



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

Page 1 of 10

Citizens Union would appreciate your responses to the following questions related to policy issues facing the City of New York that are of concern to Citizens Union and the citizens of the City. We plan to make public your responses to this questionnaire in our Voters Directory, on our website, and in other appropriate venues. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates who are running for office in order to determine our "Preferred Candidates" for the primary election and "Endorsed Candidates" for the general election. In order to receive Citizens Union's "preferred" or "endorsed" status, in addition to completing the questionnaire, candidates must participate in an interview with Citizens Union's Local Candidates Committee.

We thank you very much for your response.

Candidate Name: **Rosie Mendez** Age: **46**

Office to Which You Seek (Re) Election: **New York City Council District 2**

Campaign Address: **334 East 8<sup>th</sup> Street, New York, NY 10009**

Campaign Telephone Number: **(212 ) 777-2131** Fax: **(212 ) 777-2363**

Party Affiliation(s): **Democrat** Campaign Manager Name: **Donna Gabriel Ellaby**

Website & Email: **www.rosiemendez.com** **reelectrosie@gmail.com**

Education: **Headstart; NYC Public Schools: K-12; NYU: B.A. in Metropolitan**

**Studies/Political Science; Rutgers Law School-Newark: J.D.; Columbia**

**University: 2003-04 Charles H. Revson Fellow**

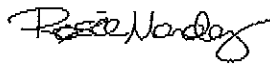
Occupation/Employer (or years in currently held elected office): **Four years in City Council**

Previous Offices, Campaigns and Community/Civic Involvement: **See Attached Resume**

Are you willing to be interviewed by CU's Local Candidates Committee? **YES  NO**

Have you completed requisite campaign finance filings? **YES  NO**

*(Please note: Citizens Union can grant its "Preferred Candidate" and "Endorsed Candidate" rating only to candidates we have interviewed. We will make every effort to interview candidates in each race for City Council.)*

Signature of Candidate:  Date: **7/26/2009**

## I. CANDIDATE QUESTIONS

Please state your position on the following issues by indicating 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 with respect to allowing voters who are registered as independents to vote in party primaries?   | Support          | <b>X-Oppose</b> |
| 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?  | <b>X-Support</b> | Oppose          |
| 3. What is your position on increasing the pay of Election Day poll workers above the current \$200 they are allotted per election event?   | <b>X-Support</b> | Oppose          |
| 4. What is your position on restructuring New York's current board of elections model to eliminate political party responsibility for overall election administration and replace it with a system that narrows political party involvement to certification of candidate petitions and the actual counting of votes? | <b>X-Support</b> | Oppose          |
| 5. What is your position on having an election administration system where there is a local elections executive director appointed by the mayor upon recommendation by a new board that is chosen by the mayor and the city council? <b>SEE ADDENDUM</b>  |                  |                 |

---

### CAMPAIGN FINANCE REFORM

- |   |                  |        |
|---|------------------|--------|
| 6. What is your position on implementing "war chest" restrictions that would prohibit a candidate from transferring funds raised in a previous election cycle into a current campaign committee for a different office? | <b>X-Support</b> | Oppose |
|---|------------------|--------|

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

---

**CITY COUNCIL REFORM**

8. What is your position on allowing Council committees to function more independently of the speaker than is presently the case? **X-Support** Oppose
- a. Should committee staff be hired by and report to committee chairs? **X-Support** Oppose
- b. Should committee hearings and votes be scheduled at the direction of the chairs? **X-Support** Oppose
- c. Should committees be able to issue subpoenas by a vote of their members? **X-Support** Oppose **SEE ADDENDUM**
9. What is your position on:
- a. limiting councilmembers' ability to earn outside income?
- b. making the job of councilmember a full-time position? **X-Support** Oppose
- c. eliminating or limiting stipends for committee chairs and leadership positions? **X-Support** Oppose
10. What is your position on requiring that any future increase in councilmember compensation not affect those serving in the current term of the council and only be applied prospectively to the following term? **X-Support** Oppose
11. What is your position on consolidating the current City Council committee structure and reducing the number of overall committees? **X-Support** Oppose
12. What is your position on term limits for elected officials? **Support** Oppose **SEE ADDENDUM**
13. What is your position on modifying the City Charter to require that changes to term limits may only be approved by the voters? **SEE ADDENDUM**

- |   |         |        |
|---|---------|--------|
| 14. 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. <b>SEE ADDENDUM</b> | Support | Oppose |
|---|---------|--------|

---

### POLICY ISSUES OF IMPORTANCE

Please state your position on the following issues by indicating whether you support or oppose each, where applicable. Please also use the space provided below each question or on a separate sheet of paper to elaborate on your positions on the questions which require a detailed answer. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

- |   |  |        |
|---|--|--------|
| 15. Knowing that the police department and commissioner retain ultimate authority for determining whether an officer is guilty and penalty, what is your position on transferring power to the Civilian Complaint Review Board to prosecute cases of police misconduct, such as force, abuse of authority, discourtesy, and offensive language? | <b>X-Support</b><br><b>However,</b><br><b>See</b><br><b>Addendum</b> | Oppose |
| 16. What is your position on changing the current land use process under ULURP to increase the role of community-based planning?  | <b>X-Support</b>   | Oppose |
| 17. What is your position regarding the creation of a Charter Revision Commission to review specifically the roles of the various offices of government and how well government has functioned since the 1988 and 1989 charter review commissions?  | <b>X-Support</b>   | Oppose |
| 18. What is your position on reforming the current pension funding structure to create multiple tiers for future city government employees?   | <b>X-Support</b>   | Oppose |
| <ul style="list-style-type: none"> <li>a. In FY 2008-09, New York City spent \$12 billion on pensions and fringe benefits for of a total budget of \$62 billion. What would you do to address the growing pension costs borne by the city and New York City tax payers? <b>SEE ADDENDUM</b></li> </ul>  |  |        |
| 19. What is your position with respect to the City Council passing a resolution calling upon the State Legislature to establish a State Constitutional Convention? <b>SEE ADDENDUM</b>  |  |        |

Page 5 of 10

- a. If support, what are the three most important areas that need improvement?
- b. Do you believe that greater home rule should be granted to the City of New York?  
If so, in what areas should further sovereignty be given? **SEE ADDENDUM**

20. Taking into consideration the lessons learned from the debates surrounding congestion pricing and the Ravitch Commission's recommendations to provide the MTA with long-term funding, what would you propose to address the MTA's fiscal solvency issues and ensure that the burden for funding the MTA is equitably distributed among all stakeholders? **SEE ADDENDUM**

---

---

---

---

## Page 6 of 10

21. What would you propose in terms of creating a greater role for the city council in determining and deciding the city budget? **SEE ADDENDUM**
22. What is your position regarding the City's past practice of using surplus tax revenues to pay down future health cost and pension obligations, and the decision not to do so this year? **SEE ADDENDUM**
23. What is your view of how the taxes paid by New Yorkers compare to the value that is received in City services? Do you believe that taxes should be raised or lowered? To the extent you believe taxes should be changed, please provide specific proposals about what taxes you would raise and what services you would cut, if you didn't raise taxes, listed in order of greatest magnitude. **SEE ADDENDUM**
24. Many policy advocates champion the creation of a more diversified economy, and one that is less reliant on Wall Street. What is your position on such a plan? If you support it, what would you do to diversify the city's economy? How would you adjust spending in New York City to accommodate the anticipated reduction in tax revenue as the tax base shifts to lower paying jobs? **SEE ADDENDUM**

Page 7 of 10

25. What would you propose the Department of Education do to increase the ability for parents and teachers to become more meaningfully involved in the education system? What other positives changes can be made to the New York City public school system? **SEE ADDENDUM**
26. What would you propose to increase the transparency of the Board of Elections in the City of New York's operations and accountability to the city and its voters? **SEE ADDENDUM**
27. What would you propose to further enhance transparency regarding the relationships between council members, their families, and nonprofits that receive funding from New York City? **SEE ADDENDUM**



## CANDIDATE ACCOUNTABILITY QUESTIONNAIRE

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 an elected official who is seeking re-election,

- a. what were the top five promises you made to your constituents when you ran for your current position and what progress have you made to keep those promises, and why and why not have you met them?
- b. what are your top five campaign promises you are making to the voters during this campaign for this position?

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 FROM 2005 AND ACTION ON THEM

1. **Implement Community-Based Planning.** I worked on three (3) rezoning plans (East River rezoning in CB6, Phipps Houses Rezoning in CB6, and the Lower East Side/East Village (LES/EV) Rezoning in CB3) in or next to my district that the City Council passed. We worked with advocates, residents and the local Community Board, as well as neighboring Council members to make changes to plans that were ultimately approved.
2. **Improve Public Schools.** I funded 22 schools for a total of \$5 million in capital funding providing new science labs, auditoriums, and state of the art technology. I have distributed a substantial amount of my expense (discretionary) funding for cultural groups to work directly in my public schools.
3. **Create and Preserve Affordable Housing.** I fought and obtained inclusionary zoning in LES/EV rezoning plan. I secured several hundred units of affordable housing to be created through the Phipps Houses Rezoning. Through Councilmember Dan Garodnick's leadership and assistance secured the permanent affordability of nearly 500 units of existing Section 8 apartments in the East River Rezoning. I secured \$6.3 million in capital funding for NYCHA developments in my district, \$2 million for housing development for the disabled, elderly and homeless. I led city wide budget initiatives that resulted in \$38M to NYCHA to assist with its chronic underfunding by the federal government.



4. **Make Businesses Better Neighbors.** My community has more than its fair share of lively nightlife establishments. I worked with local Community Boards, Block Associations, local residents and the local businesses to implement agreements such as time restrictions, sidewalk café or rear yard restrictions, installation of soundproofing materials to reduce noise levels in residential/commercial areas. In addition, where necessary, I worked on the revocation or denial of SLA licenses.
5. **Curb Construction Abuses and Overdevelopment.** I worked with the local Community Board, advocates and community residents to hold Department of Buildings (DOB) accountable when it issued permits inappropriately. On several occasions, we appealed to the Board of Standard and Appeals (BSA) and set precedent by having the Sliver Law and the Multiple Dwelling Law enforced and obtained BSA ruling that DOB ignored the law. Got DOB to employ an off hours task force to rescind permits and summons developers who were working outside of permit hours. I obtained contextual zoning (height caps) in the LES/EV and Phipps Houses Rezoning.

#### TOP FIVE 2009 CAMPAIGN PROMISES

1. **Third/Fourth Avenue Corridor Rezoning.** Obtain contextual zoning for Third and Fourth Avenues north of East 6<sup>th</sup> Street and South of East 14<sup>th</sup> Street.
2. **Provide capital funding to install security cameras in Public Housing Developments.** Multi-million dollar price tag (approximately \$6M – \$10M to install cameras in Baruch and Vladeck Houses).
3. **Provide capital funding to replace the historic fence and sidewalk in Stuyvesant Square Park.** Stuyvesant Square Park is divided into east and west with Second Avenue as the dividing line. The restoration of the Western Side of the park was funded by then Borough President Ruth Messinger. The Eastern Side of the park has a multi-million dollar price tag exceeding \$4M which has made it difficult to fund. I have devised a multi-phase approach which would restore the historic fence and sidewalk one side at a time bringing the price tag to a little over a million per side and in each fiscal year. I hope to get assistance from the Borough President as well as the neighboring Councilmember Dan Garodnick whose constituents utilize the park.
4. **Seward Park Urban Renewal Area (SPURA).** Work with Councilmember in District 1 where SPURA is located to build affordable housing.
5. **Continue to take action on my campaign promises from 2005.**

## **Citizen Union Candidate Questionnaire - Addendum**

### ***CANDIDATE: ROSIE MENDEZ, NEW YORK CITY COUNCIL - DISTRICT 2***

5. Undecided. I would need more information about what, if any, criteria there would be for appointing someone, as well as how many appointments are made and by whom.
- 8c. In addition, I believe that individual Council members should also be allowed an opportunity without impediments to get a hearing or a vote if a committee chair holds legislation back in the committee.
12. I support term limits for the executive, but not for the legislature. For a complete explanation, please read written response to # 14.
13. Undecided for the following reasons:
- (1) The City Council does not have the power to legislate this. It is the State legislature that determines by legislation what, if any, voter referenda the City Council can vote on. In principle, I believe this issue should go back to the voters and therefore the State would have to amend current legislation to include a new subsection to bar term limits from our legislative powers.
  - (2) I would not want to set a precedent that would hamper the ability of the City Council to undo voter referenda. For example, the Civilian Complaint Review Board ("CCRB") was created by a voter referendum that established a board comprised of current or former police officers. Many years later, the City Council correctly voted to change the voter referendum to have only civilians and not police personnel as members of the CCRB.
  - (3) I don't think that voter referenda should be the way to legislate and that we should limit when we use it. California is a good example of why we should limit voter referenda. Ballot initiatives in California brought three strikes and you are out with no possibility of prosecutorial or judicial discretion. It gave California anti-gay and anti-immigrant legislation because the individuals or groups that sponsored the ballot initiative were well funded. Here, in New York City, the term limits discussion has been defined by two billionaires. We should impose expense caps and matching funds to level the playing field for ballot initiatives.
14. As a sitting member of the City Council, I voted against the extension of term limits. I believe that we should follow the federal model that imposes term limits on the executive and not the legislature. In addition, I would also limit how many times someone can run for speaker. You vest a lot of power in the position of Mayor and Speaker. In a system of check and balances, the City Council is left almost powerless. All we have is our knowledge and institutional history which is limited because of turnover due to term limits.

In addition, I believe there was an opportunity to put the term limits issue to a vote in the November elections. However, the political will was not there and those with the vested power let the clock run out.

15. I am all for vesting sole discretion with an outside body separate and apart from the police department to effectively deal with police malfeasance and misfeasance. Under Administrative Law, governmental agencies must conduct an administrative review and an individual must exhaust administrative remedies before going into a courtroom. So there may have to be parallel proceedings and investigations, but the ultimate and defining authority should vest in an independent Board such as the CCRB. Equally important, said board must be adequately funded to conduct investigations. The intent to aggressively investigate and prosecute police misconduct has oftentimes been thwarted by chronic underfunding or completely defunding the board.
- 18a. I do feel we need to re-examine retirement investment and age limits as well as consider new revenue generating possibilities such as the stock transfer tax to increase income.
19. At the present time, I oppose a State Constitutional Convention.
- 19b. During the fiscal crisis of the 1970's, NYC lost the ability to regulate housing and mass transit. I support reverting power back to the NYC to have more control and input on these specific issues. This would include repealing the Urstadt Law to allow municipal, not the state legislators the ability to regulate tenant protections in NYC.
20. I believe that we must find ways to increase revenue to creating an affordable, expanded and sustainable mass transit system. The Ravitch Commission proposed a number of revenue generating possibilities that would allow the MTA to pass a balanced budget without drastically cutting services or raising fares. I support many of these recommendations, as they are creative solutions to the tough financial decisions. In particular, I strongly encourage the state legislature to adopt the proposed so called mobility or payroll tax. I also support the Ravitch recommendation that fare hikes be imposed no more frequently than every two years and that they can be no greater than the inflation rate.
21. I believe we would need to level the playing field between the City Council and the Mayor. I believe that we need to eliminate or extend legislative term limits beyond two terms while maintaining executive term limits at two terms. City Council members have a small limited budget that limits how many people we can hire and we tend to have a lot of turnover in our district office staff. We rely sometimes on central staff whose first obligation to address any priorities identified by the Speaker. I believe that the Independent Budget Office should be expanded and that each Councilmember should have a liaison who can independently and confidentially address any, and all, budgetary questions posed by the Councilmember.

I would like to point to two examples that demonstrate the inefficacy of the City Council. In 1998, the City Council eliminated Mayor Guiliani's line item in the budget to rent several floors in the World Trade Center to locate an emergency command center for NYC. Mayor Guiliani put it back in the budget under another miscellaneous line item. The City Council was deceived and unaware that they approved this when they voted to pass the budget. This is the same emergency command center that was destroyed during the 9/11 tragedy.

This year, several of my colleagues and I were fighting to restore funding dental clinics in the public schools. We were told by central staff that even if we restored the funding, DOH stated that it would redirect the funding elsewhere.

This year the City Council controlled \$300M of the \$52B budget. Last year, we controlled \$411M of the \$63B budget. It is certainly not enough to adequately address all of the Mayor's PEGs (Proposal to Eliminate the Gap). The City Council should certainly control more of the money so we can effectively address the PEGs.

22. The city has an obligation to meet these costs when surplus funds are available but obviously the current economic climate prevented investment in future costs at the present time.
23. Certainly, NYC does not receive its fair share of services compared to the amount that we provide in taxes. I believe that services should be provided based on need irrespective of where the money is coming from geographically. However, the needs of NYC are great and the successful litigation of the Campaign for Fiscal Equity demonstrated that NYC was not getting its fair share of funding. I believe taxes should be raised for those who can afford it. We must institute a progressive income tax. In addition, I also support reinstating the stock transfer tax and increasing the hotel tax. There are no services that I would recommend for further cuts at this time.
24. I also am in favor of a more diversified economy. I am a current supporter of organizing initiatives to improve wages in the retail industry (Retail Action Project) and for domestic workers (Domestic Workers United) as well as training programs for skilled green jobs. With improved wages and benefits, these jobs could serve to offset reductions in tax revenue and increase the number of working New Yorkers thereby avoiding any adjustment in spending.
25. I support the findings and recommendations of The Parents Report on Educational Governance.
26. I support advance community notice and input before any changes in polling places are implemented.
27. Council members should be prohibited from providing all or a large percentage of their discretionary and capital funding to one nonprofit in their community. Higher percentages should be allowed where the organization can demonstrate that it is cycling out of specific funding, or has an established track record of at least a decade a more of providing services in a community.

In addition, the amount of discretionary funding provided should not be the sole source of funding to a particular nonprofit unless it is considered de minimus. For example, I provide anywhere from \$3,500 to \$5,000 in discretionary funding to not-for-profit youth/sports organizations whose total budget ranges from \$6,000 to \$15,000. If I did not fund these organizations, they would have to charge higher participation or membership fees to cover uniform, equipment and permit expenses.