you for what you do.

21                   I wanna begin by thanking all our men and  
22 women in blue and really for your service to this  
23 city and keeping us safe every day. You know on  
24 March 6th there was a day-long violent crime -- Let  
25

1  
2 me begin with the attendees; then I'll kinda go into  
3 it.

4 We have with us today now Chief Scott  
5 Shanley, Lieutenant Andrew Childs we're honoring  
6 today; we have members of the Critical Response Unit;  
7 thank you for being here today, and members of their  
8 family, and thank your family for sharing them with  
9 the members of our city.

10 You know on March 6th there was a day-  
11 long crime spree in our neighborhood of Astoria. A  
12 23-year-old suspect slashed a 39-year-old female,  
13 stabbed a 55-year-old businessman to death, sprayed a  
14 61-year-old homeless man with gasoline, lighting him  
15 on fire, and put our neighborhood through a day of  
16 terror. These horrific crimes were later connected  
17 also with the stabbing of a 43-year-old man in  
18 Jackson Heights the same day. The NYPD searched for  
19 the subject who perpetrated all of these heinous  
20 crimes. Then Inspector Shanley and Lieutenant Andrew  
21 Childs of the Critical Response Command Unit found  
22 the subject near his home early that evening. During  
23 the capture, they too were sprayed with accelerant  
24 and he attempted to light them on fire as they  
25 brought him into custody.

1  
2 Despite these injuries, then Inspector  
3 Shanley and Lieutenant Childs were successful in  
4 apprehending the suspect; their heroic efforts saved  
5 countless others from harm that day. We... [applause]  
6 So really we're here today to give a small thank you.  
7 Thank you for your service, thank you for what you've  
8 done for our community; thank you for helping us keep  
9 ourselves [sic] that day every day, before and after.  
10 So for your selfless efforts to your service to the  
11 city, our community stands with you in support of our  
12 victims and with our NYPD and with both of you, so  
13 thank you for being here. [applause, background  
14 comment] And clerk, if you can read the proclamation  
15 into the record, please.

16 CITY CLERK: Council, City of New York  
17 Proclamation.

18 Whereas the Council of the City of New  
19 York is proud to honor NYPD Lieutenant Andrew Childs  
20 and NYPD Inspector Scott Shanley for their  
21 outstanding heroism that has demonstrated the Police  
22 Department's unwavering commitment to making our city  
23 safe and fair for everyone everywhere.

24 And whereas, all New Yorkers depend upon  
25 the men and women of the New York City Police

1  
2 Department to protect our community, enforce our laws  
3 and keep our neighborhoods safe every day. Whether  
4 they are on or off duty, these courageous individuals  
5 are willing to defend the lives of New Yorkers with  
6 their own. NYPD Lieutenant Andrew Childs and NYPD  
7 Inspector Scott Shanley exemplified this on Sunday,  
8 March 6, 2016. That day, around 11:20 a.m. a man  
9 went on a violent crime spree in Astoria, Queens; the  
10 23-year-old suspect allegedly slashed a 39-year-old  
11 female in the neck and face; about four hours later  
12 and a mile away he fatally stabbed a 55-year-old  
13 businessman and sprayed a 61-year-old homeless man  
14 with gasoline before lighting him on fire. All of  
15 the attacks appeared to be random; a manhunt quickly  
16 ensued with hundreds of police officers working  
17 together to locate the person responsible for these  
18 horrific acts.

19 And whereas, at 5:40 p.m. Lieutenant  
20 Andrew Childs and Inspector Scott Shanley, both  
21 member of NYPD's Critical Response Unit, spotted the  
22 suspect and confronted him; the young man carried  
23 what appeared to be a small kitchen knife and sprayed  
24 an accelerant on the officers, burning both.

1  
2 And whereas, Lieutenant Andrew Childs, a  
3 14-year veteran of the NYPD and a member of the  
4 Critical Response Command, and Inspector Scott  
5 Shanley, a 35-year veteran of the NYPD and the  
6 Commanding Officer of the Critical Response Command,  
7 followed the suspect back to his home and leading to  
8 his subsequent arrest, which ended his violent spree  
9 and saved countless other New Yorkers from harm.

10 And whereas, the officers were treated  
11 for their burns at Cornell Medical Center and soon  
12 released, and we are grateful to have both back on  
13 the job today. They are truly among New York's  
14 finest and have earned the enduring gratitude of all  
15 New Yorkers. Now therefore be it known, that the  
16 Council of the City of New York is very proud to  
17 honor NYPD Inspector, now Chief, Scott Shanley and  
18 NYPD Lieutenant Andrew Childs for their heroism on  
19 March 6, 2016. Melissa Mark-Viverito, Speaker for  
20 the Entire Council; Costa Constantinides, Council  
21 Member 22nd District, Queens.

22 [applause]

23 SPEAKER MARK-VIVERITO: So again, thank  
24 you for not only what you've done in keeping Costa's  
25 district and his community safe, but thank you for



1  
2 what you do each and every day. To the Chief and to  
3 the Lieutenant, if one of you would like to say a few  
4 words, it would be great.

5 I was gonna say, maybe... you know, yes.

6 [background comments]

7 MALE VOICE: Yeah, I should pull rank on  
8 him, actually. No, I appreciate the award, and like  
9 I always like to say, it was a group effort; we did  
10 have a huge amount of cops out there, you know we  
11 felt the need and it turned out, thank God, we were  
12 able to get him and prevent any further violence, so  
13 thank you for this award; thanks for the day [sic].

14 SPEAKER MARK-VIVERITO: Thank you so  
15 much.

16 [applause]

17 [pause]

18 SPEAKER MARK-VIVERITO: It's only two  
19 weeks ago, so congratulations on that as well.

20 [applause, background comments]

21 Alright, the next ceremonial will be  
22 Council Member Inez Barron, who is here and honoring  
23 and doing a ceremonial today for the Thomas Jefferson  
24 High School basketball team [applause] for winning  
25 the PSAL City and State Championship; [cheers,

1  
2 applause] if the team can come on up. [background  
3 comments] Where are they young people? Come on up.  
4 [background comments, laughter] I think there's one  
5 member here in particular that likes the ceremonial.  
6 [laugh] Come on up. We can swing on both sides.  
7 Okay, I'm gonna hand it over to Council Member  
8 Barron.

9 COUNCIL MEMBER BARRON: Good afternoon.  
10 I am so pleased to be here on the occasion of  
11 presenting this proclamation to one of the high  
12 school teams that exists in East New York, the 42nd  
13 Council District; it's Thomas Jefferson Campus  
14 basketball team here with Coach Pollard and  
15 Assistance Coach Jefferson and they've just been  
16 working diligently with this team for many, many,  
17 many years and this year they got the fruits of that  
18 labor by being able to win the championship, and they  
19 were also honored on this past Tuesday in the State  
20 Assembly by Assembly Member Charles Barron because  
21 they won, as has been said, not only the city  
22 championship, but the state championship in  
23 basketball. [cheers, applause]

24 So we know that as we educate children;  
25 as we educate our young people, that it's the

1  
2 academics in combination with the arts and the  
3 athletics. So if you go to Thomas Jefferson Campus  
4 you'll see a mock courtroom, because they have a  
5 judge program; they have a program related also to  
6 the FDNY, and they also have an arts program; dance  
7 program. But the athletic team here has excelled,  
8 they've worked hard and again, they won this year;  
9 when they were in Albany, Assembly Member Barron  
10 referred to them as "black diamonds." Black diamonds  
11 are the strongest diamonds that there are, because  
12 they are subjected to the most pressure to become  
13 black diamonds. So as we understand all of the  
14 pressures that exist in underserved communities, we  
15 want to encourage you; to tell you, let those  
16 pressures make you stronger, let those pressures make  
17 you better, and excel as you go forward. And we also  
18 wanna say that they understand the importance of  
19 combining academics with athletics and their seniors  
20 have all been accepted to various colleges,  
21 [applause, cheers] so they understand the importance.  
22 Thank you so much.

23 SPEAKER MARK-VIVERITO: So the clerk can  
24 read the proclamation.

25

1  
2 COUNCIL MEMBER BARRON: Okay. The clerk  
3 will now read the proclamation.

4 CITY CLERK: Council, City of New York  
5 Proclamation.

6 The Council of the City of New York is  
7 proud to honor the Thomas Jefferson Campus Orange  
8 Wave basketball team for their outstanding  
9 sportsmanship throughout their unforgettable, hard-  
10 fought season which led to their first New York City  
11 PSAL title since 1954 and their first New York State  
12 Federation Tournament Championship in the school's  
13 history.

14 And whereas, the championship team has  
15 been led by a group of seniors who have been together  
16 since their freshman year, inclusive of senior  
17 leaders Deante Bridgett, Kerome Grant, Eric  
18 Massingale, Jordan Morgan, Curtis Smith, Youssouf  
19 Traore [sp?], first team all New York City player,  
20 Rasheen Dunn, and all-American, Shamorie Ponds, all  
21 of whom have been accepted at colleges.

22 And whereas, when Coach Lawrence Pollard  
23 took over varsity basketball in 2004, he was  
24 committed to restoring the pride and tradition that  
25 fueled the once-legendary program out of Jefferson

1 High School, a pride that former City Councilman  
2 Charles Barron saw when he committed more than  
3 \$650,000 for the complete renovation of the Jefferson  
4 Campus gym and a school tradition that produced 10  
5 NBA players in its proud history. Such great players  
6 include: Leroy Ellis and James McMillian, who both  
7 became members of what some consider the greatest  
8 team of all time, the 1972 LA Lakers; Sidney Green,  
9 who was elected 5th overall by the Chicago Bulls in  
10 1983, and Phil Sellers, an all-American at Jefferson  
11 who went on to play for the Detroit Pistons. Coach  
12 Pollard's vision and dedication has paid off; since  
13 he took the reins of the team, they have won more  
14 than 90 percent of lead games.

15  
16 And whereas, the Thomas Jefferson Campus  
17 has an incredible history of accomplished alumni  
18 athletes; this East New York school has helped shape  
19 Shawan Dunston, first pick of the nation in 1982, who  
20 went on to play 20 years in major league baseball;  
21 Otis Wilson, an all-pro linebacker who was a key  
22 member of one of the greatest NFL defense teams of  
23 all time, the 1985 Chicago Bears, and Riddick Bowe,  
24 who won the world heavyweight boxing championship by  
25 defeating Evander Holyfield in 1992. Thanks to the

1 leadership of Coach Pollard and Assistant Coach  
2 Seldon Jefferson, the members of this year's Orange  
3 Wave basketball team continue to uphold this  
4 tradition of greatness.

5  
6 Now therefore be it known, that the  
7 Council of the City of New York is proud to honor and  
8 congratulate the 2016 Thomas Jefferson Campus Orange  
9 Wave Basketball Team on winning both the New York  
10 City PSAL Boys Varsity Basketball Championship and  
11 the 2016 New York State Federation Class AA Boys  
12 Championship. Melissa Mark-Viverito, Speaker for the  
13 Entire Council; Inez D. Barron, Council Member 42nd  
14 District, Brooklyn; Robert Cornegy, Co-Chair Black,  
15 Latino and Asian Caucus; Ritchie Torres, Co-Chair  
16 Black, Latino and Asian Caucus.

17 SPEAKER MARK-VIVERITO: Alright.

18 [applause]

19 So we definitely would like the coach to  
20 say something, but we would like one of you all, in  
21 representation of the team, to say a few words, so  
22 could one of you speak on behalf of the team?

23 [background comments] Come on. Who's gonna speak?

24 Okay. [applause] And let us know your name.

25 [cheers, background comments]

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CITY COUNCIL STATED MEETING

KEROME GRANT: Hello; I'm Kerome Grant and... [background comments] and I'm honored... well thanks for honoring us; it was a hard season; we worked hard, practicing; stuff like. It wasn't easy, all this right now; you know it was worth it; we had practices where we felt... it felt like everything was coming down on us at a point; it was like a rocky season, like you know, we had our ups and downs; hard losses and stuff like that and basically, we just played through it and you know we won it all.

[background comments, applause]

SPEAKER MARK-VIVERITO: Well that's what commitment and dedication will do, so the same in athletics, the same in academics, we should always apply that, so congratulations again. Does the coach wanna say anything? No, okay. Alright, very, very... [background comments] they want you to speak.

[background comments]

COACH POLLARD: I wanna thank you guys for having us and honoring the guys, they really deserve it; they're part of history and one of our mottos this year with this team and moving forward is, "say less and do more," so I demanded it more from these guys and they gave it to me every day and

1  
2 hopefully they understand I didn't pick on 'em; I  
3 pushed 'em; that's a big difference, so I didn't pick  
4 on 'em; I know sometimes the parents didn't agree,  
5 but all these guys are going to college and that's  
6 what it's all about. [background comments, applause]

7 And also, also I wanna thank... I wanna...  
8 and lastly, everybody... everybody comes to the games  
9 and these guys get all the credit and the all-  
10 American guys, they get a lot of love, but the  
11 managers here; these ladies keep the score, they do a  
12 lot for us; without the game we wouldn't have them  
13 and I thank those for helping us as well. But I  
14 thank you guys for having us, alright and I  
15 appreciate it.

16 [background comments]

17 SPEAKER MARK-VIVERITO: Thank you so  
18 much.

19 [background comments, applause]

20 SPEAKER MARK-VIVERITO: Okay. Alright,  
21 so that was a great one. We have the last ceremonial  
22 by Council Member Daneek Miller; if the honorees  
23 could come up, the I.S. 192 Robotics Team [applause,  
24 cheers] that won the New York City FIRST LEGO League  
25 Championship. Alright; come on up. [cheers,



1  
2 applause, background comments] Alright, Council  
3 Member Miller. [background comments] Oh wow, thank  
4 you so much and they invited me to be an official  
5 team member with a shirt. Thank you so much.  
6 Congratulations. I'm gonna hand it off to the  
7 council member, who will say a few words before we  
8 read the proclamation. Congratulations.

9 COUNCIL MEMBER MILLER: Thank you, Madame  
10 Speaker.

11 It is such an honor and a pleasure to  
12 welcome the team of I.S. 192, The Robotic Team of  
13 I.S. 192 here today; they have made us so proud, it  
14 is such a proud moment for our community and in fact  
15 for our city. They recently competed in the New York  
16 City For Inspiration and Recognition of Science and  
17 Technology (FIRST), where they won 1st and at the  
18 tri-statewide competition, which took them to  
19 St. Louis last week, where they competed [cheers,  
20 applause] against teams from Australia, Israel,  
21 Brazil, Mexico, and all throughout the world and so  
22 they did not need to win there to prove that they are  
23 winners; just them being here today. But I do wanna  
24 say while schools in Southeast Queens and all over  
25 the city, and particularly communities of color, I

1 will borrow from Assembly Member Barron, these  
2 "diamonds" over here, these "black diamonds" here,  
3 that when you invest in them, this is who our  
4 children really are. So we are so really proud  
5 [applause] of what they were able to accomplish. And  
6 may I also say that the only other New York City team  
7 to qualify to compete in the internationals was  
8 Stuyvesant High School. So this is such an absolute,  
9 amazing accomplishment; we are all proud of you; you  
10 have made us proud not just in Southeast Queens, but  
11 throughout the City of New York and I assure you that  
12 we will continue to support you.

14 The one thing is that, as I spoke to  
15 Principal Diaz and I wanna thank Principal Diaz and  
16 her team, Mr. Greene and all the rest for the great  
17 work that you've done; she explained that the support  
18 that these teams had from multinational corporations,  
19 how they supported their teams; this team didn't have  
20 that, but I'm sure they will have that in the future,  
21 but I would like to think the community folks, the  
22 local churches and the civics that got together to  
23 ensure that them and their families were able to go  
24 to St. Louis and compete, that we invested in you and  
25 that we are so proud of you and what you've done. So

1  
2 I'm told that the member of the Jefferson High School  
3 had two; three players that attended 192; I think we  
4 have two council members up here now claiming 192  
5 [cheers, applause] 192 here I think... [background  
6 comment] So great things do happen in 192 and we are  
7 so proud of you. So with that I'd... [background  
8 comment] yes, Mr. Clerk; could you read the proc?

9 CITY CLERK: Council, City of New York  
10 Proclamation.

11 The Council of the City of New York is  
12 proud to honor The Robotics Team of I.S. 192 Queens  
13 for their outstanding dedication and teamwork that  
14 led to their triumph at the 2016 New York City FIRST  
15 LEGO League Championship, and whereas, robotics  
16 technology is a pillar of the 21st century innovation  
17 found in nearly every sector of our society, from  
18 manufacturing to health care, to national defense and  
19 security, to agriculture and transportation and many  
20 other industries. Robotics contributes to so many  
21 areas that it has ignited a passion for technology  
22 education across the country; it is uniquely adept at  
23 enabling students of all ages to learn important  
24 science, technology, engineering and math concepts  
25 and inspiring them to pursue careers in STEM-related

1 fields. Young people who study robotechnology today  
2 will have a tremendous impact on the future of New  
3 York City and the nation.

4  
5 And whereas, The Robotics Team of I.S.  
6 192 in St. Albans, Queens is at the forefront of this  
7 technology; it's emerging 7th grade and 8th grade  
8 innovators include: Calina [sp?] Burwell, Alison  
9 Cabane [sp?], Roselyn Gano [sp?], Randy Gano,  
10 Beatrice Agby [s?], Antonio Collo [sp?], Johnny  
11 Ransumi [sp?], Edimasi Ono [sp?], Chelil Highland  
12 [sp?], Samuel Highland, Naima Bagoom [sp?], Marshal  
13 Burney [sp?], Stephanie Toussaint, and Manmeet Singh  
14 [sp?]; together they are CN Rogue [sic].

15 And whereas, with the tireless support of  
16 their robotics and technology teacher and coach, Eric  
17 Greene, the members of CN:Rogue competed in the New  
18 York City FIRST, which stands For Inspiration and  
19 Recognition of Science and Technology, Championship  
20 in March at the Javits Center. This intense  
21 competition welcomes over 200 robotics teams from the  
22 New York tri-state area, Brazil, China, Ecuador,  
23 Turkey, The Netherlands, and the U.K. to build  
24 competitive robots within strict rules, limited  
25 resources and time constraints. With their shared

1  
2 commitment to critical thinking, creative problem-  
3 solving and doing their best, the members of CN:Rogue  
4 became 1st place champions. And whereas, CN:Rogue's  
5 victory in New York catapulted them to the FIRST  
6 World Championship held in St. Louis, from April 27  
7 to April 30, 2016, where they continued to hone their  
8 skills.

9           And whereas, we recommend these bright  
10 young thinkers for following their passion for  
11 science, knowing it can benefit them in all other  
12 areas of life. Whether their interest in robotics  
13 leads to new products that aid manufacturing workers,  
14 assist astronauts in dangerous missions or help  
15 scientists develop new lifesaving drugs, these  
16 exception students will continue to reach for new  
17 heights and achieve things tomorrow that may have  
18 seemed unimaginable today.

19           Now therefore be it known, that the  
20 Council of the City of New York proudly honors and  
21 congratulates The Robotics Team of I.S. 192 Queens,  
22 CN:Rogue, for their outstanding 1st place victory at  
23 the 2016 New York City FIRST LEGO League  
24 Championships. Melissa Mark-Viverito, Speaker for  
25 the Entire Council; I. Daneek Miller, Council Member

1  
2 27th District, Queens; Daniel Dromm, Chair Education  
3 Committee, Council Member 25th District, Queens.

4 SPEAKER MARK-VIVERITO: Alright.

5 [applause, cheers] So I was just asking; I said,  
6 "What is the CN?" It's Code Name Rogue; I love that,  
7 that's a great, great, great team name. So I just  
8 have to say that it's very inspiring to see you all  
9 here and congratulations on this. You know we talk a  
10 lot about the need for our kids, particularly young  
11 people of color, to really go into the STEM, right,  
12 into science and math, because it opens up so many  
13 doors and that is the direction in which our  
14 industries are heading, so the skills that you are  
15 getting are ones that are gonna help you moving  
16 forward and so it's really a proud day for us here in  
17 the Council to welcome you. Thank you for the shirt;  
18 now this belongs to me too. [laughter] But we would  
19 love maybe one of the students to speak on behalf of  
20 the team, if you could figure someone up.

21 [background comments]

22 ROSELYN: So my name is Roselyn and on  
23 behalf of I.S. 192, CN:Rogue, I just [background  
24 comments] wanna say that we've had a very long and a  
25 bit tedious journey, but it's been very fun and a

1  
2 very exciting experience for all of us. We faced a  
3 lot of hardships, but look what came up behind those;  
4 we got 1st place in the City; we went to St. Louis to  
5 compete against other teams around the world, so it's  
6 definitely been a very exciting journey for all of  
7 us.

8 SPEAKER MARK-VIVERITO: And you're gonna  
9 win next year; right? [background comments,  
10 laughter, applause] Thank you so much. [background  
11 comments]

12 COUNCIL MEMBER MILLER: Principal Diaz,  
13 please. So this is someone who just -- I don't know  
14 when she taught there; she lived in the neighborhood;  
15 she works in the neighborhood; she's the princ... we  
16 can't get rid of her over there; she's done so many  
17 great things there and just so invested, so could you  
18 please give us a couple words? [background comments]

19 PRINCIPAL DIAZ: Okay. My name is  
20 Harriet Diaz and this is year 15 as principal at I.S.  
21 192, so Mr. Greene, my coach, and I have begged,  
22 borrowed, and did whatever we needed to do to make  
23 sure... [laughter, background comments] to make sure  
24 that we had LEGOs and we can keep our robotics going.  
25 So we thank you and we do appreciate you and all the

1  
2 accolades go to our young minds and our future.

3 Thank you.

4 [applause]

5 [pause]

6 SPEAKER MARK-VIVERITO: And with that we  
7 end ceremonials.

8 [pause]

9 [background comments]

10 SERGEANT AT ARMS: Ladies and gentleman,  
11 can I have your attention please? Quiet please.  
12 Quiet on the floor. Quiet on the floor, please. At  
13 this time, please place all [gavel] electronic  
14 devices, all electronic devices to vibrate. Will all  
15 non-Council employees, non-Council employees please  
16 leave the main floor of the chambers at this time?  
17 Thank you.

18 [pause]

19 PUBLIC ADVOCATE JAMES: Thank you. If  
20 everyone could please have their seats. [background  
21 comments] Quiet in the chambers. Quiet in the  
22 chambers; let's quiet down; everyone please have your  
23 seats. Clear the aisles. Everyone have their seats.  
24 Quiet in the chambers; if we could close those back  
25



1  
2 doors. Shhhh... Quiet in the chambers. All rise for  
3 the Pledge of Allegiance.

4 [background comment]

5 [pause]

6 COMMITTEE CLERK: Barron.

7 COUNCIL MEMBER BARRON: Present.

8 COMMITTEE CLERK: Borelli.

9 PUBLIC ADVOCATE JAMES: Shhhh.

10 COMMITTEE CLERK: Cabrera.

11 [background comment]

12 COUNCIL MEMBER CABRERA: Here.

13 COMMITTEE CLERK: Thank you. Chin.

14 COUNCIL MEMBER CHIN: Here.

15 COMMITTEE CLERK: Cohen.

16 COUNCIL MEMBER COHEN: Here.

17 COMMITTEE CLERK: Constantinides.

18 COUNCIL MEMBER CONSTANTINIDES: Aye.

19 COMMITTEE CLERK: Cornegy.

20 COUNCIL MEMBER CORNEGY: Here.

21 COMMITTEE CLERK: Crowley.

22 COUNCIL MEMBER CROWLEY: Here.

23 COMMITTEE CLERK: Cumbo. Deutsch.

24 Dickens.

25 COUNCIL MEMBER DICKENS: Here.

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COMMITTEE CLERK: Dromm.  
COUNCIL MEMBER DROMM: Here.  
COMMITTEE CLERK: Espinal. Eugene.  
COUNCIL MEMBER EUGENE: Here.  
COMMITTEE CLERK: Ferreras-Copeland.  
COUNCIL MEMBER FERRERAS-COPELAND: Here.  
COMMITTEE CLERK: Garodnick.  
COUNCIL MEMBER GARODNICK: Here.  
COMMITTEE CLERK: Gentile.  
COUNCIL MEMBER GENTILE: Here.  
COMMITTEE CLERK: Gibson.  
COUNCIL MEMBER GIBSON: Present [sic].  
COMMITTEE CLERK: Greenfield.  
COUNCIL MEMBER GREENFIELD: Here.  
COMMITTEE CLERK: Grodenchik.  
COUNCIL MEMBER GRODENCHIK: Here.  
COMMITTEE CLERK: Johnson.  
COUNCIL MEMBER JOHNSON: Here.  
COMMITTEE CLERK: Kallos.  
COUNCIL MEMBER KALLOS: Here with my  
reusable bag.  
[cheers, applause]  
PUBLIC ADVOCATE JAMES: Excuse me; quiet  
in the chambers.

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[background comments]

PUBLIC ADVOCATE JAMES: Quiet in the chambers; no outbursts. Thank you.

COMMITTEE CLERK: King.

COUNCIL MEMBER KING: Present.

COMMITTEE CLERK: Koo.

COUNCIL MEMBER KOO: Present.

COMMITTEE CLERK: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: Here.

COMMITTEE CLERK: Lancman.

COUNCIL MEMBER LANCMAN: Here.

COMMITTEE CLERK: Lander.

COUNCIL MEMBER LANDER: Here.

COMMITTEE CLERK: Levin.

COUNCIL MEMBER LEVIN: Here.

COMMITTEE CLERK: Levine.

COUNCIL MEMBER LEVINE: Here.

COMMITTEE CLERK: Maisel. Mealy.

Menchaca.

COUNCIL MEMBER MENCHACA: Presente.

COMMITTEE CLERK: Mendez. Miller.

COUNCIL MEMBER MILLER: Here.

COMMITTEE CLERK: Thank you. Palma.

COUNCIL MEMBER PALMA: Yes. [sic]

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COMMITTEE CLERK: Reynoso.  
COUNCIL MEMBER REYNOSO: Here.  
COMMITTEE CLERK: Richards.  
COUNCIL MEMBER RICHARDS: Present.  
COMMITTEE CLERK: Rodriguez.  
COUNCIL MEMBER RODRIGUEZ: Here.  
COMMITTEE CLERK: Rose.  
COUNCIL MEMBER ROSE: Here.  
COMMITTEE CLERK: Rosenthal.  
COUNCIL MEMBER ROSENTHAL: Here.  
COMMITTEE CLERK: Salamanca.  
COUNCIL MEMBER SALAMANCA: Present.  
COMMITTEE CLERK: Torres.  
COUNCIL MEMBER TORRES: Present.  
COMMITTEE CLERK: Treyger.  
COUNCIL MEMBER TREYGER: Here.  
COMMITTEE CLERK: Ulrich.  
COUNCIL MEMBER ULRICH: Here.  
COMMITTEE CLERK: Vacca.  
COUNCIL MEMBER VACCA: Here.  
COMMITTEE CLERK: Vallone.  
COUNCIL MEMBER VALLONE: Here.  
COMMITTEE CLERK: Williams. Wills.

Matteo.

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COUNCIL MEMBER MATTEO: Here.

COMMITTEE CLERK: Van Bramer.

COUNCIL MEMBER VAN BRAMER: Here.

COMMITTEE CLERK: Speaker Mark-Viverito.

Mendez.

COUNCIL MEMBER MENDEZ: Here.

COMMITTEE CLERK: Borelli.

COUNCIL MEMBER BORELLI: Here.

PUBLIC ADVOCATE JAMES: All rise for the

invocation. The invocation will be delivered by

Rev. Juan Carlos Ruiz, St. Jacobi Evangelical

Lutheran Church in the Borough of Brooklyn. Quiet in

the chambers.

REV. JUAN CARLOS RUIZ: Oaths, public

oaths shape our lives; I made one when I was crossing

the Mexican border a few years back, and the oath I

made was not to forget my roots and as we celebrate

Cinco de Mayo, I join many Mexican nationals that

live in the Borough of Brooklyn and throughout our

city and first, we commend you as a city for the many

ways you have witnessed, that you have risen and

stand with us, with our communities to protect the

dignity of us all.

1  
2 This morning I got a call from people  
3 from El Salvador and two brothers had fled the  
4 violence and they were coming over the border, and  
5 then I got a call from a woman from Honduras who has  
6 been put on an electronic bracelet and the echoes of  
7 those calls shape my commitment, the oath, the  
8 commitment that I have made to serve the public. So  
9 I pray with you as we stand here, that God as the  
10 fountain of all mercies, as a compassionate and just  
11 god, may continue to lead us on ways of peace; on  
12 ways of understanding so that we may continue to  
13 stand with those who call us back to our roots to who  
14 we are as a people; as a nation. We pray for God's  
15 spirit to continue to shape our lives so that we may  
16 be witnesses of God's love and compassion for all.  
17 Amen.

18 PUBLIC ADVOCATE JAMES: Please be seated.  
19 Council Member Menchaca.

20 COUNCIL MEMBER MENCHACA: Thank you and...  
21 [interpose]

22 PUBLIC ADVOCATE JAMES: Quiet in the  
23 chambers. Shhhh.

24 COUNCIL MEMBER MENCHACA: and what a  
25 blessing it is for us to hear the words today of the

1  
2 Rev. Juan Carlos Ruiz and what I wanna say too, as I  
3 move to spread the invocation in full, is just  
4 remember those words and let those words echo into  
5 our minds as we lift the stories of the countless  
6 immigrants, especially in the Mexican community here  
7 today that we celebrate and think about places like  
8 Sunset Park that were the first places where our  
9 Poblano [sic] population that came from Mexican first  
10 came through Sunset Park and now are part of so many  
11 neighborhoods in the city, and as we continue to  
12 fight for justice and immigration reform commitment,  
13 let us know that this Council is committed and we are  
14 with you, and so with that I spread the invocation in  
15 full. Thank you.

16 PUBLIC ADVOCATE JAMES: Thank you.  
17 Adoption of Minutes, Council Member Cabrera.

18 COUNCIL MEMBER CABRERA: I make a motion  
19 that the Minutes of the Stated Meeting of April 7th,  
20 2016 be adopted as printed.

21 PUBLIC ADVOCATE JAMES: Messages and  
22 Papers from the Mayor.

23 COMMITTEE CLERK: M 0395, submitting  
24 Robert Farrell, Jr. for appointment to the Tax  
25 Commission.

1 CITY COUNCIL STATED MEETING 32

2 SPEAKER MARK-VIVERITO: Rules, Privileges  
3 and Elections.

4 COMMITTEE CLERK: M 0396, submitting Nora  
5 Marino for reappointment to the Taxi and Limousine  
6 Commission.

7 SPEAKER MARK-VIVERITO: Rules, Privileges  
8 and Elections.

9 COMMITTEE CLERK: M 0397, FY 2017 Expense  
10 Revenue, Contract and Capital Budget and Supporting  
11 Schedules.

12 SPEAKER MARK-VIVERITO: Finance.

13 COMMITTEE CLERK: M 0405, City Debt and  
14 Reserves.

15 SPEAKER MARK-VIVERITO: Received,  
16 Ordered, Printed and Filed.

17 PUBLIC ADVOCATE JAMES: Communication  
18 from City, County and Borough Offices.

19 COMMITTEE CLERK: None.

20 PUBLIC ADVOCATE JAMES: Petitions and  
21 Communications.

22 COMMITTEE CLERK: None.

23 PUBLIC ADVOCATE JAMES: Land Use Call-  
24 Ups.

25 COMMITTEE CLERK: M 0406, Sidewalk Café.



2 SPEAKER MARK-VIVERITO: Roll Call.

3 PUBLIC ADVOCATE JAMES: Shhhh, quiet in  
4 the chambers for the Roll Call.

5 SERGEANT AT ARMS: Sit down, please. Sit  
6 down.

7 COMMITTEE CLERK: Barron.

8 COUNCIL MEMBER BARRON: Yes.

9 COMMITTEE CLERK: Borelli.

10 COUNCIL MEMBER BORELLI: Aye.

11 COMMITTEE CLERK: Cabrera.

12 COUNCIL MEMBER CABRERA: Aye.

13 COMMITTEE CLERK: Chin.

14 COUNCIL MEMBER CHIN: Aye.

15 COMMITTEE CLERK: Cohen.

16 COUNCIL MEMBER COHEN: Aye.

17 COMMITTEE CLERK: Constantinides.

18 COUNCIL MEMBER CONSTANTINIDES: I would  
19 like to vote aye.. Madame Public Advocate, I'd like to  
20 vote aye on all call-ups and with permission, I'd  
21 like to vote on all coupled general orders and  
22 resolutions. I vote aye. Thank you.

23 COMMITTEE CLERK: Cornegy.

24 COUNCIL MEMBER CORNEGY: Aye.

25 COMMITTEE CLERK: Crowley.

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[sic]

COUNCIL MEMBER CROWLEY: Aye.  
COMMITTEE CLERK: Cumbo.  
COUNCIL MEMBER CUMBO: Aye.  
COMMITTEE CLERK: Deutsch.  
COUNCIL MEMBER DEUTSCH: Aye.  
COMMITTEE CLERK: Dickens.  
COUNCIL MEMBER DICKENS: Aye.  
COMMITTEE CLERK: Dromm.  
COUNCIL MEMBER DROMM: Aye.  
COMMITTEE CLERK: Espinal. Eugene.  
COUNCIL MEMBER EUGENE: Aye.  
COMMITTEE CLERK: Ferreras-Copeland.  
COUNCIL MEMBER FERRERAS-COPELAND: Yes.  
COMMITTEE CLERK: Garodnick.  
COUNCIL MEMBER GARODNICK: Aye.  
COMMITTEE CLERK: Gentile.  
COUNCIL MEMBER GENTILE: Aye.  
COMMITTEE CLERK: Gibson.  
COUNCIL MEMBER GIBSON: Yes.  
COMMITTEE CLERK: Greenfield.  
COUNCIL MEMBER GREENFIELD: Aye.  
COMMITTEE CLERK: Grodenchik.  
COUNCIL MEMBER GRODENCHIK: Aye.

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COMMITTEE CLERK: Johnson.

COUNCIL MEMBER JOHNSON: Aye.

COMMITTEE CLERK: Kallos.

COUNCIL MEMBER KALLOS: Aye.

COMMITTEE CLERK: King.

COUNCIL MEMBER KING: Aye.

COMMITTEE CLERK: Koo.

COUNCIL MEMBER KOO: Aye.

COMMITTEE CLERK: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: Aye.

COMMITTEE CLERK: Lancman.

COUNCIL MEMBER LANCMAN: Madame Public

Advocate, I would like to vote aye on all land use  
call-ups and with permission, I'd like to vote on all  
coupled general orders and resolutions...

PUBLIC ADVOCATE JAMES: Yes.

COUNCIL MEMBER LANCMAN: and then I would  
like to vote aye on all, except Int. 0209, the bag  
tax.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Lander.

[clapping]

SERGEANT AT ARMS: Sit down, stop, stop...

[crosstalk]

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PUBLIC ADVOCATE JAMES: Excuse me.

Continuing with roll call.

COMMITTEE CLERK: Lander.

COUNCIL MEMBER LANDER: Aye.

COMMITTEE CLERK: Levin.

COUNCIL MEMBER LEVIN: Aye on all.

COMMITTEE CLERK: Levine.

COUNCIL MEMBER LEVINE: Aye.

COMMITTEE CLERK: Menchaca.

COUNCIL MEMBER MENCHACA: Aye.

COMMITTEE CLERK: Mendez.

COUNCIL MEMBER MENDEZ: Aye.

COMMITTEE CLERK: Miller.

COUNCIL MEMBER MILLER: I vote aye.

COMMITTEE CLERK: Palma.

COUNCIL MEMBER PALMA: I vote aye.

COMMITTEE CLERK: Reynoso.

COUNCIL MEMBER REYNOSO: Aye.

COMMITTEE CLERK: Richards.

COUNCIL MEMBER RICHARDS: Aye.

COMMITTEE CLERK: Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Aye.

COMMITTEE CLERK: Rose.

COUNCIL MEMBER ROSE: Aye.

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COMMITTEE CLERK: Rosenthal.

COUNCIL MEMBER ROSENTHAL: Aye.

COMMITTEE CLERK: Salamanca.

COUNCIL MEMBER SALAMANCA: Aye.

COMMITTEE CLERK: Torres.

COUNCIL MEMBER TORRES: I would like to  
vote aye on all call-ups, and with permission, I'd  
like to vote on all coupled general orders and  
resolutions.. [crosstalk]

PUBLIC ADVOCATE JAMES: Yes.

COUNCIL MEMBER TORRES: I vote aye.  
Thank you, ma'am.. [crosstalk]

PUBLIC ADVOCATE JAMES: Uhm-hm.

COMMITTEE CLERK: Treyger.

COUNCIL MEMBER TREYGER: Aye.

COMMITTEE CLERK: Ulrich.

COUNCIL MEMBER ULRICH: Yes.

COMMITTEE CLERK: Vacca.

COUNCIL MEMBER VACCA: Aye.

COMMITTEE CLERK: Vallone.

COUNCIL MEMBER VALLONE: Madame Advocate,  
may I have permission to vote aye on all matters on  
today's calendar?

PUBLIC ADVOCATE JAMES: Yes.

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COUNCIL MEMBER VALLONE: I vote aye.

Thank you.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Matteo. Espinal.

COUNCIL MEMBER ESPINAL: Here.

PUBLIC ADVOCATE JAMES: Espinal; how do  
you vote? Council Member Espinal...

COUNCIL MEMBER ESPINAL: I vote aye.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Van Bramer.

COUNCIL MEMBER VAN BRAMER: Aye.

COMMITTEE CLERK: Speaker Mark-Viverito.

SPEAKER MARK-VIVERITO: Yes.

PUBLIC ADVOCATE JAMES: Thank you.

Today's land use call-ups were adopted by a vote of  
47 in the affirmative and 0 in the negative. Now  
we'll hear from the Speaker, Melissa Mark-Viverito.  
Quiet in the chambers, please.

[background comments]

SPEAKER MARK-VIVERITO: Thank you, Madame  
Advocate and good afternoon, buenas tardes to all.

Before we begin today, just wanted to  
take a moment to acknowledge that today is Holocaust  
Remembrance Day. Last year we hosted an event here

1  
2 in the chambers to pay tribute to holocaust survivors  
3 living here in New York City. We must never forget  
4 the travesties of the holocaust and will continue to  
5 work to make sure the memories of our holocaust  
6 survivors live on in perpetuity and as we've done  
7 historically, that we continue to provide support to  
8 those in need.

9 Today we're voting on two bills to  
10 protect New Yorkers and to make sure building owners  
11 in and occupants whose homes are damaged during  
12 natural disasters, such as what we saw during  
13 Hurricane Sandy, aren't subject to unfair fines.

14 The first bill will ensure owners and  
15 occupants of buildings impacted by disasters aren't  
16 subject to civil or criminal penalties for building  
17 code or sanitation violations immediately after such  
18 a disaster or while enrolled in disaster recovery  
19 programs.

20 The second bill will protect owners and  
21 occupants of buildings impacted by disasters from  
22 facing penalties for building code violations that  
23 stem from emergency repairs done by the City or  
24 contractors hired by the City.

1  
2 As we saw during Hurricane Sandy, not all  
3 repairs that were made under the City's watch were up  
4 to code. New Yorkers shouldn't be punished for  
5 mistakes made by the City and this bill will close an  
6 unintended loophole so that it won't happen in the  
7 future.

8 On the staff side, definitely wanna thank  
9 Brad Reid, William Murray, Jonathan Seltzer, Jeffrey  
10 Baker, Ed Atkin, and Council Member Treyger is the  
11 sponsor of this bill; if he could say a few words  
12 about it.

13 COUNCIL MEMBER TREYGER: Thank you,  
14 Speaker.

15 Colleagues, I respectfully urge you to  
16 vote yes today on both Int. 1037-A, sponsored by  
17 myself, and Int. 0448, sponsored by Council Member  
18 Alan Maisel. Both of these bills stand for the  
19 simple principle that people whose properties were  
20 damaged during natural disasters should not face  
21 civil or criminal penalties for building or  
22 sanitation violations [background comments] caused by  
23 their participation in a recovery program. For New  
24 Yorkers enrolled in the Build it Back program, the  
25 fact that they are still waiting three-and-a-half



1  
2 years after Hurricane Sandy for the government to  
3 fulfill its promise to repair the catastrophic damage  
4 to their homes is bad enough; the fact that the  
5 Department of Buildings and the Department of  
6 Sanitation have issued fines to them for these  
7 unremediated conditions is unacceptable. Penalizing  
8 these people who are displaced from their homes for  
9 conditions that are out of their control in which a  
10 city-run recovery program has told them not to fix,  
11 is an injustice. Int. 1037-A provides building  
12 owners with an extended period of time to repair  
13 damages and clean their properties after a natural  
14 disaster without penalty; it would exempt building  
15 owners enrolled in a city disaster recovery program  
16 from civil and criminal penalties for building code  
17 violations related to storm damage. Lastly, it would  
18 protect displaced residents enrolled in a recovery  
19 program from certain sanitation violations; any of  
20 these penalties that have been imposed since  
21 Superstorm Sandy which would be covered by 1037-A  
22 will be waived and/or refunded.

23           During the hearings on 1037-A and 0448,  
24 many people came forward to testify that indeed they  
25 were issued violations like these. The Department of

1  
2 Buildings testified that they had an unwritten  
3 internal protocol against issuing violations to  
4 homeowners enrolled in Build it Back, much to the  
5 surprise of the legal services advocates and  
6 homeowners present. When we brought a specific case  
7 to their attention, where an administrative hearing  
8 upheld a fine for a violation which Build it Back had  
9 advised the homeowner in writing not to remediate,  
10 the Department of Buildings took action to refund the  
11 homeowner his money. Had this law existed then, he  
12 might never have had received that violation in the  
13 first place; this speaks to the necessity of  
14 legislating this issue rather than relying on  
15 internal protocols. We heard from many homeowners  
16 whose homes are being rebuilt who received DSNY  
17 violations addressed to them that were literally  
18 taped to the clearly labeled Build it Back  
19 construction fence on the properties which they were  
20 unable to occupy. By turning these bills into law  
21 that too will stop and those penalties will be  
22 refunded.

23 I'd like to thank the Speaker for her  
24 leadership, Laura Popa, Matt Gewolb, my committee  
25 staff, Counsel Brad Reid, Policy Analyst Bill Murray,

1  
2 as well as my own staff, Anna Scaife and Chief of  
3 Staff Ethan Lustig. Finally, I'd like to thank the  
4 legal services providers, recovery advocates and  
5 members of the public who shared their stories with  
6 us, opening our eyes to how widespread this problem  
7 truly is.

8 Colleagues, I urge you to vote to enact  
9 Intros 1037-A and 0448. Thank you.

10 SPEAKER MARK-VIVERITO: Thank you,  
11 Council Member. We'll also be voting on three bills  
12 to help improve the voting process in New York City.

13 The first bill in this package will  
14 require the Board of Elections to post notices at  
15 former poll sites informing voters of their new poll  
16 site location. The notices would also provide  
17 information about the online poll site locator and  
18 contact information for the BOE so voters are given  
19 even more resources to make sure they can find their  
20 poll site and cast their votes.

21 The next bill requires the Board of  
22 Elections to send an e-mail and text messages to  
23 voters who have opted to receive information alerts.  
24 These alerts would include the date and hours of  
25 election, poll site locations, absentee voting

1 requirements and deadlines, links to sample ballots,  
2 and links to relevant information on the Board's  
3 website.  
4

5 The final bill in this package will  
6 require the Board of Elections to provide a website  
7 and mobile application that gives the public easy  
8 access to information and tools for elections. And  
9 on this website, users will be able to track the  
10 status of their absentee applications and ballots,  
11 view their registration status and party affiliation  
12 and access other valuable tools.

13 Additionally, thanks to our legislation,  
14 voters will have the option to receive automatic  
15 alerts if their registration status changes. In last  
16 month's election many New Yorkers had no idea that  
17 their voting status had changed until they arrived at  
18 their poll sites and by then it was too late; with  
19 these alerts, voters will know promptly if anything  
20 has changed and have time to address it.

21 I proposed these voting reforms in my  
22 State of the City Address because they are a strong  
23 first step in reforming our elections process so that  
24 the residents of our city can exercise their  
25 fundamental right to vote, but there's still much

1  
2 more to be done to modernize and improve our election  
3 process; much of that will require the cooperation of  
4 the State Legislature, which is why we're also going  
5 to be voting on three resolutions calling on the  
6 State to enact laws that will make registering and  
7 voting easier for New Yorkers.

8 I wanna thank staff Smita Deshmukh,  
9 Laurie Wen, James Subudhi, Rachel Cordero; Matt  
10 Gewolb. I'm gonna ask Council Member Kallos, Council  
11 Member Vacca and Council Member Garodnick, whose  
12 birthday is today -- happy birthday [cheers,  
13 applause] -- to say a few words; we'll start off with  
14 Council Member Kallos.

15 COUNCIL MEMBER KALLOS: Thank you to  
16 Speaker Melissa Mark-Viverito for her commitment to  
17 civic engagement and inclusion of this as a top  
18 priority for this Council in her State of the City.

19 For me personally, voter empowerment and  
20 barriers to registration have been something I've  
21 been working on for nearly a decade; in fact, it was  
22 one of the issues that brought me into government  
23 service. We've heard a lot in the last few weeks  
24 about voter purges; while it's a great issue and it's  
25 getting attention now, it's certainly not new.

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2           When I saw a similar purge of over one  
3 million voters nearly 10 years ago in 2007, ahead of  
4 then presidential primary, I built VoterSearch.org to  
5 allow voters to go online and verify their  
6 registration status and whether they were a democrat  
7 or republican who could vote in primaries. The state  
8 government adopted this shortly thereafter, but the  
9 same problems around the same issues still exist  
10 today in New York City. For decades we've been  
11 pushing Albany to adopt the voting reforms we know  
12 increase engagement and voter turnout in other states  
13 and year after year they disappoint. The result of  
14 that inaction is hundreds of thousands of voters  
15 potentially being disenfranchised by having their  
16 names removed from voter rolls.

17           Yesterday my committee, the Committee on  
18 Governmental Operations, voted on three resolutions,  
19 once again calling on Albany to act. Res. 0848,  
20 which I sponsored, calls for the State to allow same-  
21 day and online voter registration; Res. 1061 I  
22 sponsored calls for no-excuse absentee voting, and  
23 Res. 0553-A, from Council Member Cabrera, calls for a  
24 period of early voting. Assembly Member Brian  
25 Kavanagh, the sponsor of many of these reforms,

1 testified before the Committee on Governmental  
2 Operations on Monday, reminding us that hope springs  
3 eternal and we hope Albany will finally act. But  
4 this Council is not going to wait on Albany to make  
5 changes; today we're also voting on three  
6 introductions to empower voters by ensuring they are  
7 able to easily access valuable information about  
8 elections, including my introduction, the voter  
9 information portal.  
10

11 Earlier this month, Mayor de Blasio set  
12 aside \$20 million to make these reforms a reality;  
13 the Board of Elections seems to have taken a path,  
14 but now we are acting through force of legislation.  
15 With tens of thousands of voters who showed up to  
16 vote thinking they were registered or registered with  
17 a political party, only to be told by election  
18 workers they were not in the poll book, to rent [sic]  
19 this and to make the process of voting more  
20 accessible and efficient, voters should be able to  
21 easily access information about elections any time.  
22 Int. 0659-A requires the Board of Elections to  
23 provide a secure website and mobile application that  
24 allows voters to verify registration status,  
25 eligibility to vote in primaries, locate the proper

1  
2 poll site and view sample ballots, update  
3 information, view one's history of voting; track an  
4 absentee ballot from request to receipt. Had this  
5 been in place on April 19th, we could've prevented  
6 much of what we saw.

7 I wanna take a moment to thank Council  
8 Member Mark Levine; he participated in our hearing;  
9 made a lot of suggested changes to the legislation  
10 and it went from being an absentee ballot tracker to  
11 a voter information portal and that is why the  
12 committee process and committee membership is so  
13 important and so thank you to Council Member Levine.

14 Also, Council Member Vacca's Int. 0463-A,  
15 which requires the Board of Elections to allow  
16 individuals to receive notifications via text and  
17 e-mail about important registration dates and  
18 deadlines, among many others, works very well with  
19 the introductions and together they will make sure  
20 that people get the information they need online as  
21 well as through other communications efforts.

22 And last but certainly not least, my  
23 colleague from the East Side and partner in good  
24 government and birthday boy, Council Member Garodnick  
25 has introduced 0062-A, which required BOE to affix



1 notices to former poll sites to direct voters to  
2 their proper site; it's a sensible solution to a  
3 problem many voters face when poll sites they've been  
4 voting at for years or decades are no longer there.  
5 Combined, these bills will ease the ability to access  
6 information and encourage them to be more civically  
7 engaged.  
8

9 I wanna thank the Speaker, Council  
10 Members Cabrera, Garodnick, Vacca, Matt Gewolb, Smita  
11 Deshmukh, Laurie Wen, and my Legislative Director  
12 Paul Westrick. I urge my colleagues to vote aye and  
13 wish Dan Garodnick a happy birthday.

14 [background comments]

15 PUBLIC ADVOCATE JAMES: Shhhh, quiet in  
16 the chambers.

17 SPEAKER MARK-VIVERITO: Everybody can  
18 tell Council Member Kallos gets excited about these  
19 bills; [background comments] right? This is up your  
20 alley; this is it. No, it's great stuff. So I'm  
21 gonna ask Council Member Vacca and then Council  
22 Member Garodnick to say a few words about the bills  
23 they're sponsoring... [crosstalk]

24 SERGEANT AT ARMS: Quiet please, sit  
25 down. [sic]

1  
2 PUBLIC ADVOCATE JAMES: Shhhh.

3 COUNCIL MEMBER VACCA: Thank you, Madame  
4 Speaker and following Council Member Kallos is gonna  
5 be a little difficult, but I'm ex... [laughter] I'm  
6 very, very happy with these bills. I wanna tell you  
7 something; the Board of Elections has to be reformed,  
8 it has to be really, really reformed; it needs help;  
9 it needs a miracle, but so much of what the Board of  
10 Elections needs to be done must be done on a state  
11 level and I think here we have found some things that  
12 we can do on a city level and I wanna thank the  
13 Speaker and Ben Kallos and his committee.

14 My bill says that if you give the Board  
15 of Elections your e-mail address and if you give them  
16 your cell phone number, you will be getting a text  
17 telling you if your poll site has changed; telling  
18 you when primary and election day is or when the  
19 deadline is for absentee voting; makes sense, we're  
20 in a technology age, the Board of Elections has gotta  
21 get with it and people have a right to know. How  
22 many times in our own districts do we have people who  
23 go to vote and as they walk to their polling place  
24 they find out on that day that they're no longer  
25 voting at the place they've been voting at for 20-30

1  
2 years. So we need this level of information and  
3 clarity and the Board of Elections has a  
4 responsibility to do so and my legislation requires  
5 that it be done. So I thank all and I think it's a  
6 good step for good government today that the Council  
7 is doing on all three election bills. Thank you;  
8 thank the Speaker again.

9 PUBLIC ADVOCATE JAMES: And you were just  
10 as excited. [laugh]

11 [background comments]

12 COUNCIL MEMBER GARODNICK: Thank you; I'm  
13 excited too, but there's no way I'm gonna compete  
14 with these guys. [background comments, laughter]

15 This is about Int. 0062-A, and very  
16 simply, it's about former poll sites; I have  
17 constituents, as we all do, who have shown up to  
18 former poll sites to find that they have disappeared  
19 on them and this bill would require that the Board of  
20 Elections simply post notice at the former poll site  
21 as to where the new poll site is if they find  
22 themselves in that situation; that's what it does; I  
23 encourage my colleagues to vote yes and thank you.

24 SPEAKER MARK-VIVERITO: Alright.  
25

1  
2 And finally, today we'll be voting on  
3 legislation requiring retail stores to charge no less  
4 than 5 cents for every plastic shopping bag provided  
5 to customers.

6 New Yorkers use over 9 billion carryout  
7 bags per year, the vast majority of which are not  
8 recycled. Every year the City spends an estimated  
9 \$12.5 million to transport 91,000 tons of shopping  
10 bags to landfills in other states. In short, the  
11 number of plastic bags being used in our city has  
12 become an environmental hazard. A 5-cent surcharge  
13 on each plastic bag used provides a reasonable  
14 incentive for consumers to forego unnecessary  
15 shopping bags and encourages the use of reusable bags  
16 for carrying the items they purchase.

17 Other large cities, such as Seattle, San  
18 Francisco, Los Angeles; Washington, D.C. have  
19 instituted similar policies which have resulted in as  
20 much as a 90 percent decrease in plastic bag use.  
21 This policy has succeeded elsewhere and it can  
22 succeed here.

23 There's been a lot of discussion  
24 surrounding this bill and with it has come some  
25

1  
2 misinformation, so I wanna clarify a few things about  
3 this bill.

4 First of all, some detractors have called  
5 this a new track tax; this is not a tax, the 5-cent  
6 fee is kept by the store providing the bag; not  
7 collected by the City.

8 Second, customers who opt to bring their  
9 own bags will not be subject to the fee, and to help  
10 encourage just that, this law will also include  
11 significant informational outreach and giveaways of  
12 reusable shopping bags in communities throughout the  
13 city. Additionally, we've made a number of  
14 commonsense exemptions to prevent this law from being  
15 overburdensome; restaurants would not be subject to  
16 this law, so no one needs to worry about paying extra  
17 for their delivery food bag. Produce, meat and bulk  
18 food bags used within stores can help prevent  
19 contamination, so they will be exempt; pharmacy  
20 counter bags for prescription medicines are also not  
21 subject to the fee; emergency food providers, such as  
22 food pantries, will be exempt from the charge and the  
23 fee would be waived for transactions where the  
24 customer is using food stamps, to avoid creating  
25 barriers to food security.

1  
2 This is a carefully crafted bill with  
3 extensive considerations made to avoid an overly  
4 broad application of the fee. We've taken the time  
5 to make this a balanced, reasonable bill because it's  
6 an important bill. New York City is a global leader  
7 in efforts to ensure a healthy and environmentally  
8 responsible future and this Council has led the  
9 effort to ensure that continues. We've taken action  
10 to dramatically reduce carbon emissions, we  
11 strengthened our green building standards, we've  
12 never shied away from these important goals and we  
13 can't shy away from this one either. For too long  
14 plastic bags have clogged our storm drains, littered  
15 our green spaces and tangled in our trees. We need  
16 to take action to address this environmental hazard  
17 and this bill does just that and helps us take  
18 another step toward a cleaner and more sustainable  
19 city.

20 So I want to specially recognize Council  
21 Members Margaret Chin and Brad Lander, both of whom  
22 have been advocating for this bill for many years,  
23 and it's thanks to their hard work and persistence  
24 that we're able to finally bring this bill to a vote  
25 today.

1  
2 On the staff end, I would like to thank  
3 Cullen Howe, Rachel Harris, Jonathan Seltzer, Jeffrey  
4 Baker, Ed Atkin, and I'd like to ask Council Member  
5 Margaret Chin to say a few words, followed by Council  
6 Member Lander.

7 COUNCIL MEMBER CHIN: Thank you, Madame  
8 Speaker.

9 I am excited. [laughter] I wanna  
10 express my unwavering support for Int. 0209-A, the  
11 bring-your-own-bag bill. Council Member Lander and I  
12 introduced this bill two years ago with one simple  
13 goal; if we can get New Yorkers to stop and think  
14 about whether we need a plastic bag for a small snack  
15 that we're buying, we can help reduce the billions of  
16 plastic bags in our waste stream. In order to ensure  
17 that this legislation does not overburden any  
18 community, we spoke with a diverse range of New  
19 Yorkers, from NYCHA residents to supermarket owners  
20 and seniors and to my colleagues in this chamber; we  
21 didn't agree on everything, but we all agree that our  
22 communities can bring reusable bags and stop our  
23 dependence on plastic bags. We also lowered the fee  
24 from 10 cents to 5 cents, ensured that educational  
25

1  
2 outreach is multilingual and exempt people using SNAP  
3 and WIC benefits.

4           First, I want to thank my partners on  
5 this journey, Council Member Lander and Council  
6 Member Reynoso for their enthusiasm and hard work  
7 [background comment] to move this bill forward; a big  
8 thank you to our Speaker, Melissa Mark-Viverito, and  
9 of course, our Ramon Martinez and our Mayor  
10 [laughter] for supporting us.

11           I also wanna thank all the advocates; the  
12 school children that came out to rally in support of  
13 this bill, our plastic bag law expert, Jennie Romer,  
14 Ya-Ting Liu and the National League of Conservation  
15 Voters, Eric Goldstein and the National Resource  
16 Defense Council; the bill's co-sponsor for being with  
17 us every step of the way, and the Progressive Caucus  
18 for their endorsement early on. But I'm also  
19 incredibly grateful to many of my colleagues who are  
20 not on the bill but have taken the courageous steps  
21 of going to vote yes on this legislation. I know it  
22 has been difficult for you and I am grateful. On  
23 behalf of our children and our children's children  
24 who must live in the environment that we leave  
25 behind, I thank you.



1  
2           Lastly, I want to thank the staff who  
3 made all this happen, our Legislative Counsel, Cullen  
4 Howe, my former Chief of Staff, Yume Kitasei for  
5 always keeping this bill on our minds during her time  
6 with me at the Council, and my current Legislative  
7 Director, Vincent Fang and my Communications  
8 Director, Paul Leonard.

9           I urge all my colleagues to vote for  
10 Int. 0209-A, and join us in protecting our  
11 environment for generations to come. Thank you very  
12 much.

13           [applause]

14           [background comments]

15           PUBLIC ADVOCATE JAMES: Please.. This is  
16 the symbol. [laugh] Thank you.

17           COUNCIL MEMBER LANDER: Thank you, Madame  
18 Speaker; I'm not gonna try to compete in the  
19 enthusiasm department today; that seems like a losing  
20 game, but I wanna say a big thank you to Council  
21 Member Chin and Chair Reynoso and the Speaker and  
22 this extraordinary coalition of members -- community,  
23 environmental and climate justice groups -- and thank  
24 the Public Advocate as well for her steadfast and  
25 strong support.

1  
2 We all know plastic bags are a problem;  
3 we see them in the trees, in our streets, our parks,  
4 on our beaches; they clog up our storm drains and  
5 become part of those giant islands of plastic sludge  
6 in the oceans; let's remember they're made from  
7 petroleum, a nonrenewable fossil fuel, and they never  
8 decompose. Every year New Yorkers discard over 9  
9 billion single-use bags, totaling nearly 100,000 tons  
10 of plastic waste; that means the equivalent of over  
11 7,000 truck trips, largely through communities of  
12 color, and over \$12 million that the City pays to  
13 send them to landfills. The question I think  
14 everyone agrees is; what to do about it? And  
15 overwhelming evidence, from the cities that the  
16 Speaker mentioned and many more, from countries, from  
17 Germany to Israel to England to South Africa,  
18 overwhelming evidence shows that a small fee on  
19 single-used carryout bags has been overwhelmingly  
20 successful in getting the vast majority of people  
21 across lines of race, income, age, political  
22 ideology; commitment to sustainability to start  
23 bringing their own reusable bags when they shop,  
24 reducing plastic bag waste by 60-90 percent.

1  
2 It's not really that hard to bring a  
3 reusable bag when you shop; we do harder things every  
4 day; we bring MetroCards to take the train, we bring  
5 our keys when we leave the house; people bring  
6 laptops, toolkits, briefcases, purses, prayer shawls;  
7 when many people go shopping, they bring a cart or  
8 coupons. We absolutely can remember to bring  
9 reusable bags and avoid this fee and the evidence, as  
10 I say, shows that Int. 0209-A will help us do it.

11 Now it's no secret the bill has many  
12 opponents and we'll hear from them later, how could  
13 it not; it works by irritating people into  
14 remembering to bring reusable bags, so we understand  
15 why people find it irritating, but we do appreciate  
16 that this body has been able to debate and disagree  
17 about this bill in a respectful, appropriate and  
18 democratic manner and I wanna thank my colleagues for  
19 doing that; that's our responsibility.

20 I do wanna correct a few myths that have  
21 been floating around; most of which have been spread  
22 by the plastic bag industry, which has spent tens of  
23 thousands of dollars in lobbying for the obvious  
24 reason; that they make money selling those 9 billion  
25 plastic bags; these don't harm low-income families or

1  
2 seniors; the evidence from all around the country and  
3 the world is clear; 80 percent of people across those  
4 lines start bringing bags; doesn't matter whether  
5 you're rich or poor, no one wants to pay that nickel  
6 for something that used to be free and everyone is  
7 capable of remembering to bring reusable bags. It is  
8 unfortunately not economically feasible to recycle  
9 them; Novolex, the largest supplier of plastic bags  
10 in the U.S., says it is, but only if the City will  
11 pay to build them a recycling facility, which is the  
12 very definition of not being economically feasible.

13           You will hear the scare tactic that  
14 reusable bags have been linked to disease; it's  
15 always a good idea to wash your stuff, but I will say  
16 that all the research linking to disease has been  
17 funded by the plastic industry and you can look to  
18 Consumer Reports, the most reliable independent  
19 consumer research, for the evidence there.

20           And finally, Monday the plastic industry  
21 lobby started this whisper campaign -- will the  
22 stores charge more than the 5 cents -- and I will  
23 just say this has been done in dozens and dozens of  
24 places and there's no evidence that stores charge  
25 more than the minimum required fee; it would be

1  
2 foolish of them to do so; they want their customers  
3 happy and shopping there. Again, the evidence from  
4 all around the country and all around the world makes  
5 it clear.

6 Margaret did a great job of thanking  
7 people, so I'll save a few thank yous for my remarks  
8 when I vote. I just wanna say we're committed to  
9 making this work for all New Yorkers; that's why an  
10 extensive campaign of outreach in many languages and  
11 many venues and we will be working very hard to give  
12 reusable bags away and I'll say, we have them here  
13 today; you don't have to vote for the bill, you can  
14 vote no; you do have to sign a pledge that says  
15 you'll use the reusable bag to avoid the irritating  
16 fee, but we will be working hard to give them out,  
17 starting today and until the time October 1st, when  
18 the bill goes into effect and beyond. So thank you  
19 very much to all of my colleagues for your support  
20 and for the robust debate this may be contentious  
21 today, but over time it is going to help New Yorkers  
22 solve a serious environmental problem together.  
23 Thank you.

24 SPEAKER MARK-VIVERITO: Thank you.  
25

1  
2 And finally, we are saying goodbye to our  
3 Finance Division's Chief Counsel, [background  
4 comments] Tanisha Edwards; there she is. [applause,  
5 cheers] So Tanisha's last day will be tomorrow; I  
6 know she's joined here today by her husband and  
7 members of her family, so we welcome them here to the  
8 chambers. Tanisha, has been [applause, cheers] with  
9 the Council's Finance Division for over nine years,  
10 where she's been instrumental in setting policy for  
11 the Council and for the City as a whole. During her  
12 time here she's drafted over 250 pieces of  
13 legislation and played a... [cheers, applause] yeah...  
14 and played a crucial role in passing laws, such as  
15 the Prevailing Wage Act and the Responsible Banking  
16 Act. We're grateful for Tanisha's dedication to New  
17 York City; whether by developing smart policies for  
18 council members or skillfully guiding committee  
19 chairs through budget hearings or diligently  
20 reminding staff of the ever-impending lien sales time  
21 and time again, [laughter] Tanisha has helped make  
22 our city a better place for all New Yorkers; she  
23 definitely will be missed; I know she is very excited  
24 about the next step; we obviously always encourage  
25 people to fulfill their interests and never

1 interested in holding people back, but we definitely  
2 will miss you; thank you so much for your  
3 contributions; we wish you the best as she takes on a  
4 new challenge as Assistant Counsel for the Governor.  
5 So with that... [cheers, applause] congratulations and  
6 best of luck, Tanisha. And with that I end  
7 Communication from the Speaker.

8 PUBLIC ADVOCATE JAMES: Thank you.

9 Tanisha Edwards, I'm so proud of you and I love and  
10 I'm gonna miss you. Thank you for all you've done.

11 So to those in the balcony, say as we  
12 say; not as we do, so the sign of approval is this  
13 [waving of hands]; the sign of disapproval is this  
14 [thumb down] and thank you. And now Discussion of  
15 General Orders, Council Member Gentile.

16 COUNCIL MEMBER GENTILE: I stand today  
17 for the seniors in my district who are on a fixed  
18 income; I stand today for the blue-collar working  
19 families who may not qualify for public assistance  
20 but still struggle daily to make ends meet, and I  
21 stand up today for all those renters and homeowners  
22 who see their rents and their assessed property  
23 values going up and up while their real disposable  
24 income continues to go down. [background comments]  
25

1  
2 PUBLIC ADVOCATE JAMES: Shhhh.

3 COUNCIL MEMBER GENTILE: I stand up for  
4 all of them [interpose, background comments] in  
5 saying that Int. 0209-A goes too far in reaching into  
6 the pockets of these everyday New Yorkers to achieve  
7 a worthy goal that may never hit its mark, and I  
8 commend my colleagues, especially Council Members  
9 Lander and Chin, for acknowledging the environmental  
10 damages that plastic bags cause and transitioning  
11 this problem into a public policy solution, yet this  
12 solution only creates more problems. For example,  
13 while supermarkets can charge no less than 5 cents;  
14 even at 5 cents the fee is, without doubt, regressive  
15 and in so doing, this bill burdens the communities  
16 that it's trying to help. The cost to buy essential  
17 groceries will increase for every New Yorker; instead  
18 of changing consumers' behavior, this bill will only  
19 increase the constantly surging cost of living in New  
20 York City. Not only with a 5-cent bag surcharge be  
21 added to a food bill; that revenue will go the  
22 supermarket, thereby giving no incentive to the  
23 supermarket to encourage the use of reusable bags; we  
24 are essentially forcing consumers to gamble nickel  
25 and dimes on plastic bag reduction. Look at



1 Washington, D.C., which has had a bag tax since 2009,  
2 where the government collects the tax from the  
3 stores; a different result has emerged. Between  
4 D.C.'s FY12 and FY13 fiscal years, bag tax revenue  
5 grew by about \$12,000, which represents well over  
6 200,000 additional bags used from the previous year.  
7 [bell] Indeed, these tax collections do not support  
8 the idea that plastic bag use has dropped  
9 dramatically. Are plastic bags a danger to the  
10 environment? Yes. Do we need a solution? Yes. Is  
11 this bill the solution? No. Our intentions are  
12 good, but please don't let me be misunderstood, we  
13 need... [crosstalk]

14  
15 PUBLIC ADVOCATE JAMES: Council Member,  
16 please come to a conclusion.

17 COUNCIL MEMBER GENTILE: yes... we need to  
18 solve this problem and I look forward to working  
19 together with all of us for a more effective plan;  
20 however, I will vote no on this one and I urge others  
21 to do likewise.

22 PUBLIC ADVOCATE JAMES: Thank you.  
23 Minority Leader Matteo.

24 COUNCIL MEMBER MATTEO: Thank you, Madame  
25 Public Advocate.

1  
2           Let me just start off by saying, Brad,  
3 yesterday I thought... you know we saw some democracy  
4 in action at our committee; we had a very lively  
5 debate during committee and that's the way this body  
6 should be; everyone knows where I am on this; I've  
7 been very clear that I am adamantly against this  
8 bill; you've been very supportive of your own bill  
9 obviously, but I thought that the way we have gone  
10 about it has been good for this body and I appreciate  
11 your stance on the other side, while we don't agree,  
12 but I thought that the debate yesterday was good. So  
13 everyone's gonna speak and I'm just gonna limit my  
14 comments, not as long as I was yesterday, but I just  
15 wanna start off why I don't think this is the right  
16 bill and it's the wrong policy.

17           I've said it for the last two years while  
18 we've been talking about this bill; if it smells like  
19 a tax, it looks like a tax, it acts like a tax; it's  
20 a tax; it's a tax that hurts my constituents, a tax  
21 till take more money out of their pockets and adding  
22 insult to injury, will give that money to a private  
23 business; a tax that will cost New Yorkers hundreds  
24 of millions of dollars a year. The reality is that  
25 for my constituents, constituents of my colleague's

1  
2 district in the South Shore, Joe Borelli's  
3 constituents, they will go shopping elsewhere, they  
4 will go shop in Jersey, they will take the bridge and  
5 go and spend the day for gas, for food; now for food  
6 shopping and save money, and the tolls won't deter  
7 that because at the end of the day they will be  
8 saving money and we're pushing Staten Islanders and  
9 other people in the city to other places and other  
10 states.. [interpose]

11 PUBLIC ADVOCATE JAMES: Shhhh.

12 COUNCIL MEMBER MATTEO: to spend their  
13 money.

14 [background comments]

15 PUBLIC ADVOCATE JAMES: Shhhh.

16 COUNCIL MEMBER MATTEO: I believe it sets  
17 a dangerous precedent by mandating a fee that solely  
18 enriches private businesses, with no direct public  
19 benefit for those funds. Granted, if this was the  
20 definition of a tax, obviously I would not be  
21 supporting it as well, but you have a fee that is not  
22 going to anything that is going to help this bill;  
23 it's not going to any type of education; it's not  
24 going to recycling; it is not going to litter  
25 initiatives or cleanups; it is going directly to

1  
2 businesses, which I think is an extremely bad  
3 precedent.

4 My colleague said it just before; this  
5 bill, the language of the bill says it's not less  
6 than 5 cents; to me, if you want a 5-cent bill, you  
7 state it in the legislation; this does not say that,  
8 so it sounds to me that they can basically charge  
9 whatever they want, whenever they want. I believe  
10 that there's technology to recycle the bags and I  
11 believe it's economically feasible; I think that's  
12 what we should be focusing on, initiatives that how  
13 we recycle; we should be talking about alternatives  
14 to plastic; we should talk about single-stream  
15 recycling; we can even be talking about banning, but  
16 to place a fee, again, which I believe is a tax, is  
17 the wrong policy, it's bad for my constituents; all  
18 these other options should be on the table instead of  
19 implementing this legislation, it's bad policy; I  
20 think it's bad for New York, it's bad for my  
21 constituents; government should be looking at ways to  
22 make life easier for our constituents, not burden  
23 them with more fees and more regulations and quite  
24 frankly, I'm tired of my constituents being nickel  
25 and dimed; for those reasons, I am voting no; I'm

1  
2 adamantly going to vote no and I urge my colleagues  
3 and those who are thinking of supporting the bill in  
4 the next half-hour to reconsider and I will send it  
5 back to the Chair.

6 PUBLIC ADVOCATE JAMES: Thank you.

7 Council Member Lancman.

8 COUNCIL MEMBER LANCMAN: Thank you.

9 There are many ills that plague New York  
10 City, some are bigger than others; I'm not sure where  
11 plastic bags fall on the spectrum; some infect the  
12 environment, some infect our health, our personal  
13 health, our community health; we are not addressing  
14 any of those ills though by the mechanism of imposing  
15 financial pain on people so that they will change  
16 their behavior and that is the essence of this bill.  
17 We not asking New Yorkers to stop and think about  
18 plastic bags; we are not merely irritating people; we  
19 are imposing financial pain, that is the purpose of  
20 the bill, that is the intent of the bill, that is the  
21 aim and the goal of the bill; if we impose financial  
22 pain on people we will make them change their  
23 behavior. It goes without saying, who will endure  
24 financial pain; those who are poor; those who are  
25 middle-class? It is, in my mind, a regressive way to

1  
2 make public policy. Would I support an educational  
3 campaign to encourage people about the benefits of  
4 using recyclable bags? Sure. How 'bout a program of  
5 incentives; maybe we give people a nickel, if it's  
6 costing New York City \$12 million a year or whatever  
7 is alleged; maybe we incentivize people to try to  
8 reduce those costs. But I cannot support a policy  
9 and I urge my colleagues to not support a policy that  
10 is uniquely designed to impose financial pain on  
11 those who can least afford it to force them, to  
12 strong-arm them into changing their behavior because  
13 we have some notion of how people should conduct  
14 themselves. So I've already voted no; I urge all my  
15 colleagues to do the same. [bell] Thank you very  
16 much.

17 PUBLIC ADVOCATE JAMES: Thank you.  
18 Council Member Vacca.

19 COUNCIL MEMBER VACCA: I thank you,  
20 Madame Public Advocate.

21 And today I'm going to be voting against  
22 what I consider to be a regressive tax on plastic  
23 bags; indeed a hidden tax. I do because it will hit  
24 those least able to pay; in fact, just when New  
25 Yorkers think that government has already taxed

1  
2 everything in sight, we have found something else;  
3 the plastic bag.

4 Our Mayor and this Council have resolved  
5 to address income inequality; this fee runs contrary  
6 to that mandate. Now this Council does proclaim its  
7 progressive credentials at every turn; while I  
8 acknowledge the overuse of the word "progressive" can  
9 sometimes become a little overbearing, I did want to  
10 take this opportunity to recite the definition of a  
11 regressive tax.

12 "A regressive tax is a tax that takes a  
13 larger percentage from low-income people than from  
14 high-income people; it is a tax applied uniformly,  
15 which means that it hits lower-income individuals  
16 harder."

17 I find it inconsistent to advocate for a  
18 millionaires tax on one hand so that a variety of  
19 safety net programs for the poor and senior citizens  
20 can be enhanced and then on the other hand support a  
21 bag fee disproportionately impacting those least able  
22 to pay. In fact, this Council has long supported an  
23 increase in the earned income tax credit for low-  
24 income families and the Mayor last year announced  
25 that he was gonna be giving bill adjustments to

1  
2 senior citizens on the Senior Homeowners Exemption  
3 program known as SHE, all to address income  
4 inequality. Giving with one hand and taking with the  
5 other is not what we should be about. If we are  
6 truly progressive and want to address income  
7 inequality wherever we can, this fee, this hidden tax  
8 is a non-starter. Public policy [bell] must be  
9 consistent; New Yorkers need to eat every week and we  
10 already have hundreds of thousands... [interpose]

11 PUBLIC ADVOCATE JAMES: Council Member,  
12 could you bring your comments to a close?

13 COUNCIL MEMBER VACCA: I will.

14 PUBLIC ADVOCATE JAMES: Thank you.

15 COUNCIL MEMBER VACCA: New Yorkers need  
16 to eat every week and we already have hundreds of  
17 thousands of New Yorkers who are food deprived; don't  
18 tax the bag; they need to bring whatever food they  
19 can afford home. Thank you.

20 PUBLIC ADVOCATE JAMES: Thank you.

21 Council Member Richards.

22 COUNCIL MEMBER RICHARDS: Thank you,  
23 Madame Public Advocate.

24 Today it is important to understand that  
25 our city is taking a progressive step in the right



1 direction. Many New Yorkers say in jest that the  
2 spotting of a subway rat, the pestering by a flock of  
3 pigeons or the dodging of an airborne plastic bag is  
4 an authentic New York City experience. While this  
5 may be said in a joking manner, if we are honest,  
6 it's true and it doesn't have to be this way if we  
7 all do our part by reducing the number of plastic  
8 carryout bags that we often use thoughtlessly.

10 As I've said in the past, New York must  
11 divorce itself from fossil fuels and marry  
12 renewables; we have to divorce ourselves from bad  
13 behavior and exercise best practices. Globally,  
14 plastic bags have a significant ecological impact;  
15 according to the *Wall Street Journal*, Americans use  
16 100 billion plastic bags a year, which requires 12  
17 million barrels of oil. The carbon footprint left by  
18 usage of petroleum in production, the transportation  
19 and the disposal all have adverse affects on our  
20 climate; these bags don't break down for decades,  
21 which pose other ecological threats. In order to  
22 meet our city's goals to reduce greenhouse gas  
23 emissions and lighten our carbon footprint, we are  
24 going to have to be more responsible in our habits as  
25 consumers.

1  
2 As a representative of Rosedale and the  
3 Rockaways, communities that know firsthand the  
4 effects of climate change when we were hit by  
5 Hurricane Sandy, we know that the frustration of  
6 constantly having to do beach cleanup, or as well,  
7 after being left with tons of bags by visitors that  
8 leave their trash on our beaches and marine life and  
9 around our shores, and only recently are receiving  
10 investments into long-awaited upgrades to our storm  
11 sewer infrastructure. It is with a clear conscience  
12 today that I support this bill to reduce the  
13 challenges posed by plastic bag debris.

14 It is also important to know that if we  
15 find that this policy does not work, [bell] we will  
16 be able to reevaluate it and find ways to make it  
17 more effective... [crosstalk]

18 PUBLIC ADVOCATE JAMES: Council Member,  
19 please bring your comments to a close.

20 COUNCIL MEMBER RICHARDS: but we must not  
21 move backwards; let's all continue to keep moving  
22 towards a cleaner and green New York City. I would  
23 like to thank the Speaker, thank Council Members Chin  
24 and Brad Lander and all the environmental advocates..  
25 [crosstalk]

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PUBLIC ADVOCATE JAMES: Thank you.

COUNCIL MEMBER RICHARDS: who helped make  
this day possible.. [crosstalk]

PUBLIC ADVOCATE JAMES: Thank you.

COUNCIL MEMBER RICHARDS: let's move  
forward.

PUBLIC ADVOCATE JAMES: Thank you. Thank  
you, council member. Council Member Borelli.

COUNCIL MEMBER BORELLI: Thank you,  
Madame Public Advocate for allowing me to speak.

So I know a lot of you have been in the  
situation before where you step up to a cash register  
and the person in front of you, they have their milk  
and eggs and bread all spread out amongst the counter  
and they reach into their pocket and they pull out  
that wrinkled up wad of singles and they're searching  
for coins and they're a quarter short; I know  
everyone here is a good person and ever single one  
here has at some point in their lives reached into  
their pocket and gave them that quarter. Today all  
we are doing as a legislative body is doing the exact  
opposite; we're making that quarter one more piece of  
metal harder to find. The truth is, this bill  
doesn't actually do anything; I just tweeted out a

1  
2 link -- San Francisco, same bill -- San Francisco  
3 actually found in their litter audits, between 2007  
4 and 2008 that the percentage of bags amongst their  
5 street crap, for lack of a better word, had actually  
6 gone up. So what are we doing? So forget the people  
7 in the gallery, the people right... we're here to just  
8 try to please them, forget them; think about what the  
9 people on the camera, watching on TV, in the paper,  
10 think about what they think; they think this is a  
11 stupid bill.

12 PUBLIC ADVOCATE JAMES: Council Member  
13 Grodenchik. Quiet in the chambers, please;  
14 [background comments] even those in the... in the  
15 gallery. Thank you.

16 COUNCIL MEMBER GRODENCHIK: Thank you,  
17 Madame Public Advocate.

18 I rise to explain my opposition to  
19 Int. 0209-A today; more commonly known as the "bag  
20 fee," which are voting on this afternoon.

21 By voting yes on this legislation we are  
22 placing yet another burden sadly on the backs of the  
23 working men and women and seniors of this city. Call  
24 it whatever you like, but let's not forget for a  
25 second what this is, it is a tax and it is one of the

1  
2 most regressive pieces of legislation to ever come  
3 before this Council.

4           9.3 billion plastic bags are said to be  
5 used in this city each year and it's also said that  
6 the City spends \$12.5 million to send these bags to  
7 their final resting places; I will not dispute these  
8 figures. What I do dispute is the efficacy of this  
9 legislation to produce the desired result. If this  
10 intro passes and is signed into law and three-  
11 quarters of the bags are no longer dispensed, that  
12 would still leave us with 2,325,000,000 bags being  
13 dispensed annually; at nickel a pop, that is  
14 \$116,250,000 flowing directly out of the wallets of  
15 New Yorkers and into merchants' hands; perhaps this  
16 intro should be entitled the "Christmas in May for  
17 Retailers Act," because if this legislation becomes  
18 law, that is exactly what it'll be here in New York  
19 City; [background comment] we will moving over \$100  
20 million a year from the pockets of our constituents  
21 into the pockets of retailers; not a single penny of  
22 these fees will go to the City of New York; all of  
23 this to save "the taxpayers \$12.5 million a year."  
24 Spending over \$116 million a year to save \$12.5  
25 million a year is a disaster of public policy and if

1  
2 this reduction in bag use is only 50 percent, we can  
3 double that \$116 million to \$232 million, and if that  
4 seems like an awful lot of money to spend to save  
5 \$12.5 million, there's a reason for that, because it  
6 is. [bell]

7 I wanna echo Steve Matteo's comments in  
8 that my... [interpose]

9 PUBLIC ADVOCATE JAMES: Council Member;  
10 can you bring your comments to a close?

11 COUNCIL MEMBER GRODENCHIK: I will,  
12 Madame Public Advocate; I promise you... [crosstalk]

13 PUBLIC ADVOCATE JAMES: Thank you.

14 COUNCIL MEMBER GRODENCHIK: that my  
15 constituents are gonna be voting with their feet and  
16 will roll into Nassau County to shop, hurting my  
17 merchants. I ask all my colleagues to stand fast  
18 against this regressive and wholly unnecessary tax on  
19 our constituents. While I agree with the spirit of  
20 this bill, there are better ways of achieving..

21 [interpose]

22 PUBLIC ADVOCATE JAMES: Thank you.

23 COUNCIL MEMBER GRODENCHIK: my common  
24 environmental goals.

1  
2 PUBLIC ADVOCATE JAMES: Thank you,  
3 Council Member. Thank you.

4 COUNCIL MEMBER GRODENCHIK: Thank you,  
5 Madame Public Advocate.

6 PUBLIC ADVOCATE JAMES: Thank you.  
7 Council Member Ulrich.

8 COUNCIL MEMBER ULRICH: Thank you, Madame  
9 Public Advocate. I brought with me -- I now some  
10 people have some props today and I have a few of my  
11 own which I wanted to share, and I know that these  
12 will be considered contraband [background comments]  
13 when this bill passes, but I brought something from  
14 my district [background comments]... [interpose]

15 PUBLIC ADVOCATE JAMES: Sit down, please.

16 COUNCIL MEMBER ULRICH: I found this one  
17 very funny; this says "Rest in Peace," in case you  
18 wanna know; this one says "For Sale 5 cents only,"  
19 there's a sale today; this is one I just did; it's a  
20 sad face.

21 But all kidding aside, this is a very  
22 serious matter; New York is one of the most expensive  
23 places to live in the country; we have some of the  
24 highest taxes and people pay some of the highest  
25 utility rates in the nation and what we're doing

1  
2 today is making it even less affordable and making  
3 New York City a more expensive place for folks to  
4 live. I made the point earlier this morning with my  
5 good friend Margaret Chin that we have so many  
6 important issues facing this city that our  
7 constituents, that the taxpayers of the city want us  
8 to focus on -- the skyrocketing homeless population,  
9 there's panhandlers on almost every subway station,  
10 every corner in this city and nobody can tell you  
11 otherwise; we have an affordable housing crisis;  
12 every now and then when we hear about horrific crimes  
13 that take place, our constituents are worried about  
14 public safety, and yet here we are worried about  
15 plastic bags, wow. What we would've liked to see,  
16 the people who are voting against this -- I'm not  
17 against the environment; I wanna help the  
18 environment, I wanna improve the environment, but I  
19 would've liked to see a compromise where if I bring a  
20 reusable bag to the grocery store or the supermarket  
21 I would get a 5-cent discount as opposed to receiving  
22 a 5-cent or more penalty when I walk out of the store  
23 with plastic or paper bags.

24 Finally, the last point I wanna make is;  
25 no one, not one sponsor of the bill has been able to



1  
2 tell me what we're going to do with people who walk  
3 their dogs, because they have to use plastic bags;  
4 paper towels are not gonna cut it; it's not gonna  
5 work, [laughter] rubber gloves is too hands-on, it  
6 just... it's not feasible, it's not gonna happen  
7 [laughter, clapping]. I don't know what to tell all  
8 of the dog walkers in my district what we're going to  
9 do... [crosstalk]

10 PUBLIC ADVOCATE JAMES: Council Member...

11 COUNCIL MEMBER ULRICH: when we ban these  
12 plastic bags and paper bags; [background comments]  
13 anyway...

14 PUBLIC ADVOCATE JAMES: Thank you.

15 COUNCIL MEMBER ULRICH: thank you; I'm  
16 voting against it, in case you haven't figured that  
17 out by now. Thank you. Thank you... [crosstalk]

18 PUBLIC ADVOCATE JAMES: Thank you,  
19 council member. Thank you. [laugh] Council Member  
20 Crowley. [background comments] Quiet in the  
21 chambers, please, quiet in the chambers.

22 COUNCIL MEMBER CROWLEY: Thank you,  
23 Madame Public Advocate.

24 This plastic bag fee is a small step we  
25 can take today in safeguarding New York City for

1  
2 generations to come. Each year New Yorkers dispose  
3 billions of plastic bags; this waste contributes  
4 significantly to flooding, water pollution and soil  
5 contamination. Not only is this bad for our  
6 environment and health; it costs taxpayers millions  
7 of dollars in cleanup and disposal fees. I know that  
8 for some this may seem like a big hardship and very,  
9 very difficult, but I believe that through the  
10 passage of this legislation people will use reusable  
11 bags and that in time it will be something that they  
12 will be proud of. This bill encourages New Yorkers  
13 to make environmentally conscious decisions and make  
14 that a part of everyday life. Reducing waste and  
15 expanding recycling efforts must go hand in hand to  
16 reduce pollution [background comments] in New York  
17 City.

18 In 2002, the New York City Council voted  
19 on Int. 0256-A, a ban on smoking inside public places  
20 and places of employment; it had 27 co-sponsors,  
21 similar to this bill, with only 26 co-sponsors. At  
22 the time it was looked at as very unpopular and to  
23 many it was a bad idea, but look at what has changed  
24 since then in society and overall health conditions.  
25 I believe it is up to us to be proactive and to take

1  
2 the steps now to make sure our city and our children  
3 and our children's children inherit a stronger and  
4 healthier New York. Thank you.

5 PUBLIC ADVOCATE JAMES: Thank you.  
6 Council Member Reynoso.

7 COUNCIL MEMBER REYNOSO: Thank you,  
8 council member; Public Advocate, and to Council  
9 Member Ulrich, your argument is full of dog poop;  
10 [laughter]...

11 COUNCIL MEMBER ULRICH: I want it to get  
12 in the papers; I'm sorry.

13 COUNCIL MEMBER REYNOSO: You did a good  
14 job.

15 COUNCIL MEMBER ULRICH: No pun intended.

16 [background comments]

17 COUNCIL MEMBER REYNOSO: Your props are  
18 harming the environment and they're definitely going  
19 to harm certain communities, especially like mine,  
20 that have been bearing the burden of having to move  
21 that trash on your desk around.

22 I wanna thank my colleagues that are here  
23 today for their hard work on this legislation,  
24 especially Council Member Chin and Council Member  
25 Brad Lander. As the Chair of the Committee on

1  
2 Sanitation and Solid Waste Management, I have made  
3 sustainability and environmental justice my main  
4 priorities, so I wanna stress why this issue  
5 particularly affects low-income communities of color.

6 As you already heard from my colleagues,  
7 plastic bags account for 91,000 tons of waste sent to  
8 landfills every year in New York City; one sanitation  
9 truck holds about 12 tons of waste, meaning plastic  
10 bags account for more than 7,500 truck trips every  
11 year. I know to some of my colleagues, they've  
12 probably never seen a truck in their district, but to  
13 the families that are living in the South Bronx and  
14 Southeast Queens and North Brooklyn, it is a sight we  
15 bear every single day. These trucks bring noxious  
16 fumes, high levels of asthma and other respiratory  
17 problems, noise pollution and dangerous streets to  
18 our community; reducing plastic bag waste is just one  
19 part of the City's larger goal of sending zero waste  
20 to landfills by 2030; reaching this goal would make a  
21 huge difference in the quality of life in these  
22 environmental justice communities.

23 I wanna stress again that this bill is  
24 not about charging people for bags, it's about  
25 changing behavior. Folks of low-income communities

1  
2 have historically been the catalysts to progressive  
3 environmental reform and these communities will  
4 continue, as they always have, being the lead for  
5 environmental justice.

6           Again, I wanna thank my colleagues for  
7 all their hard work on this legislation, the Speaker  
8 for coming out in support and this bill is an  
9 important step towards sustainability, environmental  
10 justice for our community and I encourage all my  
11 colleagues to vote aye, and I will be coming back for  
12 more progressive pieces of legislation regarding  
13 trash and I wanna see how you stand **[inaudible]** as  
14 well. [bell]

15           PUBLIC ADVOCATE JAMES: Thank you.  
16 Council Member Eugene.

17           COUNCIL MEMBER EUGENE: Thank you very  
18 much, Madame Public Advocate; I'm going to be very,  
19 very brief. I think that all of us, we need and we  
20 want a cleaner city and we want to protect nature.  
21 New York is a wonderful place where all of us, we  
22 love to live, but we have to admit also this is a  
23 very, very extreme [sic] expensive place where people  
24 are struggling to survive; rent is expensive, food is  
25 expensive, people are struggling already to survive

1  
2 in New York City; I think that charging people for  
3 plastic bags is going to put a burden on the people  
4 who cannot afford it, the hardworking people. But  
5 the legislation raised a very important issue that we  
6 have to address, but we can find other ways or better  
7 ways to address this very important issue without  
8 charging those who cannot afford it. It is a very,  
9 very heartbreaking picture when you go to the grocery  
10 store and when the mothers or fathers get to the  
11 checkout counter, you see them remove a gallon of  
12 milk, a piece of bread, eggs or a bag of rice they  
13 want to buy to go to feed their children; this is not  
14 something that should happen in New York City, but it  
15 happens every single day; for this reason, I cannot  
16 vote for this legislation; we cannot charge the  
17 hardworking people, the people who are already  
18 struggling to survive and to feed their children. We  
19 have to clean New York City, we have to protect the  
20 nature, but we've gotta find a better way to do it.  
21 Thank you.

22 PUBLIC ADVOCATE JAMES: Thank you.  
23 Council Member Koo.

24 COUNCIL MEMBER KOO: Thank you. Forgive  
25 me if I'm not as theatrical or dramatic as Council

1  
2 Member [laughter, background comment] Ulrich and  
3 others; I also bring a small bag...

4 PUBLIC ADVOCATE JAMES: Shhhh.

5 SERGEANT AT ARMS: Sit down please.

6 COUNCIL MEMBER KOO: Look at this plastic  
7 bag, it's very convenient; I mean is very convenient,  
8 but nobody said you cannot us it; you just have to  
9 pay 5 cents for it. Why? If you pay 5 cents, you'll  
10 cut down the use. I'm betting most seniors, they  
11 have hundreds of these in their cars or thousands of  
12 these, because it's free; they keep accumulating, so  
13 once you charge them, they will rethink, hey, maybe I  
14 won't use them. This bag is so benign, [sic] so  
15 convenient, but if you flush this in the toilet  
16 [sic], you will stunt the toilet [sic]; you're going  
17 to spend a couple hundred dollars to find a plumber  
18 [sic] to remove it. Why? Because it's not  
19 dissolvable. We are all gone in 100 years, 200  
20 years, in a 100 years, not 200 years; right? Yeah.  
21 Yeah. But this bag will remain on earth forever and  
22 ever; even if this bag disintegrates, it will crumble  
23 into small pieces of plastic particles; it will go to  
24 the soil; it will become contaminated, the soil; if  
25 it goes to the ocean, the fish will eat it and it

1  
2 will damage the eco cycle and when you eat fish, you  
3 eat a lot of plastic in your body, so it's not good.  
4 So that's why I'm supporting this bill. [clapping]  
5 Not just... no, we have to sacrifice our convenience  
6 for the overall good of our earth, of the community,  
7 the earth; together we can save the earth; alright?

8 So ladies and gentlemen, please support  
9 the bill. Thank you.

10 [background comments]

11 PUBLIC ADVOCATE JAMES: Council Member  
12 Cabrera.

13 COUNCIL MEMBER CABRERA: Thank you so  
14 much. I must confess that I was one of those who was  
15 actually opposed to this bill at the beginning and  
16 through dialogue I was able to turn around; let me  
17 tell you why. First of all, when I go shopping with  
18 my wife, whenever she allows me to go with here...

19 [interpose]

20 PUBLIC ADVOCATE JAMES: Shhhh.

21 COUNCIL MEMBER CABRERA: and I go to  
22 Aldi's; you know you go to Aldi's, there is no  
23 plastic bag; matter of fact, you're supposed to bring  
24 your own bag. As a matter of fact, what we're  
25 talking about here is changing culture, and I talked



1  
2 to my brother in California and I asked him; I said,  
3 "Ricardo, you know, we're thinking of changing law  
4 here in New York City; what do you think?" He told  
5 me, "Look, at the beginning some people complained,  
6 but now it's part of the culture; we don't even think  
7 about it, it's just automatic; you have your bag and  
8 you bring it to the supermarket, you do your  
9 shopping. If you forget, then you know, whatever's  
10 reward [sic] is repeated and if you forget, then you  
11 know you pay with your 5 cents; it's just that  
12 simple." If we are going to incentivize something;  
13 therefore people are continue to do it. Every  
14 morning when I get up, every morning, now I look out  
15 the window; I live in a 4th floor apartment, what do  
16 I find; I find plastic bags across the street from my  
17 office; I look in the trees; I'm talkin' here about  
18 trees; what do I find; I find plastic bags and I'm  
19 not talkin' about just one day; two days out of the  
20 year, this just seems to be like the norm that  
21 continues to happen. We have to do something; we  
22 have to try, and for those who say we should focus  
23 more on other issues, I commend the Speaker, I  
24 commend every single one of you here, because we have  
25 tackled these issues; for the last year-and-a-half we

1  
2 have tackled the toughest issues and we continue to  
3 do so, but that does not mean that we should neglect  
4 the other important issues. [bell] Thank you so  
5 much.

6 PUBLIC ADVOCATE JAMES: Thank you.  
7 Council Member Salamanca.

8 COUNCIL MEMBER SALAMANCA: Thank you,  
9 Madame Public Advocate.

10 As we work to move the city in the South  
11 Bronx forward, without a doubt, protecting our  
12 environment and building a sustainable community are  
13 incredibly important; that is why we are working to  
14 increase green space through new park land, enhance  
15 our waterfront and provide for cleaner air for our  
16 children throughout my district, but with that said,  
17 if there is one issue more pressing, is the ongoing  
18 fight to pull our families out of poverty and into  
19 lives that ensure economic stability and that is why  
20 I cannot vote for this legislation today.

21 My district is in many ways the most  
22 impoverished in the city and while this bill provides  
23 an exemption for those receiving food subsidies,  
24 there would still be far too many families who would  
25 be hampered by even the most punitive fees. This

1  
2 includes too many seniors who would be affected by  
3 this bill, with so many living on fixed incomes and  
4 having to pinch every penny just to get by.

5           While I understand the legalities of  
6 creating a truly new tax, I simply don't agree with  
7 funds going back to the stores that provide the bags  
8 rather than benefiting the public or to say to step  
9 up a fund for the environment. Yes, these bags have  
10 an environmental cost and I agree with those  
11 proposing this bill that more needs to be done to  
12 decrease their use and properly recycle both paper  
13 and plastic bags; that's a goal we all share, but  
14 after speaking to clergy, tenant associations, senior  
15 citizens, and many individuals just struggling to get  
16 by in the South Bronx, I cannot in good faith vote  
17 for this legislation with their hardships in mind.  
18 With income inequality and financial hardships  
19 continuing to be a very real issue for so many  
20 working-class New Yorkers, I really believe we need  
21 to identify better ways to decrease the use of  
22 plastic and paper shopping bags without harming low-  
23 and middle-income people already struggling in this  
24 economy with a new fee; that is why I will be voting  
25 no today.

1  
2 PUBLIC ADVOCATE JAMES: Thank you.  
3 Council Member Van Bramer.

4 COUNCIL MEMBER VAN BRAMER: Thank you  
5 very much, Madame Public Advocate.

6 I wanna say that on some level this is a  
7 difficult vote for some, but we weren't elected only  
8 to take easy votes that pass unanimously in this  
9 body; that's the difference between politicians and  
10 elected officials; we are here to do what's right and  
11 think about the long-term benefit of legislation that  
12 we face here in this body. I also have to say, and  
13 I've been a council member for six-and-a-half years,  
14 we've had lots of bills here; rarely have I heard a  
15 member call another member's bill stupid; there is  
16 nothing stupid about caring about the environment;  
17 there is nothing stupid about the efforts of Council  
18 Member Lander and Council Member Chin in bringing  
19 this bill to the floor. I wanna say that plastic  
20 bags, they fill our streets, they clog our drains;  
21 they get stuck in trees. My husband recently did a  
22 documentary on Jamaica Bay, *Saving Jamaica Bay*, and  
23 in fact there are plastic bags washing ashore,  
24 killing wildlife, destroying wetland and the  
25 environment; we must act and we must act now. If you

1  
2 have gone to our beaches, our parks and our  
3 boardwalks, you see plastic bags everywhere; this is  
4 the time to act. And I wanna say that there are many  
5 sensible exemptions in this bill; those who are on  
6 food stamps and many stores that are not dealt with  
7 in this legislation, there are free bag giveaways;  
8 they're gonna allow people to avoid paying anything,  
9 and that's why it's right, because we care about the  
10 environment that we leave behind long after every  
11 single person in this room is no longer an elected  
12 official; the votes that we take while we are elected  
13 officials speak to who we are and what we care about  
14 and what the future of our city should be like and  
15 who should be able to enjoy that future.

16 I also wanna say to some of those who say  
17 that there are more important issues; I think this  
18 Speaker and this Council, and yes, this progressive  
19 body, care deeply about lots of other issues and we  
20 can and must [bell], we can and must as a legislative  
21 body... [crosstalk]

22 PUBLIC ADVOCATE JAMES: Council Member,  
23 please bring your comments to a close.

24 COUNCIL MEMBER VAN BRAMER: run and chew  
25 gum at the same time. I hear you; let me just repeat

1  
2 that. We can and must as a legislative body run and  
3 chew gum at the same time; we can handle all of...

4 [crosstalk]

5 PUBLIC ADVOCATE JAMES: Thank you.

6 COUNCIL MEMBER VAN BRAMER: these issues  
7 and we can also deal with this.

8 PUBLIC ADVOCATE JAMES: Thank you.

9 COUNCIL MEMBER VAN BRAMER: The long-term  
10 costs of inaction far outweigh the costs of this bill  
11 and that's why I'm proud to support it... [crosstalk]

12 PUBLIC ADVOCATE JAMES: Thank you council  
13 member. Council Member Steve Levin.

14 COUNCIL MEMBER LEVIN: Thank you, Madame  
15 Public Advocate.

16 I am rising today to encourage my  
17 colleagues to vote in favor of this bill. I'm  
18 sensitive to the demands that families face, families  
19 that are not high-income face in New York City every  
20 single day; I'm sensitive to the demands that seniors  
21 face every single day and I know that an additional  
22 fee that may come out of their pocket is not  
23 something that is going to be necessarily welcomed;  
24 however, as my colleagues have said, we are acting  
25 today on behalf of future generations; we are acting

1  
2 on behalf of our entire ecosystem, our environment  
3 here in New York City and it carries implications  
4 much further and wider than just we experience on  
5 this day.

6 Now when it comes to the actual act of  
7 requiring a fee on plastic bags, this is encouraging  
8 an adjustment in behavior and it is not an  
9 unreasonable burden to place on people to encourage  
10 them to bring their reusable bags with them when they  
11 shop. Shopping is a deliberative act most of the  
12 time; when you go you're buying a large quantity of  
13 food, you know, you're going to the grocery store;  
14 that's something that you are planning to do, and by  
15 having reusable bags that you bring with you, that  
16 just becomes part of that routine and it is not  
17 something that people are gonna be incapable of  
18 doing; it's a small adjustment in behavior and I'm  
19 confident that families, [bell] in the midst of their  
20 busy lives here in New York City... [crosstalk]

21 PUBLIC ADVOCATE JAMES: Council Member...

22 COUNCIL MEMBER LEVIN: will be able to  
23 remember to bring a few reusable bags with them every  
24 time they go shopping.

25 PUBLIC ADVOCATE JAMES: Thank you.

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COUNCIL MEMBER LEVIN: Thank you.

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PUBLIC ADVOCATE JAMES: Council Member

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Levine.

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COUNCIL MEMBER LEVINE: Thank you, Madame

7

Public Advocate.

8

I wanna clear something up; plastic bags

9

in New York City are not currently free; they cost us

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when they clog up our storm drains, they cost us when

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they litter our street trees, our parks, our beaches;

12

they cost us when they add to our waste stream, and

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they increase the amount we send to landfills; they

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cost us when the petroleum that's consumed in their

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production, their transport; their disposal harms the

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climate. Basic economics teaches us that when you

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give a product away that has an environmental cost,

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you dramatically inflate its consumption and so it is

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that we have come to consume no fewer than 9 billion

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plastic bags a year in the five boroughs of New York

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City.

22

So it is that you can buy something as

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small as a roll of breath mints and be offered a

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plastic bag; if you upgrade to a can of beans you

25

might get a double bag. This is not rational and we



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2 are never going to be able to solve this problem,  
3 we're never going to be able to change our habits  
4 unless the price that New Yorkers pay for plastic  
5 bags reflect their true cost, which is their  
6 environmental cost and that's why I'm grateful to the  
7 leadership of Council Members Chin and Lander on  
8 bringing this landmark legislation forward and I will  
9 be proud to support it. Thank you.

10 PUBLIC ADVOCATE JAMES: And our last  
11 speaker for General... no? Okay, sorry. Council  
12 Member Mendez.

13 COUNCIL MEMBER MENDEZ: Thank you very  
14 much, Madame Public Advocate.

15 I signed on to the bill some months back,  
16 but more recently, in February, after I signed on to  
17 the bill, I traveled on vacation to San Francisco and  
18 my first night there I had to pay for a bag; I never  
19 made that mistake again; toward the end of my trip I  
20 ended up going into Walgreens and ended up having to  
21 pay a dollar for a bigger bag, but it changed the way  
22 I vacationed, because I made sure I had my knapsack  
23 with me to carry anything that I may have purchased  
24 along the way. It really is about behavior, whether  
25 you're on vacation or not; we need to start somewhere

1  
2 and I think this is the first important step, so  
3 congratulations Margaret and to everyone else and  
4 I'll be voting yes on this bill. Thank you.

5 PUBLIC ADVOCATE JAMES: Our last speaker  
6 for General Order is Council Member Johnson.

7 COUNCIL MEMBER JOHNSON: Thank you,  
8 Madame Public Advocate.

9 I rise today, first of all, and happy  
10 that this Council is having a full and democratic and  
11 thoughtful debate on a really important public policy  
12 question before the City and before the Council.

13 I believe that folks who are not  
14 supportive of this piece of legislation have  
15 perfectly fine and valid reasons and I think are  
16 coming from a thoughtful and reasonable place, but  
17 for me, as many of our colleagues have stated today,  
18 I believe that the benefits of doing this outweigh  
19 the downsides and one of the biggest issues that we  
20 see, both here in New York City, across the United  
21 States and across the world, is climate change and we  
22 have to do our part to ensure that our city and state  
23 and country and planet stay healthy, and for me,  
24 cutting down on petroleum being used, cutting down on  
25 gas being used; cutting down on environmental hazards

1  
2 such as plastic bags is a worthwhile goal. This is a  
3 compromise; this is not a ban; this is not 10 cents;  
4 there are many exemptions that take into  
5 consideration lower-income people, that take in  
6 consideration certain types of businesses,  
7 deliveries, et cetera, and so I think that the  
8 sponsors, Council Members Chin and Lander, have spent  
9 an enormous amount of time being as thoughtful as  
10 possible coming up with a compromise that would  
11 satisfy as many people as possible while still doing  
12 something. The status quo is not working; the status  
13 quo will not work; we have to take some sort of  
14 action and I'm grateful that we're doing that today;  
15 I'll proudly vote aye on this legislation.

16 PUBLIC ADVOCATE JAMES: Thank you. I  
17 wanna thank everyone for exercising restraint,  
18 particularly those in the gallery, thank you so much.  
19 Report of Special Committees.

20 CITY CLERK: None.

21 PUBLIC ADVOCATE JAMES: Reports of  
22 Standing Committees.

23 CITY CLERK: Report of the Committee on  
24 Consumer Affairs, Int. 1006-A, motion-picture  
25 projecting machines.

1 CITY COUNCIL STATED MEETING 100

2 SPEAKER MARK-VIVERITO: Amended and

3 Coupled on General Orders.

4 CITY CLERK: Report of the Committee on

5 Finance, Preconsidered LU 0359 and Reso 1063 and

6 LU 0360 and Reso 1064.

7 SPEAKER MARK-VIVERITO: Coupled on

8 General Orders.

9 CITY CLERK: Report of the Committee on

10 Governmental Operations, Int. 0062-A, poll site

11 notices.

12 SPEAKER MARK-VIVERITO: Amended and

13 Coupled on General Orders.

14 CITY CLERK: Int. 0463-A, electronic

15 notifications to voters.

16 SPEAKER MARK-VIVERITO: Amended and

17 Coupled on General Orders.

18 CITY CLERK: Int. 0659-A, voter

19 information portal.

20 SPEAKER MARK-VIVERITO: Amended and

21 Coupled on General Orders.

22 CITY CLERK: Report of the Committee on

23 Land Use, LU 0358 and Reso 1065, City Map amendment.

24 PUBLIC ADVOCATE JAMES: Shhhh.

25

1  
2 SPEAKER MARK-VIVERITO: Coupled on  
3 General Orders.

4 CITY CLERK: Report... [crosstalk]

5 SERGEANT AT ARMS: Sit down please.

6 CITY CLERK: Report of the Committee on  
7 Recovery and Resiliency, Int. 0448-A, penalties for  
8 building code violations.

9 SPEAKER MARK-VIVERITO: Amended and  
10 Coupled on General Orders.

11 CITY CLERK: Int. 1037-A, violations  
12 received after a disaster.

13 SPEAKER MARK-VIVERITO: Amended and  
14 Coupled on General Orders.

15 CITY CLERK: Report of the Committee on  
16 Sanitation and Solid Waste Management, Int. 0209-A,  
17 carryout bags.

18 SPEAKER MARK-VIVERITO: Amended and  
19 Coupled on General Orders.

20 CITY CLERK: Report of the Committee on  
21 Women's Issues, Int. 1137-A, commission on gender  
22 equity.

23 SPEAKER MARK-VIVERITO: Amended and  
24 Coupled on General Orders.

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CITY CLERK: On the General Order  
Calendar, resolution appointing various persons.  
Commissioner of Deeds.

SPEAKER MARK-VIVERITO: Coupled on  
General Orders and at this time I ask for a roll call  
on all items on the Coupled on General Orders  
calendar.

COMMITTEE CLERK: Barron.

COUNCIL MEMBER BARRON: Permission to  
explain my vote.

PUBLIC ADVOCATE JAMES: Yes.

COUNCIL MEMBER BARRON: Thank you, Madame  
Public Advocate.

To all of my colleagues who expressed  
their opposition to the bill, I join you in the  
reasons that you cited for having opposition to  
having the bag tax, bag fee, it's a tax; a tax by  
another name is still a tax; the bag fee. And not to  
belabor what's already been said, in my community  
it's not... we don't have the phrase, "oh it's only a  
nickel," so for some people it may be only a nickel,  
but in my community nickels have value.

There are merchants who have thinner bags  
and there are merchants who have thicker bags; if you

1  
2 shop in a grocery store, you know which chains have  
3 thicker bags. I can see that there might be some  
4 merchants who will now shift to thinner bags,  
5 requiring double-bagging so that they can get the  
6 additional money because it's going into their  
7 coffer; there's no standard as to what the size of  
8 the bag or what the strength the bag has to be, so  
9 now persons who are getting thinner bags will have to  
10 get twice as many bags because they'll wanna prevent  
11 the breakage.

12 And finally, I wanna say that I see this  
13 as regressive because it's putting a burden on the  
14 people who can least bear the cost to improve our  
15 environment, so I'm voting no on 0209-A; aye on all  
16 the others.

17 PUBLIC ADVOCATE JAMES: Thank you.

18 COMMITTEE CLERK: Borelli.

19 COUNCIL MEMBER BORELLI: Aye on all  
20 except 0209-A.

21 PUBLIC ADVOCATE JAMES: Thank you.

22 COMMITTEE CLERK: Cabrera.

23 COUNCIL MEMBER CABRERA: Permission to  
24 explain my vote.

25 PUBLIC ADVOCATE JAMES: Yes.

1  
2 COUNCIL MEMBER CABRERA: I just wanna  
3 take 30 seconds to add something that I really didn't  
4 have time in my previous segment, and that is to  
5 answer this question; why not have a reward system  
6 where you pay people if they bring their bag? The  
7 problem is, it's not functional, it's not functional  
8 because what size of bag and I allowed to bring; if I  
9 bring a big bag, that means I could put more  
10 products; that means I get, you know less if I bring  
11 little bags, so if I bring a lot of little bags, does  
12 that mean I get 20 cents versus 5 cents? It's just  
13 really not practical.

14 I wanna congratulate... [interpose]

15 PUBLIC ADVOCATE JAMES: Shhhh.

16 COUNCIL MEMBER CABRERA: Council Members  
17 Margaret Chin and Brad Lander for their work. Thank  
18 you and aye on all. Thank you so much.

19 PUBLIC ADVOCATE JAMES: Thank you.

20 COMMITTEE CLERK: Chin.

21 COUNCIL MEMBER CHIN: Aye on all.

22 COMMITTEE CLERK: Cohen.

23 COUNCIL MEMBER COHEN: Thank you to  
24 Council Members Chin and Lander and I vote aye on  
25 all.



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PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Cornegy.

COUNCIL MEMBER CORNEGY: Thank you to Council Members Chin and Lander, but I will be voting no on 0209-A and yes on everything else... [interpose]

PUBLIC ADVOCATE JAMES: Shhhh. Thank you.

COMMITTEE CLERK: Crowley.

COUNCIL MEMBER CROWLEY: Aye on all, with congratulations to Council Member Chin and Council Member Lander.

COMMITTEE CLERK: Cumbo.

COUNCIL MEMBER CUMBO: Permission to explain my vote.

PUBLIC ADVOCATE JAMES: Yes.

COUNCIL MEMBER CUMBO: I too wanna join in the chorus of congratulating Tanisha Edwards; she has brought such class, grace, brilliance, and intelligence to the Council and she's always been a wonderful breath of fresh air in the chambers.

I want to join in support of my colleagues today because this is a very important time for us with Int. 0209; I had a town hall because I wanted to hear the voices from my community on this

1  
2 particular issue, and I would encourage all of our  
3 colleagues to do this on legislations, because it  
4 brought out so many different perspectives and for  
5 me, in making this decision it's so important because  
6 this winter we experienced one of the warmest winters  
7 ever; was also one of the largest snow downfalls that  
8 we've ever had as well. This spring; we're in May,  
9 and people still have not put away their winter  
10 coats; climate change is real.. [interpose]

11 PUBLIC ADVOCATE JAMES: Shhhh.

12 COUNCIL MEMBER CUMBO: and the  
13 devastation that it's having all across this globe is  
14 very real and it's very frightening; this is really  
15 an issue of expediency; we must act now; we must act  
16 today. Is this legislation perfect? Absolutely not;  
17 it has a lot of challenges that I still wrestle with,  
18 but I believe because of the benefits that it will  
19 give to our environment for future generations it's  
20 important. When we think about cigarettes;  
21 cigarettes at one time were \$2.00, \$3.00; it was the  
22 coolest thing in the world to do; ten years later  
23 almost, they're \$13.00; that tax on that encouraged  
24 people to decrease the amount of smoking and made it  
25 almost the uncoolest thing in the world to do. When

1  
2 we think about our MetroCards; previously I would  
3 just buy a MetroCard; when I'm done with it, throw  
4 away, but they put that you've gotta pay a dollar now  
5 for another MetroCard; I use the same MetroCard all  
6 year round because I don't wanna pay that additional  
7 fee. This is really important for us to make this  
8 decision on behalf of ourselves, as well as our  
9 children.

10 And I just wanna say also, from my  
11 community, I have five NYCHA developments and we've  
12 spoken about this issue, [bell] but I do have  
13 challenge with the fact that people think that  
14 communities of color... [crosstalk]

15 PUBLIC ADVOCATE JAMES: Council Member,  
16 please bring your comments to a close.

17 COUNCIL MEMBER CUMBO: I will... that  
18 communities of color simply can't remember to bring  
19 bags with them when they go shopping; that  
20 communities of color cannot participate in changing  
21 behavioral norms... [crosstalk]

22 PUBLIC ADVOCATE JAMES: Thank you,  
23 council member.

24 COUNCIL MEMBER CUMBO: so that we can  
25 save our global environment.

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PUBLIC ADVOCATE JAMES: Thank you.

COUNCIL MEMBER CUMBO: I vote aye on all  
and I thank all of my colleagues today.

PUBLIC ADVOCATE JAMES: I appreciate  
that, thank you.

COMMITTEE CLERK: Deutsch.

COUNCIL MEMBER DEUTSCH: No on 0209-A and  
aye on everything else.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Dickens.

COUNCIL MEMBER DICKENS: No on 0209-A and  
I vote aye on all others.

COMMITTEE CLERK: Dromm.

COUNCIL MEMBER DROMM: Aye on all.

COMMITTEE CLERK: Espinal.

COUNCIL MEMBER ESPINAL: Pass.

COMMITTEE CLERK: Eugene.

COUNCIL MEMBER EUGENE: No on 0209-A and  
aye on all.

COMMITTEE CLERK: Ferreras-Copeland.

COUNCIL MEMBER FERRERAS-COPELAND: May I  
have permission to explain my vote?

PUBLIC ADVOCATE JAMES: Yes.

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COUNCIL MEMBER FERRERAS-COPELAND: I would just like to take this opportunity to share with everyone; last year's budget it cost \$28.3 million to dredge the Flushing Bay; it took us 35 years to dredge that bay that has over 40 years worth of plastic bags, garbage and other plastic materials. I think that this is a responsible piece of legislation, legislation that will change behavior and I am hoping that after we dredge this bay we won't have to do it again because of this bill. So I am wholeheartedly supporting this bill and I wanna thank... [interpose]

PUBLIC ADVOCATE JAMES: Shhhh.

COUNCIL MEMBER FERRERAS-COPELAND: my colleagues for fighting the good fight and bringing this to the floor today. Thank you again and I vote aye.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye on all.

COMMITTEE CLERK: Gentile.

COUNCIL MEMBER GENTILE: No on 0209-A; yes on all else.

COMMITTEE CLERK: Gibson.

1  
2 COUNCIL MEMBER GIBSON: Permission to  
3 explain my vote.

4 PUBLIC ADVOCATE JAMES: Yes.

5 COUNCIL MEMBER GIBSON: Thank you, Madame  
6 Public Advocate. I'm voting aye on all except  
7 Int. 0209, to which I'd like to explain my vote.

8 I wanna thank the prime sponsors of this  
9 bill, Council Members Brad Lander and Margaret Chin  
10 for really leading a very important discussion on the  
11 environmental impact on our use of plastic bags. I  
12 really recognize that this bill put forth is the  
13 result of much discussion for two years that really  
14 stimulated an important conversation on how we can  
15 change behavior and reduce the use of plastic bags.  
16 I agree with the concept of this bill and I know that  
17 something must be done and we also face a challenging  
18 in finding a necessary balance. After a lot of  
19 consideration and a lot of discussion with many in my  
20 community, I remain uncertain and very doubtful on a  
21 number of key parts of the bill. The wording "not  
22 less than 5 cents per bag" is troubling and can lead  
23 to price gauging in many communities, which happens  
24 right now across our city; in communities of color,  
25 many residents face higher prices for their food

1 products; there's no guarantee that stores won't  
2 charge more than 5 cents with this language. The  
3 assumption that low-income communities of color can  
4 adapt to change is troubling, but it's also troubling  
5 to assume that adding an additional financial burden  
6 to many families facing hardships today will not  
7 hurt. Alternatives to a bag tax and more recycling  
8 programs remain a priority and many in my district  
9 have questioned why the bill doesn't give incentives  
10 to those businesses that reduce plastic bag usage and  
11 encourage customers to bring reusable bags. Setting  
12 a precedent on using a tax to curb behavior is  
13 dangerous and if in the future we identify other  
14 harmful products, we may further tax those as well.  
15 Many of my residents have asked why the 5 cents  
16 couldn't go to an environmental or recycling program  
17 instead of the stores. Yes, we face environmental  
18 injustice in the Bronx, but I am not prepared to add  
19 to that burden. We are a resilient city; we struggle  
20 to survive, which is why we fight for the Fight for  
21 \$15 campaign, because we want people to live easier  
22 in this city; this measure takes us backwards. I  
23 truly hope the [bell] study incorporated proves many  
24 of us wrong and the... [crosstalk]  
25

2 PUBLIC ADVOCATE JAMES: Council Member...

3 COUNCIL MEMBER GIBSON: benefits outweigh  
4 the burden. A fee... [crosstalk]

5 PUBLIC ADVOCATE JAMES: Council Member,  
6 bring your comments to a close.

7 COUNCIL MEMBER GIBSON: A fee or  
8 surcharge is still a tax and I thank my colleagues...  
9 [crosstalk]

10 PUBLIC ADVOCATE JAMES: Thank you.

11 COUNCIL MEMBER GIBSON: but unfortunately  
12 I'm not able to support this measure and I will be...  
13 [crosstalk]

14 PUBLIC ADVOCATE JAMES: Thank you.

15 COUNCIL MEMBER GIBSON: voting no on  
16 0209. Thank you... [crosstalk]

17 PUBLIC ADVOCATE JAMES: Thank you.

18 COMMITTEE CLERK: Greenfield.

19 COUNCIL MEMBER GREENFIELD: Thank you;  
20 may I explain my vote?

21 PUBLIC ADVOCATE JAMES: Yes.

22 COUNCIL MEMBER GREENFIELD: Thank you.

23 First I wanna congratulate Tanisha Edwards; she's one  
24 of the smartest people that I've had the privilege to



1  
2 work with here in the City Council; it's a great loss  
3 for us; a gain for the State, congratulations.

4 I wanna thank our Majority Leader for  
5 pointing out that we should refrain from personal  
6 attacks; I think that there are deeply held honest  
7 beliefs on both sides and from that perspective I  
8 certainly believe that keeping our city is an  
9 important responsibility; we should all take it  
10 seriously; I take it very seriously myself; that's  
11 why I sponsor the Council's most popular initiative,  
12 NYC Cleanup, which pays out \$5.3 million to clean the  
13 streets of every single council district, and nobody  
14 has done more than this Council to improve the  
15 environment and I'm proud of that; I voted for all  
16 those bills and I voted for a ban on the Styrofoam  
17 and I even drive an electric car and I applaud the  
18 intent of this bill and I think we do need to reduce  
19 plastic bags; I just think that we're going about it  
20 in the wrong way. I don't believe that this plastic  
21 bag tax is going to result in a significantly cleaner  
22 New York; I think that the marginal benefits that it  
23 achieves will be paid for out of the pockets of  
24 working families; if you look at Austin, Chicago, Los

1  
2 Angeles; Seattle, all those cities have seen  
3 disappointing results.

4 In Washington, D.C., for example, the  
5 revenues on the tax fee actually goes up, which means  
6 that the usage is still the same, if not more. The  
7 reality is that at least in Washington, D.C. the  
8 funds are going to clean up the Anacostia River, but  
9 that's not what's happening over here; under the bill  
10 that we're considering today, the fees that we're  
11 charging will instead be kept by store owners and I  
12 really don't understand why we'd give millionaire  
13 store owners even more money. A plastic bag costs a  
14 penny; at 5 cents, that's a 500 percent markup; this  
15 bill will actually be the most profitable item that a  
16 supermarket sells and incidentally, that 5 cents is  
17 taxed and using varied estimates at \$100 million a  
18 year, the City's gonna make over \$8 million a year in  
19 taxes. [bell] I've run out of time, so I will  
20 conclude my remarks with must saying, I respect my  
21 colleagues, I respect their intent; I respectfully..  
22 [crosstalk]

23 PUBLIC ADVOCATE JAMES: Council Member,  
24 bring your...

2 COUNCIL MEMBER GREENFIELD: disagree and  
3 I'm gonna vote no on Int. 0209 and yes on the rest...  
4 [crosstalk]

5 PUBLIC ADVOCATE JAMES: Thank you.

6 COUNCIL MEMBER GREENFIELD: Thank you,  
7 Madame Speaker.

8 PUBLIC ADVOCATE JAMES: Thank you.

9 COMMITTEE CLERK: Grodenchik.

10 COUNCIL MEMBER GRODENCHIK: No on 0209-A;  
11 aye on all the rest.

12 COMMITTEE CLERK: Johnson.

13 COUNCIL MEMBER JOHNSON: Aye on all.

14 COMMITTEE CLERK: Kallos.

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

17 PUBLIC ADVOCATE JAMES: Yes.

18 COUNCIL MEMBER KALLOS: I wanna start by  
19 thanking Tanisha Edwards for all of her hard work;  
20 New York State's gain is a gain for the City and the  
21 State.

22 I also wanna thank Council Members Chin  
23 and Lander for championing this legislation, the  
24 Progressive Caucus... [interpose]

25 PUBLIC ADVOCATE JAMES: Shhhh.

1  
2 COUNCIL MEMBER KALLOS: for signing on  
3 and supporting this campaign since its beginning and  
4 the Citizens Committee for New York; ever since  
5 signing on to this bill we've been working on  
6 educating my district and we've given away over 500  
7 bags and we're looking forward to giving away even  
8 more reusable bags just like this one, which I hope  
9 will become the official bag of New York City; this  
10 one comes with a cool arm strap. But anyone who's  
11 seen me at lunch has seen that when you go for lunch,  
12 instead of taking that bag, I say no thank you and  
13 when you're going to pick up groceries, you bring one  
14 of these bags, like what Council Member Chin has and  
15 this just lives in your bag; I have one of these that  
16 lives in my briefcase; it can live in your toolbox  
17 and if you're gonna pick up groceries 'cause your  
18 significant other or kids say please pick this up on  
19 the way home, you do; when you have the larger trips  
20 you bring a bunch of these, along with your cart or  
21 whatever you're going to use and yes, occasionally  
22 you won't be planning to; you may not have your bag  
23 with you and somebody may say, please go pick this up  
24 and it may take a bag, but those hopefully will be  
25 few and far between, and as we try to become a city

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2 with zero waste, and particularly in my district  
3 where we're seeing the construction of a marine  
4 transfer station, if I can do anything to limit the  
5 number of garbage trucks carrying garbage bags to be  
6 put in a landfill, I do and so I vote aye on all.

7 PUBLIC ADVOCATE JAMES: Thank you.

8 COMMITTEE CLERK: King.

9 COUNCIL MEMBER KING: Aye on all.

10 COMMITTEE CLERK: Koo.

11 COUNCIL MEMBER KOO: May I explain my  
12 vote?

13 PUBLIC ADVOCATE JAMES: Yes.

14 COUNCIL MEMBER KOO: First I want to  
15 welcome my office intern, Christine Jeffries [sp?];  
16 she is here to observe a lively debate about this  
17 plastic bag bill. And I wanna say that plastic bags  
18 are not free; it costs money for the store owners to  
19 buy; it's not a penny each; it costs a few pennies  
20 each for the small bags; for the more sturdy ones, it  
21 probably costs 25 cents... [crosstalk]

22 PUBLIC ADVOCATE JAMES: Shhhh.

23 COUNCIL MEMBER KOO: 20 cents; it's not  
24 free. [background comments] So why should we make a  
25 big deal about that they charge 5 cents, 'cause you

1  
2 pay for everything; you pay for eggs, apples in the  
3 store, so if the store owner charges 5 cents, it's  
4 logical. I mean, we haven't done this... this is the  
5 only country... [interpose]

6 PUBLIC ADVOCATE JAMES: Shhhh.

7 COUNCIL MEMBER KOO: that we don't charge  
8 for bags out of those advanced countries in the  
9 world.

10 And the last thing I wanna say is that  
11 most people dislike this bill, because a lot of  
12 people, they use these shopping bags as garbage bags,  
13 so from now on they say, oh now we have to pay 5  
14 cents for the garbage bag. So I urge the Sanitation  
15 Department to come out with a solution; provide some  
16 free bags for households to collect garbage. So I  
17 vote yes on all the bills. Thank you.

18 PUBLIC ADVOCATE JAMES: Thank you.

19 COMMITTEE CLERK: Koslowitz.

20 COUNCIL MEMBER KOSLOWITZ: I vote no on  
21 0209-A and aye on all the others... [crosstalk]

22 PUBLIC ADVOCATE JAMES: Thank you. Thank  
23 you.

24 COMMITTEE CLERK: Lander.  
25

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2 COUNCIL MEMBER LANDER: Request  
3 permission to explain my vote.

4 PUBLIC ADVOCATE JAMES: Yes.

5 COUNCIL MEMBER LANDER: First, it's great  
6 to hear debate on the Council floor; I will respond  
7 to a couple of points quickly. Council Member  
8 Ulrich, if you really need the dog waste bags, you  
9 can get these same bags for one penny online; I can  
10 get you the link, and I will say that a popular  
11 tactic by the plastic industry is rather than citing  
12 the drop from when before the fee goes into effect to  
13 after to pick two random years after the fee is  
14 already in place, so we can look at numbers  
15 afterwards, but all the data shows that these work.

16 I just wanna say some thank yous to  
17 Council Member Chin and her staff -- Yume Kitasei,  
18 now in the Mayor's Office; Vincent and Paul [sic]; to  
19 Antonio and his staff, especially Lacey Tauber; to  
20 the Public Advocate and her staff -- Jarret Hova; the  
21 Manhattan Borough President, who was a great champion  
22 here; Margaret mentioned Cullen, Matt, Jeff Baker and  
23 Ramon, but they have put a lot of work in here; to  
24 the Council Members, who stuck with us from the  
25 beginning, the 21 who have been on from the

1 beginning, to those members who persuaded us to drop  
2 the fee from 10 to 5 -- Council Members King,  
3 Cabrera, Ferreras and Williams -- and everyone who  
4 has stuck with it, despite being heavily targeted by  
5 the plastic industry lobby; for the eloquent comments  
6 of Council Member Cumbo, Council Member Rose and  
7 others... [crosstalk]

8 [background comments]

9 PUBLIC ADVOCATE JAMES: Shhhh.

10 COUNCIL MEMBER LANDER: my staff from the  
11 past -- Michael Freedman-Schnapp and Ben Smith and my  
12 current team, John, Annie and Rachel, thank you;  
13 Commissioner Garcia from the Department of  
14 Sanitation; Nick Howie and Ben Furnas on the Mayor  
15 side, but most of all, this incredible coalition of  
16 advocates -- New York League of Conservation Voters,  
17 Natural Resources Defense Council, Citizens  
18 Committee, Climate Justice Groups for the New York  
19 City Environmental Justice Alliance, public housing  
20 resident leaders, Cafeteria Culture, young people  
21 from so many schools throughout New York City, and  
22 especially Jennie Romer, who brought her expertise  
23 about bag laws all over the country and helped us  
24 develop one that is truly going to work for New York  
25



1  
2 City. This bill is contentious today, but over time  
3 it [bell] is going to help all of us solve a very  
4 serious environmental problem together.. [crosstalk]

5 PUBLIC ADVOCATE JAMES: Council Member,  
6 please bring your comments to a close.

7 COUNCIL MEMBER LANDER: Thank you very  
8 much.

9 PUBLIC ADVOCATE JAMES: Thank you.

10 COUNCIL MEMBER LANDER: I vote aye on  
11 all... [crosstalk]

12 PUBLIC ADVOCATE JAMES: Thank... thank you  
13 very much.

14 COMMITTEE CLERK: Levin.

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

17 PUBLIC ADVOCATE JAMES: Yes.

18 COUNCIL MEMBER LEVIN: Thank you, Madame  
19 Public Advocate. I just want to congratulate Council  
20 Members Chin and Lander, as well as Jennie Romer for  
21 this very important and meaningful and impactful  
22 bill. And with that I vote aye on all.

23 PUBLIC ADVOCATE JAMES: Thank you.

24 COMMITTEE CLERK: Levine.

25 COUNCIL MEMBER LEVINE: Vote aye on all.

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COMMITTEE CLERK: Mealy.

COUNCIL MEMBER MEALY: May I have permission to explain my vote?

PUBLIC ADVOCATE JAMES: Yes, ma'am.

COUNCIL MEMBER MEALY: I vote aye on all General Orders and all Land Use Call-Ups and I vote no on Int. 0209-A and aye on all the rest.

PUBLIC ADVOCATE JAMES: Thank you.

COMMITTEE CLERK: Menchaca.

COUNCIL MEMBER MENCHACA: Permission to explain my vote.

PUBLIC ADVOCATE JAMES: Yes.

COUNCIL MEMBER MENCHACA: I just wanna express that I feel encouraged also and join the chorus on this incredible debate on the floor; I'm encouraged by the Gov Ops work that we are gonna be passing in reform; thank you to Chair Kallos and all the members there; encouraged by the Recovery and Resiliency work that this committee has done; thank you Chair Treyger, and on 0209, I'm very encouraged by this conversation too and have to thank Council Members Chin, Lander and Chair Reynoso of the Sanitation Committee for their steadfast work.

1  
2 I was moved by some of the back and forth  
3 -- Council Member Mendez reminding us that as  
4 tourists in other cities we are impacted; imagine  
5 what happens with New York City does that and the  
6 countless millions and tourism continues to go up, of  
7 the impact it will have in the world; Cumbo, thank  
8 you for reminding us of the \$1.00 MetroCard and the  
9 cigarette taxes that continue to shape how we think  
10 about public policy, and Koo and Levine were  
11 absolutely correct; these bags were never free and in  
12 fact, it's the same way of saying that everything we  
13 do has an impact in our community and climate change  
14 is here and in a day that we're passing... [interpose]

15 PUBLIC ADVOCATE JAMES: Shhhh.

16 COUNCIL MEMBER MENCHACA: in a day that  
17 we're passing [background comments] legislation that...  
18 that was brought to us because of Sandy, it is  
19 fitting that we pass 0209 today. And I hope that  
20 this is the first of many bills that continue to  
21 address climate change and position the city to be a  
22 leader in how we adapt as a city and as a community  
23 and that includes every community, our immigrant  
24 community, our low-income, our day laborers, everyone  
25 needs to be part of this conversation, and I

1  
2 challenge all those who are in opposition today to  
3 today's 0209 bill, I challenge you to come up with a  
4 better idea and right now it's not enough to say no  
5 and say that you're for the environment; I challenge  
6 you and this... today was an example of how we can  
7 continue to have that conversation, 'cause if there  
8 is a better idea out there, [bell] let's here it;  
9 let's vote on it. I vote aye on all. Thank you...  
10 [crosstalk]

11 PUBLIC ADVOCATE JAMES: Thank you.

12 COMMITTEE CLERK: Mendez.

13 COUNCIL MEMBER MENDEZ: I vote aye on  
14 all.

15 PUBLIC ADVOCATE JAMES: Thank you.

16 COMMITTEE CLERK: Miller.

17 COUNCIL MEMBER MILLER: Permission to  
18 explain.

19 PUBLIC ADVOCATE JAMES: Yes, Council  
20 Member.

21 COUNCIL MEMBER MILLER: Thank you, Madame  
22 Public Advocate. So I, like Council Member Reynoso  
23 and others are one of those poor communities that  
24 represented that are responsible for 80 percent of  
25 the waste transfer in the City of New York; no, we

1  
2 don't create it, but we are responsible for moving  
3 it, so naturally over the past two years this has  
4 garnered a lot of conversation and engagement amongst  
5 the members of the Southeast Queens community on  
6 waste transfer, on its impact on our community, its  
7 health ramifications on our community; naturally it  
8 also stimulated the conversations around plastic bags  
9 and environmental justice and in our case,  
10 environmental injustice. So on behalf of the  
11 community of Southeast Queens, I submit the  
12 environmental justice is not someone else's issue; it  
13 is our issue and that we begin here today and I vote  
14 aye on all. Thank you.

15 PUBLIC ADVOCATE JAMES: Thank you.

16 COMMITTEE CLERK: Palma.

17 COUNCIL MEMBER PALMA: Permission to  
18 explain my vote.

19 PUBLIC ADVOCATE JAMES: Yes.

20 COUNCIL MEMBER PALMA: Thank you. I want  
21 to take a moment just to address the fact that you  
22 know this debate here today is not about some of us  
23 versus the others in terms of support or opposing it;  
24 we all genuinely care about the environment and what  
25 happens to our communities and the future of our

1 country for our children and their children to come;  
2 I think this has... you know the fact that we need to  
3 focus on what this kind of policy does to low-income  
4 communities, communities that are already struggling,  
5 families who may need more than one bag to carry  
6 their groceries; it's not as simple as just carry one  
7 bag; it's about families who may need multiple bags  
8 to carry their groceries home; making sure that  
9 they're not overburdened in making tough choices when  
10 they have to go and pay for these bags. I agree we  
11 need to do more to reduce waste, but I must emphasize  
12 the need for education, outreach and reducing,  
13 reusing, and recycling practices in order for  
14 residents to truly make change. This body passed  
15 laws to reduce the speed limit to 25; that has not  
16 meant that everyone's... [crosstalk]

18 PUBLIC ADVOCATE JAMES: Shhhh.

19 COUNCIL MEMBER PALMA: driving around at  
20 25 miles per hour; people are still speeding, people  
21 are still killing pedestrians and people are still  
22 paying the tickets, and so when we think about making  
23 these kinds of policies, we need to make sure that  
24 they're not policies that are gonna overburden people  
25 that are already struggling to survive in their

1  
2 communities and trying to lift their families out of  
3 poverty. I do not believe that enacting a policy  
4 that is tantamount to a regressive tax is the way to  
5 move forward on promoting green initiatives. I vote  
6 no on 0209-A and aye on all the rest.

7 PUBLIC ADVOCATE JAMES: Thank you.

8 COMMITTEE CLERK: Reynoso.

9 COUNCIL MEMBER REYNOSO: I vote aye on  
10 all. **[02:14:04 Spanish]**.

11 COMMITTEE CLERK: Richards.

12 COUNCIL MEMBER RICHARDS: Thank you.  
13 Just wanna congratulate Tanisha Edwards on her  
14 promotion and thank her for the work she's done,  
15 especially around tax liens in particular; for  
16 Southeast Queens homeowners in particular, you saved  
17 so many people and kept them in their homes through  
18 your work and we will be forever grateful for your  
19 contribution.

20 And I just wanna say on the record that  
21 communities of color, when climate change hits, will  
22 feel and continue to feel the biggest brunt of it, so  
23 when we speak of environmental justice and we speak  
24 of the need to reduce our consumption in fossil  
25 fuels, there are no communities hit harder than

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2 communities of color in particular and I represent  
3 Far Rockaway, once again, and you know, if you don't  
4 believe me, you can come out and see still the  
5 effects of Sandy that many of our residents still  
6 endure. With that being said, when New York City  
7 goes, so does the world and I'm happy to be a part of  
8 this historic moment and vote aye.

9 COMMITTEE CLERK: Rodriguez.

10 COUNCIL MEMBER RODRIGUEZ: Permission to  
11 explain my vote.

12 PUBLIC ADVOCATE JAMES: Yes.

13 COUNCIL MEMBER RODRIGUEZ: First of all I  
14 would like to say that this is about saving our  
15 planet; this is about saving our planet for  
16 ourselves, for our children and for the future  
17 generations. I know that we don't have to agree on  
18 progressive or inequality, but I know that we don't  
19 agree when Donald Trump says that global warming was  
20 created by the Chinese. [laughter] I think that if  
21 anyone agrees with that... [interpose]

22 PUBLIC ADVOCATE JAMES: Shhhh.

23 COUNCIL MEMBER RODRIGUEZ: ask... ask those  
24 Americans that died because of Katrina; ask those  
25 brothers and sisters who died in Far Rockaway or in



1  
2 Staten Island; ask those thousands of people who die  
3 in Europe, Asian, Latin America every year because of  
4 climate change. So for me this is a special day  
5 where we have to praise and thank the leadership, our  
6 Speaker, because without her we will not be moving  
7 this bill.

8 I would like to thank my colleagues; I  
9 would like to thank Mayor Bill de Blasio also for his  
10 support and I would like to dedicate this vote to the  
11 men and women that we have lost in America and  
12 throughout the world because of climate change; I  
13 would like to dedicate my vote on the plastic bags to  
14 my two daughters, to our children and to the future  
15 generations. **[02:16:33 Spanish]** snow storm,  
16 tornadoes; this is our time to save our planet. With  
17 that I vote aye. [bell]

18 COMMITTEE CLERK: Rose.

19 COUNCIL MEMBER ROSE: I want to  
20 congratulate and thank Tanisha Edwards for all the  
21 work that she did to make us look good, especially on  
22 the lien advisory committee and I want to say you are  
23 truly a phenomenal woman. And I vote no on  
24 Int. 0209-A and aye on all others.

25 COMMITTEE CLERK: Rosenthal.

2 COUNCIL MEMBER ROSENTHAL: I vote aye on  
3 all, but I too wanna just say thank you again to  
4 Tanisha Edwards; without her we wouldn't have some of  
5 our best legislation. Thank you very much.

6 COMMITTEE CLERK: Salamanca.

7 COUNCIL MEMBER SALAMANCA: I vote no on  
8 0209-A, and yes on the rest.

9 COMMITTEE CLERK: Treyger.

10 COUNCIL MEMBER TREYGER: Permission to  
11 explain my vote.

12 PUBLIC ADVOCATE JAMES: Yes.

13 COUNCIL MEMBER TREYGER: So first I want  
14 to wish Tanisha Edwards all the best in her future  
15 endeavors.

16 I want to commend Council Members  
17 Margaret Chin and Brad Lander for being passionate  
18 advocates of their legislation, but I wanna share my  
19 serious concerns.

20 First, it is my understanding that Whole  
21 Foods offers 5 cents off the bill for customers who  
22 bring in their reusable bags. Coney Island doesn't  
23 have the fortune of having a Whole Foods in it, so  
24 I'm concerned we're creating a tale of two  
25 environmental policies in the City of New York.

1  
2           Second, I believe that we are missing an  
3 opportunity; California, which prides itself in being  
4 the progressive capitol of the country, not only  
5 moved to ban single-use plastic bags, but they  
6 invested in technology to make bags from neither  
7 plastic nor paper; they're actually manufacturing  
8 bags from vegetable scraps and other compostable  
9 materials. Now why are they doing that? Number one,  
10 because they wanna keep their jobs in California to  
11 expand their manufacturing base, which is something  
12 that we should be doing as well, because here's a  
13 little secret; the majority of these reusable bags  
14 people are showing around today are made overseas,  
15 they're made overseas and the last time I checked, it  
16 takes petroleum oil to ship them here and it takes  
17 petroleum oil to get the ships back out. So why not  
18 invest in technologies here in New York to expand our  
19 manufacturing base to build the environmentally  
20 friendly and sustainable bags that we all are trying  
21 to advocate for.

22           So with that I am voting no on  
23 Int. 0209 A and aye on the rest. Thank you.

24           COMMITTEE CLERK: Ulrich.  
25

1  
2 COUNCIL MEMBER ULRICH: No on 0209-A and  
3 aye on all others.

4 COMMITTEE CLERK: Vacca.

5 COUNCIL MEMBER VACCA: No on Int. 0209-A  
6 and aye on the rest.

7 COMMITTEE CLERK: Espinal.

8 COUNCIL MEMBER ESPINAL: I vote aye.

9 COMMITTEE CLERK: Matteo.

10 COUNCIL MEMBER MATTEO: No on 0209-A; aye  
11 on the rest.

12 COMMITTEE CLERK: Van Bramer.

13 COUNCIL MEMBER VAN BRAMER: I vote aye.

14 COMMITTEE CLERK: The Speaker Mark-  
15 Viverito.

16 SPEAKER MARK-VIVERITO: **[inaudible]**

17 PUBLIC ADVOCATE JAMES: As we await the  
18 results, happy birthday Council Member Garodnick.

19 Thank you. And we wish Council Member  
20 Williams in his absence best wishes.

21 All items on today's General Order  
22 calendar were adopted by a vote of 48 in the  
23 affirmative and 0 negative and 0 abstentions, with  
24 the exception of Int. 0209-A, which was adopted by a  
25 vote of 28 in the affirmative, 20 negative and 0

1  
2 abstentions and.. [interpose, cheers, applause] quiet,  
3 quiet in the gallery, quiet in the gallery, quiet in  
4 the gallery.. and the revised Land Use Call-Ups were  
5 adopted by a vote of 48 in the affirmative and 0  
6 negative. Quiet in the gallery please.

7 SERGEANT AT ARMS: Quiet please.

8 [background comments]

9 PUBLIC ADVOCATE JAMES: We are still in  
10 session; session is not over; Stated is still in  
11 session.

12 We will now go to the Discussion of  
13 Resolutions. [background comments] Introduction and  
14 Reading of Bills. Introduction and Reading of Bills.  
15 [background comment] Nothing. Okay. [background  
16 comments] Oh, sorry. [background comments]

17 SERGEANT AT ARMS: Okay, quiet please,  
18 quiet please.

19 SERGEANT AT ARMS: Sit down please.

20 PUBLIC ADVOCATE JAMES: Shhhh.

21 SPEAKER MARK-VIVERITO: All bills  
22 referred to committees as indicated on the agenda.  
23 Sorry.

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PUBLIC ADVOCATE JAMES: Thank you.

Quiet. Discussion of Resolutions, beginning with Council Member King on Res. 1000 and 1001.

COUNCIL MEMBER KING: Good afternoon. I rise this evening to urge everyone to vote on Res. 1000 and 1000-A... [interpose]

PUBLIC ADVOCATE JAMES: Shhhh.

COUNCIL MEMBER KING: which declares...

PUBLIC ADVOCATE JAMES: Shhhh.

COUNCIL MEMBER KING: marking March 5th as "Three-Fifths Clause Awareness Day" as well as calling on Congress to amend the United States Constitution [background comments] stating that the black in America is whole... [interpose]

PUBLIC ADVOCATE JAMES: Shhhh.

[background comments]

COUNCIL MEMBER KING: If you do not know what the "Three-Fifths Clause" is, it was a compromise between the north and southern states of the 1787 convention that the slave in America, that blacks, which occupied 90 percent of slavery, were not whole, they were three-fifths of a human being; today that same policy, that same language still exists in the United States Constitution; I'm asking

1  
2 and calling on Congress to take out the language and  
3 I'm grateful that Congress Member Meeks and Congress  
4 Member Clarke will be carrying this legislation,  
5 calling on Congress to add an amendment to negate  
6 totally the three-fifths clause in the United States  
7 Constitution stating that the black in America is 100  
8 percent whole and if you don't know, read, read the  
9 message [bell] *#We Are 100% Whole*, I am 100 percent  
10 whole, and policies and effectiveness... [crosstalk]

11 PUBLIC ADVOCATE JAMES: Thank you.

12 COUNCIL MEMBER KING: and education and  
13 food and all our representation in Congress should  
14 reflect that...

15 PUBLIC ADVOCATE JAMES: Thank you.

16 COUNCIL MEMBER KING: all across this  
17 great country, the United States of America. God  
18 bless and thank you and *#I Am 100% Whole*. Thank you.

19 [applause, cheers]

20 PUBLIC ADVOCATE JAMES: Okay. Thank you.  
21 Quiet in the gallery, please.

22 SERGEANT AT ARMS: Sit down.

23 PUBLIC ADVOCATE JAMES: Quiet in the  
24 gallery.

25

1  
2 And so now we vote on Resolution... going  
3 out of order, Res. 1000, a resolution recognizing  
4 March 5th as "Three-Fifths Clause Awareness Day" to  
5 be officially observed each year in New York City.  
6 All of those in favor say aye.

7 [collective ayes]

8 All of those opposed. Any abstentions?  
9 The ayes have it.

10 Res. 1001-A, an amended resolution..  
11 [clapping, background comments] quiet in the gallery  
12 please. Thank you. Res. 1001-A, an amended  
13 resolution calling on Congress to add an amendment to  
14 the Constitution of the United States directly  
15 negating the language of Article 1, Section two,  
16 Paragraph 3, known as the "three-fifths clause."

17 All of those in favor say aye.

18 [collective ayes]

19 All of those opposed. Any abstentions?  
20 The ayes have it.

21 And now Res. 0553-A, an amended  
22 resolution calling on the New York State Legislature  
23 to pass and the Governor to sign A.8582-A and S.3813-  
24 B which would allow early voting in New York State.

25 All of those in favor say aye.



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[collective ayes]

All of those opposed. Any abstentions?

The ayes have it.

Res. 0848, a resolution calling upon New York State Legislature and the people of the State of New York to amend the State Constitution and the New York State Legislature to pass and the Governor to sign legislation amending the Election Law to establish... [interpose, background comments] to establish same-day online voter registration.

All those in favor say aye.

[collective ayes]

All of those opposed. Any abstention?

The ayes have it.

[background comments]

Resolu... Quiet in the chambers, please.

[background comments]

PUBLIC ADVOCATE JAMES: Shhhh.

Res. 0853, a resolution calling on Congress to pass and the President to sign H.R.1217, also known as the Public Safety and Second Amendment Rights Protection Act of 2015, which closes loopholes in the current gun background check system.

All of those in favor say aye.

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[collective ayes]

All of those opposed. Any abstentions?

The ayes have it.

And Res. 0979-A, an amended resolution calling upon the New York State Legislature to pass and the Governor to sign legislation that provides safeguards against wrongful convictions by requiring law enforcement to implement evidence-based eyewitness identification procedures and recording of custodial interrogations.

All those in favor say aye.

[collective ayes]

All those opposed. Any abstentions? The ayes have it.

And last... no. And Res. 1024-A, a resolution calling on Congress and the President to oppose H.R.923/S.498, known as the Constitutional Concealed Carry Reciprocity Act of 2015 and related bill H.R.402, known as the National Right-to-Carry Reciprocity Act of 2015, which would allow a resident from one state who has a license to carry a concealed handgun to lawfully carry his or her handgun in a different state regardless of the licensing eligibility standards in the other state.

1 All of those in favor say aye.

2 [collective ayes]

3 All of those opposed. The ayes have it

4 [background comments] Any opposition? Was there an

5 opposition? [background comment] One opposition.

6 Any abstentions? The ayes have it.

7 And now Preconsidered Res. 1061-A, a

8 resolution calling upon the New York State

9 Legislature to pass and the Governor to sign A.2644

10 and the electors of the State of New York to approve

11 and ratify the resulting constitutional amendment to

12 establish no-excuse absentee voting.

13 All of those in favor say aye.

14 [collective ayes]

15 All of those opposed. Any abstentions?

16 The ayes have it.

17 And now General Discussion, beginning

18 with Council Member Barron. We are still in session;

19 quiet in the chambers, please. Thank you...

20 [crosstalk]

21 COUNCIL MEMBER BARRON: Thank you, Madame

22 Public Advocate.

23 This past week we lost a great

24 revolutionary fighter.. [interpose]

1  
2 PUBLIC ADVOCATE JAMES: Shhhh.

3 COUNCIL MEMBER BARRON: in our movement  
4 and she was a personal friend of mine and her name is  
5 Afeni Shakur.

6 Afeni Shakur was a beautiful, caring  
7 person; she was a Black Panther who through their  
8 program fed hungry children breakfast; gave out shoes  
9 and clothing to needy black families.

10 She was a strong revolutionary sister who  
11 took on this powerful system, this capitalistic  
12 system and demanded that it radically change so that  
13 poverty and oppression could end and peace and  
14 justice could rein supreme throughout the globe.

15 She was strong and brilliant during the  
16 Panther 21 trial that was held here in New York City,  
17 facing the wrath of the racist police force, the FBI  
18 COINTELPRO and even though they had trumped up  
19 charges that they were facing, she and the others  
20 were acquitted of all charges.

21 She worked with a coalition in Harlem  
22 that arranged for the Atlanta mothers to come during  
23 the tragedy of their children having been murdered in  
24 Atlanta; about 10,000 people gathered and embraced  
25

1  
2 these mothers and gave them support and comfort  
3 during their time of bereavement.

4 She gave to the world two beautiful  
5 children, Tupac Shakur and Sekyiwa. Tupac had a  
6 powerful positive impact on his generation and on  
7 generations to come. His positive global influence  
8 has been phenomenal and Sekyiwa is a beautiful person  
9 in her own right.

10 Afeni has gone on; she is now with other  
11 ancestors who were so vocal and visible in the  
12 struggle for liberation; she joins Abdul Majid,  
13 Albert Nuh Washington, Bashir Mohammed, and prisoners  
14 of war who died in captivity here in the United  
15 States. She joins Malcolm X, Betty Shabazz, Harriet  
16 Summins [sp?], Nanny of the Maroons, Dr. King, Fannie  
17 Lou Hamer, and so many others. [bell] We just want  
18 to say rest in peace, you've done your work. Rest in  
19 peace.

20 PUBLIC ADVOCATE JAMES: Thank you.  
21 Council Member Gibson.

22 COUNCIL MEMBER GIBSON: Thank you very  
23 much, Madame Public Advocate. I just wanna join  
24 everyone in our collective support and appreciation  
25 for Tanisha Edwards. After serving nine years here

1  
2 at the City Council, our loss is certainly the State  
3 of New York's gain; she has been tremendous. I had a  
4 lien sale information session last night and I was so  
5 proud to get six people, which was great, and so  
6 we're thankful for all of her work and we wish here  
7 Godspeed and best wishes.

8 I wanna wish all of my colleagues and  
9 friends a Happy Cinco de Mayo, as well as recognizing  
10 my thoughts and prayers to all of my colleagues and  
11 friends during Holocaust Remembrance Day and I wanna  
12 join with all of my colleagues in wishing a speedy  
13 recovery to our Council Member Jumaane Williams,  
14 wishing him healing and strength and knowing that he  
15 will get better and return back to us. So Jumaane,  
16 feel better, we'll see you soon. And with that,  
17 thank you, Madame Public Advocate.

18 PUBLIC ADVOCATE JAMES: Thank you.  
19 Council Member Rosenthal.

20 COUNCIL MEMBER ROSENTHAL: Thank you so  
21 much, Madame Public Advocate.

22 So according to the New York City  
23 Department of Transportation, 1 in 4 crashes killing  
24 or injuring pedestrians happens when they are in the  
25 crosswalk with the signal. The pedestrian has the

1  
2 light, but the car has the light also and they're  
3 competing for space. By law, cars are not allowed in  
4 the crosswalk when a pedestrian is crossing, but  
5 everyone's had that experience, pedestrians, drivers,  
6 they're both competing for the crosswalk space.

7 Today Council Members Mathieu Eugene, Ydanis  
8 Rodriguez and I are introducing legislation,  
9 Int. 1177 that would require DOT to study whether to  
10 implement the "Barnes dance," also known as "the  
11 scramble" at the 25 most dangerous intersections in  
12 the city. Crosswalks with the "Barnes dance" allow  
13 pedestrians to cross the street while vehicular  
14 traffic is at a full stop so there is no chance of a  
15 turning car hitting a pedestrian.

16 In the 1960s, as car use in the city  
17 skyrocketed, the "Barnes dance" lost favor with  
18 street engineers because cars took precedence. Now  
19 with Vision Zero firmly entrenched, we need to go  
20 back to a time when pedestrians came first.

21 There are over 47,000 intersections in  
22 New York City; this bill asks DOT to study the most  
23 dangerous 25 of them. While the bill does not  
24 require DOT to use the "Barnes dance" at those 25  
25 locations, it will provide much-needed information

1  
2 about whether or not it would be a good tool to  
3 reduce pedestrian fatalities or serious injury. I  
4 hope you all will join our fight for pedestrian  
5 safety and sign on to the bill. Thank you.

6 PUBLIC ADVOCATE JAMES: Thank you.  
7 Council Member Eugene.

8 COUNCIL MEMBER EUGENE: Thank you, Madame  
9 Public Advocate.

10 My colleagues, I want to ask you to  
11 support two pieces of legislation that I am  
12 introducing today and for 1174 and Res. 1059,  
13 requiring the City to install free blood pressure  
14 machines in public places and also the State of New  
15 York to do the same throughout the State of New York.

16 High blood pressure is a very serious  
17 condition and many people are living with high blood  
18 pressure; they don't even know that; they are working  
19 hard and we call blood pressure silent killer and by  
20 installing free blood pressure machines in public  
21 places will protect life of hardworking people in New  
22 York City. And you know that stroke and  
23 cardiovascular disease, they are all very serious  
24 consequences of high blood pressure. I'm asking you  
25 to support these two pieces of legislation just to



1  
2 make sure that New Yorkers can live healthy and also  
3 for them to have the opportunity to have the time to  
4 raise their children and contribute to the good city  
5 of New York. Thank you very much.

6 PUBLIC ADVOCATE JAMES: Thank you.  
7 Council Member Levine.

8 COUNCIL MEMBER LEVINE: Thank you, Madame  
9 Public Advocate.

10 As Council Member Gibson mentioned  
11 shortly before, today is the day that Jewish  
12 communities around the world mark Holocaust  
13 Remembrance day, known as Yom Ha'Shoah, it  
14 commemorates the murder of 6 million Jews and  
15 millions of others, it also commemorates the acts of  
16 heroism that Jews and non-Jews alike are known for  
17 during that era; in fact, this date on the Hebrew  
18 calendar was picked because it's the date of the  
19 famous uprising of the Warsaw Ghetto Jews, seen as an  
20 incredible act of bravery.

21 I wish this was only history, but sadly  
22 we continue to fight the demons of anti-Semitism and  
23 intolerance and even the evil of genocide remains  
24 present in our world today. Here in New York City  
25 this issue still retains relevance because there are

1  
2 no fewer than 50,000 holocaust survivors living  
3 amongst us and an unconscionable 50 percent of whom  
4 live in poverty. I'm so proud that this Council has  
5 stepped up to provide for our fellow New Yorkers who  
6 deserve to live in dignity last year by launching our  
7 Holocaust Survivors Initiative and I'm hopeful that  
8 we'll be renewing it and expanding it this year.  
9 Thank you.

10 PUBLIC ADVOCATE JAMES: Council Member  
11 Levin.

12 COUNCIL MEMBER LEVIN: Thank you, Madame  
13 Public Advocate.

14 I just wanted to take this opportunity to  
15 also thank and congratulate Tanisha Edwards on her  
16 new position and to thank her for her years of  
17 service to this Council, which she always did with  
18 poise and responsibility and she served this Council  
19 and the City of New York well and on behalf of the  
20 residents of the 33rd Council District I want to  
21 thank her for her service. Thank you.

22 PUBLIC ADVOCATE JAMES: And to close,  
23 Speaker Melissa Mark-Viverito.

24 SPEAKER MARK-VIVERITO: I think this has  
25 been a great day in terms of debating an issue and

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I'm glad to have heard all the back and forth;  
hopefully we can continue to do that in a respectful  
manner moving forward, so I thank my colleagues for  
that.

And again, I know it's been said, but  
Jumaane Williams, hopefully we'll see him here back  
in these chambers soon, so wishing him speediest  
recovery.

So thank you all and I guess we are  
adjourned.

PUBLIC ADVOCATE JAMES: Happy Mother's  
Day.

[gavel]

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 May 11, 2016