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The Council Kicks Rudy When He's Down

There's nothing like the scent of blood to bring out the courage in a weakling. The City Council sensing that the mayor is no longer invincible - has decided to "pile on" - the football tactic in which timid players jump on an opponent after he has already been tackled and brought to the ground. Now that the mayor is friendless in Albany and on the "enemies list" of the Senate Banking Committee, the City Council has decided that the time is right to confront the mayor over his power to modify the municipal budget. Having passed the mayor's budget last June with hardly a murmur, the City Council is about to launch a legal action challenging the mayor's right to allocate so-called "new revenues" during the middle of the city's fiscal year.

The issue is quite simple. Suppose a woman in a two-earner household gets a salary increase while the man gets a pay cut, so the total household income is reduced by \$100 per month. It means there will be less money available for Chanukah and Christmas presents. Well, that's what is happening in New York City, but rather than holiday gifts, the issue is who determines what public services are to be cut during the fiscal year.

The new City Charter, which created a larger and more powerful City Council, assigns the mayor the power to make mid-year modifications in the city budget. The mayor proposes the modifications and the City Council can approve or disapprove the changes, but the council does not have the power to initiate changes in the budget. As Paul Crotty, the sagacious corporation counsel, has noted, the City Charter Commission, in drafting a new charter, explicitly rejected a proposal to allow the City Council to modify mid-year budget changes.

The mayor's Office of Management and Budget projects that certain tax revenues - such as the personal income tax, unincorporated income tax, and sales tax - will generate \$332 million less than expected, and that other taxes - the mortgage tax, hotel tax and commercial rent tax - will produce \$143 million more than originally estimated. The net result: The municipal government will have 189 million fewer tax dollars to spend than was anticipated when the budget was adopted last June.

On Thanksgiving eve, the City Council, while agreeing to cut expenditures as the mayor had requested, decided that it had the authority to allocate the so-called "new revenues" that the city is to collect this year, even though total revenues are down. The council argued that the City Charter gave it a role in budget modifications involving the "appropriation of new revenues," while allowing it to ignore the decline in total revenues. The mayor has vetoed the council's revenue measure, which is, in fact, a device to rearrange expenditures according to its own priorities. The City Council is now planning to override the mayor's veto and challenge the mayor through legal action.

Rather than hiring lawyers to confront the mayor in court, the City Council should be spending its time building widespread public support for limiting police overtime, especially for about-to-
retire officers trying to "pump up" their pensions, changing the unlimited sick leave policies of the Fire Department, and pruning the mayor's Office of Operations just a few of the intelligent proposals put forth by the City Council's Finance Division.

Standing up to the mayor looks good. It even feels good. But to do good, the City Council should be preparing now for next year's budget - which will no longer be able to include imaginary funds from Albany and Washington. The battle over the budget should not be in court, but in the City Council chambers. If the council wants to be an effective arm of government, it should unleash such talented and energetic members as Ken Fisher, Charles Millard, John Sabini, Virginia Fields and Una Clarke so they can have an impact on government before term limits force them out of office. Suing the mayor diverts public attention from the real need for a City Council that challenges the total municipal budget, not the mid-year modifications.

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