



99 PINE STREET
ALBANY, NEW YORK 12207

WWW.FWC-LAW.COM

PHONE: (518) 436-0786
FAX: (518) 427-0452

The Week That Was

06-16-17

1. It's All For The Kids

Our Spin:

On Monday Mayor de Blasio canceled plans to visit Albany, but reached out to state Senate Majority Leader John Flanagan in a phone call to try and end a standoff over mayoral control. Come Thursday, not much progress had been made publically towards an agreement between Senate Republicans and Assembly Democrats. However, Governor Cuomo did chime in, giving his thoughts on the situation.

The Story:

With only one week of session left, the Legislature left the Capitol Thursday evening without reaching an agreement on what some would argue the biggest issue remaining, reauthorizing mayoral control of New York City schools. The law, which gives Mayor Bill de Blasio control over his city's public schools, will expire at the end of the month unless lawmakers vote to renew it. De Blasio and other Democrats favor a multiyear extension but Republicans in the state Senate say any extension should be accompanied by changes aimed at helping charter schools in the city, an idea that faces opposition in the Democrat-led Assembly. "Leaving Albany without passing an extension of mayoral control is the equivalent of turning your back on 1.1 million school children," Mayor de Blasio spokeswoman Freddi Goldstein said. "Mayoral control is the only proven governance system. Ending it would roll out the red carpet for corruption and chaos in our school system," she added.

Should the law be allowed to expire permanently, the city school system would revert back to the Board of Education where the mayor would have just two appointments and the five borough presidents one each. Republican Senate Majority Leader John Flanagan said he supports mayoral control but wants the city to provide more details on how it uses education dollars. "I want to know where the money is going," Flanagan said. "I believe in mayoral control. I want the buck to stop at somebody's desk."

On Thursday, Governor Andrew Cuomo suggested a compromise: a three-year extension, with some assistance for charter schools, "because the Senate won't do it without charter schools," Cuomo told news station NY1. "Charter schools, I think everyone would agree, are here to stay in New York and they're making a contribution."

[NY Daily News
City and State](#)

2. Frontier Town

Our Spin:

Generations of New Yorkers enjoyed Frontier Town as an entertainment venue themed as the old Wild West. Governor Cuomo is utilizing a modern twist, design-build, to transform the old park into a "Gateway to the Adirondacks."

The Story:

Governor Andrew Cuomo wants to transform a defunct Wild West-style theme park into a "Gateway to the Adirondacks" so badly, that he is allowing potential developers for the site to take advantage of a tool that is still unavailable to New York City, "design-build." Design-build allows an entity to bid out both the design and construction of big projects to the same contractor, a practice that advocates say has been proven to speed those projects up and reduce their cost. However, while the state Legislature has authorized Cuomo to use design-build on everything from the Kosciuszko and Tappan Zee bridges to the upgrade of four upstate ski resorts, Albany has thus far not allowed New York City the same treatment, and time is running out. With only three scheduled days of the legislative session left, New York City Department of Transportation (NYCDOT) officials are urging state lawmakers to support a piece of legislation sponsored by Assemblyman Michael Benedetto and Senator Andrew Lanza, that would authorize design-build for eight city projects, particularly the overhaul of the Brooklyn-Queens Expressway (BQE).

Cuomo's new Kosciuszko is "a beautiful bridge, it was completed ahead of schedule, it was on budget," said Polly Trottenberg, de Blasio's Transportation Commissioner, in a recent interview. Just "five miles down the road," she noted, is "another big bridge project" that could benefit from the same tool, she said, referring to the BQE. By allowing one company to complete the project using design-build, NYCDOT officials said the 1.5-mile project could be completed two years earlier than scheduled with savings of \$300,000.

While a number of business and labor groups support the proposed legislation, it has some opposition, particularly among building contractors who take issue with its inclusion of a measure that would effectively require unionized construction labor. "We are supportive of design-build as a project delivery method," said Denise Richardson, executive director of the General Contractors Association. "We do not support the linking of design-build to mandatory project labor agreements."

[Politico](#)
[State of Politics](#)

3. More Than Just A Game

Our Spin:

There certainly was a different vibe surrounding Nationals Park on Thursday night at the annual Congressional Baseball Game following the tragic events that took place the day before. Representative Brad Sherman (D-Porter Ranch) couldn't have said it any better when asked who he thought would win the 56th annual Congressional Baseball Game. Smiling broadly, "America," he said with a laugh...

The Story:

One day after a gunman opened fire at a Republican congressional baseball practice, shooting House Majority Whip Steve Scalise and three others, lawmakers took the field Thursday evening at Nationals Park in Washington. Democrats defeated Republicans 11-2 in the 2017 Congressional Baseball Game, in an annual tradition that has taken on renewed importance in the wake of Wednesday's shooting in Alexandria, Virginia. There were 24,959 tickets sold, which was a record for the game that was first played in 1909. More than \$1 million has been raised this year for Congressional Sports for Charity. Ivanka Trump, joined by Treasury Secretary Steve Mnuchin and her two eldest children Arabella and Joseph Kushner, presented a \$50,000 check from "Friends in the Trump Administration" to "Congressional Sports for Charity" at the game.

Many fans, including ones who identified as Democrats, carried signs that read "Scalise Strong" or "Geaux Scalise." Members of Congress from both parties wore Capitol Police and Louisiana State University hats to honor Scalise's alma mater. Representative Pete Aguilar (D-Redlands) said there was a lot less trash-talking on the field this year and members spent more time checking on one another. "The energy was very positive. It was one of unity and very sincere concern for Representative Scalise. There was a lot of camaraderie," Aguilar said. At the end of the game when Democratic manager Pennsylvania Rep. Mike Doyle was presented the winning trophy, he called Republican manager Texas Representative Joe Barton to join him. Doyle gave the winning trophy back to the Republicans to put in Scalise's office.

[CNN](#)
[Los Angeles Times](#)