

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

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: Ken Mitchell

Age: 42

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

Campaign Address: 395 Forest Avenue Staten Island, NY 10301

Campaign Telephone Number: (718) 727-2105 **Fax:** (718) 727-7282

Party Affiliation(s): Dem

Campaign Manager Name: John Vitucci

Website & Email: www.kenmitchellforcouncil.com mitchell4nyccouncil@gmail.com

Education: BA Wagner College JD New York Law School

Occupation/Employer (or years in currently held elected office): Senior Law Clerk- Supreme Court Justice Michael Brennan; Chief of Staff-Councilman Michael McMahon; Council Member 49th Council District

Previous Offices, Campaigns and Community/Civic Involvement: SI Community Board 1; Theodore Atlas Committee; Jacques Committee; McMahon for Council Campaign Committee; McMahon for Congress Campaign Committee; Bill Murphy for DA Campaign Committee

Are you willing to be interviewed by CU's Local Candidates Committee? YES NO
Have you completed requisite campaign finance filings? YES NO

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

(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: Kim Mulatka Date: 7/30/04

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

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| 1. What is your position with respect to allowing voters who are registered as independents to vote in party primaries? | Support | Oppose |
| 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 |
| 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 |
| 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? | Support | 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? | Support | Oppose |

CAMPAIGN FINANCE REFORM

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| 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? | Support | Oppose |
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| 7. What is your position on allowing campaign financing for ballot proposals? | Support | Oppose |
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CITY COUNCIL REFORM

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| 8. What is your position on allowing Council committees to function more independently of the speaker than is presently the case? | Support | Oppose |
| a. Should committee staff be hired by and report to committee chairs? | Support | Oppose |
| b. Should committee hearings and votes be scheduled at the direction of the chairs? | Support | Oppose |
| c. Should committees be able to issue subpoenas by a vote of their members? | Support | Oppose |
| 9. What is your position on: | | |
| a. limiting councilmembers' ability to earn outside income? | Support | Oppose |
| b. making the job of councilmember a full-time position? | Support | Oppose |
| c. eliminating or limiting stipends for committee chairs and leadership positions? | 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? | Support | Oppose |
| 11. What is your position on consolidating the current City Council committee structure and reducing the number of overall committees? | Support | Oppose |
| 12. What is your position on term limits for elected officials? | Support | Oppose |
| 13. 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 |

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| 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. | Support | Oppose |
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I believe that the will of the people should be the most important force guiding the City Council. Twice, in 1993 and 1996, New Yorkers voted in favor of a two-term limit for elected officials in municipal government. Though I was not in the City Council for the recent term limits vote, I would have opposed the extension of term limits as a violation of the will of the people.

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.

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| 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? | Support | Oppose |
| 16. What is your position on changing the current land use process under ULURP to increase the role of community-based planning? | Support | 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? | Support | Oppose |
| 18. What is your position on reforming the current pension funding structure to create multiple tiers for future city government employees? | Support | Oppose |

- a. In FY 2008-09, New York City spent \$12 billion on pensions and fringe benefits for City employees out 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?

_City employees render invaluable public services to the City of New York, and New Yorkers' daily lives would not be the same without them. These workers are vital to the ongoing success of our City, and I stand steadfastly against any cut in their benefits or pensions. However, spending has increased at an alarming rate, so I will continue to fight to reduce waste at City Hall. Cutting wasteful spending will reduce the tax burden on hard working New Yorkers without harming our crucial public sector.

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? Support Oppose

- a. If support, what are the three most important areas that need improvement?

_1- Given the recent turmoil in Albany, the State Constitution should be amended to give New York City more control over its public schools. Our public school students should not be held hostage by partisan bickering, and the City can more effectively manage our schools if it has more control.

2- Elections for state legislature are generally uncompetitive due to extensive gerrymandering in Albany. I propose removing redistricting authority from legislative leaders and giving it to an independent commission, so New Yorkers have real choice in the elections.

3- The State Constitution must be amended to repeal the Urstadt Law, which gives Albany power over rent control state-wide. The state legislature has many members from districts upstate where renting is rare, and Albany has responded by continually weakening rent regulation. Repealing the Urstadt Law would give New York City control over its own rent mechanisms, allowing us to keep rent affordable for all New Yorkers.

- 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?

Yes, the City should have greater sovereignty over issues that affect it directly. First and foremost, New York City should have control over its rent controls and rent stabilization mechanisms. These are purely local issues that should be decided by local government. As demonstrated by the recent turmoil in Albany, power being concentrated in local government is clearly better for New York City.

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?

_The commuter tax should be immediately reinstated so that commuters pay their fair share to keep our world-class public transit system running. Commuters utilize MTA facilities daily, yet they do not pay the taxes that fund buses, subways, ferries, etc. Reinstating the commuter tax will reduce the tax burden on the City while maintaining the high quality of our public transportation.

21. What would you propose in terms of creating a greater role for the city council in determining and deciding the city budget?

The City Council should be the most important player in determining the City's budget. New Yorkers depend on our schools, roads, hospitals, and public transit everyday. While they pay taxes to the City to support these invaluable services, New Yorkers are often held hostage by bickering in Albany. New York City should have greater control over its own taxation, so revenue can be raised to keep public services running.

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?

_FY 2010 was one of the most challenging years in recent memory, given the sharp economic downturn and the significant decrease in tax revenue. While paying down future pension obligations is worthwhile during years of economic expansion, such a move is just not feasible right now. Instead, the funds were rightfully used to maintain our public services and keep our economy running.

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.

__New York City already has some of the strongest public services in the country. However, there is always room for improvement, especially when talking about public safety and public health. To keep these vital programs solvent, we must cut waste in the City budget to free up public money for keeping fares low and services running. As a last resort, though, I would advocate increasing taxes on the very wealthiest New Yorkers, while maintaining the current levels for the vast majority of our citizens. In a crisis, this increase in revenue would be necessary to prevent raises in ferry, bus, and subway fares as well as lapses in public services.

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?

New York should assert itself as a leader in green technology, devoting more of our funding to energy-efficient and environmentally friendly projects. In doing so, we will create jobs at a time when they are most needed, as well as decrease our carbon footprint and control runaway energy costs.

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?

I support the legislation that recently passed the State Assembly reauthorizing mayoral control of schools while giving greater control and oversight to parents and educators. While mayoral control has resulted in higher test scores and better graduation rates, parents must retain a significant voice in how their children are educated. To that end, I propose that parents and educators should be consulted on the major decisions regarding our public school system. As the husband of a public school teacher, I know that teachers and parents, not bureaucrats, are best placed to make critical decisions about our schools. Therefore, I support returning more control to parents and educators.

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?

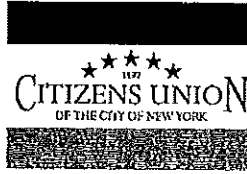
We need voting machines that leave paper trails. Additionally, Board of Elections workers, both full-time and temporary, need better training on handling high-turnout elections, such as the 2008 General Election.

27.

28. 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?

All recipients of City funds, be they public or private, commercial or non-profit, should be identified on the public record and should be available to citizens. In addition, any council members who sit on boards of non-profits and other organizations that do business with the City should be identified at the beginning of each fiscal year. The Attorney General's Project Sunlight is an important first step in increasing transparency regarding state government, but more should be done on the local level.

Additional Comments:

**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 2009 AND ACTION ON THEM

1. **Improve education obtaining and allocating capital expense funding for every public school in the 49th District. As well as, significant funding for youth programming.**
2. **Kept open and expand Edwin Markan Day Care Center serves predominately low income families.**
3. **Maintained essential public services on Staten Island including keeping Engine 161 open and fully staffed 24/7.**
4. **Worked with Borough President and other elected officials to keep Cromwell Center open until the New Gerard Carter Recreational Center is opened.**
5. **Improve health care by securing funding from HHC and Community Health Action of Staten Island to provide mobile clinic services, prevention testing and health insurance outreach.**

TOP FIVE 2009 CAMPAIGN PROMISES

1. **Maintain and improve our high-quality public services, such as fire departments, public hospitals, and the MTA.____**
2. **_Secure more funding for our schools so we can reduce class sizes, increase teachers' salaries, and improve classroom technology._____**
3. **Improve our environment by reducing pollution, encouraging recycling, and increasing park space in New York.**
4. **_Healthcare is a fundamental human right, and I will fight to make sure all New Yorkers have access to quality, affordable health care.**
5. **Protect tenants from landlord abuse while also keeping housing affordable for all New Yorkers.**