

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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April 2, 2009
Start: 2:25 pm
Recess: 3:37 pm

HELD AT: Council Chambers
City Hall

B E F O R E: CHRISTINE C. QUINN
SPEAKER

COUNCIL MEMBERS:

- Council Member Maria del Carmen Arroyo
- Council Member Tony Avella
- Council Member Maria Baez
- Council Member Charles Barron
- Council Member Gale A. Brewer
- Council Member Leroy G. Comrie, Jr.
- Council Member Elizabeth Crowley
- Council Member Bill de Blasio
- Council Member Inez E. Dickens
- Council Member Erik Martin Dilan
- Council Member Mathieu Eugene
- Council Member Simcha Felder
- Council Member Julissa Ferreras
- Council Member Lewis A. Fidler
- Council Member Helen D. Foster
- Council Member Daniel R. Garodnick
- Council Member James F. Gennaro
- Council Member Alan J. Gerson

A P P E A R A N C E S

COUNCIL MEMBERS:

Council Member Eric N. Gioia
Council Member Vincent Ignizio
Council Member Robert Jackson
Council Member Letitia James
Council Member Melina R. Katz
Council Member G. Oliver Koppell
Council Member John C. Liu
Council Member Melissa Mark-
Viverito
Council Member Miguel Martinez
Council Member Darlene Mealy
Council Member Rosie Mendez
Council Member Kenneth Mitchell
Council Member Michael C. Nelson
Council Member James S. Oddo
Council Member Annabel Palma
Council Member Domenic M. Recchia,
Jr.
Council Member Diana Reyna
Council Member Joel Rivera
Council Member James Sanders, Jr.
Council Member Larry B. Seabrook
Council Member Helen Sears
Council Member Kendall Stewart
Council Member Eric Ulrich
Council Member James Vacca
Council Member Peter F. Vallone,
Jr.
Council Member Albert Vann
Council Member David I. Weprin
Council Member Thomas White, Jr.
Council Member David Yassky

A P P E A R A N C E S [CONTINUED]

Christine C. Quinn
Speaker

Sophomore Class
Brooklyn Generation School

Reverend Charles Lewis
Invocation

Alix Pustilnik
Governmental Affairs Division

Adira Siman
Human Services Division

Julene Beckford
Counsel
Governmental Affairs Division

Jim Caras
Office of the General Counsel

Damien Butvick
Counsel
Governmental Affairs Division

Danielle Castaldi-Micca,
Community Outreach

Lyle Frank
Committee Counsel
Infrastructure Division

Patrick Mulvihill
Infrastructure Division

Nicole Ramsey
Infrastructure Division

Danielle Avetto
Council Staff

A P P E A R A N C E S [CONTINUED]

Phillip Hom
Committee Counsel

All Council Staff not otherwise mentioned

Elizabeth Crowley
Council Member

Charles Barron
Council Member

Joyce Simmons
Chief of Staff
Council Member Barron

Monique Washington
Councilmatic Aide
Council Member Barron

Viola Plummer
Chief of Staff
Assemblywoman Inez Barron

Man Up, Inc.
Developer of Gateway Estates II

Robert Jackson
Council Member

Miguel Martinez
Council Member

Family of Alex Felix

Melissa Mark-Viverito
Council Member

Inez Dickens
Council Member

Daniel R. Garodnick
Council Member

A P P E A R A N C E S [CONTINUED]

Reverend Doctor Johnny Ray Youngblood
Supporter of Gateway Estates II

Reverend Brawley
Supporter of Gateway Estates II

Sarah Brannon
Policy Unit
Council Staff
Helen D. Foster
Council Member

Robert Jackson
Council Member

Darlene Mealy
Council Member

Gale A. Brewer
Council Member

Erik Martin Dilan
Council Member

Inez E. Dickens
Council Member

1
2 SPEAKER QUINN: Before we start,
3 I'd like to recognize the Brooklyn Generation
4 School, Public School from Brooklyn--

5 [Applause]

6 SPEAKER QUINN: --in the balcony,
7 sophomores, hi. All rise please.

8 SERGEANT AT ARMS: All rise.

9 SPEAKER QUINN AND AUDIENCE: I
10 pledge allegiance of the United States of America
11 and to the Republic, for which it stands, one
12 Nation, under God, with liberty and justice for
13 all. Thank you. Roll call.

14 COMMITTEE CLERK: Arroyo

15 COUNCIL MEMBER ARROYO: Here.

16 COMMITTEE CLERK: Avella.

17 COUNCIL MEMBER AVELLA: Here.

18 COMMITTEE CLERK: Baez.

19 COUNCIL MEMBER BAEZ: Here.

20 COMMITTEE CLERK: Barron.

21 COUNCIL MEMBER BARRON: Here.

22 COMMITTEE CLERK: Brewer.

23 COUNCIL MEMBER BREWER: Aye.

24 COMMITTEE CLERK: Comrie.

25 COUNCIL MEMBER COMRIE: Here.

1

COMMITTEE CLERK: Crowley.

2

COUNCIL MEMBER CROWLEY: Here.

3

COMMITTEE CLERK: deBlasio.

4

COUNCIL MEMBER DEBLASIO: Here.

5

COMMITTEE CLERK: Dickens.

6

COUNCIL MEMBER DICKENS: Here.

7

COMMITTEE CLERK: Dilan.

8

COUNCIL MEMBER DILAN: Here.

9

COMMITTEE CLERK: Eugene.

10

COUNCIL MEMBER EUGENE: Here.

11

COMMITTEE CLERK: Felder.

12

COUNCIL MEMBER FELDER: Here.

13

COMMITTEE CLERK: Ferreras.

14

COUNCIL MEMBER FERRERAS: Here.

15

COMMITTEE CLERK: Fidler.

16

COUNCIL MEMBER FIDLER: [No

17

18 response]

COMMITTEE CLERK: Foster.

19

COUNCIL MEMBER FOSTER: [No

20

21 response]

COMMITTEE CLERK: Garodnick.

22

COUNCIL MEMBER GARODNICK: Here.

23

COMMITTEE CLERK: Gennaro.

24

COUNCIL MEMBER GENNARO: [No

25

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response]

response]

response]

response]

COMMITTEE CLERK: Gentile.
COUNCIL MEMBER GENTILE: [No
COMMITTEE CLERK: Gerson.
COUNCIL MEMBER GERSON: Here.
COMMITTEE CLERK: Gioia.
COUNCIL MEMBER GIOIA: [No
COMMITTEE CLERK: Gonzalez:
COUNCIL MEMBER GONZALEZ: [No
COMMITTEE CLERK: Ignizio.
COUNCIL MEMBER IGNIZIO: Here.
COMMITTEE CLERK: Jackson.
COUNCIL MEMBER JACKSON: Here.
COMMITTEE CLERK: James.
COUNCIL MEMBER JAMES: Here.
COMMITTEE CLERK: Katz.
COUNCIL MEMBER KATZ: Here.
COMMITTEE CLERK: Koppell.
COUNCIL MEMBER KOPPELL: Here.
COMMITTEE CLERK: Lappin.
COUNCIL MEMBER LAPPIN: [No

1

2 response]

3

COMMITTEE CLERK: Liu.

4

COUNCIL MEMBER LIU: [No response]

5

COMMITTEE CLERK: Mark-Viverito.

6

COUNCIL MEMBER MARK-VIVERITO: Yes.

7

Here.

8

COMMITTEE CLERK: Martinez.

9

COUNCIL MEMBER MARTINEZ: [No

10 response]

11

COMMITTEE CLERK: Mealy.

12

COUNCIL MEMBER MEALY: Here.

13

COMMITTEE CLERK: Mendez.

14

COUNCIL MEMBER MENDEZ: Here.

15

COMMITTEE CLERK: Mitchell.

16

COUNCIL MEMBER MITCHELL: Here.

17

COMMITTEE CLERK: Nelson.

18

COUNCIL MEMBER NELSON: Here.

19

COMMITTEE CLERK: Palma.

20

COUNCIL MEMBER PALMA: Here.

21

COMMITTEE CLERK: Recchia.

22

COUNCIL MEMBER RECCHIA: Here.

23

COMMITTEE CLERK: Reyna.

24

COUNCIL MEMBER REYNA: Here.

25

COMMITTEE CLERK: Sanders.

1

2

COUNCIL MEMBER SANDERS: Present.

3

COMMITTEE CLERK: Seabrook.

4

COUNCIL MEMBER SEABROOK: [No

5

response]

6

COMMITTEE CLERK: Sears.

7

COUNCIL MEMBER SEARS: Here.

8

COMMITTEE CLERK: Stewart.

9

COUNCIL MEMBER STEWART: Here.

10

COMMITTEE CLERK: Ulrich.

11

COUNCIL MEMBER ULRICH: Here.

12

COMMITTEE CLERK: Vacca.

13

COUNCIL MEMBER VACCA: Here.

14

COMMITTEE CLERK: Vallone.

15

COUNCIL MEMBER VALLONE: Here.

16

COMMITTEE CLERK: Vann.

17

COUNCIL MEMBER VANN: [No response]

18

COMMITTEE CLERK: Weprin.

19

COUNCIL MEMBER WEPRIN: Here.

20

COMMITTEE CLERK: White.

21

COUNCIL MEMBER WHITE: Here.

22

COMMITTEE CLERK: Yassky.

23

COUNCIL MEMBER YASSKY: Here.

24

COMMITTEE CLERK: Oddo.

25

COUNCIL MEMBER ODDO: Here.

1

COMMITTEE CLERK: Rivera.

2

COUNCIL MEMBER RIVERA: Here.

3

COMMITTEE CLERK: Speaker Quinn.

4

SPEAKER QUINN: We have a quorum.

5

All rise please for the invocation by Reverend
Charles Lewis.

6

7

SERGEANT AT ARMS: All rise. Quiet

8

please.

9

PUBLIC ADVOCATE GOTBAUM: Quiet

10

please.

11

REVEREND CHARLES LEWIS: Eternal

12

Father, we come now to say thank you for the many
blessings that thou has already bestowed upon us.

13

14

We thank you Lord for bringing us together in

15

unity. We ask you Lord to just touch our hearts,

16

look down upon your leaders, Lord, bless this

17

country that we are living in, bless the whole

18

world, and humanity. And we'll be careful to

19

praise your name. We ask these blessings in our

20

Lord and Savior. Amen.

21

AUDIENCE: Amen.

22

SPEAKER QUINN: Madam Public

23

Advocate if I could just ask my colleagues to

24

remain standing for a moment.

25

1
2 PUBLIC ADVOCATE GOTBAUM: So
3 ordered, quiet please.

4 SPEAKER QUINN: I just wanted to
5 ask for a moment of silence. On March 25th, 2009
6 Theresa Gentile the mother of our colleague
7 Council Member Vinnie Gentile passed away at the
8 age of 84. Mrs. Gentile was born in 1924 in the
9 region of Collabria, Italy. She was the oldest
10 child of Giuseppe and Marianna Camoso.

11 In 1934 at the age of 10 her family
12 came to the United States where they settled near
13 Pittsburg where her father worked in the steel
14 mills. In 1939 the family moved to Brooklyn where
15 Theresa helped raise her four younger brothers.
16 After graduating public school, she became a
17 seamstress and sewed elegant wedding gowns until
18 she married in 1950 and started a family. Mrs.
19 Gentile raised 4 boys and was a proud mother,
20 grandmother and proud keeper of Italian customs,
21 cooking and Italian traditions in her home.

22 I also wanted to let my colleagues
23 know that Margaret Titone the mother of Assembly
24 Member Matt Titone of Staten Island also passed
25 away a few days ago and was buried today. And if

1
2 we could have a moment of silence in memory of
3 both of them.

4 [Moment of silence]

5 SPEAKER QUINN: Thank you Madam
6 Public Advocate.

7 PUBLIC ADVOCATE GOTBAUM: Motion to
8 spread the invocation by Council Member Arroyo.

9 COUNCIL MEMBER ARROYO: Thank you
10 Madam Public Advocate. I'd like to motion to
11 spread the invocation in full upon the record and
12 want to thank Reverend Lewis for joining us here
13 today. A man of always few words but--

14 PUBLIC ADVOCATE GOTBAUM:
15 [Interposing] Quiet please.

16 COUNCIL MEMBER ARROYO: --very
17 profound. And I want to thank you for his work in
18 the new Washington Heights Baptist Church in
19 Council Member Martinez', and this is in my
20 District in the Bronx, okay. Fine.

21 PUBLIC ADVOCATE GOTBAUM: So
22 ordered. Adoption of the minutes.

23 COMMITTEE CLERK: None.

24 PUBLIC ADVOCATE GOTBAUM: Messages
25 and papers from the Mayor.

1

COMMITTEE CLERK: None.

2

3

PUBLIC ADVOCATE GOTBAUM:

4

Communication from City, County and Borough

5

Offices.

6

COMMITTEE CLERK: M1367 through

7

M1379, base station license applications.

8

PUBLIC ADVOCATE GOTBAUM:

9

Transportation. Petitions and communications.

10

COMMITTEE CLERK: None.

11

PUBLIC ADVOCATE GOTBAUM: Thank

12

you. Land Use call-ups.

13

COMMITTEE CLERK: M 1380 and M1381.

14

SPEAKER QUINN: We could Madam

15

Advocate have a coupled vote on the Land Use call-

16

ups, please.

17

COMMITTEE CLERK: Arroyo.

18

COUNCIL MEMBER ARROYO: Aye.

19

COMMITTEE CLERK: Avella.

20

COUNCIL MEMBER AVELLA: Aye.

21

COMMITTEE CLERK: Baez.

22

COUNCIL MEMBER BAEZ: Vote aye on

23

all call-ups and requesting permission to vote aye

24

on all coupled general orders.

25

PUBLIC ADVOCATE GOTBAUM: So

1

2 ordered

3

COUNCIL MEMBER BAEZ: Thank you.

4

Aye.

5

COMMITTEE CLERK: Barron.

6

COUNCIL MEMBER BARRON: Aye.

7

COMMITTEE CLERK: Brewer.

8

COUNCIL MEMBER BREWER: Aye.

9

COMMITTEE CLERK: Comrie.

10

COUNCIL MEMBER COMRIE: Aye.

11

COMMITTEE CLERK: Crowley.

12

COUNCIL MEMBER CROWLEY: Aye on

13

all.

14

COMMITTEE CLERK: deBlasio.

15

COUNCIL MEMBER DEBLASIO: Aye.

16

COMMITTEE CLERK: Dickens.

17

COUNCIL MEMBER DICKENS: Aye.

18

COMMITTEE CLERK: Dilan.

19

COUNCIL MEMBER DILAN: [No

20

response]

21

COMMITTEE CLERK: Dilan.

22

COUNCIL MEMBER DILAN: I vote aye.

23

COMMITTEE CLERK: Eugene.

24

COUNCIL MEMBER EUGENE: Aye.

25

COMMITTEE CLERK: Felder.

1

2

COUNCIL MEMBER FELDER: [No

3

response]

4

COMMITTEE CLERK: Ferreras.

5

COUNCIL MEMBER FERRERAS: Aye.

6

COMMITTEE CLERK: Fidler.

7

COUNCIL MEMBER FIDLER: Aye.

8

COMMITTEE CLERK: Foster.

9

COUNCIL MEMBER FOSTER: [No

10

response]

11

COMMITTEE CLERK: Garodnick.

12

COUNCIL MEMBER GARODNICK: Aye.

13

COMMITTEE CLERK: Gennaro.

14

COUNCIL MEMBER GENNARO: Yes.

15

COMMITTEE CLERK: Gerson.

16

COUNCIL MEMBER GERSON: Aye.

17

COMMITTEE CLERK: Gioia.

18

COUNCIL MEMBER GIOIA: [No

19

response]

20

COMMITTEE CLERK: Gonzalez.

21

COUNCIL MEMBER GONZALEZ: [No

22

response]

23

COMMITTEE CLERK: Ignizio.

24

COUNCIL MEMBER IGNIZIO: Yes.

25

COMMITTEE CLERK: Jackson.

1

2

COUNCIL MEMBER JACKSON: Aye on

3

all.

4

COMMITTEE CLERK: James.

5

COUNCIL MEMBER JAMES: Aye.

6

COMMITTEE CLERK: Katz.

7

COUNCIL MEMBER KATZ: Aye.

8

COMMITTEE CLERK: Koppell.

9

COUNCIL MEMBER KOPPELL: Aye.

10

COMMITTEE CLERK: Liu.

11

COUNCIL MEMBER LIU: Yes.

12

COMMITTEE CLERK: Mark-Viverito.

13

COUNCIL MEMBER MARK-VIVERITO: Yes.

14

Here.

15

COMMITTEE CLERK: Martinez.

16

COUNCIL MEMBER MARTINEZ: [No

17

response]

18

COMMITTEE CLERK: Mealy.

19

COUNCIL MEMBER MEALY: Here.

20

COMMITTEE CLERK: Mendez.

21

COUNCIL MEMBER MENDEZ: Aye.

22

COMMITTEE CLERK: Mitchell.

23

SERGEANT AT ARMS: Quiet please.

24

COUNCIL MEMBER MITCHELL: [Off mic]

25

COMMITTEE CLERK: Nelson.

1

COUNCIL MEMBER NELSON: Aye.

2

COMMITTEE CLERK: Palma.

3

COUNCIL MEMBER PALMA: I vote aye

4

and request permission to vote on to the general
calendar order.

5

6

PUBLIC ADVOCATE GOTBAUM: So

7

ordered.

8

COUNCIL MEMBER PALMA: I vote aye.

9

COMMITTEE CLERK: Recchia.

10

COUNCIL MEMBER RECCHIA: Aye.

11

PUBLIC ADVOCATE GOTBAUM: Quiet

12

please.

13

SERGEANT AT ARMS: Keep it down.

14

Quiet please.

15

COMMITTEE CLERK: Reyna.

16

COUNCIL MEMBER REYNA: Aye.

17

COMMITTEE CLERK: Sanders.

18

COUNCIL MEMBER SANDERS: Aye.

19

COMMITTEE CLERK: Seabrook.

20

COUNCIL MEMBER SEABROOK: [No

21

response]

22

COMMITTEE CLERK: Sears.

23

COUNCIL MEMBER SEARS: Aye.

24

COMMITTEE CLERK: Stewart.

25

1
2 COUNCIL MEMBER STEWART: Aye.
3 COMMITTEE CLERK: Ulrich.
4 COUNCIL MEMBER ULRICH: Aye.
5 COMMITTEE CLERK: Vacca.
6 COUNCIL MEMBER VACCA: Aye.
7 COMMITTEE CLERK: Vallone.
8 COUNCIL MEMBER VALLONE: Aye.
9 COMMITTEE CLERK: Vann.
10 COUNCIL MEMBER VANN: [No response]
11 COMMITTEE CLERK: Weprin.
12 COUNCIL MEMBER WEPRIN: Aye.
13 COMMITTEE CLERK: White.
14 COUNCIL MEMBER WHITE: Aye.
15 COMMITTEE CLERK: Yassky.
16 COUNCIL MEMBER YASSKY: Aye.
17 COMMITTEE CLERK: Felder.
18 COUNCIL MEMBER FELDER: Yes.
19 COMMITTEE CLERK: Foster.
20 COUNCIL MEMBER FOSTER: Yes.
21 COMMITTEE CLERK: Oddo.
22 COUNCIL MEMBER ODDO: Yes.
23 COMMITTEE CLERK: Rivera.
24 COUNCIL MEMBER RIVERA: [off mic]
25 [Pause]

1

COMMITTEE CLERK: Speaker Quinn.

2

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SPEAKER QUINN: Yes.

4

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PUBLIC ADVOCATE GOTBAUM: Today's Land Use call-ups were adopted by a vote of 43 in the affirmative, 0 negative. Communication from the Speaker.

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SPEAKER QUINN: Thank you. We're voting on Intro 826A today, Clinic Access legislation. Let me start by thanking the former Chair of our Women's Issues Committee, Helen Sears who oversaw countless hours of hearing on this legislation. Let me thank the Chair of our Civil Rights Committee, the Committee this piece of legislation was shepherded through Council Member Larry Seabrook. I also really want to so profoundly thank our staff who worked so long and hard on this legislation, Alix Pustilnik, Adira Siman, Julene Beckford, Jim Caras, Damien Butvick and Danielle Castaldi-Micca, if we can give them a round of applause please.

22

[Applause]

23

24

25

SPEAKER QUINN: In 1994 this City Council passed important legislation designed to protect women's access to reproductive health

1
2 clinics in the City and to make sure that doctors
3 and nurses and health care professionals could
4 come in and out of those women's health clinics to
5 make sure women could access their legally right
6 to reproductive health care.

7 Now a lot of us would like to think
8 that the situations that caused the need for that
9 bill in 1994 are gone and that there are no longer
10 protestors outside of women's health clinics in
11 our five Boroughs. But the sad truth is they are
12 not gone. And on many streets, in front of many
13 clinics, on many days of the week, protestors
14 stand on the streets outside clinics; stand in
15 front of the doors of those clinics; oftentimes
16 making it impossible for those clinics to serve
17 their patients. Protestors harass and intimidate
18 women, sometimes scaring them away from going in
19 and getting reproductive health care that they and
20 their families have decided is the right course
21 for their action for them and their families.

22 What we found is that the 1994 law,
23 although well intentioned, after 15 years of
24 experience with it has loopholes in it. This
25 action today will close those loopholes and put a

1
2 law on the books in our five Boroughs that is
3 actually usable and enforceable, that will allow
4 women to access their legal right to reproductive
5 health care.

6 So now once we pass this law, a
7 clinic will be able to press charges and have
8 someone arrested if they are disrupting access to
9 their clinic--

10 [Applause]

11 SERGEANT AT ARMS: Quiet please,
12 settle down.

13 SPEAKER QUINN: If Madam--if you
14 could just hold the outbursts. Now after we pass
15 our law, it will no longer be only the patient who
16 can cause, call for people to be arrested or
17 charges to be filed. Right now the law says only
18 the woman who is going to be an abortion can have
19 someone arrested or have charges filed against
20 them. Think of that burden.

21 Someone who has decided to make
22 this decision, which is a very difficult decision,
23 they may not have shared that with others in their
24 lives. They now are the only one who can press
25 charges. They're going to have to go back to

1

2 court countless times. What this means is that
3 before--up until now when we change this law, even
4 if a police officer saw an individual breaking the
5 law they couldn't take action unless the patient
6 had asked them too.

7

Well with this law we're going to
8 allow our police officers to be police officers in
9 front of reproductive health clinics and take
10 action when they see people breaking the law.
11 This is the least that women deserve in our five
12 Boroughs and the least that the doctors and nurses
13 and professionals who run our clinics deserve in
14 our five Boroughs. This is an important day to
15 send a message that we will not allow people to
16 threaten, harass or intimidate women or health
17 care professionals.

18

Let me also say this bill allows
19 anyone who wants to legally protest in a peaceful
20 way, it allows them to express and use their First
21 Amendment rights. We have taken great pains
22 working with civil liberties groups and other--
23 civil liberties groups and even some who oppose
24 this bill, to make sure that no one's First
25 Amendment rights are taken away. You can legally

1

2 protest.

3

4 But you cannot harass or
5 intimidate. That is something that we will not
6 allow. So I again want to thank everyone who has
7 put such effort into this bill. I also want to
8 thank the Council Members who have expressed
9 opposition to this bill 'cause they have brought
10 opponents in to see us who have sat with us, made
11 their positions clear in a respectful manner and
12 in ways helped us improve the bill so it could be
13 as clear as possible on the distinction between
14 what is legal and what is illegal.

14

15 I think this is a great example of
16 the legislative process in action. Let me call on
17 the Chair of our Civil Rights Committee, someone
18 who has always been a hero as it relates to
19 women's access to civil rights, Council Member
20 Larry Seabrook.

20

21 PUBLIC ADVOCATE GOTBAUM: Quiet
22 please.

22

23 SERGEANT AT ARMS: Sit down please.

23

24 SPEAKER QUINN: He's off helping a
25 woman, I'm absolutely sure of it. Continuing his
26 heroism on women's issues. Just tell people I

25

1

2 said nice things about him when he wasn't here.

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Let me also thank our Finance Committee who is passing a number of items today. I also want to thank Council Member Helen Diane Foster who chairs our Parks, Recreation Committee, Lyle Frank and Patrick Mulvihill for their work on the street co-naming bill. If people want to know who the 18 individuals for whom thoroughfares and streets are being renamed please go to the City Council's website. I want to thank Nicole and the rest of the staff for creating a brief biography chart on our webpage that you can go to.

I also want to make note today that we're passing three important--

SERGEANT AT ARMS: Settle down please--

SPEAKER QUINN: Home Rule Messages out of our State and Federal Legislation Committee. I want to thank, again, Danielle Avetto, Jim Caras and Phil Hom for their work. I really want to thank Council Member Maria Baez the Chair of our State and Federal Legislation Committee.

We have one Home Rule Message today

1
2 urging the State to allow the City to have 50 more
3 red light cameras. We have another Home Rule
4 Message today, once again, making a statement that
5 the City of New York believes that the State
6 legislature should repeal the Urstadt Law and
7 allow--

8 [Applause]

9 SPEAKER QUINN: --the City Council
10 to be the legislative body that decides the rent
11 laws for our City. We also have a Home Rule
12 Message urging Albany to repeal Vacancy Decontrol.
13 That erosion of tenant protections has caused the
14 loss of countless tens of thousands of apartments
15 in the City of New York. By repealing Vacancy
16 Decontrol we will have the opportunity to
17 recapture many of those apartments as affordable
18 apartments in the City of New York.

19 I want to finally thank our Rules
20 Committee Chair for moving an appointment through
21 today to the Equal Employment Practices
22 commission. And also Chairperson Diana Reyna.
23 And also Chairperson Melinda Katz and the Land Use
24 staff for the numerous items that they have worked
25 on that we'll be voting on today. And that

1

2 concludes communications from the Speaker.

3

4

5

PUBLIC ADVOCATE GOTBAUM: Council Member Gioia and Council Member Katz, in that order, would you make your vote please?

6

7

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COUNCIL MEMBER GIOIA: Thank you Madam Public Advocate. I'd like to vote yes on all Land Use call-ups and all coupled general orders, and I appreciate the courtesy. Thank you.

10

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PUBLIC ADVOCATE GOTBAUM: So ordered. Melinda?

12

13

14

COUNCIL MEMBER KATZ: I request unanimous consent to vote aye on all general order calendar.

15

16

PUBLIC ADVOCATE GOTBAUM: So ordered.

17

COUNCIL MEMBER KATZ: Thank you.

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21

PUBLIC ADVOCATE GOTBAUM: Neal. Council Member Crowley, discussion of general orders, excuse me. I'm sorry, general? General order discussion. I'm reading backwards.

22

[Chuckling].

23

24

25

COUNCIL MEMBER CROWLEY: Oh. Thank you Madam Public Advocate. I rise to speak on Land Use 1031 which is a proposed high school in

1
2 the District that I represent, 1,100 seat high
3 school in Maspeth. I believe that the high school
4 proposal, the one that we're voting on today still
5 needs work. As a Council Member it's been very
6 difficult accepting and agreeing with the
7 Department of Education. I'd like to thank the
8 Speaker for her help during the past couple of
9 weeks as I've worked on these difficulties with
10 the Department of Education.

11 And while I do not agree with the
12 Deputy Mayor Dennis Walcott, and the Department
13 and their policies, moreover, their reluctance to
14 give priority zoning to those who live closest to
15 the school, I do thank the Deputy Mayor for his
16 time and focus over the past couple of weeks. I'd
17 like to also thank my colleagues in this body
18 whose knowledge and support I'm so grateful for
19 over the past couple of weeks.

20 I want to let you know that today
21 I'm going to vote no on this proposal. Let me be
22 clear. I want a school in Maspeth but I cannot
23 agree with this plan. In an effort to alleviate
24 traffic and transit concerns raised by the
25 community I've asked the Department of Education

1

2 to compromise on a plan to allow this school to
3 better address the needs and the concerns of the
4 community.

5

6 They have given a plan where there
7 would be a preference for District 24. But that
8 plan as it stands right now does not have the
9 approval of the Community Education Council. It
10 does not have the approval of the Community Board.
11 It does not have the approval of many of the
12 parents within the Council District that I
13 represent. And it does not either have the
14 support of many of the other local officials,
15 including State representatives.

16

17 So I want you to consider this
18 today as you vote for Maspeth High School. Thank
19 you for your time.

20

21 PUBLIC ADVOCATE GOTBAUM: Thank you
22 Council Member. Council Member Barron.

23

24 COUNCIL MEMBER BARRON: Thank you
25 very much Madam Chair. I rise, first before you
start the clock I just wanted to introduce
everybody to new staff. This doesn't count as
discussion.

26

[Laughter]

1

2

PUBLIC ADVOCATE GOTBAUM: Says who?

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COUNCIL MEMBER BARRON: I just

4

wanted to--[laughing]

5

[Laughter]

6

COUNCIL MEMBER BARRON: I just

7

wanted to introduce the body to my new staff. And

8

this is my new Chief of Staff, Ms. Joyce Simmons;

9

please give her a big hand clap--

10

[Applause]

11

COUNCIL MEMBER BARRON: My new

12

Chief of Staff--

13

PUBLIC ADVOCATE GOTBAUM:

14

[Interposing] [Chuckling]

15

COUNCIL MEMBER BARRON: --and Ms.

16

Monique Washington, who's the Councilmatic Aide

17

and doing great work in the Council office here.

18

And she's here.

19

[Applause]

20

COUNCIL MEMBER BARRON: And my

21

former Chief of Staff, Ms. Viola Plummer, I want

22

to congratulate her for being the new Chief of

23

Staff for Assemblywoman Inez Barron. Please give

24

her a hand clap.

25

[Applause, background noise]

1
2 COUNCIL MEMBER BARRON: Thank you
3 very much. And now what I rise for today, this is
4 a great day for the people in East New York--

5 PUBLIC ADVOCATE GOTBAUM:
6 [Interposing] Quiet please.

7 SERGEANT AT ARMS: Quiet please.

8 COUNCIL MEMBER BARRON: Could you
9 hit the gavel please 'cause I can't hear myself.

10 PUBLIC ADVOCATE GOTBAUM: They
11 won't be quiet, they listen to me sometimes.

12 COUNCIL MEMBER BARRON: I rise
13 because of Gateway Estates II. This is a housing
14 development and extension of the mall for retail
15 in our District. And I want to thank a whole team
16 of people for bringing to East New York, one of
17 the most affordable projects. We're talking 80%
18 affordable. Unheard of. And some people say 100%
19 but I'll settle for 80%.

20 But I want to say that this is an
21 affordable project that has come to our District,
22 7,000 temporary construction jobs which will
23 guarantee our people some jobs. And also 1,700
24 permanent jobs, 3 new parks, a new school, a new
25 supermarket, daycare center, and it's just one of

1

2 the best projects that's coming to East New York.

3 I want to thank--

4 [Applause]

5 COUNCIL MEMBER BARRON: --related
6 companies and Man Up, Inc. please all of y'all
7 stand up for working together and make this thing
8 happen to be affordable with related companies and
9 Man Up, Inc. for the work that they did bringing
10 it together for the people of East New York. This
11 is just the beginning of a community that's been
12 transformed with renovating parks, now the most
13 affordable housing project. And I'm not one to
14 brag but I think I did better than--

15 [Laughter]

16 --the rest of you have ever done on
17 a project. And I'm not the bragging type. I'm
18 just one who is--

19 PUBLIC ADVOCATE GOTBAUM:

20 [Interposing] Time Council Member.

21 COUNCIL MEMBER BARRON: --I have to
22 tell the truth. I just have to tell the truth.

23 COUNCIL MEMBER ODDO [?]: Coney
24 Island's on its way so calm down.

25 COUNCIL MEMBER BARRON: I'm going

1

2 to make sure it is too, 'cause we got to get more
3 than 20%.

4

5 PUBLIC ADVOCATE GOTBAUM: Time
6 Council Member.

7

8 COUNCIL MEMBER BARRON: Thank you
9 very much.

10

11 PUBLIC ADVOCATE GOTBAUM: Council
12 Member Jackson.

13

14 COUNCIL MEMBER JACKSON: Thank you
15 Madam Public Advocate. Good afternoon my
16 colleagues. I rise for four street co-namings in
17 my Districts: one for Lucille Bolger; one for
18 Homer Kennedy, Young Kennedy the Third; the one
19 for Alex Felix; and for Thurgood Marshall.

20

21 And let me just speak about Lucille
22 Bolger. This woman passed away at 95 years young.
23 And she serve the communities of Washington
24 Heights, both Miguel's and my District. She
25 established a PAL Play Street, a comprehensive
health clinic, over 1,000 units of affordable
housing. And she leaves a legacy that's very,
very long. And now the Community League of the
Heights which it's called is building a health
career school and a community center for the

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2

people of Southern Washington Heights.

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8

Homer Young Kennedy was an individual that hundreds of park goers knew Homer by his sight. A big man with a dark moustache which hovered over a frisky smile. And basically he was the keeper of Inwood Hill Park which is the last standing park in the City of New York.

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Alex Felix, a young man, taken away too early at the age of 31, was killed by a drunk driver in Washington Heights on July 2nd, 2007. Mother and father, 7 brothers and sisters, nieces and nephews, a fiancé and now he has a young daughter Jaden Alexander Felix who's left behind without a father.

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So we're naming streets after all these individuals along with Thurgood Marshall. And I don't need to tell you about Thurgood Marshall. And if you don't know, please Google Thurgood Marshall and you will see the legacy he has left, not only as far as this country but around the world, and as an associate justice of the U.S. Supreme Court he speaks and stands for himself. There are four street co-names and I thank Helen Marshall the Chair of the Parks

1

2 Committee for moving it forward. Thank you.

3 PUBLIC ADVOCATE GOTBAUM: Council
4 Member Martinez.

5 COUNCIL MEMBER MARTINEZ: Thank you
6 Madam Public Advocate. I also rise to join in
7 Council Member Robert Jackson's street naming.
8 Particularly to speak of three individuals that
9 are going to be honored and forever their names
10 are going to be in our streets and future
11 generations in Washington Heights are going to
12 know these individuals as model, as example, in
13 our community.

14 First I speak of Alex Felix who was
15 a New York City Police Officer who was tragically
16 killed by a drunk driver as Council Member Jackson
17 described. But his spirit and his family are
18 always with us in ensuring that our young people
19 in Washington Heights and throughout the City of
20 New York understand that in New York City you must
21 take a hold of opportunities and make the best of
22 them. And he always believed in law and order and
23 became a police officer.

24 I also want to speak about Homer
25 Young Kennedy, a man who believed in our parks and

1
2 believed that the best is to come from our
3 community and organized the first dog run in
4 Washington Heights and Inwood, in the Inwood Hill
5 Park.

6 And Lucille, her work and
7 commitment to ensure that everyone in our
8 community had access to health care is exemplary.
9 And today we're honoring them and making sure that
10 the City of New York never forgets. And that in
11 our community when people look at these signs they
12 will question who these individuals are and
13 they'll know by their biographies--

14 PUBLIC ADVOCATE GOTBAUM:

15 [Interposing] quiet please. It's very hard to
16 hear and there's much too much noise.

17 COUNCIL MEMBER MARTINEZ: And when
18 they question the names they see in the street,
19 they will know that these were role models and
20 these were individuals that serve example for our
21 communities and our young people.

22 And I would just ask my colleague
23 if Council Member Robert Jackson would join me in
24 asking our colleagues if we could recognize the
25 family of Alex Felix who's here with us in the

1

2 balcony.

3

[Applause]

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COUNCIL MEMBER MARTINEZ: Thank you

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Madam Public Advocate.

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PUBLIC ADVOCATE GOTBAUM: Council

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Member Yassky.

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COUNCIL MEMBER YASSKY: Yes I just

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would like to vote aye on all coupled general

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orders.

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PUBLIC ADVOCATE GOTBAUM: So

12

ordered. Council Member Mark-Viverito.

13

COUNCIL MEMBER MARK-VIVERITO:

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Thank you. I wanted to--I rise to speak on behalf

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of an item that we'll be voting on today. It's an

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item that is occurring in my District. Basically

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it's Land Use item 1061, Resolution 1909. This is

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an old landmarked public school in East Harlem

19

that had been abandoned by the Department of

20

Education for over ten years. There was

21

discussions of possibly demolishing the building

22

which is a beautiful building.

23

The property will now be disposed

24

over to HPD and we're voting on it today. What

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will be happening with this building is that we

1
2 are going to be creating 74 units of affordable
3 housing, particularly live-work space for artists
4 from New York City and hopefully mostly from East
5 Harlem and from the District. This is going to be
6 a very innovative project. It's going to be
7 really a model project here in New York City where
8 we're very excited. It's been a project in the
9 works for about four years now.

10 So we're very happy that we've
11 arrive at this day which we'll be voting on. It's
12 gotten a lot of community support, a lot of
13 community approval. And with that, we're going to
14 be, again, a true partnership between an
15 organization that has national importance in terms
16 of art space and a local organization that has a
17 history of preservation and a history of creating
18 affordable units of housing.

19 The units will be no more--all of
20 them actually are affordable in that they're up to
21 80% of AMI with 20% of the units for people
22 earning no more than 60% of AMI. So it truly is
23 an affordable project. It's preserving this
24 beautiful landmark building. And again it is a
25 model project that New York City will be very

1

2 proud of to have an artist community residing
3 within East Harlem and building partnerships with
4 the surrounding neighborhoods.

5 So I really encourage all of my
6 colleagues to vote in favor. And I really want to
7 thank everyone that helped make this project
8 possible. Thank you.

9 PUBLIC ADVOCATE GOTBAUM: Seeing
10 nobody else? Oh sorry. Oh. Council Member
11 Dickens. Sorry.

12 COUNCIL MEMBER DICKENS:
13 [Chuckling] Thank you.

14 PUBLIC ADVOCATE GOTBAUM: Dominic's
15 too tall.

16 COUNCIL MEMBER DICKENS: Thank you
17 [chuckling] Thank you Madam Public Advocate. I am
18 thanking my Chair of Planning, Council Member Dan
19 Garodnick and the Chair of Land Use, Melinda Katz
20 for the support that they both gave me for getting
21 through Committee, and I'm asking for the full
22 body to support 1801, Adam Clayton Powell
23 Boulevard at the corner of 110th Street, which is
24 at the forefront of the Harlem Gateway, 25 units
25 of home ownership. And at a time when New York

1

2 City is so unaffordable to so many of the
3 indigenous population and to people choosing to
4 move in to New York City, this is critical for my
5 community.

6

7 The owners will be able to
8 purchase, the future owners will be able to
9 purchase the units which are mostly two to four
10 bedrooms with many of them having two bathrooms,
11 each per dwelling unit, at \$250 per unit. And
12 that's what I call affordable for the Harlem
13 community.

13

14 So I want to thank the Speaker for
15 her help, the Council Members Garodnick and Katz
16 for all of your assistance in getting this
17 through, and to the residents of that building for
18 working so hard and diligent and to HPD for seeing
19 this through. Thank you.

19

20 PUBLIC ADVOCATE GOTBAUM: Council
21 Member Garodnick. Thank you.

21

22 COUNCIL MEMBER GARODNICK: Thank
23 you Madam Public Advocate. I rise today in
24 support of access to reproductive health services
25 and Intro 826A, the Clinic Access Bill. And I
stand also in support of the First Amendment. I

1
2 don't believe that those are mutually exclusive
3 principles. Vigorous debate and passionate
4 discourse are fundamental to our democracy but
5 harassment, threats and physical confrontations
6 are not protected forms of speech and indeed they
7 undermine those cherished democratic values.

8 We cannot stand here in 2009 in New
9 York City and allow individuals or groups to
10 exceed the boundaries of lawful expression by
11 physically blocking access to clinics or by
12 intimidating those who seek their services. It
13 makes it impossible for a clinic to function and
14 impedes a legal right of the citizens of New York
15 City.

16 Unfortunately current law does not
17 adequately protect our reproductive health care
18 facilities and those who work for or seek services
19 from those facilities. So this law, 826A, in my
20 view, is critically important to strengthen the
21 prohibitions on interference with these important
22 services. I want to thank the Speaker for her
23 leadership on this as well as Planned Parenthood,
24 the other advocacy groups and I encourage my
25 colleagues to vote yes. Thank you.

1
2 PUBLIC ADVOCATE GOTBAUM: Seeing
3 nobody else? Report of Special Committees?

4 COMMITTEE CLERK: None.

5 PUBLIC ADVOCATE GOTBAUM: Reports
6 of Standing Committees.

7 COMMITTEE CLERK: Report of the
8 Committee on Civil Rights, Intro 826A, Access to
9 Reproductive Health Care Facilities.

10 PUBLIC ADVOCATE GOTBAUM: Amended
11 and coupled on general orders.

12 COMMITTEE CLERK: Report of the
13 Committee on Finance, Intro 955A, Mayor's
14 Executive Budget.

15 PUBLIC ADVOCATE GOTBAUM: Amended
16 and coupled on general orders with a message of
17 necessity.

18 COMMITTEE CLERK: Preconsidered
19 Reso 1896, Fiscal 2009 Expense Budget.

20 PUBLIC ADVOCATE GOTBAUM: Coupled
21 on general orders.

22 COMMITTEE CLERK: Preconsidered M
23 1382 and Reso 1897 and Preconsidered M 1383 and
24 Reso 1898, Budget Items.

25 PUBLIC ADVOCATE GOTBAUM: Coupled

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on general orders.

COMMITTEE CLERK: Preconsidered LU 1044 and Reso 1899 through Preconsidered LU 1046 and Reso 1901.

PUBLIC ADVOCATE GOTBAUM: Coupled on general orders.

COMMITTEE CLERK: Report of the Committee on Land Use: LU 938 and Reso 1902 through LU 1013 and Reso 1907, various applications.

PUBLIC ADVOCATE GOTBAUM: Coupled on general orders.

COMMITTEE CLERK: LU 1016 and Reso 1909 through LU 1027 and Reso 1911, various ULURPs.

PUBLIC ADVOCATE GOTBAUM: Coupled on general orders.

COMMITTEE CLERK: LU 1028 and Reso 1912 UDAP Manhattan.

PUBLIC ADVOCATE GOTBAUM: Coupled on general orders.

COMMITTEE CLERK: LU 1031 and Reso 1913, 1,100 seat high school facility, Queens.

1
2 PUBLIC ADVOCATE GOTBAUM: Coupled
3 on general orders.

4 COMMITTEE CLERK: LU 1032 and Reso
5 1914 through LU 1036 and Reso 1918, landmark
6 designations.

7 PUBLIC ADVOCATE GOTBAUM: Coupled
8 on general orders.

9 COMMITTEE CLERK: LU 1037 and Reso
10 1919.

11 PUBLIC ADVOCATE GOTBAUM: Coupled
12 on general orders.

13 COMMITTEE CLERK: LU 1039 and Reso
14 1920.

15 PUBLIC ADVOCATE GOTBAUM: Coupled
16 on general orders.

17 COMMITTEE CLERK: Report of the
18 Committee on Parks and Recreation: Intro 931A,
19 naming of 18 thoroughfares and public places.

20 PUBLIC ADVOCATE GOTBAUM: Amended
21 and coupled on general orders.

22 COMMITTEE CLERK: Report of the
23 Committee on Rules, Privileges and Elections:
24 Preconsidered 1884 and Reso 1921 approving the
25 appointment of Malini Cadembi Daniel, Equal

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Employment Practice Commission.

PUBLIC ADVOCATE GOTBAUM: Coupled
on general orders.

COMMITTEE CLERK: Report of the
Committee on State and Federal Legislation: SLR 1
and SLR 2, Rent Regulation and Tenant Protection.

PUBLIC ADVOCATE GOTBAUM: Coupled
on general orders.

COMMITTEE CLERK: Preconsidered SLR
3, Traffic Control Signal Violations.

PUBLIC ADVOCATE GOTBAUM: Coupled
on general orders.

SPEAKER QUINN: General order
calendar.

COMMITTEE CLERK: LU, excuse me, LU
993 and Reso 1922 and LU 994 and Reso 1923.

PUBLIC ADVOCATE GOTBAUM: Coupled
on general orders.

COMMITTEE CLERK: Resolution
appointing various persons, Commissioner of Deeds.

SPEAKER QUINN: Coupled on general
orders. And at this point I call for a roll call
Madam Public Advocate on all items that have been
coupled on the general order calendar please.

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PUBLIC ADVOCATE GOTBAUM: So

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ordered.

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COMMITTEE CLERK: Arroyo.

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COUNCIL MEMBER ARROYO: Aye

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COMMITTEE CLERK: Avella.

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COUNCIL MEMBER AVELLA: Madam

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Public Advocate may I have a couple of moments to

9

explain my vote:

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PUBLIC ADVOCATE GOTBAUM: So

11

ordered.

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COUNCIL MEMBER AVELLA: I vote yes

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on all items except for Land Use number 1031 and

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the accompanying Reso 1913 which is the

15

construction of the high school in Council Member

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Crowley's District. I happen to think it's

17

extremely arrogant for the Department of Education

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as it has done in the past to think that the site

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that they pick is the only site appropriate for a

20

school in any particular District.

21

And I feel if we keep going along

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and passing these sites over the objections of the

23

community and the local elected officials, we're

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not doing the City any great service. And we

25

should be sending a message to the Department of

1
2 Education that there needs to be better
3 cooperation and communication. So I vote no on
4 that item. And very quickly, I am constricted by
5 826-A--

6 COMMITTEE CLERK: [Interposing] We
7 don't have that. We don't have that.

8 COUNCIL MEMBER AVELLA: --as a pro-
9 choice person I would like to support this bill.
10 And I, you know, I certainly appreciate the
11 comments of my colleague Council Member Garodnick.
12 But I--that harassment is, should be taken into
13 account, should be illegal and those people should
14 be arrested.

15 But I do believe we go a little bit
16 too far in this bill. And I think it does affect
17 First Amendment rights. And I think we have to be
18 very careful not to impose our view on everybody.
19 So I have to vote no on the current version of
20 826A.

21 COMMITTEE CLERK: Barron.

22 COUNCIL MEMBER BARRON: May I be
23 excused to explain my vote?

24 PUBLIC ADVOCATE GOTBAUM: So
25 ordered.

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2 COUNCIL MEMBER BARRON: I just
3 wanted to also mention in the Gateway Estate
4 project the 2,208 housing units that's going to be
5 developed mostly by the East Brooklyn
6 Congregations. And I want to thank Reverend
7 Doctor Johnny Ray Youngblood and Reverend Brawley-

8 -

9 [Applause]

10 COUNCIL MEMBER BARRON: --for their
11 work on this project in our community. And I
12 enthusiastically vote aye on all items.

13 COMMITTEE CLERK: Brewer.

14 COUNCIL MEMBER BREWER: I vote aye.
15 And I want to congratulate the Speaker and her
16 staff and others who worked so hard on 826. I
17 have walked women into abortion clinics and we
18 know what it's like to be subjugated to the
19 harassment. And I think last night having
20 participated in a speak-out on women's health care
21 in this is just one example. The doctors and
22 health professionals who are providing these
23 services are far and few between.

24 And I think that anything that
25 gives opportunities for clinics to provide these

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2 kinds of services is important. So this bill has
3 far-reaching implications, even further I think
4 than what it does just as discussed in prohibiting
5 activities to prevent access.

6

7 So I vote aye. And I also want to
8 thank those who worked so hard on the housing
9 legislation. I hope it passes in Albany. And
10 congratulations to all the work of our new
11 colleague Councilwoman Crowley. Thank you. I
12 vote aye.

12

COMMITTEE CLERK: White.

13

14 COUNCIL MEMBER WHITE: I vote aye
15 on all.

15

COMMITTEE CLERK: Comrie.

16

17 COUNCIL MEMBER COMRIE: Permission
18 to explain my vote?

18

19 PUBLIC ADVOCATE GOTBAUM: So
20 ordered.

20

21 COUNCIL MEMBER COMRIE: I want to
22 congratulate Speaker Quinn and her staff and all
23 of the people who worked on the Intro 826, the
24 Clinic Access Bill. I want to congratulate
25 Council Member Crowley for taking on a situation
as she just arrived in office, dealing with a

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2 siting of a school in her District.

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I do want to encourage my members though to vote for this school. Queens, right now, has all of the schools in the northeast corridor are over 150% crowded and growing. We need to site this building as soon as possible to deal with the issues of zoning and local zoning for a school is a very difficult issue.

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I want to congratulate Council Member Crowley on achieving an opportunity to make sure that community residents in her District do attend this school. I do want to caution that that can be--create a major problem for the people that need to attend schools outside of their District because of the desire to get into programs or desire to actually get out of schools that are in their community that are sub-sufficient.

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I think that we need to make sure that as we deal with the public siting of schools in the future, one thing that we will be doing is sending a letter from the Queens Delegation to the Department of Education because they have severely underestimated the amount of seats needed in the

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2 next Capital Plan.

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Queens is growing. We predict in the census that we will grow by at least another 200,000 to 450,000 people. We need to be better prepared and we need to make sure that the Department of Education siting is prepared to deal with the influx of people that are coming to the best Borough in the City.

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So I want to congratulate again Council Member Crowley for everything that she did to try to make sure that her community got the best deal possible in the siting of the school. I vote aye on all.

15

COMMITTEE CLERK: Crowley.

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COUNCIL MEMBER CROWLEY: Madam Public Advocate if I can have a minute to explain my vote.

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PUBLIC ADVOCATE GOTBAUM: So

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COUNCIL MEMBER CROWLEY: I vote aye on all except for Land Use 1031, Reso 913, or is it 1913? 1913. As I stated earlier, I do not believe that this is the best plan for the community that I represent. So I vote no on that.

1

2 Thank you.

3

COMMITTEE CLERK: deBlasio.

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COUNCIL MEMBER DEBLASIO: Madam

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Public Advocate, permission to explain my vote?

6

PUBLIC ADVOCATE GOTBAUM: So

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ordered.

8

COUNCIL MEMBER DEBLASIO: Thank

9

you. I want to thank the Speaker for her

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leadership on the Clinic Access Bill. And I want

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to respectfully disagree with my colleague Council

12

Member Avella. Council Member, I think everyone

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in this room cherishes the First Amendment. I

14

certainly do.

15

But we're talking here about

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protecting a woman's right to choose, and we're

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talking about a history of intimidation and

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harassment which we all have tried very hard to

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fight, as has the NYPD and many people's

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conscience in the City for years in this City.

21

And unfortunately we're still fighting this fight.

22

This legislation was needed because

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the reality is women are still being harassed and

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intimidated for trying to exercise their freedoms

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and their rights. So we had to take this step.

1
2 I don't think it conflicts with the
3 First Amendment. I think it's absolutely
4 consistent with our broad sense of freedoms in
5 this Country and I think it's crucial we pass this
6 legislation. With that I vote aye on all.

7 COMMITTEE CLERK: Dickens.

8 COUNCIL MEMBER DICKENS: Aye on
9 all.

10 COMMITTEE CLERK: Dilan.

11 COUNCIL MEMBER DILAN: Yeah I would
12 like to vote aye on all with the exception of SLR
13 2 which I abstain.

14 COMMITTEE CLERK: Weprin.

15 COUNCIL MEMBER WEPRIN: Aye on all.

16 COMMITTEE CLERK: Eugene.

17 COUNCIL MEMBER EUGENE: Aye.

18 COMMITTEE CLERK: Felder.

19 COUNCIL MEMBER FELDER: How does W
20 come before F? Well anyway, it's okay. It's all
21 right. It's one of those days. I vote yes on
22 everything besides 826A, SLR 1, SLR 2. Thank you.
23 On those I vote no.

24 COMMITTEE CLERK: Ferreras.

25 COUNCIL MEMBER FERRERAS: Aye.

1

COMMITTEE CLERK: Fidler.

2

3

COUNCIL MEMBER FIDLER: Madam

4

Public Advocate may I be briefly excused to

5

explain my vote.

6

PUBLIC ADVOCATE GOTBAUM: So

7

ordered.

8

COUNCIL MEMBER FIDLER: I abstain

9

on SLR 2 for the reasons that I stated at the

10

State and Federal Legislation Committee.

11

Regarding Land Use 1031 and the

12

siting of the high school, I am mindful of the

13

debate that's going on in Albany over Mayoral

14

control. And I'm reminded of the fact that while

15

we frequently get to debate policies of the

16

Department of Education, we very rarely get to

17

vote on them.

18

This is an opportunity for me to

19

cast a symbolic vote. I believe in integrated

20

neighborhood high schools. And I believe that the

21

Department of Education has totally destroyed the

22

concept of neighborhood school at the high school

23

level.

24

I remember growing up in East

25

Flatbush being very proud of having gone to Tilden

1
2 High School. My neighbors were proud of it. When
3 there was a problem with Tilden High School or an
4 issue with Tilden High School, an entire community
5 was there to surround the high school and to
6 insist that it be improved and made better.

7 That doesn't happen anymore. Now
8 one child will go to Tilden, the next child will
9 go to Erasmus. They can be next door neighbors.
10 It is just a concept that I don't agree with.

11 And for that reason I am voting no
12 on LU 1031 and Resolution 1913 to send a message
13 to the Department of Education that I disagree
14 with that policy. And I vote aye on all others.

15 COMMITTEE CLERK: Foster.

16 COUNCIL MEMBER FOSTER: Aye.

17 COMMITTEE CLERK: Garodnick.

18 COUNCIL MEMBER GARODNICK: Aye.

19 COMMITTEE CLERK: Gennaro.

20 COUNCIL MEMBER GENNARO: Yes.

21 COMMITTEE CLERK: Gerson.

22 COUNCIL MEMBER GERSON: Madam,
23 Madam Public Advocate, the repeal of Vacancy
24 Decontrol to which we take a first step today is
25 absolutely essential to the enactment of any

1
2 meaningful strategy to preserve and expand
3 affordable housing so I therefore vote aye on all.
4 Thank you.

5 COMMITTEE CLERK: Ignizio.

6 COUNCIL MEMBER IGNIZIO: Yes. I
7 vote no in 826A, SLR 1, SLR 2, SLR 3 and Land Use
8 1031 and companion Resolution 1913. And yes on
9 all others.

10 COMMITTEE CLERK: Jackson.

11 COUNCIL MEMBER JACKSON: May I be
12 excused to explain my vote?

13 PUBLIC ADVOCATE GOTBAUM: So
14 ordered.

15 COUNCIL MEMBER JACKSON: Thank you.
16 I rise in order to say to my colleagues that
17 considering the whole issue of rent control, rent
18 stabilization and emergency for affordable housing
19 in New York, I urge you to vote Yo, Yes--

20 [Audience laughing, people
21 repeating Yo]

22 PUBLIC ADVOCATE GOTBAUM: Quiet
23 please.

24 COUNCIL MEMBER JACKSON: I urge you
25 to vote aye, yes on the issues dealing with

1

2 housing in New York City.

3

4

5

6

7

8

9

And to our colleague Crowley, let me thank you for your leadership as a brand new member of the City Council representing Queens and for standing up for your community. I was at the Land Use Subcommittee hearing where many of your residents spoke about the issues and concerns in your area.

10

11

12

13

14

15

16

And even though I'm voting yes on that particular matter, I wanted to compliment you for the work that you did on behalf of the constituents that you represent. So congratulations to you as a brand new member of the City Council. And with that I vote aye on all items.

17

COMMITTEE CLERK: James.

18

COUNCIL MEMBER JAMES: Aye on all.

19

COMMITTEE CLERK: Koppell.

20

COUNCIL MEMBER KOPPELL: Madam

21

Public Advocate, I'd like to vote no on

22

Preconsidered Resolution 1896 and aye on the

23

remaining matters on the calendar.

24

[Pause]

25

COMMITTEE CLERK: Liu.

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COUNCIL MEMBER LIU: Yes.

2

COMMITTEE CLERK: Mark-Viverito.

3

COUNCIL MEMBER MARK-VIVERITO: May

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I please be excused to explain my vote?

5

PUBLIC ADVOCATE GOTBAUM: So

6

ordered.

7

COUNCIL MEMBER MARK-VIVERITO:

8

Thank you. I just want to really commend Speaker

9

Quinn on the Clinic Access Bill, something that

10

I'm very proudly going to be, obviously supporting

11

and voting in favor of.

12

And just a point of clarification

13

with regards again to the project that's happening

14

in my District which I'm very proud that we're

15

voting on today, when we talked about affordable

16

housing in the City, we're always discussing AMI,

17

but I made a mistake in terms of the determining

18

the bands.

19

But actually the--all units, the 74

20

live-work space units for artists that are going

21

to be developed are actually no more than 60% of

22

AMI, so actually, even something to be more proud

23

of. And 20% of those units will be for artists

24

not earning or making no more than 40% of AMI. So

25

1

2 having--

3

SERGEANT AT ARMS: [Interposing]

4

Quiet please.

5

COUNCIL MEMBER MARK-VIVERITO: --

6

said all that, and again, I'm really proud of

7

today, that the fact that we're voting--

8

PUBLIC ADVOCATE GOTBAUM:

9

[Interposing] Quiet please.

10

COUNCIL MEMBER MARK-VIVERITO: --

11

this Clinic Access bill, that we still have to

12

continue to fight for women's rights to choose and

13

to make a choice and to exercise their rights, I

14

think is something that is unfortunately today.

15

But very proudly I vote aye on all.

16

COUNCIL MEMBER REYNA: Happy

17

birthday Melissa.

18

COMMITTEE CLERK: Martinez.

19

COUNCIL MEMBER MARTINEZ: May I be

20

excused to explain my vote?

21

PUBLIC ADVOCATE GOTBAUM: So

22

ordered.

23

COUNCIL MEMBER MARTINEZ: Thank you

24

Madam Public Advocate. I just also want to

25

congratulate Council Member Crowley, but also want

1
2 to highlight the severity of what's happening,
3 particularly in the Department of Education when
4 it comes to school siting.

5 The lack of communication with
6 communities, the lack of communication with
7 parents and the lack of communication with elected
8 officials of a particular area when the Department
9 decides to site a school, it leads to these type
10 of results where virtually sometimes communities
11 are divided. Where all the information's are not
12 being provided. And yet decisions are made by the
13 Department before they're even brought to the
14 communities.

15 And this is what happens when this
16 type of system continues to operate. There needs
17 to be more transparency. There needs to be more
18 parental involvement, not only from the curriculum
19 perspective but on the school siting aspect in our
20 communities. I know that the Council Member
21 worked diligently and hard to ensure she delivered
22 for her community. However, on that particular
23 item, I must vote--

24 SERGEANT AT ARMS: [Interposing]
25 Quiet please.

1
2 COUNCIL MEMBER MARTINEZ: --on that
3 item I will be voting aye, as well as all the
4 items on the calendars.

5 But I also want to congratulate the
6 Speaker and the Chair of our State Leg for putting
7 together the Home Rule Message to get rid of the
8 Vacancy Decontrol that is devastating our
9 communities. Displacement is taking place at a
10 dramatic rate in our community and Vacancy
11 Decontrol is a major aspect and component of the
12 displacement in our community.

13 So I will be voting proudly aye on
14 getting rid of the Vacancy Decontrol aspect of our
15 rent regulations. So Madam Public Advocate I'll
16 vote aye on all items and will you allow me also
17 to vote aye on all Land Use call-ups?

18 PUBLIC ADVOCATE GOTBAUM: So
19 ordered.

20 COUNCIL MEMBER MARTINEZ: Thank you.

21 COMMITTEE CLERK: Mealy.

22 COUNCIL MEMBER MEALY: May I
23 explain my vote?

24 PUBLIC ADVOCATE GOTBAUM: So
25 ordered.

1
2 COUNCIL MEMBER MEALY: I want to
3 speak on the Clinic Access bill, being the Chair
4 of the Women's Issues, I want to thank our
5 Chairman Larry Seabrook that put it out of Civil
6 Rights, and I want to speak--thank our Speaker
7 Christine Quinn for this legislation.

8 A woman's body is sacred and the
9 decision she makes regarding her well being are
10 ones that are of her own. The passing of this
11 bill will ensure that all women in this great City
12 can exercise their right to access to safe
13 reproduction health care.

14 I want to thank our Speaker again,
15 Madam Speaker Quinn, for her aggressive approach
16 to limit unlawful harassment an intimidation of
17 women who seek to utilize our health care
18 resources. And I'm looking forward to address
19 these issues in our Women's Issue Committee.
20 Thank you. And I vote aye. And I vote no on Reso
21 1913. Thank you.

22 COMMITTEE CLERK: Mendez.

23 COUNCIL MEMBER MENDEZ: I vote aye
24 on all.

25 COMMITTEE CLERK: Mitchell.

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2

COUNCIL MEMBER MITCHELL: Aye on
all except Intro 826A, I vote no.

4

COMMITTEE CLERK: Nelson.

5

COUNCIL MEMBER NELSON: Aye on all.

6

[Pause]

7

COMMITTEE CLERK: Recchia.

8

COUNCIL MEMBER RECCHIA: I abstain
on SLR 2, vote aye on everything else.

10

COMMITTEE CLERK: Reyna.

11

COUNCIL MEMBER REYNA: I vote aye
on all.

13

COMMITTEE CLERK: Sanders.

14

COUNCIL MEMBER SANDERS: Aye on
all.

16

COMMITTEE CLERK: Sears.

17

COUNCIL MEMBER SEARS: Oh.

18

Permission to explain my vote please? The--

19

PUBLIC ADVOCATE GOTBAUM:

20

[Interposing] So ordered.

21

COUNCIL MEMBER SEARS: Thank you.

22

On Reso--on Intro 826A I wish to first thank our
Speaker and to thank all her staff for this but I

23

24

chaired that hearing of almost seven hours. And I

25

can tell you we heard from everyone, from every

1
2 side. And this bill protects everyone's rights to
3 peacefully demonstrate. Whether you are for the
4 clinic and its services or you are against it, it
5 gives you the right to stand out there and to
6 peacefully express and demonstrate how you feel.

7 This does not take away anyone's
8 Constitutional rights. And I also would like to
9 state that these clinics are women's issues and to
10 gynecological treatments and they also diagnose
11 and we must not forget that. So I want to thank,
12 because this bill is extraordinary, and it was
13 really an honor for me to chair that hearing.

14 On Reso 1913 and 1031 I am voting
15 yes but I need to make a statement. One to thank
16 Councilwoman Crowley for her efforts on behalf of
17 her District, but no school, and I have three of
18 them in my District that are vibrant commercial
19 areas, and no school should be built in a very
20 dynamic commercial area. It does take away when
21 there are holidays. It's a darkened area. It's
22 darkened in the summer.

23 However, because we do need schools
24 in Queens, I am voting yes, but I also urge that
25 as we look at these sitings, that we look more and

1

2 more deeply into where they are and to consider
3 the commercial areas. Thank you. I vote aye on
4 all.

5

COMMITTEE CLERK: Stewart.

6

COUNCIL MEMBER STEWART: I want to
7 abstain on SLR 2 but yes, I vote yes on all the
8 others. Thank you.

9

COMMITTEE CLERK: Ulrich.

10

COUNCIL MEMBER ULRICH: No on 826A,
11 no on all thee SLRs, no on Land Use 1031 and its
12 companion resolution 1913, aye on all others.

13

COMMITTEE CLERK: Vacca.

14

COUNCIL MEMBER VACCA: I--to
15 explain my vote. I vote no on 826A, I abstain on
16 SLR 2 and I want to support my colleague Elizabeth
17 Crowley. All of us keep complaining about DOE and
18 everybody says we have to do something about DOE
19 not consulting. Well I'm doing something. I'm
20 voting no when a colleague says that DOE has not
21 met the wishes of her community. I vote no on
22 1031 and on Resolution 1913.

23

[Pause]

24

COMMITTEE CLERK: Vallone.

25

COUNCIL MEMBER VALLONE: Madam

1

2 Public Advocate may I explain my vote?

3 SERGEANT AT ARMS: Keep it down.

4 PUBLIC ADVOCATE GOTBAUM: So
5 ordered. Quiet please.

6 COUNCIL MEMBER VALLONE: The
7 current Clinic Access Bill passed by the City
8 Council in 1994 which I support works. It
9 protects access to clinics. It protects parties
10 from harassment. And it protects clinics from
11 interference.

12 This new law removes the element of
13 intent from harassment and also removes the
14 definition of interference which I believe makes
15 the new law unconstitutionally vague and open to
16 abuse.

17 I happen to think some of the prior
18 remarks were telling too. One of these speakers
19 said despite the 1994 law, the protestors are
20 still there. And I think that is what this is
21 about. Not stopping harassment but stopping
22 protestors from actually being there. And that's
23 something we can't do in America.

24 So I'm going to vote no on 826 A.
25 Regarding SLR 2, I vote no. I believe repealing

1
2 Vacancy Decontrol amounts to taxpayer subsidized
3 housing for the wealthy and will cost the City at
4 least \$40 million by the City Council's own
5 numbers. I vote no on Land Use 1031 and
6 Resolution 1913. I also support neighborhood high
7 schools, I support my colleague.

8 Daily News article this week said
9 that high school students were not getting any of
10 the choices that they picked. And that is
11 unacceptable. They need to be able to go to the
12 school near their home should they wish to. So if
13 there's anything left I vote aye on the rest.
14 Thank you.

15 COMMITTEE CLERK: Vann.

16 COUNCIL MEMBER VANN: Briefly
17 explain my vote?

18 PUBLIC ADVOCATE GOTBAUM: So
19 ordered.

20 COUNCIL MEMBER VANN: Yeah actually
21 I wanted to wish a Happy Birthday to my seatmate
22 who's not in her seat. Nonetheless--

23 [Applause]

24 COUNCIL MEMBER VANN: --I wish you a
25 Happy Birthday anyway, Melissa.

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I also would like to be recorded in affirmative on all the Land Use call-ups, in particular there are two that are in my District that I'm very proud of and they're mixed use projects, that is commerce on the street level and affordable housing above. It's excellent project. It's part of the Business Improvement District also that we voted on last week. Bit by bit Bed-Stuy's coming back strong.

And I'd like to be recorded aye on all of the other issues. Thank you. Aye on all.

COMMITTEE CLERK: Oddo.

COUNCIL MEMBER ODDO: May I be temporarily excused to explain my vote?

PUBLIC ADVOCATE GOTBAUM: So ordered.

COUNCIL MEMBER ODDO: I vote no on Intro 826A, no on SLR 1, no on SLR 2, no on SLR 3 and no on LU 1031 with accompanying Resolution 1013. And just very briefly, for those of you keeping track at home, that's Quinn leading the Council with yes votes, that's Barron, Avella and Ignizio leading the Council in no votes, and that's Jackson leading the Council in yo votes.

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[Laughter]

2

3

COUNCIL MEMBER ODDO: Just for the record. Let Gotham Gazette report that.

4

5

And then on a serious note, very, very briefly, you know, we--on Intro 826A we had a pretty animated hearing a few months ago but it was a substantive hearing. And I'm very appreciative to the Speaker and to her staff in listening to our concerns and attempting to tighten the language of this bill, particularly taking the phrase willfully interfere and making it in my mind or attempting to make it less vague.

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COMMITTEE CLERK: Rivera.

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COUNCIL MEMBER RIVERA: Madam

23

Public Advocate I'd like to vote yes on all Land

24

Use items on today's agenda. And yes on all items

25

1

2 on today's general order calendar. Thank you.

3 COMMITTEE CLERK: Nelson.

4 COUNCIL MEMBER NELSON: I just want
5 to vote no on LU 1031 and Reso 1913. Aye on all
6 others.

7 COMMITTEE CLERK: Speaker Quinn.

8 SPEAKER QUINN: Thank you. I want
9 to add my birthday wish, just to Council Member
10 Melissa Mark-Viverito, so Happy Birthday. I--

11 [Applause]

12 [Off mic] How old - - ?

13 SPEAKER QUINN: I'm not going to
14 say how old she is. She's however old she wants
15 to say she is, is my opinion on somebody's age. I
16 want to add a thank you that I omitted when I was
17 speaking about the Clinic Access Bill. I want to
18 thank Sara Brannon--

19 PUBLIC ADVOCATE GOTBAUM:

20 [Interposing] Quiet please.

21 SPEAKER QUINN: --of our Policy
22 Unit for her--

23 PUBLIC ADVOCATE GOTBAUM:

24 [Interposing] Quiet.

25 SPEAKER QUINN: -work on the

1
2 legislation. I also, before I vote, I want to add
3 my voice to those of my colleagues for saluting
4 the work of Council Member Crowley. It is
5 difficult to have a complicated Land Use siting at
6 any point, nonetheless, you know, very, very
7 quickly to first getting elected, it's difficult
8 when you first get elected to have to vote no when
9 many of your other colleagues are voting yes.

10 So I just want to congratulate you
11 for being a voice for your community and for doing
12 it in a way that was constructive and respectful
13 to all of your colleagues. So thank you very much
14 Council Member Crowley. And I vote aye on all.

15 [Pause]

16 PUBLIC ADVOCATE GOTBAUM: All items
17 on today's general order calendar were adopted by
18 a vote of 47 in the affirmative, 0 negative, 0
19 abstentions with the exception of LU 1031 and Reso
20 1913 which was adopted by a vote of 37 in the
21 affirmative, 10 negative, 9 abstentions; and Intro
22 826A which was adopted by a vote of 39 in the
23 affirmative, 8 negative, 0 abstentions; and SLR 1
24 adopted by a vote of 43 in the affirmative, 4
25 negative, 0 abstentions; and SLR 3, 37

1
2 affirmative, 5 negative, 5 abstentions; and SL--
3 excuse me, SLR 3, adopted by a vote of 44 in the
4 affirmative, 3 negative and 0 abstentions; and
5 Preconsidered Reso 1896 adopted by 46 in the
6 affirmative, 1 in the negative. Revised use call-
7 ups are 47 in the affirmative, 0 in the negatives.

8 Sorry. Introduction and reading of
9 bills.

10 SPEAKER QUINN: All bills are
11 referred to committees as indicated on the agenda.
12 I just want to remind folks that the Committee
13 Room is out of commission for, we're not sure how
14 long, so please be mindful that committee hearings
15 may be moved around, particularly when the
16 Committee Room reopens. So we apologize for any
17 inconvenience but please be mindful of that. And
18 all bills are referred to committees as indicated
19 on the agenda.

20 PUBLIC ADVOCATE GOTBAUM: There are
21 no resolutions so no discussion of resolutions.
22 General discussion. Council Member Foster.

23 COUNCIL MEMBER FOSTER: Thank you.
24 Thank you Madam Public Advocate. I think it would
25 be remiss if I didn't take a moment for this body

1
2 to recognize on March 25th this country lost the
3 four most historian in our lifetime, not a black
4 historian, but a historian, John Hope Franklin at
5 the age of 94.

6 He was the first black Chair of a
7 History Department at a major white institution,
8 Brooklyn College. And though he was chair, he
9 wasn't allowed to buy a house in the neighborhood
10 surrounding Brooklyn College. He went on to write
11 a number of books, those that are still being used
12 today. His father was an attorney in Tulsa,
13 Oklahoma whose law practice was burned to the
14 ground during the Tulsa Riots.

15 John Hope Franklin made a point of
16 noting that you cannot look at history in this
17 country without noting the presence of Africans
18 from the Diaspora. So I would hope that we will
19 take a moment of silence to honor and recognize
20 John Hope Franklin, the most preeminent historian
21 that this country has produced in our lifetime.
22 Thank you.

23 PUBLIC ADVOCATE GOTBAUM: All rise
24 please. So ordered.

25 [Applause]

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2 SERGEANT AT ARMS: All rise.

2

3

[Moment of silence]

4

SPEAKER QUINN: Thank you Council

5

Member Foster. Thank you Madam Public Advocate

6

PUBLIC ADVOCATE GOTBAUM: Council

7

Member Jackson.

8

COUNCIL MEMBER JACKSON: Thank you

9

Madam Public Advocate. My colleagues, you should

10

know that this coming Monday, April the 6th at 1:00

11

P.M., the Education Committee will be holding a

12

hearing on the issue of charter schools in New

13

York City's public schools. So that's April 1st at

14

1:00 P.M. We're probably going to go all

15

afternoon. Uh--April 6th. And this chamber will

16

probably be crowded with hundreds and hundreds of

17

people, in favor and against charter schools. So

18

that issue is going to be discussed thoroughly on

19

this coming Monday, April 6th.

20

And also I believe on April 30th,

21

the issue of--we'll be holding a hearing on

22

Mayoral control of our public schools. So if

23

you're interested in knowing what agenda items are

24

scheduled for the Education Committee, you can go

25

to the City Council's website or you can give my

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office at call at 788-7007.

So this Monday, charter schools, and then on April 30th, Mayoral control and hopefully we will be voting out or voting on the issue of the proposed Five Year Capital Plan sometime in May, trying to move it away from the vote on the normal budget which has happened previously on--at the end of June.

As you know we're supposed to pass the proposed Five Year Capital Budget from 2010 to 2014 which is about \$2 billion less than the current Five Year Capital Plan of the Department of Education. So please communicate that information to all of the groups in your community. Thank you.

PUBLIC ADVOCATE GOTBAUM: Council Member Seabrook would you like to vote?

COUNCIL MEMBER SEABROOK: Yes Madam President, I'd like to vote aye on all Land Use call-ups and all general and coupled orders.

PUBLIC ADVOCATE GOTBAUM: So ordered. Council Member Mealy.

COUNCIL MEMBER MEALY: Thank you Public Advocate. And I want to thank my colleague

1
2 Ms. Helen Foster about John Franklin, thank you
3 for brining that to our attention.

4 But on a sad note I want to just
5 tell you on March 27 a father, a son, who were
6 pursuing the American Dream, were murdered in
7 their grocery store and deli. And I want to send
8 my condolences to the family. I am happy to
9 announce today that last night they did catch a
10 perpetrator from the 71st Precinct. So we still
11 looking for the next perpetrator. To me we cannot
12 take one without the other.

13 And I want you to know that I knew
14 this young man and his children. He was a family
15 man. I brought my chips, my soda, my coffee, the
16 people from the community played with his
17 children. And I want you to know that the whole
18 Crown Heights community have been mourning the
19 loss of these two beloved individuals.

20 And I want the members of our
21 community to know that we're having a meeting on
22 Tuesday at 1:00 o'clock at my office with all the
23 community and organizations, the Police Department
24 and others, we will get to the bottom of this.
25 And thank you.

1
2 PUBLIC ADVOCATE GOTBAUM: Council
3 Member Brewer.

4 COUNCIL MEMBER BREWER: Thank you.
5 I just wanted to mention that, also, on the April
6 7th, we have a Committee of Technology, Consumer
7 Affairs and Land Use to talk about the cable
8 franchise, but more importantly customer service.
9 So that if you have constituents who have cable
10 service customer issues, I urge them to attend and
11 participate. Or if you think there are specifics
12 that we should address. Thank you very much.

13 PUBLIC ADVOCATE GOTBAUM: Council
14 Member Dilan.

15 COUNCIL MEMBER DILAN: Just very
16 briefly Madam Public Advocate. I would like to
17 ask my colleagues to support me on a Resolution I
18 introduced today, Resolution number 1898. It's a
19 resolution calling upon the New York State
20 legislature to amend the State Education Law in
21 relation to the siting of charter schools within
22 the City of New York or to alternatively pass
23 legislation that would allow this legislature to
24 enact such law.

25 A little bit of background, a

1
2 couple of years ago, the Cypress Hills portion of
3 my District was awarded a nice new \$50 million
4 school for the area that PS 65 will move into in
5 September. The building that they're currently in
6 which is a DOE facility, we hear now will be
7 inhabited by a charter school in September.

8 And they get around the siting laws
9 because the charter school is not--it its own
10 entity in and of itself. With that, the charter
11 school brings in their own children and they are
12 going to being in approximately 300 children that
13 are not from the Cypress Hills area.

14 So the result of the new school
15 means a net loss or only a net gain of 300 seats
16 as opposed to the 600 plus net gain in seats that
17 the Cypress Hill Community was expecting. I'm
18 outraged. My constituents are outraged. And I
19 want to ask the Chair of the Education Committee
20 to work with me on this and the appropriate
21 members of the State legislature to pass the bills
22 up in Albany. Thank you Madam Public Advocate.

23 PUBLIC ADVOCATE GOTBAUM: Council
24 Member Dickens.

25 COUNCIL MEMBER DICKENS: Thank you

1
2 Madam Public Advocate. I join with my colleague
3 Council Member Dilan in supporting him on Reso
4 1898 because the State legislature needs to review
5 and look at and make changes to the existing law
6 as it relates to how charter schools are mandated.
7 So I want to thank Council Member Dilan for
8 bringing this to light and bringing this
9 resolution out. And I wholeheartedly support him
10 in this.

11 PUBLIC ADVOCATE GOTBAUM: Seeing
12 nobody else--oh wait a minute. I've got to read
13 this. [chuckling] Sorry. All items on today's
14 general order calendar were adopted by a vote of
15 48 in the affirmative, 0 negative, 0 abstentions
16 with the exception of LU 1031 and Reso 1913 which
17 was adopted by a vote of 38 in the affirmative, 10
18 negative, 0 abstentions; and Intro 826A which was
19 adopted by a vote of 40 in the affirmative, 8
20 negative, 0 abstentions; and SLR 1, 44 in the
21 affirmative, 4 negative, 0 abstentions; and SLR 2,
22 38 affirmative, 5 negative, 5 abstentions; and SL
23 3, 45 affirmative, 3 negative and 0 abstentions;
24 and Preconsidered Reso 1896, 47 in the
25 affirmative, 1 negative, 0 abstentions. Revised

1

2

Land Use call-up vote is 48 in the affirmative, 0

3

negative. Today's City Council meeting is--

4

[Gavel banging]

5

PUBLIC ADVOCATE GOTBAUM: --over.

6

[END TAPE 1002]

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written in black ink on a light-colored background.

Signature Laura L. Springate

Date April 16, 2009