

EXHIBIT 14

By Council Members Weprin, deBlasio, Gioia,, Liu, James, Mark-Viverito and The Public Advocate (Ms. Gotbaum)

A Local Law to amend the New York City Charter in relation to providing that any changes to term limits for elected officers must be submitted for the approval of the electors.

Be it enacted by the Council as follows:

Section 1. Section 38 of the New York City Charter is amended to read as follows:

§38a. Local laws; referendum. A local law shall be submitted for the approval of the electors at the next general election held not less than sixty days after the adoption thereof, and shall become operative as prescribed therein only when approved at such election by the affirmative vote of a majority of the qualified electors of the city voting upon the proposition, if it:

1. Abolishes or changes the form or composition of the council or increases or decreases the number of votes any member is entitled to cast or reduces the number of districts from which council members shall be elected.
2. Changes the veto power of the mayor.
3. Changes the law of succession to the mayoralty.
4. Abolishes an elective office, or changes the method of nominating, electing or removing an elective officer, or changes the term of an elective officer, or reduces the salary of an elective officer during his or her term of office.
5. Abolishes, transfers or curtails any power of an elective officer.
6. Creates a new elective office.
7. Changes a provision of law relating to public utility franchises.
8. Changes a provision of law relating to the membership or terms of office of the city civil service commission.
9. Reduces the salary or compensation of a city officer or employee or increases the hours of employment or changes the working conditions of such officer or employee if such salary, compensation, hours or conditions have been fixed by a state statute and approved by the vote of the qualified electors of the city; and no provision effecting such reductions, increases or changes contained in any local law or proposed new charter shall become effective unless the definite question with respect to such reductions, increases or changes shall be separately submitted and approved by the affirmative vote of a majority of the qualified electors voting thereon.
10. Provides a new charter for the city.
11. Transfers powers vested by this charter in an agency the head of which is appointed by the mayor to an agency the head of which is not so appointed or vice versa, other than transfers of power authorized by this charter from an agency the head of which is appointed by the mayor to a community board, borough president or a borough board.

12. Dispenses with a provision of this charter requiring a public notice and hearing as a condition precedent to official action.

13. Dispenses with a requirement of this charter for public bidding or for public letting of contracts except as otherwise provided pursuant to chapter thirteen of this charter.

14. Changes a provision of this charter governing the classes or character of city bonds or other obligations, the purposes for which or the amount in which any class of obligations may be issued.

15. Removes restrictions in this charter on the sale, lease or other disposition of city property.

16. Curtails the powers of the city planning commission, or changes the vote in the council required to take action without or contrary to the recommendation of the city planning commission.

17. Repeals or amends this section or any of the following sections of this charter; sections forty, one hundred ninety-one, one hundred ninety-two, one hundred ninety-three, one hundred ninety-nine, two hundred, two hundred seventeen, eleven hundred ten, eleven hundred eleven, eleven hundred fifteen, eleven hundred sixteen, eleven hundred seventeen, eleven hundred eighteen, and eleven hundred twenty-three..

18. Repeals or amends sections twenty-six hundred one, twenty-six hundred four, twenty-six hundred five, and twenty-six hundred six insofar as they relate to elected officials and section twenty-six hundred two.

§38b. A local law shall be submitted for the approval of the electors at the next general or special election held not less than sixty days after the adoption thereof, and shall become operative as prescribed therein only when approved at such election by the affirmative vote of a majority of the qualified electors of the city voting upon the proposition, if it repeals or amends sections eleven hundred thirty seven or eleven hundred thirty eight of the Charter.

§2. This local law shall take effect immediately.

By Council Members James, de Blasio, Weprin, Liu and Palma

A Local Law to establish a Charter Revision Commission to draft a new or revised City Charter.

Be it enacted by the Council as follows:

Section 1. Pursuant to the authority invested in it by § 36.2(a) of the Municipal Home Rule Law, the Council hereby establishes a commission to draft a new or revised City Charter (the “Charter Revision Commission” or “Commission”).

§2. Purpose and Intent. The purpose and intent of this legislation and of the establishment of the Charter Revision Commission shall be to afford the people of the City of New York an opportunity to vote by referendum at a special election in early 2009 on a proposal to amend the term limits provisions of Chapter 50 of the Charter together with such other or further Charter amendments or revisions that the Charter Revision Commission recommends.

§3. Method of Determining Composition of the Commission. The method of determining the number of members of the Charter Revision Commission and the method of their selection shall be by designation of the Council as follows:

(a) the Charter Revision Commission shall be comprised of nine members, including a Chair, a Vice Chair, a Secretary and six additional members;

(b) the members of the Charter Revision Commission shall be selected by appointment;

(c) the power to appoint original members of the Charter Revision Commission shall be by majority vote of the Council;

(d) the Council shall appoint Charter Revision Commission members who, to the maximum extent feasible, (i) reflect the diversity of the people of the City of New York, (ii) are comprised of at least one resident of each of the five boroughs of the City, (iii) are familiar with the provisions of the Charter of the City of New York, (iv) are familiar with the operations of City government, and (v) are committed to the principle that Charter changes affecting the term limits provided for in Chapter 50 of the Charter shall be adopted by a vote of the citizens of the City at a referendum election;

(e) no member of the Commission may be a registered lobbyist as that term is defined in § 3-211(a) of the Administrative Code;

(f) no more than four members of the Commission serving at any one time may be persons doing business with the City as that term is defined in § 3-702.18 of the Administrative Code; and

(g) any vacancy in the membership of the Charter Revision Commission or of its officers shall be filled by appointment made by majority vote of the Council.

§4. Commission Appointments. Pursuant to the authority invested in it under §3 above, the members of the charter revision commission will be determined by the Council in a schedule attached hereto.

§5. Commission Mandate. The Charter Revision Commission shall review the entire Charter and prepare a draft of a proposed new or revised Charter in accordance with the provisions of § 36.5(a) of the Municipal Home Rule Law.

§6. Submission of Recommendation for Voter Approval. Pursuant to § 36.5(b) of the Municipal Home Rule Law, the Charter Revision Commission is authorized to submit its proposed new Charter or amendments to the electors of the City at a special election and it is required to complete and file in the Office of the City Clerk its proposed new Charter or amendments in time for submission to the electors not later than the second general election after the date hereof; provided, however, that it is the purpose and intent of the Council in enacting this local law that the Charter Revision Commission shall complete and file its proposed new Charter or amendments as early in 2009 as is reasonably practicable but in any event on or before March 1, 2009, in time for submission to the electors at a special election to be held at least 60 days later but in any event not later than May 1, 2009 in order to enact any change to Chapter 50 of the Charter affecting term limits in time for the commencement of petitioning for the 2009 primary elections.

§7. Publication of Recommendations. The publication and publicity of the Charter Revision Commission's proposed new Charter or amendments shall include but not be limited to a summary and detailed description to be included in a voters guide to be published by the Commission and mailed to each enrolled elector in the City of New York not less than ten days prior to the election at which the Commission's proposal will be on the ballot together with such other and further publication and publicity that the Commission deems reasonably necessary to ensure that the electors of the City are fully informed of the recommendations and the need for their adoption.

§8. Additional Provisions.

(a) Members of the Commission shall receive no compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred by them in the performance of their duties.

(b) The Commission shall appoint and may at pleasure remove such employees and consultants as it shall require and fix their compensation and may accept any services, facilities or funds and use or expend the same for its purposes. No Commission employee or consultant shall be a registered lobbyist as that term is defined in § 3-211(a) of the Administrative Code. Any person who is a person doing business with the City as that term is defined in § 3-702.18 of the Administrative Code may serve as an employee or consultant of the Commission only after approval by the City's Conflicts of Interest Board and only subject to such restrictions or limitations on their duties and

responsibilities for the Commission as the Conflicts of Interest Board may require.

(c) On request of the Commission, the Mayor may direct any board, body, officer or employee of the city to cooperate with, assist, advise, provide facilities, materials or data and render services to the Commission and it is the desire and intent of the Council that the Mayor shall comply with any such request.

(d) In addition to action under any other power to make appropriations for the support of the Commission, the appropriate officials of the City shall have power, on request of the Commission, to appropriate to such Commission such sum or sums as shall be necessary to defray its expenses and it is the desire and intent of the Council that the Mayor shall timely fulfill any such necessary requests.

(e) No person shall be disqualified to serve as a member, employee or consultant of the Commission by reason of holding any other public office or employment, nor shall she forfeit any such office or employment by reason of her appointment hereunder, notwithstanding the provisions of any law.

(f) The terms of office of the members of the Commission shall expire on the day of the election at which the proposed new Charter or Charter amendments prepared by the Commission are submitted to the qualified electors of the City, or on the day of the second general election following the date hereof if no such questions have been submitted by that time.

(g) It is the intent and desire of the Council that the Commission conduct not less than one public hearing in each of the five boroughs of the City.

§9. Severability. If any provision of this bill or any provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part or inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situation shall not be affected.

§10. Effective Date. This local law shall take effect immediately.

Resolution calling upon the State legislature to adopt legislation amending the State Municipal Home Rule Law (MHRL) to give the City the authority to provide in its Charter that any change in the City's term limits law must be subject to voter referendum.

By Council Members Avella, Palma, James, Weprin and Mark-Viverito

Whereas, In 1993 a charter change imposing limits of no more than two consecutive terms on all city elected officials was adopted through a referendum by a vote of 59% in the affirmative and 41% in the negative; and

Whereas, In 1996 the City Council adopted a local law, subject to mandatory referendum, that would have extended the two-term limit adopted by voters in 1993 to a three-term limit; and

Whereas, This proposed extension of the two-term limit was defeated by voters by a vote of 46% in the affirmative and 54% in the negative; and

Whereas, Courts have recently upheld the power of the Council to amend the term limits provisions of the City Charter without voter referendum; and

Whereas, There have been media reports indicating that the Mayor intends to seek action by the Council on a local law that would extend the two-term limit contained in Charter Section 1138 to three terms; and

Whereas, Council action by local law would thwart the will of the majority of voters who voted to impose term limits in 1993 and against extending them in 1996; and

Whereas, Section 23 of the State MHRL contains a list of actions by local governments that can only be accomplished by voter referendum; and

Whereas, Changes to such an important aspect of municipal governance which has been twice subject to voter referendum, should not be left to the will of the local legislature; now therefore, be it;

Resolved, The Council of the City of New York calls upon the State legislature to adopt legislation amending the State Municipal Home Rule Law (MHRL) to give the City the authority to provide in its Charter that any change in the City's term limits law must be subject to voter referendum.

LS# 6247

MG

EXHIBIT 15

Bill to end term limits introduced in City Council, paving way for Mayor Bloomberg to run again

BY FRANK LOMBARDI
DAILY NEWS CITY HALL BUREAU

Tuesday, October 7th 2008, 8:20 PM

The bill introduced Tuesday by [Mayor Bloomberg](#) that could up-end city politics is just one page long - and would permanently extend the tenure of elected officials to three terms from two.

It repeats the current law's declaration that "it is hereby declared to be public policy of the City of New York to limit" the length of time elected officials can serve.

But it changes the length of time from "not more than eight consecutive years" to "not more than three full consecutive terms."

RELATED: BLOOMBERG TO EUROPEAN LEADERS: DON'T PANIC!

The intention of Council leaders is to move the bill-and competing legislation- swiftly through a process of public hearings and votes by the committee and the full Council.

Opponents of the bill say it's "being rushed through" and could come to a vote in just two weeks.

If passed and signed into law by the mayor, the measure will allow Bloomberg and all other affected officeholders to run for four more years next year, instead of being pushed out of their offices by the current law.

Also affected are 35 Council incumbents, the controller, public advocate and four of the five borough presidents (the exception is one-term Manhattan Borough President Scott Stringer, who isn't due to be term limited until 2013).

RELATED: BLOOMBERG MANY NOT HAVE LAUDER'S BACKING AFTER ALL

For now, the bill carries no number or sponsor name. It will be assigned a number when introduced at Tuesday's Council session and referred to the Government Operations Committee.

Many of the incumbents, with the main exception of Bloomberg, had already made plans to run for other offices, including Bloomberg's job.

Also introduced are two measures pushed by members who contend that the city's term-limits law should be changed only by a voter referendum.

A bill sponsored by Councilmembers [David Weprin](#), [Bill de Blasio](#), [Eric Gioia](#) and [John Liu](#) provides that any changes to term limits must be submitted "for the approval of the electors" at the next general election.

And a resolution sponsored by [Councilman Tony Avella](#) would call on the State Legislature to "give the city the authority to provide in its Charter that any change in its term limits law must be submitted to voter referendum."

Other proposed measures are still in the works.

flombardi@nydailynews.com

writing handwritten letters to these DFAers encouraging them to join Obama's "Neighbor to Neighbor" program, <http://barackobama.com/n2n>.

We will provide letter writing materials for you and sample letters.

This Tuesday and Wednesday, we are writing to DFAers in northern Virginia, so we will also be suggesting that they volunteer for through Judy Feder's campaign. Judy is a great Democrat running for Congress in the 10th District. Volunteering for Judy helps get stronger majority in Congress, the Senate (Mark Warner is on the ballot in VA) and the White House!

Time: Tuesday, October 21 & Wednesday October 22 from 6:30 PM - 8:30 PM

Host: Carlos Dennis

Contact Phone: 646 221 6635

RSVP: <http://my.barackobama.com/page/event/detail/gpr2cw>

Location:

Whole Foods (New York, NY)
95 East Houston - upstairs
New York, NY 10005

Directions: Lower East Side/East Village, Manhattan - 6:30pm, upstairs at Whole Foods, 95 East Houston Street at Bowery (1 block 2nd Ave), with host Carlos Dennis. There is a seating area upstairs, and the store has an elevator that is wheelchair accessible. Su to 2nd Ave & Houston.

Last Updated (Tuesday, 21 October 2008)

Don Barber UWS event: Take Back the State Senate

Written by Tracey_Keij_Denton

Tuesday, 14 October 2008

Join Democracy for NYC for an event for Don Barber, a terrific Democrat running for New York State Senate!

We are just 1 seat away from taking back the State Senate from the roadblock Republicans. When we regain Democratic control o Senate, we can make real progres on rent reform, marriage equality, the environment, and other important issues. ***But we need Democrats like Don Barber to make this happen!***

When: Tuesday, Oct. 21, time TBD.

Where: Home of Betsy Malcolm, 300 Central Park West in Manhattan, between 90th and 91st streets.

RSVP: To Daniel, at danielscot-at-gmail.com (replace -at- with @).

Don Barber is running for New York's 51st State Senate District (central New York State). Don is a true public servant, currently se the Town Supervisor of Caroline, in Tompkins County (Ithaca is the county seat.) As both a farmer and contractor, he is intimately the needs of many New Yorkers, from the working class to small business owners. Don is a life-long environmentalist, has testified US Congress to protect the Finger Lakes, and has been working on environmental initiatives in government since 1983.

Upset by the costs of health insurance in NY? So is Don. Don's opponent, Republican Jim Seward, chairs the Senate Insuran Committee and has consistently defended insurance companies over the rights of individuals by undermining progressive efforts fo at the committee level.

For more on Don: BarberForSenate.com

Last Updated (Tuesday, 21 October 2008)

City Council Hearings on Term Limits

Written by Bernadette Evangelist

Tuesday, 14 October 2008

Public Hearings at City Hall: October 16 and 17

Mayor Bloomberg's plan to extend term limits without the public's permission is meeting more and more opposition. This is our chance to voice our opinion.

Thursday, October 16, 1:00 PM — City Hall - City Council Chambers

Friday, October 17, 10:00 AM — Committee Room City Hall

The hearing on Thursday runs from 1 pm into the evening, and you don't need to register beforehand to speak. Bring ID to get through security guards on Park Row or Broadway.

By subway: 4/5/6 to City Hall or the 2/3 to Park Place or the R/W to City Hall or the J/M/Z to Chambers

The following legislation will be under consideration:

—Int 845 - By Council Member Felder- This is the Mayor's bill to change term limit laws legislatively, without voter consent.

—Bill by Council Members James and de Blasio –

This bill will put the issue of term limits before voters in a referendum this spring.

—Int 850 - By Council Members Weprin, de Blasio, Gioia and Liu – This bill requires that any further change to term limit laws must go before the voters

—Res 1640 - By Council Member Avella - This Bill calls upon Albany to change the home rule law to require that any changes to the term limit law go before voters.

Last Updated (Tuesday, 14 October 2008)

Term Limits Panel Discussion and Public Forum

Written by Bernadette Evangelist

Friday, 10 October 2008

*Citizens Union, Common Cause/NY,
and the New York Public Interest Research Group present*

A Panel Discussion and Public Forum:

Term Limits: Their Impact and Who Decides

TUESDAY, OCTOBER 14, 2008

6:00 - 9:00 PM

Baruch College
The William and Anita Newman Vertical Campus
55 Lexington Avenue at 24th Street
14th Floor

(Panel in Formation)

Richard Briffault

Joseph P. Chamberlain Professor of Legislation, Columbia Law School; Vice Chair, Citizens Union

The Honorable Lew Fidler

Assistant Majority Leader and Member, New York City Council

Randy M. Mastro

Attorney, Gibson, Dunn & Crutcher; Deputy Mayor, New York City, 1996 - 1998



Bloomberg Term-Limit Plan Gets Public Hearing

New York mayor's wish to change term-limits law and run for re-election gets public airing

By SARA KUGLER

The Associated Press

NEW YORK

Mayor Michael Bloomberg's bid to change the city term-limits law so he can run for re-election received its first official airing Thursday, with the two sides sparring over whether it was a necessary move during tough economic times or an "unseemly" act by a power-hungry politician.

A City Council committee took up legislation introduced on behalf of the billionaire mayor, who upended New York politics two weeks ago when he announced he would seek to change the law so he could run for a third term. His second term concludes at the end of 2009, but the former CEO insists the city needs his expertise to survive the long-term effects of the financial crisis.

The existing law limits city officeholders to two consecutive four-year terms. Voters set the limit in a 1993 referendum and reaffirmed it three years later.

Both sides traded accusations that City Hall was stacked with paid supporters and not people who attended for their own reasons. A spokesman for the mayor said all supporters who were urged to attend on the mayor's behalf were recruited as volunteers.

Among those who spoke in favor of Bloomberg's plan were former Gov. Mario Cuomo, who has long opposed term limits, and former Mayor Ed Koch, who served three terms before the current limits were set.

Cuomo said term limits are "a desperate attempt to improve governance," arguing that voters can get rid of elected officials simply by voting them out of office.

He had a testy exchange with City Councilman Charles Barron, who does not support Bloomberg's bid to change the law. The councilman said term limits are often necessary to neutralize the incumbent advantage.

Other council members who oppose Bloomberg's effort said repeatedly that they do not disagree with the idea of changing the term-limit law but do not believe it should be done without voter input.

"Whether or not you are for or against term limits is not the issue," said Councilman David Weprin. "The issue is not term limits, but rather the process. The people have spoken, and it should remain in the hands of the people."

Bloomberg did not attend the hearing. At a separate news conference Thursday, he dismissed the opposition as a "handful of people" who manage to seem like a bigger group because of their determination and organization.

Along with Bloomberg's proposal, a City Council committee was also considering two bills intended to thwart the

mayor's effort.

One would require voter approval for any change to the term-limits law. The other would establish a commission to evaluate the issue and perhaps put it on the ballot.

The spirited hearing Thursday was the first of two public meetings on the issue, and another was set for Friday. The full council is not expected to vote until next Thursday, at the earliest.

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October 1, 2008 Wednesday
Late Edition - Final

SECTION: Section B; Column 0; Metropolitan Desk; Pg. 4

LENGTH: 563 words

HEADLINE: Favoring a Simple Way To Get to Another Term

BYLINE: By SEWELL CHAN

BODY:

So Mayor Michael R. Bloomberg has decided he wants a third term. Now what?

The simplest and most direct route -- and the strategy that Bloomberg advisers say he is most likely to pursue -- is to have the City Council revise the term limits law, at least temporarily. The law was adopted in a 1993 voter referendum that amended the City Charter.

To amend the law without going through a special election, Council members will need to introduce a bill, perhaps at one of their next two meetings, scheduled for Oct. 7 and 23. The bill would most likely be assigned to the government operations committee, whose chairman, Councilman Simcha Felder, Democrat of Brooklyn, is a close ally of Mayor Bloomberg's.

Under the law, the committee must hold at least one hearing on the bill, giving the public a chance to weigh in. Then the bill would go for a full vote of the Council. It requires a simple majority, 26 of the 51 members.

If Mr. Bloomberg signed the bill -- and if it withstood potential court challenges -- he would not face much difficulty in running as an independent. Mr. Bloomberg, a lifelong Democrat, registered as a Republican to run for mayor in 2001, but in 2007 he announced that he was becoming an independent. Assuming he does not change his party status, he would need to collect 7,500 signatures within a six-week period next summer to file an independent nominating petition.

Action by the Council to revise or abolish term limits would likely face court challenges, but there is precedent for it.

In 2002, the Council approved a slight change in the term limits law, allowing six members to serve three terms instead of two. (The six members' first terms had been shortened to two years, instead of the usual four, to allow for redistricting.)

The Council's decision, which allowed the six members to serve a total of 10 years, was challenged in court. In 2003, an appellate court upheld the change in the law, finding that "the fact that the term-limit provisions of the City Charter were enacted through a referendum did not preclude the City Council from amending those provisions."

Laurence D. Laufer, a former general counsel for the city's Campaign Finance Board, put the matter this way:

Favoring a Simple Way To Get to Another Term The New York Times October 1, 2008 Wednesday

"Just because a law was originally adopted by referendum doesn't mean that it would require another referendum to change or repeal it."

But what if Mr. Bloomberg and the Council wanted to put the matter before the voters in advance of the November 2009 election?

It is already too late to gather the tens of thousands of signatures necessary to put an initiative on the ballot for this November's general election. And calling a special election is not only unlikely, but would also face substantial hurdles.

Victor A. Kovner, a former corporation counsel under Mayor David N. Dinkins, noted that voters approved the last overhaul of the City Charter in 1989, and that one of the ways to amend the charter "is by action of the Council and the mayor."

Randy M. Mastro, a former deputy mayor under Mayor Rudolph W. Giuliani and a former chairman of two Charter Revision Commissions, was less sympathetic to Mr. Bloomberg. "Procedure matters," he said. "The fact that the voters twice ratified term limits as a matter of policy means that it's a question that logically should go back to the voters, even if it's not legally required."

URL: <http://www.nytimes.com>

LOAD-DATE: October 1, 2008

EXHIBIT 16



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

SEP 12 2006

Tommy Coleman, Esq.
Hodges, Erwin, Hedrick & Coleman
P.O. Box 2320
507 North Jefferson Street
Albany, Georgia 31703-2320

Dear Mr. Coleman:

This refers to the change in voter registration and candidate eligibility regarding the proposed reassignment of Board of Education Chair Henry Cook from District No. 5 to District No. 4 in Randolph County, Georgia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on July 14, 2006, and supplemental information through August 23, 2006.

We have carefully considered the information you have provided, as well as information and materials from other interested parties. Under Section 5 of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006 ("Voting Rights Act"), the Attorney General must determine whether the submitting authority has met its burden of showing that the proposed change "neither has the purpose nor will have the effect" of denying or abridging the right to vote on account of race. As discussed further below, we cannot conclude that the County has sustained its burden of showing that the proposed change does not have a discriminatory purpose. Therefore, based on the information available to us, we are compelled to object to the proposed reassignment on behalf of the Attorney General.

Under Section 5 of the Voting Rights Act, the submitting authority has the burden of showing that a submitted change has neither a discriminatory purpose nor a discriminatory effect. *Georgia v. United States*, 411 U.S. 526 (1973). See also Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.52). In *Village of Arlington Heights v. Metropolitan Housing Authority*, 429 U.S. 252, 256-57 (1977), the Supreme Court identified a non-exhaustive list of factors that may serve as indicia of a discriminatory purpose. Those factors include the following: (1) the impact of the official action and whether it bears more heavily on one race than another; (2) the historical background of the action; (3) the sequence of events leading up to the action; (4) whether the challenged decision departs, either procedurally or substantively, from the normal practice; and (5) contemporary statements and viewpoints held by the decision-makers.

In analyzing the available information in light of *Arlington Heights*, we conclude that sufficient factors are present to prevent the County from meeting its burden of proving the absence of a discriminatory purpose. In the first place, the sequence of events here is highly unusual. The boundaries of districts for electing members of the Randolph County Board of Education were redrawn following the 2000 Census. An issue arose as to which district the Board Chairperson, Henry Cook, resided. Mr. Cook, who is black, is a "liner," in that his property is divided between Districts 4 and 5. During our Section 5 review of the redistricting, the County formally determined – and advised this Department – that Mr. Cook was an eligible voter and candidate for office in District 5, the district which he has long represented on the school board. On August 1, 2002, Mr. Cook received a new voter registration card that retained him in District 5.

The same issue arose again in a 2002 lawsuit. In that action, Judge Gary C. McCorvey of the Superior Court of Tift County heard evidence in an adversarial hearing, considered the law, and ruled that Mr. Cook was eligible to vote and run for office in District 5:

[F]or purposes of running for election to the Board of Education from "new" district five as enacted by the General Assembly of the State of Georgia and as approved by the Department of Justice of the United States of America, the residence of Henry L. Cook is within the boundaries of such "new" district five as contemplated by the Laws and Constitutions of both the State of Georgia and the United States of America.

In re: Henry L. Cook, Candidate for Board of Education for the County of Randolph, Decision of Gary C. McCorvey, Chief Judge, Superior Courts, Tifton Judicial Circuit, Sitting by Designation as Superintendent of Elections, Randolph County, Georgia, slip op. (Oct. 28, 2002) at 7 ¶ 22. An appeal to the Randolph County Superior Court was dismissed as moot. *Jordan v. Cook*, 277 Ga. 155, 587 S.E.2d 52 (2003). The dismissal was affirmed by the Georgia Supreme Court. *Id.* The election was duly held and the candidate supported by the voters won.

Notwithstanding these court decisions, and despite the lack of any change in relevant facts or law, in January 2006 the three-member Randolph County Board of Registrars met in a special meeting called for the sole purpose of determining anew the proper voter registration location of Mr. Cook and his family members living at his address. Neither Mr. Cook nor his family were specifically notified of the meeting or invited to present evidence on their own behalf. The Board of Registrars, all of whose members were white, voted unanimously to change the voter registration status of Mr. Cook and his family members from District 5, where over 70 percent of the voters are African American, to District 4, where over 70 percent of the voters are white.

This sequence of events is procedurally and substantively unusual. The Board resurrected the issue of Mr. Cook's residency after it had been settled for three years, without any intervening change in fact or law, and without notifying Mr. Cook that it was doing so. Moreover, it is particularly unusual for officials with no legal training to overturn, in effect, a decision by a judge in order to disturb an incumbent officeholder.

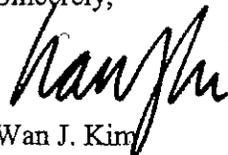
In addition, the Board's contemporaneous statements undermine their purported reasons for seeking to reassign Mr. Cook. One of the stated bases for the Board's decision was the purported fact that all neighbors who surround Mr. Cook's residence are in District 4, although the Board has since acknowledged that Mr. Cook's District 4 neighbors do not in fact encircle his house. Another stated basis for the Board's decision was to prevent a "liner" from voting in any district where he owns property or from voting in multiple districts at the same time. The Board presented no evidence indicating that any "liner" has attempted to change his registration status or vote in multiple districts, and certainly nothing in Judge McCorvey's decision warrants an interpretation that multiple voting is permissible.

For these reasons, and in light of the history of discrimination in voting in the County, we cannot conclude that the County has sustained its burden of showing that the submitted change lacks a discriminatory purpose. Therefore, on behalf of the Attorney General, we must object to the change in voter registration and candidate eligibility regarding the proposed reassignment of Board of Education Chair Henry Cook from District No. 5 to District No. 4 in Randolph County, Georgia.

We note that under Section 5 you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed changes neither have the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. See 28 C.F.R. 51.44. In addition, you may request that the Attorney General reconsider the objection. See 28 C.F.R. 51.45. However, until the objection is withdrawn or a judgment from the District Court for the District of Columbia is obtained, the change in voter registration and candidate eligibility regarding the proposed reassignment of Board of Education Chair Henry Cook from District No. 5 to District No. 4 in Randolph County, Georgia will continue to be legally unenforceable. *Clark v. Roemer*, 500 U.S. 646 (1991); 28 C.F.R. 51.10.

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action Randolph County plans to take concerning this matter. If you have any questions, please call Maureen Riordan (202-353-2087), an attorney in the Voting Section.

Sincerely,



Wan J. Kim
Assistant Attorney General

EXHIBIT 17



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PARTNERS

City Council approves changes to term limits

BY MICHAEL FRAZIER | michael.frazier@newsday.com
October 24, 2008

Mayor Michael Bloomberg, the multimillionaire able to finance his own re-election bid, can now seek four more years after the City Council in a 29-22 vote passed a bill changing local law to allow for three terms for citywide offices.

Opponents vowed to wage a court battle and accused Bloomberg and his supporters of ignoring voters, who twice in the 1990s voted for term limits. "The odds were stacked heavily in favor of the mayor and what he wanted to do," said Councilman John Liu (D-Flushing), who voted no.

Bloomberg's supporters said extending terms will give voters more choices without guaranteeing incumbents will retain their seats. In a statement, Bloomberg said, "The majority of the City Council decided to give the people of New York a fuller choice in the November 2009 election. I believe that was the right choice."

But as Bloomberg left City Hall shortly after the vote, a small group of people accosted him, yelling "Democracy for sale" and "You are disgusting."

Bloomberg left in a sport utility vehicle without a word.

Late yesterday, four city residents and Brooklyn attorney Andre Soleil filed a class-action lawsuit contending only a referendum can lawfully extend the mayor's or city council members' terms. Civil rights attorney Norman Siegel said he and other lawyers would be filing a suit in the next two weeks saying voters have decided term limits and should always do so.

At least one legal challenge already failed Wednesday, when two Brooklyn council members filed a petition denied in State Supreme Court in Manhattan. The complaint sought to stop yesterday's vote and claimed it would violate the city's conflict of interest law. Of the 51 council members, 35 were reaching the end of their two-year terms.

During the hearing, Council Speaker Christine Quinn called the council's duty a "difficult vote in very difficult times." Like others, she said she believed seasoned leaders are needed during financially tough times. "In challenging times like these, the voters should have the choice, the choice to continue their current leadership," Quinn said.

Councilman Tony Aveila (D-Bayside) said he hopes those who voted for the bill will not be re-elected.

The divisive vote came three weeks after Bloomberg, who from his political beginnings had favored term limits, announced Oct. 2 he would sign a bill changing limits.

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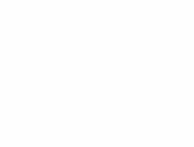
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October 24, 2008

The Future of Term Limits Is in Court

By FERNANDA SANTOS

Now that the City Council has approved changing term limits to allow Mayor Michael R. Bloomberg to run again, this much is certain: The battle will move to the courtroom. Two lawsuits challenging the move are already in the legal system and more are expected.

Ten public school teachers filed a federal lawsuit on Wednesday contending that changing the law without a referendum breached voters' civil rights and due-process rights.

Also on Wednesday, two council members filed suit in State Supreme Court charging that a vote on the extension by officials who would benefit from it would violate the city's conflict of interest laws.

The Council's 29-22 vote on Thursday means that Mayor Bloomberg, most of the 51 council members, the public advocate, the comptroller and four of the five borough presidents will be able to seek a third four-year term.

For the change to go into effect, it must be approved by the Civil Rights Division of the federal Justice Department, under a provision of the Voting Rights Act of 1965 known as preclearance. The process is meant to ensure that changes in election law do not adversely affect a racial or ethnic minority group.

"We're all gearing up for a herculean fight," said Norman Siegel, a civil liberties lawyer. Last week, he and 16 other lawyers and academics met at a law firm in downtown Manhattan to brainstorm, debate and define the best legal strategy to fight the term limits change.

One point discussed was whether a provision in the municipal home rule law stipulating that a referendum is needed to alter the term of an elected office might apply in this case, several of the participants said. Another suggested that the challenge should be based on the City Charter, which does not specify how term limits ought to be changed — if by law or, as opponents of the Council's actions have contended, by referendum.

Of the many approaches discussed at the meeting, the lawyers are exploring two main avenues, each of which may prove difficult, in part because there is limited legal precedent to guide their argument but also

because the courts might simply refuse to interfere with the political process.

One of those options is to claim before the federal Justice Department that the law makes it harder for minorities to get political representation, an argument that some lawyers and academics concede could be difficult to make.

Of the 35 council members who will be allowed to run for a third term, 14 are members of racial minorities. City Comptroller William C. Thompson Jr., who is black, has already said he is running for mayor, and while a Bloomberg candidacy would make it more difficult for him to win that race, he would have an inherent advantage as a two-term incumbent if he decided instead to run again for his present office.

“One argument is that extending term limits supports the status quo because it makes it easier for incumbents to stay in office,” said Richard Briffault, a legislation professor at Columbia Law School. “The issue here is whether keeping the status quo is a good thing.”

In an op-ed article published in The New York Times on Oct. 8, Randy M. Mastro, a deputy mayor in the Giuliani administration, pointed out that members of racial minorities now make up half of the Council. In 1989, before term limits were enacted, white politicians held 26 of the 35 seats that the Council had at the time.

“It’s clear that term limits have worked to increase representation among minority groups,” Mr. Mastro said in an interview.

The Justice Department receives about 5,000 preclearance submissions a year from municipalities seeking approval to, say, move a polling place, change the way by which voters are registered or hold a special election, said Scot Montrey, a department spokesman. The department responds within 60 days, and if it has objections, they are often resolved through phone calls or letters, Mr. Montrey said. How long it takes depends on how much dialogue is called for. In the vast majority of cases, the objections are addressed, he added.

The second alternative being considered by the lawyers who met with Mr. Siegel is a lawsuit arguing that extending term limits ought to require a referendum, just as changing the number of years in one term does.

In addition, Mr. Mastro, Mr. Siegel and Jerry H. Goldfeder, an election lawyer who most recently worked as a special counsel to Attorney General Andrew M. Cuomo, are considering litigation that would force the city to make clear in its charter what the requirements are to change term limits, and they will push for this requirement to be a referendum.

On Thursday, they were in the Council chambers, watching the vote unfold. Afterward, on the steps of City Hall, Mr. Mastro said, "This fight is just beginning."

This article has been revised to reflect the following correction:

Correction: October 25, 2008

A picture caption with an article in some editions on Friday about lawsuits challenging the New York City Council's vote to change the term limits law misidentified the home borough of Councilman Lewis A. Fidler, who was shown congratulating Council Speaker Christine C. Quinn after the vote. He is from Brooklyn, not Queens.

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Editorials

A win for democracy

Friday, October 24th 2008, 4:00 AM

In the best traditions of representative democracy and open government, the City Council voted Thursday to allow the people of New York the full range of choices in what will be an absolutely critical mayoral election next year.



FranklinAP Council Speaker Christine Cunniff speaks during a debate on term limits at City Hall Thursday

All 51 members are to be congratulated for a spirited debate, with special recognition to those 29, led by Council Speaker Christine Cunniff, who overcame tremendous organized pressure and amended term limits for municipal officeholders from two terms to three.

It was an extraordinary act, to change legislatively a law twice approved by popular referendums. But these are extraordinary times.

The chaos engulfing world financial markets has New York as its epicenter. And the city is facing an economic tsunami.

Huge local firms employing thousands, like Bear Stearns, Lehman Bros. and Merrill Lynch, are gone, bankrupt or swallowed up. Another giant, AIG, has become a ward of the government.

U.S. equity markets have lost 40% of their value in a year. There's a national housing crisis. There's a worldwide credit crisis.

The result is that job losses in the city will be catastrophic and tax revenues will plunge.

In this coming crunch, it would have been foolish to forbid the best fiscal steward the city has probably ever had, Mike Bloomberg, from running for a third term.

A lot of investors, the people who buy the city's bonds, are rightly concerned about the leadership of the city. But they do have confidence in Bloomberg as the best economic guide in these times.

Bloomberg has said he would run if the law were changed. And now, once the inevitable nuisance lawsuits brought by the losing side are dispensed with, he can do so.

Others, notably Controller Bill Thompson and Rep. Anthony Weiner, say they are running, and that's great. Let the people decide next November.

Some New Yorkers will be mad at the Council or Bloomberg for changing the term-limits law. Let them vote against whomever they want.

But others, as public opinion polls indicate, will want to vote for the mayor's continuation in City Hall. Bloomberg led superbly during the tough times of job loss and deficits right after 9/11, and he led superbly in the flush years with budget surpluses.

The roller coaster now is heading down a very steep hill again, and New Yorkers will be able to decide who will be at the helm.

That is as it should be.

Facts evasion

They say Charles O'Byrne is a brilliant man with uncanny political judgment.

But that's not the Charles O'Byrne who's serving as the top adviser to Gov. Paterson these days. This guy has proven to be a bungling knucklehead who has embarrassed himself and damaged his boss with a political belly flop of epic proportions.

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Come to terms with Mike Bloomberg's move

BY RICHARD EMERY

Sunday, November 9th 2008, 8:54 PM

Now that Mayor Bloomberg has signed the law enacting term limits extension, those of us who opposed the legislative enactment of the reform in favor of a public referendum face a dilemma. Should we stand down and support the mayor as an economic tsunami approaches, or should we fight on in the courts to redress the deprivation of the voters' rights at the hands of self-interested politicians?

The answer: We can and must do both.

But the question is complicated, especially for those of us who generally support the mayor and oppose all term limits. We were disappointed in the mayor's tactics - reneging on his word, pressuring nonprofits he and the city fund, bargaining with the man who funded the original term limits referendum and apparently horsetrading with City Council Speaker Christine Quinn.

But now, simply because we feel betrayed, should we join his enemies, who will likely coalesce around the opposition created by this battle and keep the heat on Bloomberg at every turn? Or should we stand with the mayor and the Council majority, even though we are angry, disappointed and disaffected?

To make this decision, first we have to identify the stakes. Foremost is the immediate threat to the city. No one knows how severely the recession will be felt in the daily lives of New Yorkers, but it seems likely that all of us will suffer, and the poor and middle class will suffer the most. While Mayor Bloomberg is no miracle worker, he has demonstrated that he is committed to improving the lives of those who will be affected the most.

More important, he has proved he is not afraid of hard decisions and, until this latest controversy, he has appeared to govern on the merits. Now will be the true test for those attributes.

The stakes also include the palpable, lasting damage to the public's confidence in municipal government. Though the open debate at the City Council was healthy, one cannot escape the pervasive public perception that the majority of our elected officials occupied the lap of the mayor.

Everyone knows the timing of this debate was cynically manipulated to foreclose a referendum on this month's ballot. We also know that no action was even considered until the mayor sought the extension for himself - dangling third Council terms as bait to hook Council members. Consequently, the stature and independence the Council has worked so hard to earn over the last 20 years has suffered a drastic setback.

Finally, there is the question of term limits themselves. Were they eliminated? No. Were they extended? Yes, but only for the mayor and this select self-interested group of Council members. So, the legislative "solution" did not in any way address a fundamental problem: term limits abrogate the right of voters to support qualified candidates. In fact, the deal to put Ronald Lauder on a charter revision commission, with his stated goal to reverse the three-term limit back to two, confirms term limits are alive and well. This sad result belies statements of supposedly principled opposition to term limits.

What is a loyal New Yorker to do in the face of this waterfall of hypocrisy and self-interest?

The tough answer: Despite the inevitable cynicism emanating from all these mayor's machinations, we should now back Mayor Bloomberg. He won the legislative struggle and now needs support to face the mountain of challenges ahead. Now that he seems to have gotten what he wished for, we should all hope he will succeed in governing.

Yet at the very same time, the inevitable legal challenges deserve support. To the extent the issue is whether a referendum is a prerequisite to a term limit extension, we need a court decision. Part of our system of checks and balances includes seeking court disapproval of the mayor's initiative to derail the ordinary transfer of power the voters twice enacted. These legal challenges are just as legitimate as the legislative process we just witnessed. Seeking legal clarity takes nothing away from support for the mayor.

Moreover, if the court challenges are successful, the mayor and the Council will have to accommodate and support the courts, just as we now must support him.

Emery represented Brooklyn citizens in their successful challenge to the structure of the Board of Estimate.



October 8, 2008

OP-ED CONTRIBUTOR

Third Time's the Harm

By **RANDY M. MASTRO**

MICHAEL BLOOMBERG is trying to push through legislation to alter term limits to enable him to run for a third term as mayor of New York, even though the voters twice approved a two-term limit and he earlier vowed not “to circumvent the will of the public.” The mayor claims that the city’s fiscal crisis merits overturning voter-ratified term limits by legislation.

If the mayor wants to run again, there is a better approach, one that will remove any doubt about the legality and propriety of changing term limits.

The mayor should support the immediate appointment of a charter revision commission that would submit a term limits proposition directly to the voters in a citywide special election that could be held early next year. That would leave plenty of time for him to run for a third term if the voters approved such a change.

State law gives the mayor and the City Council clear authority to pursue this course. Under the state’s Municipal Home Rule Law, a charter revision commission may be created either directly by the mayor or through local legislation, as two council members have now proposed. Such a commission is then authorized to put proposals before the voters “at a general or special election held not earlier than 60 days after” the commission issues its final recommendations.

So why, instead, is Mr. Bloomberg now working with the City Council’s leaders to lengthen all of their terms by legislation — an approach he previously said would be “disgusting”? The answer comes down to politics: most council members will do his bidding because they now have cover to legislate the same change for themselves.

From an ethical perspective, the mayor is setting a troubling precedent for our democracy. But he is also setting himself up for more practical challenges. As someone who has spent time in city government, led two charter revision commissions and litigated against efforts to loosen term limits, I believe there are significant legal issues that could derail the mayor’s effort altogether.

First, while state law surprisingly seems to permit term limits to be changed by legislation — even after voter ratification — local law is arguably more protective. Indeed, the city charter expressly provides that it is “the public policy of the City of New York to limit to not more than eight consecutive years the time elected officials can serve.”

Moreover, it would be a conflict of interest under local law for council members to vote themselves the opportunity to serve an additional term in office. The charter could not be clearer in barring such self-dealing: “No public servant shall use ... his or her position as a public servant to obtain any ... private or personal advantage, direct or indirect, for the public servant.” And any violation of that prohibition exposes the public official to fines and potential criminal sanctions.

In addition, such a change in our electoral process could prompt federal Voting Rights Act review, first by the Civil Rights Division of the Justice Department and then by the federal courts. Why? Because such a change has the potential to undercut minority representation: there are now more members of minority groups serving on the council than there were before term limits were instituted.

Incredibly, the mayor’s supporters are invoking the Voting Rights Act to support their case. They claim a special election on the question of term limits would not attract many voters and, therefore, be less democratic than leaving the decision to the 51 council members to vote themselves another term in office.

But it is surely more democratic to let the voters who ratified term limits in the first place decide this question. Indeed, there will probably have to be a special election early next year anyway if, as expected, some council members are elected to higher office in November and voters need to decide who will fill those vacant seats.

In short, changing term limits by legislation is not only bad policy; it is also sure to lead to litigation on multiple fronts.

The latest word from the mayor’s office is that Mr. Bloomberg “will work to put the issue on the ballot in November of 2010,” and he is reported to have promised the term-limits proponent Ronald Lauder a seat on a charter revision commission in exchange for Mr. Lauder’s support for this legislative change now.

This raises troubling questions. If the mayor is committed to eventually appointing a charter revision commission to put this issue on the ballot, why not now? Could it be because he believes the legislation will breeze through the council whereas it might not win the support

of voters?

No matter what one's view of term limits, process matters. For the mayor, there's still time to get this right: convene a charter revision commission now, submit this question to the voters in a special election and trust them to decide.

Randy M. Mastro was a New York City deputy mayor from 1996 to 1998.

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Mayor Bloomberg signs term limits bill into law



Councilman Charles Barron

Jenny McMillan of the Rent is Too Damn High party

By DEMETRIA IRWIN
Amsterdam News Staff

After four hours of public comment and 130 speakers, Mayor Michael Bloomberg signed the controversial term limits legislation into law at a bill signing ceremony on November 3. The new law will allow Mayor Bloomberg, the borough presidents, City Council, the city comp-

troller and the public advocate to run for a third term if they choose to do so. Since 1993, city office holders have been limited to two consecutive terms as a result of a voter referendum. A referendum in 1996 reaffirmed the two-term limit.

Speakers for and against the bill spoke at the bill signing ceremony, though the majority of public com-

ments were heavily against Mayor Bloomberg's legislation. West Harlem Councilman Robert Jackson spoke of the fact that Manhattan residents voted "no" to term limits back in 1993 and "yes" to extending term limits to three terms in 1996, so he felt confident voting for the extension of term limits.

(Continued on Page 34)

Limits

(Continued from Page 3)

Brooklyn City Councilman Charles Barron chastised his 29 colleagues who voted for the legislation. "When we come to a point where we can't listen to the democratic process, when a legislative branch undoes a direct democratic action of the people, it's disrespectful. What happened these past few days in unconscionable," said Barron, who also stated that many City Council members were bribed and bullied to vote in favor of the legislation. Councilman Barron also specifically noted his disappointment in the Black City Council members

who voted for the legislation and slammed them as "sell-outs" who were now sitting alongside the mayor on Black Solidarity Day as he was about to sign the term limits bill.

"After considerable debate and two days of public hearings, the majority of the City Council agreed [that extending term limits would be good for the city]—choosing substance over process, and pragmatism over ideology. Ultimately, the voters will have the chance to decide whether they agree. And that's important to remember: The people will render the final verdict on this bill, because it empowers them to decide who they want in office," said Mayor Bloomberg.

Scene of the most passionate testimony came from Mayor Bloomberg's detractors. David Tieu, a Sunset Park resident, blasted Bloomberg and assured him that the people would have the last word. "You are public enemy number one. You have offered nothing but your racist re-development policy for New York City. You have the money, but we have the power. Working-class New York City will not sit on the sidelines while you try to push us out of the city. We built this city. To hell with your agenda," said Tieu, who noted that he would most likely have to drop out of CUNY due to tuition hikes and Bloomberg's budget cuts.

Jimmy McMillan of the Rent Is Too Damn High Party and a former mayoral candidate, literally turned his back on the mayor as he made his statement, explaining that the mayor had turned his back on the city, so he would return the favor. Another speaker told Mayor Bloomberg he should be the candidate for the "Black Party" the next time around.

Of course, not all of the comments were negative. Brooklyn City Councilman Dominic Recchia lavished praise on the mayor for his work on Couey Island. Additionally, numerous New York City residents practically begged Mayor Bloomberg to sign the bill and return for a third term.

The legislation now goes

before the Justice Department for approval. Several lawsuits have been filed in an effort to prevent the bill from being enacted.

"There's no easy answer, and nobody is irreplaceable," Bloomberg said. "I just think that three terms makes more sense than two. I feel that for the mayor—I may not be reelected, but whomever does get reelected—I think they deserve three terms."

State Assemblyman Hakeem Jeffries said he will introduce legislation amending the state law that would require a referendum to change term limits in any New York State municipality. If passed, the law would supersede Mayor Bloomberg's legislation.

China Daily

Bloomberg to seek law change for 3rd term

(China Daily)

Updated: 2008-10-04 07:54

 Comments(0)  Print  Mail



Michael Bloomberg (right) speaks to reporters on Thursday about the rebuilding of the World Trade Center site while Governor David Paterson listens.

AP

New York Mayor Michael Bloomberg will seek a change in the law so he can run for a third term in 2009, arguing on Thursday that the financial crisis demands a leader of his business acumen.

Voters imposed limits of two 4-year terms on elected city officials in 1993 and 1996, but Bloomberg, a former Wall Street trader and self-made billionaire, will ask the City Council to extend the limits to a third term. This would permit him to enter the mayoral race for the November 3, 2009, election.

"We may well be on the verge of a meltdown and it's up to us to rise to the occasion," Bloomberg told a news conference.

"So should the City Council vote to amend term limits, I plan to ask New Yorkers to look at my record of independent leadership and then decide if I have earned another term." He said.

Bloomberg's decision, months in the making, resembled his dalliance with the idea of running for president. The former Democrat who became a Republican to run for mayor and then a political independent last year announced in February he would not run for the White House after dropping hints for months.

Bloomberg said his Wall Street experience would be invaluable at a time when the credit crisis is threatening the US and global economy. New York City is bracing for lean times as tens of thousands of high-paying financial jobs are lost and Wall Street titans are being swallowed up.

Wall Street makes up about one-third of the city's wage base, and each financial sector job creates an estimated three service sector job in industries from law offices to retail.

The idea of extending terms has sparked controversy with some officials calling it an insult and an outrage, declaring only voters should be allowed to change the term limits law.

Bloomberg said he supports a public referendum on settling the term limits issue but that it was too late to put it on the November 4 ballot and impractical to conduct a special election before the mayoral campaign next year.

Before the announcement, a pro-Bloomberg roster of the rich and powerful asserted the mayor was uniquely qualified to guide the city through the economic hardship to come.

Thirty elite New Yorkers including David Rockefeller, former Secretary of State Henry Kissinger and JPMorgan Chase Chief Executive Jamie Dimon published an open letter on Thursday urging the City Council to extend the term limits.

Twenty-seven of the 51 City Council members have said they would support a change, and 35 would otherwise be forced to step down next year due to term limits.

The public is split with 46 percent wanting Bloomberg to be able to seek a third term and 44 percent opposed, according to a Marist College poll of 413 registered voters.

Bloomberg founded the financial news and data company Bloomberg LP, a competitor to Thomson Reuters, and Forbes magazine lists him as the eighth richest American with a net worth of \$20 billion.

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NY Councilman Liu Challenges Bloomberg's Bid for Third Term

October 9, 2008

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New York City Mayor [Michael R. Bloomberg](#) announced last week his intention to pursue revision of the term-limits law that restricts him from running for a third term. The move has troubled some New York politicians because Bloomberg hopes to pass the term extension through the City Council, thus overturning a law that New York City voters passed in both 1993 and in 1996.

Councilman [John C. Liu](#), a Democrat representing Queens, is against term limits but has emerged as a leading voice in opposition to the mayor's plans to challenge the law in the City Council.

"The issue at hand is not term limits, it's who decides," Liu told *The New York Times* in late August. "Is it 52 people—51 council members and the mayor—or is it 8 million people?"

The New York City-based Asian American Legal Defense and Education Fund is also opposing Bloomberg's move to repeal term limits.

"It is anti-democratic for the City Council to pass legislation that subverts the will of the people," said Margaret Fung, the group's executive director. "Now that New Yorkers have spoken clearly in favor of term limits, it is

unconscionable that Mayor Bloomberg is trying to change the process to serve his own political interests.”

Bloomberg's attempt to garner support from power brokers like billionaire cosmetic heir Ronald S. Lauder has also drawn fierce criticism of the fiery Liu.

“It's a billionaire's game where people just get played for puppets,” he told the *New York Daily News* last week. Lauder, who is a term-limits advocate, told *The New York Times* that Bloomberg's plan is a “terrible mistake.”

Bloomberg's announcement comes in the wake of the worldwide financial crisis that has shaken up Wall Street, where the former CEO made his name and fortune.

“Today, our nation and our city, as you know, face unprecedented challenges,” Bloomberg said last Thursday in a speech announcing his plans to revise the law and run for a third term. “Now, I also understand that people voted for a two-term limit, and altering their verdict is not something that I think should be done lightly. But as newspaper editorialists and others have pointed out, the current law denies voters the right to choose who to vote for—at a time when our economy is in turmoil and the Council is a democratically elected representative body.”

But some New York City politicians have challenged the notion that desperate financial times call for bold political measures.

“While it is important that the people are represented by capable leadership during times of crisis, it is just as important that the people can trust in that leadership,” said Flushing Assemblywoman Ellen Young in a statement shortly after Bloomberg's speech. “Eliminating term limits without a referendum would undermine... the power of democracy.”

Bloomberg's bid for a third term may stymie Liu's own rumored aspirations: Liu has said he will not run for re-election in the City Council as allowed if the measure is passed and has announced his intention to run for citywide office.

“[The measure] disrupts the endeavors of many outstanding Asian American leaders with aspirations for higher office, such as our great Council Member John Liu,” Young said in her statement.

Fung called Liu's stand against Bloomberg's position “courageous.”

“I hope he can persuade his colleagues in the City Council to take a principled position and reject any changes to term limits,” Fung said.

Written by Andrew Lee · Filed Under [National](#)

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Pols debate Bloomberg extension bill

Irwin, Demetria

Two days of testimony before the City Council on Mayor Michael Bloomberg's legislation to extend **term limits** has brought to light numerous interesting issues, such as the fact that many, if not most, New York City elected officials (past and present) are not in favor of **term limits** and almost all of the good government groups are against **term limits** as well. However, the consensus ends there as politicians, organizations and regular New York citizenry duked it out over whether Mayor Bloomberg's legislation should pass or not.

At press time, the City Council was set for an October 23 vote, so the landscape of next year's election will become a little clearer very soon, but in the meantime the AmNews has compiled quotes that are thought provoking, witty, theatrical, groan-inspiring or sometimes just plain funny. You decide which is which.

AGAINST BLOOMBERG'S BILL

"Bloomberg to Democracy: Drop Dead"-Text on a banner unfurled during day two of a City Council hearing on **term limits**.

"It would be telling all those who voted for **term limits** that the choices they made in the booth are not respected and that, at anytime, our government could use its power and influence to ignore the levers they pulled."-City Comptroller Bill Thompson during day two of a City Council hearing on **term limits**.

"Mayor Bloomberg said, This bill would send an unfortunate message about the impact and importance of their votes and set a perilous precedent for future leaders of this city...I believe it is simply inappropriate for those members elected in 1997, who were aware of the rules under which they were elected, to seek to change those rules in a manner that may work to their own advantage.' And he was exactly right."-Public advocate Betsy Gotbaum reciting a 2002 Mayor Bloomberg quote when he vetoed a bill to extend **term limits**.

"I can't tell you how upset I am that government today and leaders today seem to be rolling over en masse, and letting this hijacking of democracy occur, right under the noses of New Yorkers."-2005 mayoral candidate Fernando Ferrer during a press conference denouncing Mayor Bloomberg's legislation.

"Lady Liberty is crying, Boss Tweed is smiling and the Big Apple is rotting because our democracy is being snatched away. Not in Venezuela, not in North Korea, not in Bosnia, but right here in the city of New York."-State Assemb. Hakeem Jeffries during day two of a City Council hearing on **term limits**.

Is there a price tag on democracy? Can we afford not to bring this back before the people in a special election?"-City Comptroller Bill Thompson during day two of a City Council hearing on **term limits** in response to a question from Councilman Alan Gerson, asking if City Council should consider cost as a factor in their decision on **term limits**.

"I believe it is my responsibility as a legislator to reinforce the notion that government can work and really try to erase that cynicism that exists. I believe very strongly that by doing it this way, we reinforce that cynicism and I don't want to be a part of that."-Councilmember Melissa Mark-Viverito.

"The question before us is simple: Is New York City for sale?...It was boys like Bloomberg that played with our country and put us into this mess. Do we give him four more years to do it again? Hell no."-State Sen. Eric Adams while holding up a "NYC for sale" sign.

"Some people have said Bloomberg is a good mayor because he wasn't as bad as Giuliani, but you would have to be Atilla the Hun to do a worse job than Giuliani."-State Sen. Kevin Parker.

"The right to vote is the scaffold on which you stand that allows you to make those other decisions. If you lack that level and you have not been lifted up in a legitimate fashion by the voters, then you lose the ability to make the decision on anything else. If you take away the citizens' right to make these decisions, you are undermining the very foundation upon which all of you sit."-Cong. Anthony Weiner.

The Council doesn't have to act at all. There is no mandatory vote on this bill or the following bill. The sentiment that this has to be voted on in a timely matter is simply not true."-City Councilman Vincent Ignizio.

"How dare you come before this body and say **term limits** didn't work? That's an insult to every one of us sitting here who came in through **term limits**... People say, 'You have **term limits** because you have elections.' That's a bunch of nonsense. Ninety something percent of incumbents win. **Term limits** are necessary."-City Councilman Charles Barron talking to former New York Gov. Mario Cuomo.

"Recent data has indicated that we have an increasing number of people of color in New York. As a result of that, all of the districts in City Council will change to

reflect that demographic shift. Therefore, to do this change right now is a flagrant and egregious disregard of the burgeoning Black and Latino voting strength in the city of New York." -Letitia James to Bloomberg staffers.

"The public has the image of the mayor sitting down for tea and cookies at Gracie Mansion with another billionaire making these decisions. People are sick of it."-New York Public Interest Research Group attorney Gene Russianoff.

FOR BLOOMBERG'S BILL

"We have seen tremendous changes come from a legislature with seniority and experience. My argument is institutional, not for the benefit of any one person, but for the benefit of the city."-Former City Council Speaker Peter Vallone Sr.

"I encourage everyone to suspend the rhetoric and address the real matter. Do you support or oppose extending **term limits**? I do not believe in legislation by proposition or referendum. It has demonstrated its flaws in states like California. I believe that the right way of doing this is by restoring the integrity, responsibility and primacy of representative democracy."-Bronx Borough Pres. Adolpho Carrion.

"Back in the 1990s, we let a billionaire hijack the electoral process and we've been paying for it ever since."-Manhattan Borough Pres. Scott Stringer referencing billionaire Ron Lauder.

"In a meeting I had this morning, people were pleading with me to provide security cameras. The human context is all important because we are in a year of budget cut-backs. Should we consider the cost of a referendum that decides whether certain individuals can run? Should we consider the savings of just allowing people to run directly?"-City Councilman Alan Gerson to good government groups during day one of a City Council hearing on **term limits** after talking about five people being shot at one housing project over a three-day period.

"Crisis has a way of clearing our minds and putting pragmatism first.. .The mayor has come to believe that it is in the city's best interests to give voters more options, not fewer-and let them decide who they want in office"-Counselor to Mayor Bloomberg Anthony Cromwell..

"The people of the borough of Manhattan in 1993 did not support **term limits** and in 1996 they supported the extension."-City Councilman Robert Jackson.

AUTHOR_AFFILIATION

By DEMETRIA IRWIN

Amsterdam News Staff

---- INDEX REFERENCES ----

COMPANY: BLOOMBERG LP

Alcalde supera escollo para buscar tercer mandato

HUMBERTO GARCÍA/EDLP

NEW YORK — El Concejo Municipal aprobó apretadamente ayer una extensión del límite de periodos para funcionarios electos, permitiendo así que el alcalde Michael Bloomberg se postule para un tercer mandato y anulando los dos referendos que impusieron la restricción de dos términos.

Después de un acalorado debate de más de dos horas, 29 concejales votaron a favor de extender el límite a tres periodos consecutivos de cuatro años, mientras 22 se pronunciaron en contra. Fue una de las votaciones más cerradas de los últimos tiempos en este cuerpo legislativo.

De los 11 concejales hispanos, María del Carmen Arroyo (D-Bronx), María Báez (D-Bronx), Erik Dilán (D-Brooklyn), Sara González (D-Brooklyn), Miguel Martínez (D-Manhattan), Diana Reyna (D-Brooklyn) y Joel Rivera (D-Bronx) aprobaron el proyecto. Melissa Mark-Viverito (D-Manhattan), Rosie Méndez (D-Manhattan), Hiram Monserrate (D-Queens) y Anabel Palma (D-Bronx) lo rechazaron.

Una enmienda que daba la opción de realizar un nuevo referendo en la primavera fue negada por margen de 28 a 22, con una abstención.

La cámara del Concejo estuvo repleta de periodistas y ciudadanos que se dieron cita para este importante evento. Los principios democráticos del proyecto de ley, la "indispensabilidad" de Bloomberg como alcalde y la posibilidad de un referendo fueron los temas centrales del debate.

"El alcalde Bloomberg es el que ha perdido en este proceso. Le ha dado la espalda a la democracia, le ha dado la espalda al pueblo...", manifestó el edil Charles Barron (D-Brooklyn).

La oficina de alcalde emitió un comunicado luego de la votación, indicando que darle a los neoyorquinos "más opciones" en las elecciones del próximo año es "la decisión correcta". Sin embargo, Bloomberg no hizo comentario alguno al salir de la alcaldía, mientras algunas personas le gritaban "sinvergüenza" y "asqueroso".

"Este proceso ha sido inapropiado en todo el sentido de la palabra. Hay que ver todo lo que se le ha prometido a los miembros de este cuerpo", dijo el concejal Bill de Blasio, uno de los principales oponentes.

Una fuente que conoce directamente el proceso afirmó que los concejales que se mantuvieron indecisos hasta poco antes de la votación fueron presionados fuertemente por miembros



La ciudadanía también se hizo presente en los debates del Concejo para expresar su opinión sobre la ley de límite de términos.

Bloomberg victorioso

LA CALLE OPINA

FOTOS: JOSÉ RIVERA/EDLP

Manuel Bermúdez

"Las leyes de límite de término no deben ser cambiadas. Ya la gente votó en dos ocasiones para que el alcalde sólo sirviera durante 8 años y esto debe respetarse".



Noelia Peña

"Que se vaya Bloomberg y que venga otro alcalde, con mente fresca, para que ayude a arreglar la situación de la ciudad. Se necesita una gente nueva que venga a ayudarnos a los pobres".



Agustín Castillo

"Me parece bien que cambien las leyes para que Bloomberg se reelija, porque él ha hecho muchas cosas buenas que antes no había hecho ningún alcalde. El Bronx está más bonito...".



VOTACION EN EL CONCEJO

29 a favor

22 en contra

de la oficina del alcalde, que les ofrecieron escuelas y centros juveniles en sus distritos, así como apoyo para lograr la presidencia de algún comité.

Durante una conferencia de prensa previa a la votación, la presidenta del Concejo Municipal, Christine Quinn (D-Manhattan), quien planeaba lanzarse para alcaldesa en el 2009 pero ahora buscará la reelección, trató de explicar su cambio de postura sobre la modificación legislativa del límite de periodos, a la cual se oponía anteriormente.

"Como funcionario electo, uno quiere ser lo más constante posible en sus posturas, (...) pero cuando las circunstancias cambian, las posturas también pueden cambiar", explicó Quinn, agregando después que Bloomberg y el ac-

tual Concejo forman el equipo perfecto para enfrentar la crisis económica.

Este proyecto extiende permanentemente el límite de 59 cargos electos, incluyendo alcalde, contralor, defensor del pueblo, presidentes de condado y 51 concejales. No obstante, según un acuerdo de Bloomberg con Ron Lauder, el multimillonario empresario que financió las campañas a favor del límite de dos periodos, en el 2010 se llevará a cabo un nuevo referendo donde Lauder buscará que se revierta el límite.

Se espera que el alcalde firme la ley la próxima semana, mientras un grupo de profesores presentó ayer una demanda para tratar de anular la votación.

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Bloomberg por la alcaldía otra vez

Firma ley que le permitirá postularse de nuevo

NUOVA YORK AP — El alcalde Michael Bloomberg firmó ayer la ley que permite cambiar el límite de término y que le dará la oportunidad de correr el próximo año por un tercer mandato.

La ceremonia donde se firmó la ley, en la sede de la Alcaldía, atrajo a decenas de personas que se oponían a la forma como el Concejo Municipal aprobó de manera rápida el cambio de la ley. Los presentes en la Alcaldía hicieron una larga fila frente a un micrófono para expresar su rechazo a la intención del alcalde y le dijeron —algunos con furia— que los votantes debieron haber expresado su voz a través de un referéndum. Los votantes aprobaron en dos oportunidades leyes sobre el límite de término en la década de 1990.

La firma del alcalde se dio apenas un mes después que Bloomberg anunciara que quería gobernar por cuatro años más, usando el argumento de que la ciudad lo necesitaba para que se quedara y manejara sus finanzas durante la crisis económica. El Concejo realizó dos audiencias públicas y aprobó la ley en una votación cerrada hace 10 días. Bajo las anteriores leyes de límite de término, los oficiales electos en la ciudad estaban limitados a servir sólo por dos periodos consecutivos de cuatro años.



WILLIAM ALATRISTE

Michael Bloomberg, alcalde de Nueva York sonríe luego de firmar la ley que le permitirá correr por un tercer término.

RESOLVERAN CRISIS SIN PRESTAMOS

El gobernador del estado de Nueva York, David Paterson ha descartado pedir prestado mientras que los legisladores estatales siguen sus intentos por cerrar el déficit de 1.5 billones de dólares en el presupuesto estatal en los próximos cinco meses del año fiscal.

Paterson dijo ayer que teme que las agencias de crédito bajarán el nivel de solvencia crediticia del estado si Nueva York utiliza préstamos para resolver

la crisis financiera.

En pasadas crisis financieras, la Legislatura aprobó pedir prestado billones de dólares en vez de realizar cortes profundos en ayuda escolar y otros gastos. Las deudas del estado alcanzan actualmente los 52.5 billones de dólares. Paterson quiere realizar cortes en gastos por 2 billones de dólares durante una sesión especial de la legislatura a realizarse el próximo 18 de noviembre.

» **Votación**

Triunfo de Bloomberg

Oponentes adelantan que llevarán la decisión a la instancia judicial

Alexandra Ochoa
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Bloomberg ganó la batalla. El Concejo de la Ciudad aprobó ayer con 29 votos a favor y 22 en contra el controversial proyecto de ley que le permitirá al alcalde y otros funcionarios públicos postularse para un tercer periodo.

Luego de siete horas de votación y más de un mes de diques y directos la ley logró superar todos los escollos legales que los oponentes trataron infructuosamente de interponer.

Los proyectos previos de ley en contra, una enmienda en la sala de votación y hasta una petición en corte fueron rechazadas para permitir que una mayoría de concejales pasaran la ley.

"El voto de hoy es una afrenta a los neoyorquinos", dijo el Contralor William Thompson, quien dijo que se postularía para la alcaldía en las próximas elecciones. "Esto quiere decir que sus votos y sus voces no importan, que la intimidación y las amenazas son más poderosas que los ideales políticos".

Un grupo de opositores abuchearon y gritaron en contra del alcalde Michael Bloomberg cuando este salió del edi-



Triunfaron. La Presidenta del Concejo, Christine Quinn, junto a los concejales del Alto Manhattan Robert Jackson y Miguel Martínez. (Foto: William Alabriza. Concejo Municipal)

EN SU VOZ



David Galarraga
Líder Comunitario

"Hoy fue un día trágico para la democracia de esta ciudad"



Vicente Penabaz
Líder comunitario

"Bloomberg es el culpable de la crisis de la Ciudad y ahora dice que es el único que la puede salvar"

ficio de la alcaldía.

"Hoy es un día triste para la democracia de Nueva York y estoy decepcionado", dijo el congresista Anthony Weiner. "Todo el mundo puede ver que este es un cuarto trasero, un arreglo que se llevó el derecho

de votar de los neoyorquinos".

La ley de términos fue dos veces aprobada por el voto público en 1983 y 1996. Gran parte de los oponentes exigían un tercer referendo para considerar la propuesta.

"De aquí nos vamos para

las cortes", adelantó el líder comunitario Ydánis Rodríguez a la salida de la votación, señalando que los opositores no han dado por terminada la batalla.

"Pienso que fue la elección correcta y quiero agradecer a la presidenta de Concejo por su liderazgo", dijo Bloomberg exhortando al Concejo a superar la controversia. "tenemos mucho trabajo por hacer juntos para que Nueva York pueda superar estos tiempos difíciles", agregó.

Bloomberg y sus aliados argumentaron la crisis económica y la falta de tiempo para realizar un referendo como los factores de fuerza para modificar la ley a través del Concejo.