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The Public Ought to Know: Stadium referendum may stay off ballot

By Corey Bearak

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Corey Bearak

With the Far West Side stadium issue finding its way into the race for mayor, Mayor Michael Bloomberg's appointment of a Charter Revision Commission last summer recalls events involving prior commissions and elections.

In 1998, City Council Speaker Peter Vallone ran for governor and hoped to bolster turnout with a referendum on a Far West Side stadium - that time for the Yankees. Then-Mayor Rudy Giuliani used a Charter Commission's recommendations to block that popular initiative. Expect Bloomberg's Charter Commission to make some proposals to keep any stadium referendum off this year's ballot.

This risks substantive changes better considered through a much more deliberate process than the early September deadline for placing any Charter proposals on the November ballot. No need exists to rush to address "fiscal stability," "administrative law reform," and "administrative reform and operations efficiency" to block a stadium initiative. If the real intention remains to block a referendum City Hall opposes, why not place some more modest items on the ballot.

When a Charter Commission places items on the ballot, it takes priority on any other initiatives that would otherwise lawfully appear on the ballot.

That precedence would block a possible stadium referendum.

A referendum on Staten Island secession - note that the island remains a part of the City of New York - increased voter turnout in that borough and influenced the 1993 mayoral election result. A stadium referendum might similarly encourage a voter turnout that could affect the outcome of this year's mayoral election.

If the commission proposed nothing, a popular initiative on the stadium could make the ballot by petition, or by local law. Expected mayoral candidate Fernando Ferrer recently proposed the Charter Commission include a Far West Side stadium proposal as part of its "package." (Disclosure: I served on the former Bronx borough president's staff.) Do not expect City Hall to allow either. That means the public will not be able to weigh in on a stadium that makes more sense in Willets Point, Queens. It may also turn the mayoral race into a referendum on whether to build City Hall's Far West Side stadium.

City Hall might face criticism if it wants Commission proposals on the ballot to block a stadium referendum; good government and editorial boards may raise concerns about the process and substance. It needs some noncontroversial proposals like the simple charter change I emailed to the commission last month.

On Jan. 4, while I was in Washington, D.C. for the start of Congress, I realized my plans to attend the "Charter City Council Meeting" the next day conflicted with the governor's State of the State message. The City Charter mandates the Council hold its "charter" meeting at noon on the first Wednesday of each year.

At my last stop in city government, my responsibilities including watching the governor's speech live on television, taking notes and suggesting responses and issues for follow up attention. Albany's doings certainly impact our city; this remains especially true with respect to the budget. Yet, City Council members were not in Albany on Jan. 5 (or watching the governor deliver his speech on television). They convened at City Hall in accordance to the requirements of the City Charter.

Clearly, all public officials from the city, including City Council members, should be free to attend or view the governor's speech "live" and respond

accordingly. It is good government for that ability to occur. I recommended that the Charter Revision Commission look at amending the Charter to mandate the Council hold its charter meeting on either the first Tuesday, Wednesday or Thursday following the first Monday of each year. This sound reform offers ample opportunity and flexibility for the Council's Charter meeting to occur without a SAME DAY conflict with the governor's State of the State speech. And it offers the mayor a simple, non-controversial initiative for the November ballot to block any stadium referendum.

If the Commission prefers another item, why not a simple plan to ensure handicapped parking spots remain available as intended. My friend Paul constantly complains about drivers who illegally take up parking spaces designed to ease access for the disabled. Community advocate and Little Neck resident Anna Levine proposed legislation sponsored by the Council Transportation Committee Chairman John Liu to establish a program that allows trained citizen volunteers to issue summonses to cars that illegally park in handicapped spaces. Liu's committee held a hearing on Int. No. 72 last week. The commission could model a proposal on Levine's bill which follows programs already in place in Nassau County and many Florida towns.

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