



**CITIZENS UNION CANDIDATE QUESTIONNAIRE
NEW YORK CITY COUNCIL
SPECIAL ELECTION 2009**

Citizens Union would appreciate your response to the following questions related to Council and election reform policy issues facing the City of New York. We plan to make public your responses to this questionnaire on our website and in other appropriate venues.

Citizens Union will also be using your answers to guide the process of evaluating candidates for this office and to assist us in determining whether to issue a candidate "endorsement."

We thank you very much for your response.

Candidate Name: Ken MITCHELL Age: 43

Office to Which You Seek (Re) Election: Council District #: 49th

Campaign Address: 732 Castleton Ave

Campaign Telephone Number: (718) 442 0757 Fax: (718) 442 2470

Party Affiliation(s): D Campaign Manager Name: JOHN VITUCCI

Website & Email: kenmitcellforCouncil.com

Education: J.A.

Occupation/Employer (or years in currently held elected office): Attorney

Previous Offices, Campaigns and Community/Civic Involvement:
Community Bd. (see attached)

Are you willing to be interviewed by CU's Local Candidates Committee? YES NO
(Please note: Citizens Union can grant its "Preferred Candidate" and "Endorsed Candidate" rating only to candidates we have interviewed.)

Signature of Candidate: Ken Mitchell Date: _____

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Peter J.W. Sherwin, Chair • Dick Dadey, Executive Director

I. CANDIDATE QUESTIONS

Please state your position on the following reform measures. Specify whether you support or oppose each. You may elaborate in the space provided at the end or on additional paper.

VOTING AND ELECTIONS REFORM

1. What is your position on allowing independents to vote in party primaries? Support/Oppose

Comments: I believe that the Democratic process is strongest when it is most inclusive. We need to implement Election Day voter registration, expand every citizen's opportunity to vote by mail and make Election Day a Federal Holiday. However, members of each party should be given the opportunity to choose their own nominee.

2. What is your position on passage of state legislation that would allow referenda initiated by the City Council and/or the public to appear on the ballot at the same time as a referendum initiated by a charter commission appointed by the Mayor? Support/Oppose

Comments: I support full right of referendum and recall for the general public and its duly elected representatives. It is important for a Democratic society to be given every opportunity to exercise oversight of its leaders and vote on the important issues of the day.

3. What is your position on increasing the pay of election day poll workers above the current \$200 they are allotted per election event? Support/Oppose

Comments: In these tough economic times I believe poll workers, who are an important part of the Democratic process, need to be justly compensated. Their payments have been frozen at two-hundred dollars for far too long and should include annual cost of living adjustments.

4. What is your position on requiring that the Board of Elections in the City of New York be included in the preliminary and final mayor's management report? Support/Oppose

Comments: While the city charter only requires the Mayor to include agencies in the preliminary and final MMR's, the City Board of Elections and other major boards should be included in each MMR. The BOE makes decisions and implements policies that affect the lives and rights of New Yorkers every year. Every resident deserves to know how their tax dollars are being spent at a Board with a multimillion dollar budget that can affect a citizen's right to vote

CAMPAIGN FINANCE REFORM

5. What is your position on establishing stricter requirement for the disbursement of campaign finance matching funds to candidates that face non-competitive challengers? Support/Oppose

Comments: While we must be careful in defining what a non-competitive challenger is in order to maintain a level playing field for all candidates, I support limiting the

disbursement of taxpayer money to candidates who do not face a credible election challenge.

- 6. What is your position on banning the transfer of funds that were raised in a previous election cycle into a current account? Support/Oppose

Comments: I support banning or limiting funds transfers from previous campaign cycles. Simply because a donor was willing to contribute to a candidate in one cycle does not mean he or she would do so again in a future cycle, for a potentially different office.

- 7. What is your position on allowing campaign financing for ballot proposals? Support/Oppose

Comments: Ballot proposals deserve public financing the same way candidate elections do. There needs to be an even playing field so that proposals that have wealthy supporters do not automatically pass through sheer force of paid communication. Very often referenda deserve public financing even more than individual candidates because the issues decided by ballot proposal may have further reaching implications than the election of any single officeholder.

- 8. What is your position on lowering the campaign contribution limit for City Council candidates from the current \$2,750 for those who participate in the city's campaign finance program? Support/Oppose

Comments: I am proud to have received x,xxx contributions of \$1000 dollars or less, more than any of my opponents. Grassroots support and organization should be an integral part of any candidacy. I support the possible lowering of contribution limits, so long as candidates are able to wage competitive campaigns, with sufficient voter contact, at the lower limit.

- 9. What is your position on lowering the expenditure limit for City Council candidates who participate in the city's campaign finance program? Support/Oppose

Comments: I support the principle of lowering the campaign spending limit with one important caveat. If spending limits are to be lowered, then all candidates must opt into the public financing system. Decreased limits would stifle publically financed candidates ability to compete in the arena of public opinion if another candidate breaks the cap and dominates paid communication.

CITY COUNCIL REFORM

- 10. What is your position on allowing Council committees to function more independently of the speaker than is presently the case? Support/Oppose

- Should committee staff be hired by and report to committee chairs? Support/Oppose
- Should committee hearings and votes be scheduled at the direction of the chairs? Support/Oppose
- Should committees be able to issue subpoenas by a vote of their members? Support/Oppose

Comments: I think individual council members should show autonomy and represent the interests of their constituents, and that does not necessarily mean following the Speaker on every matter. Committee chairs should schedule their own hearings and hire their own staff.

- 11. What is your position on eliminating or limiting stipends for committee chairs and leadership positions? Support/Oppose

Comments: I think Council Members receive an adequate salary for part-time work, and that Chairs should not receive additional stipends.

- 12. What is your position on consolidating the current City Council committee structure and reducing the number of overall committees? Support/Oppose

Comments: Having worked closely with the Sanitation and Solid Waste Committee as former Council Member Mike McMahon's Chief of Staff, I would be reluctant to consolidate committees without seeing a specific proposal. Very important work is often handled at the committee level.

- 13. What is your position on the recent extension of term limits for the city's elected officials to three consecutive four-year terms? Please explain your answer. Support/Oppose

Comments: The voters of NYC passed term limits twice and I opposed changing the law without putting it to another vote.

- 14. What is your position on modifying the City Charter to require that changes to term limits may only be approved by the voters? Support/Oppose

Comments: I support modifying the City Charter to require that changes to term limits may only be approved by the voters

POLICY ISSUES OF IMPORTANCE

- 15. What is your position on transferring prosecutorial power over substantiated claims of police misconduct to the Civilian Complaint Review Board? If oppose, what would you propose to ensure sufficient public oversight and effective adjudication in handling claims of alleged police misconduct? Support/Oppose

Comments: Allegations of police misconduct are serious and the public should be involved in the process of review. I am not convinced, however, that the CCRB is a better forum than a court of law for that adjudication.

- 16. Do you believe that the State Legislature should renew mayoral control of the city's public schools in its present form? If oppose, what specific changes to the current system would you recommend? Support/Oppose

Comments: I support the renewal of mayoral control as long as changes are made to it to increase parental involvement.

- 17. What is your position on establishing mandatory inclusionary zoning standards and requirements for all new residential development? Support/Oppose

projects? If so, what should be the minimum percentage set aside for low income households?

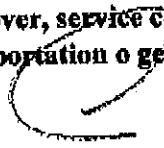
Comments: **I believe in mandatory affordable housing requirements for all major development projects that receive financing or tax breaks from the city. The right percentage is probably in the twenty percent range.**

18. What is your position on changing the current land use process under ULURP to limit the role of community-based planning? Support/Oppose

Comments: **I oppose changing the current land use process under ULURP to limit the role of community-based planning. Development projects should include input from members of the community.**

19. What is your position on the Ravitch Commission's recommendations for new revenue sources for funding the MTA and altering its governance? Please explain your answer, as well as your thoughts on how the experiences of the debate surrounding the city's efforts to implement congestion pricing can inform the current discussion. Support/Oppose

Comments: **The MTA needs to do more with less, and the city needs to do a better job funding our infrastructure and public transportation system. The current path is untenable, as commuters, in these bleak economic times, cannot afford to keep paying more and more for subway and bus service. Moreover, service cuts are devastating to outerborough commuters who rely on public transportation to get to and from work.**



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Please use the space provided or a separate sheet of paper to elaborate on your positions on the above issues. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

As Chief of Staff and Legal Counsel to Mike McMahon for seven years, I have seen firsthand how the City Council can improve the lives of the people it serves. But more important than seeing that government can be a powerful force for good if our elected officials faithfully and dutifully execute their offices, I am proud of the accomplishments that Councilman McMahon and I have achieved over our two terms together in the Council.

I am proud that I was able to assist in the expansion of Ferry service between Staten Island and the rest of the city. Ferries are an efficient, eco-friendly and enjoyable way for families to travel around the city and help decrease congestion. And, as a 3rd generation Staten Islander, I understand how difficult it was for my fellow residents of Richmond County to travel to other parts of the city before we had easily accessible ferry service. Expanding ferry service is an example of government working at its finest.

Our work to keep Fresh Kills closed is another prime example of government working for the good of the people rather than for the good of wealthy special interests. While opening the landfill would certainly have led to an influx of campaign cash for those that supported it, we knew that keeping it closed was the right thing to do for the environment and the people of Staten Island. From my time as a member of Community Board 1, I know that there is a critical shortage of open space in New York City and Staten Island, and that overdevelopment is a chronic problem. Fresh Kills will one day become a world class park and shining example of private and public interests working together for the good of the people.

Finally, I am running because I believe there is much work that is left to be done. We have made much progress in the 49th Council District over the last seven years, and I hope to build on those gains to make Staten Island an even better place to live, work and raise a family.

CAMPAIGN PROMISES BEING MADE TO VOTERS IN 2009

Citizens Union is adding a new element to its evaluation of incumbents running for re-election. In addition to evaluating their stances on the issues above, Citizens Union will assess incumbents on how well they kept the promises they made to voters during the previous election.

As a candidate who presently does not hold elected office, CU is interested in knowing what are the top five promises you are making to the voters during this campaign?

We thank you very much for your response. Please feel free to use additional paper if the space provided is not sufficient.

TOP FIVE CAMPAIGN PROMISES BEING MADE IN 2009

- 1) Improve the schools of the North Shore by securing the resources teachers need and ensuring parents have a meaningful say in their children's education
- 2) Work to expand access to affordable healthcare, particularly for seniors and children
- 3) Continue the work I did as Mike McMahon's Chief of Staff to keep Fresh Kills Landfill closed and expand open space for Staten Island families to enjoy
- 4) Continue to develop and improve our transportation infrastructure, particularly mass transit options such as ferry and high-speed bus service
- 5) Keep New York affordable for low and middle income families by keeping our property taxes low and rents under control

Please return to: Citizens Union, Local Candidates Committee
299 Broadway, Suite 700 New York, NY 10007
or via fax to 212.227.0345

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EMPLOYMENT:

Office of N.Y.C. Council Member Michael E. McMahon, Staten Island, N.Y.
Chief of Staff & General Counsel
January 2001 to Present

Manage and coordinate staff of eight employees. Oversee all office operations including office budget, constituent services, special projects, scheduling and press relations. Formulate and prioritize capital and expense budget needs for the district. Represent Council Member at community meetings and functions. Serve as a liaison to other elected officials and government agencies. Confer and advise Council Member on confidential legal matters affecting the district. Research and draft legislation for introduction before City Council. Testify on behalf of Council Member before administrative agencies and at public hearings.

Serve as Council Member's representative to Staten Island Growth Management Task Force; Staten Island Transportation Task Force; Mayor's Homeport Taskforce and Forest Avenue Business Improvement District.

Chambers of Justice Michael J. Brennan, Brooklyn Supreme Court
Associate Law Clerk
January 2000 to December 2001

Responsibilities included researching and analyzing legal questions and issues and preparing legal memorandum. Drafting opinions, decisions, orders, jury charges, correspondence, and other written material. Confering with Justice on legal and confidential issues. Conducting conferences with litigants and other parties to legal actions to clarify issues to be resolved or to settle cases.

Senior Court Attorney, Staten Island Criminal Court
August 1997 to January 2000

Researched and analyzed complex legal questions and issues raised in criminal cases. Draft and write confidential legal opinions and memoranda. Confer with Judge and lawyers on complex and unusual proceedings and review legal documents in connection with such proceedings.

New York Property Insurance, New York, N.Y.
Internal Auditor, August 1987 to August 1997

Responsible for review of underwriting procedures, cash flow analysis, audit of documentation of major claim files, special projects such as loss trends, productivity surveys and methods of making best use of computers systems for accounting and control purposes.

EDUCATION:

New York Law School, New York, N.Y.
Juris Doctor, May 1997

Wagner College, Staten Island, N.Y.
B.S. in Business Administration, June 1987

BAR ADMISSIONS:

New York & New Jersey, January 1998
Eastern & Southern Districts of New York, March 1998

COMMUNITY INVOLVEMENT:

Community Board No. 1, S.I.
Member, January 1986 to March 1994.
Executive Committee Member - Treasurer 1990
Appointed at age of 19
Rezoned my neighborhood of Barrett Park to restrict new construction of new homes to one family at Age of 22.

Warren Jaques Memorial Committee
Corresponding Secretary, May 1995 to June 2008.

Dr. Theodore A. Atlas Foundation, Inc. (DrAtlasFoundation.com)
Board of Directors, November 1996 to June 2008.

Children's Aid Society at Goodhue Center (Childrengoodhuesociety.org/Goodhue)
Advisory Board Member, October 1999 to June 2008.

Staten Island Zoological Society (StatenIslandZoo.org)
Board of Trustees, February 2004 to June 2008.

Mount Manresa Jesuit Retreat House (Manersasi.org)
Board of Trustees, September 2006 to June 2008.

Staten Island Film Festival (SIFILMFESTIVAL.org)
Committee Member, September 2006 to June 2008.

Staten Island Economic Development Corp. (SIEDC.net)
Board of Directors, December 2006 to June 2008.

Ancient Order of Hibernians
January 1995 to Present.

Son of the American Legion, Livingston Post 1369, SINY
October 2008 to Present

PROFESSIONAL AFFILIATIONS:

New York State Bar Association
Richmond County Bar Association

POLITICAL AFFILIATIONS:

Democratic Committee of Richmond County, County Committee Member
Democratic Organization of Richmond County
North Shore Democratic Club

PERSONAL:

Wife - Jacquelyn P. Mahoney - Elementary School Teacher - PS 30, Member UFT
Mother - Mary Ellen Mitchell - Admissions Clerk - Richmond University Medical
Center, Member 1199 SEIU
Father - Charles G. Mitchell - Retired United States Postal Service, Member NARF -
National Association of Retired Federal Workers
Three Sisters - Elizabeth, Andrea, Ann (Registered Nurse)

3rd Generation North Shore Staten Islander
Lifelong Democrat

While working for Judge Brennan - I was a member of the Citywide Association of
Court Attorneys

AWARDS:

United Activities Unlimited - Community Service Award
Warren Jacques Memorial Committee - Community Service Award
North Shore Democratic Club - Community Service Award
Wagner College - Distinguished Alumni Award