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2018 NYC CHARTER REVISION COMMISSION  
PUBLIC HEARING

St. Francis College  
180 Remsen Street  
Brooklyn, New York 11201

July 25, 2018  
6:00 P.M.

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A P P E A R A N C E S:

COMMISSIONERS:

CESAR PERALES, Chair	DEB ARCHER
DALE HO	CARLO SCISSURA
MENDY MIROCZNIK	KYLE BRAGG
JOHN SIEGAL	WENDY WEISER

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1 MR. PERALES: Good evening. I think it's  
2 time we began. My name is Cesar Perales, and I  
3 have the honor of chairing this Charter Revision  
4 Commission that -- for 2018 which was empaneled  
5 at the request of the Mayor of New York. As is  
6 our custom, I will ask the commissioners that are  
7 already here to introduce themselves. I think  
8 I'll start with Debra Archer.

9 MS. ARCHER: Everyone, my name is Debra  
10 Archer. I'm a law professor at NYU law school.

11 MR. HO: Good evening. My name is Dale Ho  
12 and I'm an attorney at the American Civil  
13 Liberties Union.

14 MR. PERALES: As I indicated, I'm the Chair,  
15 but in terms of my background and qualifications,  
16 I was most recently Secretary of State of New  
17 York, and I, in a prior life, served as Deputy  
18 Mayor of the City of New York, and I've also been  
19 a civil rights lawyer.

20 MS. SCISSURA: Good evening, everybody.  
21 First of all, welcome to Brooklyn. I think a few  
22 of us make our home here, so, I'm Carlo Scissura;  
23 I currently serve as the president of the New  
24 York Building Congress. Prior to that, I ran the  
25 Brooklyn Chamber of Commerce; and before that, I

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1 was chief of staff to Borough President Marty  
2 Markowitz. Proud to live in Brooklyn; proud to  
3 have served on a community board. Shout out to  
4 my district manager of the board I live in,  
5 Community Board 10 in Bay Ridge/Dyker Heights.  
6 Thanks for being here.

7 MR. MIROCZNIK: Good evening. My name is  
8 Mendy Mirocznik. I'm the president of Staten  
9 Island's COJO. Pleasure to be here.

10 MR. PERALES: Just some opening remarks,  
11 they will be brief, but just in case you have not  
12 been following what's been happening with the  
13 Charter Commission, we've had a number of  
14 community meetings. We're now on our second  
15 round of what we call the borough hearings.

16 We've received literally hundreds of  
17 comments not just, you know, thrown over the  
18 fence, but through email and in writing. And we  
19 very recently, just last week, the staff issued a  
20 preliminary report; and as a result of that  
21 preliminary report, we have begun to narrow the  
22 issues. And while we continue to listen to  
23 everyone who comes before us, we have a  
24 particular interest at this point insofar as  
25 particular issues. Let me tell you what they

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1 are.

2 One is campaign finance reform. The second  
3 is the conduct of elections in New York City.  
4 The third is civic engagement and how we might  
5 encourage more civic engagement. The fourth is  
6 community board reform; and the last is  
7 redistricting of the City council.

8 Now some ground rules: We will, at some  
9 point, begin to call panels of four individuals;  
10 each individual will be limited to three minutes;  
11 and we will commence with our one and only  
12 elected official; City councilman Brad Lander.

13 MR. LANDER: Chair Perales and Secretary  
14 Scissura and members of the Charter Commission,  
15 thank you so much for the opportunity to appear  
16 before you again tonight and for your real  
17 service to our city in this process.

18 I had the honor to appear before you at your  
19 prior Brooklyn hearing at the Brooklyn Botanic  
20 Garden and at the issue hearing on civic  
21 participation. I want to congratulate you on the  
22 preliminary report, which I really think does a  
23 great job synthesizing the feedback that you've  
24 gotten and shaping good questions for the people  
25 of the city to consider as we move forward.

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1 I've got longer written testimony, which I  
2 invite you to take a look at. I'll just try to  
3 hit the highlights in the three minutes, if I  
4 can, on five issues that overlap a lot with your  
5 five.

6 First, on the NY -- possibility of an NYC  
7 Office of Civic Engagement, which is discussed in  
8 the civic engagement section of the report, I  
9 really think it is an exciting idea. I'm  
10 submitting feedback from about 200 people who  
11 have -- are also excited about the idea and have  
12 given some ideas for what they would like to see  
13 such an office do.

14 From the conversations I've had with NYC  
15 Service, I went to a meeting at Voter Assistance  
16 Advisory Commission, NYC Votes, with a lot of  
17 great nonprofits, a few take-aways. This is a  
18 really game-changing potential idea, but we don't  
19 want to reinvent the wheel or just create some  
20 new standalone agency separate from the other  
21 things that exist.

22 What I think we want is something that  
23 brings together existing initiatives like NYC  
24 Votes, the CFB, NYC Service, New York City  
25 Support For Community Boards, some other things I

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1 outline in the testimony, bring them under one  
2 umbrella and then add some exciting new  
3 opportunities, like a new participatory budgeting  
4 citywide effort and other ways of strengthening  
5 and supporting civic engagement overseen by one  
6 nonpartisan board with multiple appointors with a  
7 leader that we might call the chief democracy  
8 officer or the commissioner of the Office of  
9 Civic Engagement, however you like, with some  
10 real metrics and mission for strengthening in  
11 civic engagement, of course, increasing voter  
12 participation and turnout and registration, but  
13 also many other forms and metrics of different  
14 kinds of civic participation.

15 And that that work has to be done in real  
16 partnership with not-for-profit and civic and  
17 business partners, preferably in some kind of  
18 structured advisory board that are helping  
19 network and support across all those different  
20 domains of engagement, and I really think there's  
21 great potential to do that together. I'll offer  
22 some more structural ideas in follow-up  
23 communication.

24 And second, I think it goes hand in hand  
25 with an effort to establish participatory

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1 budgeting as a Charter mandated citywide activity  
2 something like 1 percent of the capital budget  
3 with some dedicated staff who can support that  
4 across the city in all boroughs. There's just  
5 something very concrete and creative about the  
6 opportunity that people have to do that that is a  
7 door opener to civic participation in a really  
8 strong way.

9 So I will stop there, just to stay I do  
10 offer in the written testimony support around  
11 instant run-off voting, support around the  
12 campaign finance reform changes with a few very  
13 specific thoughts on what that means from the  
14 point of view of someone participating in the  
15 system for transition and timing.

16 And I want to end by saying I do, as I said  
17 earlier, support your proposal to look at  
18 redistricting in a different way. While I don't  
19 think the counsel has abused it's authority, it  
20 is not the time in American history for elected  
21 officials to be choosing their voters, and I  
22 support the idea that you have for making some  
23 changes to the districting process. Thank you.

24 MR. PERALES: Thank you. I think you will  
25 ultimately be pleased with what comes out of this

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1 Commission. We've been very persuaded by your  
2 testimony on a number of these subjects. The one  
3 that -- well, this is personal.

4 I don't like creating additional  
5 bureaucracies, additional departments, and I  
6 struggle with a new Office of Civic Engagement.  
7 We have a nonpartisan office Campaign Finance  
8 Board. I'm wondering whether or not that's a  
9 model, whether or not we can use them. What is  
10 your thought about that?

11 MR. LANDER: So I really agree with this  
12 and going to the meeting of the Voter Assistance  
13 Advisory Committee which is related to the CFB  
14 but not the same and sitting with NYC Service,  
15 which then sits in a totally different place;  
16 that's a mayoral agency in the mayor's office of  
17 operations. I think the first thing we're trying  
18 to do is, like, bring those folks together. If  
19 you've been in a civic service year or working in  
20 a volunteer project with NYC Service, the  
21 likelihood that you could be part of that family  
22 with NYC Votes and on a pathway of civic  
23 engagement, so this is first about bringing some  
24 things together where there's synergy as well as  
25 about growing and piloting.



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1           Now, the structure I suggest in this  
2           testimony would be to have a new advisory board,  
3           because I do think getting something that the  
4           appointors to which could be the mayor, the City  
5           council, the borough presidents, the public  
6           advocate that would be -- that would hire the  
7           director or the -- you know, the chief democracy  
8           officer, makes a lot of sense.

9           The thought I had is we still need the CFB  
10          to be able to adjudicate; like that's got a  
11          regulatory function different from this civic  
12          engagement function, so my thought there is have  
13          the executive director of the Campaign Finance  
14          Board also be on the board of this entity, house  
15          them together in one organization or one place so  
16          they can achieve those synergies together we're  
17          building.

18          I'm open to a model where you just have one  
19          board. The thing that's now the Campaign Finance  
20          Board grows into this broader civic engagement  
21          board, but you do need a place where the cases  
22          are going, the regulatory function can get  
23          served, so I offer this just slightly different  
24          structural model, but it is very aligned with  
25          your idea that the point here is not creating

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1 some new thing over here; it's bringing these  
2 things together in one -- under one roof.

3 MR. PERALES: Any questions from -- Carlo?

4 MR. SCISSURA: Yeah.

5 Brad, how are you? So two things I think  
6 that really have interested me not just from this  
7 process but over the years, and I think we've  
8 spoken about it over the years; one is the  
9 solidifying of participatory budgeting and, just  
10 briefly, I'd love to hear how you can envision  
11 that being written into a Charter, and would it  
12 affect every -- every elected official that has  
13 capital and/or discretionary, or would it just be  
14 for the council, et cetera; and then I'd love  
15 just quickly your thoughts on instant run-off,  
16 because that seems to be something that people  
17 are intrigued about.

18 MR. LANDER: Super. Thank you so much,  
19 Carlo.

20 So we have some models now around the world.  
21 Madrid and Paris both do citywide participatory  
22 budgeting. In Paris, it's 5 percent of their  
23 capital budget, which would for -- in New York  
24 City standards be the equivalent of about half a  
25 billion dollars per year, so the 1 percent we

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1 propose is actually, you know, well less than  
2 what Paris is doing. So there are some models.

3 What I think is putting this together with  
4 the Office of Civic Engagement, the Charter would  
5 say the city will determine, you know, at least 1  
6 percent of its capital budget through a  
7 participatory budgeting process implemented by  
8 this Office of Civic Engagement so you don't have  
9 to work out every single detail in a Charter  
10 language; now you've got an assigned set of  
11 people. You want some features put in, but you  
12 don't have to go into every detail.

13 The way they do it in Paris and Madrid, a  
14 chunk of the money -- so 1 percent of the city  
15 capital budget would be \$190 million, which is --  
16 the council is at about \$50 million that we're  
17 doing, so that's more but it's not massively  
18 more, and it would go -- it wouldn't matter  
19 whether for the first purpose council members --  
20 like right now council members choose to  
21 participate or not. This would be a citywide  
22 process, some of the money would be for big  
23 citywide initiatives.

24 So let's say you would use 25 percent of the  
25 money for citywide projects and people could

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1 brainstorm them; 75 percent of the money,  
2 something like that, would go for neighborhood  
3 initiatives. I guess I would say let's use  
4 council districts since the council initiated the  
5 process and might add some money on top, but you  
6 need some neighborhood -- community boards would  
7 also be a perfectly good way to do this, and I  
8 don't have a really strong feeling there, but  
9 it's got -- and then staff out of that office  
10 support people in coming up with the ideas,  
11 developing them into projects to figuring out  
12 what goes on the ballot and opening it up to a  
13 vote.

14 I -- that might mean that as it becomes  
15 really institutionalized, citywide, it happens in  
16 this new office and kind of grows from the place  
17 we've incubated it into the council to a place  
18 where it could really be resourced and  
19 institutionalized for the long-term, or it might  
20 mean that council members would say, well, I'd  
21 like to add, as we're doing now, you know, a  
22 million dollars of my -- the capital that I have  
23 to allocate into the process and we'll partner  
24 together with that office so that we can --

25 MR. SCISSURA: So let me interrupt. I'm

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1           sorry.

2                       So under your proposal, the city would have  
3 this mandate but the individual council members  
4 would not?

5                       MR. LANDER:    The way I propose it, yes.  It  
6 would be a citywide mandate.  The Charter would  
7 say 1 percent of the capital budget to be  
8 allocated on a fair basis across the city.  And  
9 then that would get implemented on a citywide  
10 scale.

11                      You need local organizing to come up with  
12 the projects and help people develop them, and  
13 whether that was -- that, I would hope, would be  
14 done in partnership with the council members, but  
15 even in those districts where our council member  
16 wanted to be a really engaged partner in  
17 participatory budgeting, they and their staff  
18 would be helping without reaching; helping with  
19 idea generation, but even in those districts  
20 where right now you have New Yorkers who don't  
21 get to participate in the process because their  
22 council member doesn't choose to, they would  
23 still be part of this process.

24                      MR. SCISSURA:  A fair councilman would still  
25 have the opportunity not to participate.

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1 MR. LANDER: Correct. I mean, if it  
2 happened like it is now where council members  
3 also have on the order of \$5 million to allocate,  
4 if a council member chose to add a chunk of that  
5 money into the process, they would be a partner  
6 and it would be above and beyond the base that  
7 every district got; and if a council member chose  
8 not to do that, they would allocate it but still  
9 their district would be participating in the  
10 citywide process.

11 MR. SCISSURA: So you wouldn't disagree that  
12 as part of this language, we should be saying  
13 that every council member and every borough  
14 president should spend X portion of their  
15 allocation on participatory.

16 MR. LANDER: I'm not opposed to that. It  
17 seemed to me cleaner to say 1 percent of the city  
18 capital budget would go to a citywide  
19 participatory budgeting program because the  
20 allocations that come to council members and  
21 borough presidents are not in the Charter itself  
22 , so then you would have to write something in  
23 about whether they're getting the money, so I'm  
24 not closed to it, but maybe it was just for sim  
25 plicity, the idea of a citywide program with a

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1 direct allocation.

2 And on instant run-off voting, very briefly,  
3 because I know you've got a lot of people signed  
4 up who want to testify, and I know there's been  
5 real interesting back and forth about it and some  
6 commissioners, I think, are excited about it and  
7 others have questions. I've talked to colleagues  
8 in the City council in some cities across the  
9 country, in San Francisco, in Minneapolis, to  
10 folks in Maine, and everyone that I have talked  
11 to in a system that has it is positive about it.  
12 I haven't talked to one person in a place where  
13 they have it who doesn't feel it has been  
14 implemented in a pretty successful way.

15 Obviously, 58 percent of the voters in Maine  
16 voted to affirm it even though most of their  
17 elected officials said they didn't want to, so  
18 that says to me the voters like it. And I guess  
19 I might encourage you to even think about if you  
20 guys aren't 100 percent sure, you guys get the  
21 great opportunity that we don't have in the  
22 council to put things before the voters.

23 So I could see letting the voters decide on  
24 whether they want to try instant run-off voting  
25 and if a major of the voters this November vote

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1 for it, that's a good sign that they want to do  
2 it. I'm convinced it can be made to work  
3 successfully in a way that everybody can  
4 understand and rank and that achieves all the  
5 goals that we've talked about for it. So I  
6 remain very positive about it.

7 MR. PERALES: Dale?

8 MR. HO: Just one quick question. I know  
9 your proposal on the City council was to  
10 establish IRV for citywide offices, but are you  
11 advocating limiting it to just those citywide  
12 offices or for -- also for City council?

13 MR. LANDER: Well, one place at City  
14 council that I think would be especially good is  
15 the special elections which are now one-time  
16 nonpartisan, no run-off, no general. So there's  
17 just like a list of seven people, and right now  
18 we've had elections where people get -- like win  
19 with 18 or 19 percent of the vote. So one place  
20 I think would be great to do it, and those would  
21 be such easy elections to administer it in  
22 because they're -- so for council special  
23 nonpartisans, I think it makes a lot of sense.

24 For council primaries, I think it's a good  
25 idea. Whether it's like a lot of change all at



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1           once and therefore it makes sense to try the  
2           pilot of the citywides, but I think it would have  
3           been good in my -- I think it would have been  
4           good -- I think it would be good in council  
5           primaries and I think there's actually a couple  
6           of -- anyway, yes I would be supportive of it  
7           in -- across the board but I appreciate the  
8           responsibility you guys have to figure out you  
9           know --

10                   MR. PERALES: You used the word pilot, and  
11                   something occurred to me because we've had a  
12                   number of people come forward and say that there  
13                   are people who vote through absentee ballot who  
14                   don't get a chance to vote the second time in the  
15                   run-off and that it would be easier if those  
16                   people with absentee ballots, particularly people  
17                   in the armed forces were are serving outside our  
18                   country, if we began there. Do you have any  
19                   thoughts about doing that?

20                   MR. LANDER: Well, I certainly agree that  
21                   like the current system totally disenfranchises  
22                   overseas voters and folks serving from voting in  
23                   a run-off because we can't get them a ballot in  
24                   two weeks, and so I completely agree with that.

25                   I guess I think that is the only thing --

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1 doesn't feel to me like a real test of instant  
2 run-off voting to -- so I would hope to see  
3 something more than that that puts it on the  
4 ballot that the vast majority of voters see,  
5 whether that starts in the three citywide  
6 primaries or in council specials or in some  
7 election; that type.

8 MR. PERALES: Thank you very much.

9 MR. LANDER: Thank you again for your  
10 service.

11 MR. PERALES: First panel is Alex Camarda,  
12 Matthew Fairly, Alicia Boyd and, looks like,  
13 Sandy Rickburn or Reiburn.

14 MR. FAIRLY: Do you want us all up here?

15 MR. PERALES: Yes, if you can squeeze in.

16 I think we'll start with the person on my  
17 left; the person on the right-hand side.

18 MS. REIBURN: I'm Sandy Reiburn. I'm THE  
19 president of Preserve Our Brooklyn Neighborhoods.  
20 Thank you all. Thank you Chair Perales.

21 Elected representatives must give  
22 communities a fighting chance against  
23 overdevelopment, but shamefully we've been  
24 sidelined. ULURP is the ploy that keeps on  
25 giving, allowing borough presidents to plant

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1 community planners onto community boards would be  
2 the worst thing you could do. This is tantamount  
3 to giving the foxes the key to the henhouse.

4 The borough president is already amply  
5 represented in the ULURP process as is the  
6 community board. What is missing is the public.  
7 Powerful mega-developers such as the REBNY mafia  
8 use their formidable wealth and incestuous  
9 connections within city government and the  
10 department of city planning to game the system.  
11 Projects are informally ratified by the  
12 department of city planning prior to the  
13 communities' awareness of them.

14 Projects that portend harm to whole  
15 communities get a wink and a nod even before  
16 ULURP formal applications are made public via  
17 communicate boards. Lobbyist campaign  
18 fundraisers and political bundlers arrange  
19 self-serving outcomes years ahead. The ULURP  
20 process pays lip service to public transparency  
21 but, in fact, does nothing to engage grassroots  
22 input with any credible deference. It's  
23 developers with access who get back-door  
24 decisions, the cozying up to City council  
25 members, the borough president, the department of

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1 city planning and that purveyor of New York City  
2 gentrification and displacement 101, forgive me,  
3 the mayor, speaks to a failed open process.

4 Here in the wild west of downtown Brooklyn,  
5 there's a questionable behind-the-scenes  
6 thumbs-on-the-scale community board buddy system.  
7 Here's where business improvement district  
8 entities bids comprised of developer interests  
9 call the shots and too often tip the scales for  
10 self-serving goals leaving residents of the  
11 community to barely fend for themselves.

12 Why is it that we need to FOIL impending  
13 development plans? Why? It begs the question  
14 what is the department of city planning hiding?  
15 The moment that plans for a rezoning  
16 pre-application are submitted is the moment that  
17 the public should have the right to know what  
18 up-zonings are afoot, but we are kept uninformed.

19 What is the department of city planning  
20 hiding? ULURP, as so called public engagement is  
21 disingenuous. We get two or three minutes to  
22 make our case after the fact when most folks are  
23 at work and can't show up to the department of  
24 city planning or City council hearings, but real  
25 estate developers have already bought all the

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1 time they need via their lobbyist to target our  
2 elected representatives and complicit agencies  
3 well before a neighborhood even gets wind of it.  
4 Rethinking ULURP, rethinking public engagement  
5 for each community's (inaudible) is long and  
6 shamefully over due. The Charter Revision  
7 Commission need to address this. Thank you.

8 MR. PERALES: Thank you.

9 Mr. Fairly?

10 MR. FAIRLY: Thank you. My name is Matt  
11 Fairly. I'm a resident here in Brooklyn. I was  
12 formally law chairman of the Kings County  
13 Republican party until they lost their damn mind.

14 I want to first thank you for not taking  
15 people in the order by which they showed up with  
16 special interests like you did last time and  
17 allowing people to have a more democratic process  
18 here. I appreciate that. But I'm here to speak  
19 against the idea of an Office of Civic  
20 Engagement.

21 I think it's a fundamentally anti-democratic  
22 idea in which as described by my councilman  
23 Mr. Lander sounds vaguely Orwellian. The idea of  
24 a chief Democratic officer might as well call it  
25 the ministry of love. As he describes it, a

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1 chief Democratic officer which will be picking  
2 and choosing and finding the relationships  
3 between various civic organizations would be a  
4 government official telling the people how to  
5 engage civically, and that is not what should  
6 happen. The government doesn't tell the people  
7 how to engage. The people need to come forward  
8 and engage on their own and tell the government  
9 what they want.

10 The problem we have here and is somewhat  
11 engaged in the preliminary report that you have  
12 here is that the people in this city do not feel  
13 like their voice is being heard. And a lot of  
14 the things that you're permissing here are very  
15 good. Putting forward more participatory  
16 budgeting would be very good. I was a budget  
17 delegate for Mr. Lander for two years. The  
18 problems with participatory budgeting is that it  
19 is not absolute. We cannot have a part of the  
20 city where some people get to make the choices of  
21 how the budgeting works and others don't. We  
22 need to either have it all or nothing. Either  
23 everyone in the city gets to participate in this  
24 or nobody should.

25 We should not have some people getting more

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1 democracy than others. But what needs to happen  
2 and the frustration that I found in the  
3 participatory budgeting system is that more often  
4 than not, after putting together your budgetary  
5 ideas, submitting them and soliciting them to the  
6 people, the various bureaucracies in the City of  
7 New York will then come back and tell you no, you  
8 can't do that. If participatory budgeting is  
9 going to work here, it has to be an absolute  
10 process. It has to be a process where if the  
11 people decide that this is where the money is  
12 going to go, the Department of Transportation  
13 can't say no, we don't want to pave that road  
14 this year; no, we don't want to update that  
15 school this year from the Department of  
16 Education.

17 The will of the people has to be heard, and  
18 participatory budgeting has to be a hundred  
19 percent or nothing. What I think really needs to  
20 happen is that we need to reform the community  
21 boards. We need to make them elected by popular  
22 -- by -- we need to make them elected, and we  
23 need to give them real power so that people have  
24 a way of actually talking to government officials  
25 and participating in a government official in a

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1 way that a lower level City council level that  
2 people can get involved and people can feel their  
3 voices are heard and people can be part of the  
4 process without having to try and round up the  
5 better part of 150,000 constituents which is the  
6 minimum level of constituency the City of New  
7 York currently offers. So I support what you're  
8 doing in that regard and I'd like to see that go  
9 on further. Thank you.

10 MR. PERALES: Thank you.

11 Mr. Camarda?

12 MR. CAMARDA: Good evening, commissioners.  
13 My name is Alex Camarda. I'm the senior advisor  
14 for Reinvent Albany. I wanted to comment on our  
15 testimony tonight on the campaign finance  
16 recommendations in the final report, in  
17 particular, some of the specifics that were  
18 raised.

19 On the issue of increasing the public match  
20 cap, we previously supported that in our  
21 testimony. We'd like to see it raised higher  
22 than 65 percent. We've heard 75 percent talked  
23 about; that is something that we would support.  
24 We think that's important because, as we pointed  
25 out in previous testimony, council primary races



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1 in 2017, 30 percent of those candidates actually  
2 hit the public funds cap.

3 We think it's really important given the  
4 emphasis by the Commission on increasing public  
5 funds to distribute the public funds payment  
6 earlier in the election year. It's currently six  
7 weeks before a primary. That's far too late for  
8 candidates that are relying heavily on public  
9 funds. We think that should be moved  
10 significantly earlier in the year. There are  
11 multiple ways to do this. We're not prescriptive  
12 but will put forth three options that we think  
13 the Commission should consider.

14 The first is there's already an existing  
15 early payment that is distributed to candidates  
16 in June who participate in the system. We think  
17 that could be increased dramatically. Currently  
18 the numbers are very low for the June early  
19 payment.

20 We think that funds could be distributed  
21 when a candidate qualifies for the public  
22 matching program in the election year and when  
23 their opponent registers a candidate committee.

24 Third option would be to distribute funds in  
25 an election year when a candidate raises or

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1 spends a quarter for the office they seek and  
2 their opponent registers a candidate committee,  
3 again, in the election year. We think that all  
4 of those could be options for providing public  
5 funds earlier.

6 On the public match ratio, the Commission is  
7 considering increasing the current 6-to-1 match.  
8 We said we supported that previously but only for  
9 smaller donations. We really don't want to see  
10 even in the current system large contributions be  
11 matched at a 6-to-1 ratio. We understand the CFB  
12 has concerns with the administration. We think  
13 the Commission should look at providing a higher  
14 match for contributions for, say, \$500 rather  
15 than \$175 to ease some of the administrative  
16 concerns the CFB has.

17 On contribution limits, we supported  
18 previously cutting those in half. We think the  
19 government has a compelling interest in lowering  
20 contribution limits to address corruption or the  
21 perception of corruption, and we think that's  
22 well within the city's bounds to do so.

23 Lastly, I just want to thank you for your  
24 service to the Commission. We think you've done  
25 a really good job making the Commission's

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1           hearings available to the public and engaging  
2           those who are testifying, and we think you're  
3           poised to do very meaningful work on campaign  
4           finance, and we hope you do so in addition to  
5           other issues like instant run-off voting and  
6           redistricting.

7                     MR. PERALES: Thank you.

8                     Alicia Boyd.

9                     MS. BOYD: The first time I came to this  
10           Commission -- rather, the first time this  
11           Commission came to Brooklyn it was noted by the  
12           Commissioners that the City Charter is New York  
13           City's constitution. The Commissioners then  
14           proceeded to pick and choose, ignore and even  
15           outright discourage residents from speaking by  
16           selecting who will speak, in what order, on what  
17           topic. It was a great way to show how the  
18           Democratic process was going to be displayed, and  
19           the Commission has veered from that position this  
20           time, and I do thank you for that.

21                     Now, there are questions about, one, setting  
22           term limits for community board members to  
23           encourage diversity; two, putting a city planner  
24           in every community despite the fact that all  
25           community activists continue to say that the

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1 ULURP process is a rubber-stamping process  
2 without any serious community engagement, and no  
3 one is advocating for a city planner in our  
4 communities except for the politicians who are in  
5 bed with developers and three, the training of  
6 community board members.

7 So let's see how the last one has been  
8 going. There is already a rule on the City  
9 Charter books for the community board members to  
10 be trained in the conflict of interest laws and  
11 for them to sign a document that they have gotten  
12 that training. So how does this panel -- can  
13 this panel please tell me how did CB 9 in  
14 Brooklyn wind up with a real estate lobbyist  
15 running our community board for two years and  
16 getting paid over \$200,000 during that time? How  
17 is it the community boards have stated that they  
18 have never gotten a conflict of interest training  
19 nor have they ever signed a document pertaining  
20 to such training? How is it that I personally  
21 FOILED for these training sessions and documents,  
22 et cetera, and no one has them? Not the conflict  
23 of interest board, not the borough president or  
24 CB 9.

25 Now you want to propose a little bit more

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1 requirements, but who will be responsible for the  
2 training? Keeping the records? Will the board  
3 members be mandated to attend? Will the public  
4 be allowed to have access to these documents and  
5 be notified and attend these trainings?

6 It is clear that the City Charter is being  
7 ignored in my community board, which is proven by  
8 the eleven lawsuits that have been filed and a  
9 few more to come, including one regarding the  
10 conflict of interest violations that I mentioned  
11 that is now on appeal.

12 I would like to yield my last few moments to  
13 the panel requesting that they answer my  
14 question. What provisions are you going to put  
15 in place to ensure that the constitution of New  
16 York, as you so put it, is adhered to by  
17 community board members?

18 I'm waiting for an answer, please.

19 MR. PERALES: You've used your time. You  
20 want us to respond?

21 MS. BOYD: Yes.

22 MR. PERALES: Well, let me just try to  
23 explain to you our role. I mean, we don't  
24 supervise or oversee how the city is carrying out  
25 the Charter. Our role is to listen to you and

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1 hear suggestions about what we ought to change in  
2 the City Charter. So I, for example, have  
3 absolutely no role overseeing the City Charter.

4 MS. BOYD: And yet, you can create rules  
5 about how a community board adheres to the City  
6 Charter can you not? Can you not put in a  
7 mandate that all community boards must have the  
8 training and that if they do not have the  
9 training that they cannot be on the community  
10 board?

11 Mr. Bragg is saying no. Why not, Mr. Bragg?

12 MR. BRAGG: I think the Chair just answered  
13 you.

14 MS. BOYD: You cannot put that in a City  
15 Charter. You cannot take a mandated requirement  
16 that the community boards receive training?

17 MR. BRAGG: Ms. Boyd, I would respond, but I  
18 think the Chair just answered that question.

19 MR. PERALES: I think you said, Miss Boyd,  
20 that it was already in the City Charter, if I'm  
21 understanding your comment.

22 MS. BOYD: Right. I'm already talking about  
23 one piece of legislation that's already in the  
24 City Charter. Do you have a lead agency? You  
25 can put into the City Charter that a lead agency

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1 is responsible for making sure that community  
2 boards are trained, making sure this they sit  
3 there and adhere to the requirements, keeping a  
4 record, notifying the community. You can do  
5 that. You can assign a lead agency that would be  
6 responsible for that.

7 MR. PERALES: As I understand it, the  
8 borough president is, in essence, the lady  
9 agency.

10 MS. BOYD: But it's not in the City  
11 Charter. The president does not have to provide  
12 training to the community boards, and you are now  
13 suggesting another set of training, right? Yes.  
14 That is say part of your suggestions.

15 MR. BRAGG: Miss Boyd, I just asked you a  
16 question. You were asking about the powers and  
17 authority of this Commission, and what I think  
18 the Chair had indicated to you and I'm  
19 reiterating is that we do not have that power.  
20 That's not what we're --

21 MS. BOYD: So you do not have the power to  
22 assign the lead agency to be responsible for the  
23 training of community board is?

24 MR. BRAGG: No, we don't. Not as this  
25 Commission, no. Okay.

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1 MS. BOYD: Okay, yeah. Exactly. Believe  
2 that one.

3 MR. BRAGG: We can make and come up with  
4 recommendations that will hopefully reach a  
5 ballot initiative for the voters to decide on.

6 MS. BOYD: So there's something that  
7 prevents you from designating a lead agency to  
8 conduct the training of community boards? What  
9 is that? What particular law are you referring  
10 to that prevents you from doing that or making  
11 that recommendation, especially because you're  
12 considering making the recommendation that they  
13 get training. Who's supposed to do the training  
14 if you're going to sit there and decide that  
15 they're going to have training?

16 MR. PERALES: I think we will take that  
17 under advisement, your suggestion that we put  
18 into the Charter the name of the city official.

19 MS. BOYD: Or lead agency or city official.

20 MR. PERALES: Or lead agency that would be  
21 responsible. We'll certainly consider that.

22 MS. BOYD: Yes. Thank you. Is that  
23 possible Mr. Bragg?

24 MR. BRAGG: Again, the way you pose the  
25 question was whether or not this Commission has



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1 the authority to implement. We do not.

2 We put forward recommendations for the  
3 citizenry to vote. And so if you are asking  
4 whether we have the power to implement, no, we do  
5 not.

6 MS. BOYD: I didn't say you had the power.  
7 I said the power to recommend.

8 MR. BRAGG: That's the way it was posed, the  
9 question was posed.

10 MS. BOYD: Well, we're asking you to  
11 recommend that an agency be responsible.

12 MR. BRAGG: That's fine. I think the Chair  
13 responded, so...

14 MS. BOYD: Okay.

15 MR. PERALES: Thank you.

16 MR. FAIRLY: For the record, are there any  
17 members of the Commission that are not present  
18 tonight? Because I think the record should  
19 reflect who isn't here from the Commission. I  
20 think the people here should have a right to know  
21 which members of the Commission did not show up  
22 to hear their testimony.

23 MR. PERALES: Well, I suppose we could give  
24 you that, but we do have a quorum. A quorum is a  
25 majority of the Commission members, and they are

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1 here.

2 MR. FAIRLY: I didn't ask that question. I  
3 want to know which Commission members are not  
4 here? We all came out and took time out of our  
5 day. The job of this Commission is to listen to  
6 the people, and if we can take the time out of  
7 our night to be here, I'd like to know which  
8 people in the Commission couldn't take the time  
9 out of their night to be here to listen to the  
10 public, which is their main job. So I think the  
11 people here have the right to know which people  
12 didn't show up.

13 MR. PERALES: We will -- I will have staff  
14 give you the names of the Commission members that  
15 are not here.

16 MR. FAIRLY: I'm not asking for you to give  
17 me the names. I want it read out here for the  
18 public recording so that when it is out in the  
19 public, I'd like people to know who wasn't here,  
20 because I was here the last time, and there were  
21 a heck of a lot more of you on the dais the last  
22 time. So who's not here? Let the people know  
23 who's not here.

24 MR. PERALES: I don't know off the top of my  
25 head. I mean, I haven't --

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1 MR. FAIRLY: Are you the chairman, sir? You  
2 don't know who are the members of your  
3 Commission?

4 MR. PERALES: I know who the members of my  
5 Commission are.

6 MS. BOYD: So then you should know.

7 MR. FAIRLY: Can you not tell us who's not  
8 here?

9 MR. SCISSURA: I think we've heard your  
10 testimony. There's about 35 people waiting to  
11 present. Thank you.

12 MR. FAIRLY: And now you know why no one  
13 likes to -- no one trusts anyone in power here,  
14 because they don't like to hide and they don't  
15 like to give out information. Thank you.

16 MR. SIEGAL: So do we have questions for  
17 the panel?

18 MR. PERALES: Let's move on.

19 Josephine Beckman --

20 MR. SIEGAL: Could I ask a question of  
21 Mr. Camarda? I had a question about his  
22 testimony.

23 MR. PERALES: Yes.

24 MR. SIEGAL: Well, so, Alex, two questions  
25 I wanted to ask for clarification.

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1           Your suggestion to raise the earlier  
2           matching funds payment, my understanding of that  
3           is it's really triggered by qualifying for the  
4           ballot and filing your petitions and, I guess,  
5           there's a concern that if the city made earlier  
6           payments to people who then didn't qualify for  
7           the ballot and have to go claw back the money or  
8           something. Have you thought about that and how  
9           do you deal with that?

10           MR. CAMARDA:    So what we recommended, two  
11           of the three items we recommended were actually  
12           untethering the public funds payment from the  
13           finalization of the ballot. I mean, we think  
14           that's one of the issues. I mean, because the  
15           ballot's finalized I think this year on  
16           August 8th or 9th, candidates receive the money  
17           so much later, so I think we need a different  
18           criterion for giving out the public funds.  
19           Because there's an existing early funds payment,  
20           we felt that that might be a lever to do so, but  
21           we also proposed looking at candidates' spending  
22           and raising of money and also whether they just  
23           meet the qualifications for the program in  
24           general.

25           I think you'd have to look at the data that

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1 the CFB has that shows when those different  
2 metrics are met, how many of those candidates  
3 then get on the ballot. I would think that  
4 particularly for raising and spending a lot of  
5 money, that if you set a high threshold, most of  
6 those candidates are going to get on the ballot  
7 and you would not have to claw back money in many  
8 instance. That was the thinking.

9 MR. SIEGAL: Second question, I wasn't sure  
10 what you were saying. You were saying that you  
11 think maybe the -- how much money is matched, I  
12 think you mentioned 500 would be matched.

13 Were you saying that contributions above  
14 that amount, that the first 500 or the first 250  
15 would not be matched? Or are you saying that you  
16 match up to whatever that threshold is?

17 MR. CAMARDA: Right now the first \$175 of  
18 any contribution is matched. We would -- we were  
19 suggesting that the first \$175 of any  
20 contribution up to \$500, for example, be matched.  
21 Rather than the highest level.

22 MR. SIEGAL: So are you suggesting that  
23 contributions over \$500, the first \$175 would not  
24 be matched.

25 MR. CAMARDA: That's right.

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1 MR. SIEGAL: Why?

2 MR. CAMARDA: We don't think I mean, look,  
3 we've put out the \$500 threshold --

4 MR. SIEGAL: That's sort of discriminating  
5 between different people's money.

6 MR. CAMARDA: Right. The idea being that  
7 large contributions, for example, right now under  
8 the city system, a contribution of \$5,1000 to a  
9 citywide official that's actually matched the  
10 first \$175; it's 6-to-1. That's \$1,050.

11 MR. SIEGAL: Right.

12 MR. CAMARDA: I'm not sure why taxpayers are  
13 subsidizing a contribution of that size given  
14 the -- one of the purposes of the program is to  
15 incentivize raising money from small donors.

16 So the idea is that you provide matching  
17 funds for smaller contributions. If not \$175,  
18 some other number that's relatively small. I  
19 think most of the public doesn't realize that  
20 these larger contributions are also receiving a  
21 6-to-1 match on \$175.

22 MR. SIEGAL: Yeah. I think this staff  
23 should look at the legality of that, because that  
24 does not sound either equitable or consistent  
25 with the sustained rationales the courts have

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1 embraced for campaign finance reform. And it  
2 seems says to me the city saying we're going to  
3 match your contribution but not your contribution  
4 is an odd form of discrimination that doesn't  
5 feel right to me.

6 MR. CAMARDA: I mean, I know in Montgomery  
7 County, Maryland, which just recently put in a  
8 public matching system, that they had higher  
9 match levels for smaller contributions. They did  
10 match every contribution up to the maximum, which  
11 was much lower than the city's, but the -- you  
12 know, first \$50 increment, for example, was  
13 matched at a higher level than the second \$50  
14 increment, so I can't speak to the constitutional  
15 -- the caselaw on that, but because we had seen  
16 it in other places, we thought that was  
17 permissible.

18 MR. SIEGAL: Thank you.

19 MR. CAMARDA: Thanks again.

20 MR. PERALES: Thank you. I'm about to bring  
21 on the next panel. It's Doris Cruz, Felix  
22 Figueroa, Rachel Bloom and Josephine Beckman.

23 I did not want to be argumentative with an  
24 earlier panel, but the reality is that the names  
25 of the Commission members who are here tonight

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1 and those that are absent are on our website and  
2 available to anyone who is interested.

3 MR. BRAGG: I just wanted to make a note  
4 that as a secretary/treasurer of SEIU 32BJ, I  
5 will not be engaging in the questioning during  
6 this particular testimony because I have one of  
7 my members as a panelist.

8 MR. PERALES: Sure. I understand.

9 MR. BRAGG: Thank you.

10 MR. PERALES: Since that member is on the  
11 extreme left, we'll start with him and work our  
12 way across. So we'll begin you with, sir.

13 MR. FIGUEROA: Good evening. Good evening,  
14 Commissioner. My name is Felix Figueroa. I am a  
15 Long Island City resident, community Local 32BJ  
16 member. In recent report, I understand that the  
17 Commissioner has recommended that it staff  
18 continue to study the question of whether or not  
19 certain members to members communication should  
20 be counted as a contribution to candidates.

21 Given that I am here today again, I urge  
22 that the Charter will be revised that members to  
23 members communications are not counted as a  
24 contribution in order to perform civic  
25 engagement. When I was here in May, I shared my



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1 story each year, got involved in election work  
2 through the union. I also work closely with City  
3 council member Jimmy Van Bramer. I think he  
4 stands up for our community, and I like that.  
5 (Inaudible) campaign finance laws to member to  
6 members communication to make it hard for me to  
7 get other members active to support Jimmy and any  
8 other candidates.

9 I want to see changes to the Charter that  
10 will make sure unions member to members  
11 communication is not counted as a contribution.  
12 That would help me better talk with the members I  
13 know and to get more of them active to help  
14 improve our city.

15 MR. PERALES: Thank you very much.

16 MS. CRUZ: Thank you, Mr. Chair, and fellow  
17 commissioners. My name is Doris Cruz, and I am  
18 the Chair of Community Board 10 in Brooklyn which  
19 represents Bay Ridge, Dyker Heights and Fort  
20 Hamilton. I will be addressing the community  
21 board reforms discussed. And it is important to  
22 review the workings of government on a regular  
23 basis. One of the recommendations to improve  
24 the selection process for board members and to  
25 conduct greater outreach have great merit and

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1           deserve further consideration.

2           An improvement in the screening process for  
3           board members also deserves further  
4           consideration. Many applicants do not understand  
5           that community -- the commitments they make in  
6           becoming a community board member. Members of  
7           Community Board 10 serve on two committees, which  
8           means that they need to attend three meetings per  
9           month. That is a substantial time commitment,  
10          especially for people who are also engaged in  
11          other civic activities.

12          Community Board 10 is one of the few boards  
13          that has term limits for officers. Officers may  
14          serve three consecutive one-year terms. This  
15          results in a very dynamic board. New leadership  
16          creates new energies and opens up opportunity for  
17          growth and diversity of opinions. It forces  
18          development of new leaders within the board.  
19          Community Board 10 has a healthy board turnover.  
20          District manager Beckman will discuss that and  
21          our attendance records.

22          Many committees require dedication and  
23          expertise. Most particularly on -- in Community  
24          Board 10 those committees would be zoning and  
25          land use, traffic and transportation, police and

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1 public safety.

2 To reduce the institutional memory by  
3 instituting term limits would hamper the  
4 effectiveness of those committees. The need to  
5 regularly educate new members on historical  
6 issues as well as procedures and various terms or  
7 lingo specific to a committee would put a burden  
8 on board members and on the staff of the district  
9 office.

10 Community Board 10 was instrumental in  
11 bringing attention to the issues related to  
12 hookah bars. It took many years, I think I've  
13 been told at least five, from the introduction of  
14 the issue at a committee level to the passage of  
15 legislation. Having members who are familiar  
16 with that process from beginning to end was  
17 especially important in the recent information  
18 session we had conducted for hookah bar owners  
19 with the Department of Consumer Affairs at our  
20 office.

21 Community Board 10 has an active zoning  
22 committee and worked for close to a decade to  
23 update the Bay Ridge special district zoning and  
24 to rezone Dyker Heights. Without continuous  
25 service by board members, that would not have

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1           been possible. Community Board 10 is fortunate  
2           to have a lot of park land, and it is diverse  
3           park land and needs knowledgeable members to  
4           address that ongoing -- those ongoing issues. If  
5           we are lucky to see a park project inception to  
6           completion, it takes probably five years often  
7           longer.

8                     MR. PERALES: Please sum up.

9                     MS. CRUZ: The members of the City council  
10           and county and borough presidents are responsible  
11           for appointing and reappointing members. They  
12           currently have the ability to make changes to  
13           create more diverse boards. We know they reduce  
14           attendance but -- they review attendance records  
15           but they also come to our meetings and can see  
16           the level of participation by various members and  
17           that should be included. I ask you to weigh  
18           these issues in your considerations.

19                    MR. PERALES: Thank you.

20                    MS. BECKMAN: Thank you. So my name is  
21           Josephine Beckman, and I am district manager of  
22           Community Board 10. I'm here to also provide  
23           some comments on the preliminary staff report as  
24           it relates to community boards. I support the  
25           Commission's effort to strive to improve

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1 diversity on community boards; however, I also  
2 have concerns that term limits may not achieve  
3 this goal.

4 Serving as a member of a community board  
5 requires a commitment of time, dedication and  
6 involvement to fulfill the board's  
7 Charter-mandated responsibilities. Brooklyn  
8 Community Board 10 typically has a turnover of  
9 anywhere between three and nine members per year.  
10 I would like to share the following CB 10 board  
11 data over the last 15 years. There are currently  
12 only nine members that have served on CB 10 for  
13 over fifteen years. Twenty-three of those board  
14 members have served less than six years, which is  
15 almost half of CB 10. Since May of 2004, there  
16 have been 75 new board member appointments  
17 filling those 41 slots, so we have had  
18 significant turnover in appointments.

19 My chair discussed a time commitment of our  
20 very active board which is not often realized by  
21 applicants and the newer board members, so our  
22 top three board members in seniority hold the  
23 best attendance. In the last two years, we've  
24 had 16 vacancies for board members or 32 percent  
25 of the board has turned over.

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1           The challenges that come with acclimating  
2           new board members to procedures and knowledge of  
3           current issues is a process that requires  
4           encouragement from both district office staff and  
5           community board members.

6           This summer, in response to requests for  
7           informational guides, we have created an  
8           orientation booklet for new board members. We  
9           have found the best way to familiarize new board  
10          members is via mentorship and leadership from  
11          senior board members who take this responsibility  
12          very seriously. We have been fortunate at CB 10  
13          to have many very involved board members who  
14          deeply care about this issue and provide  
15          expertise; architects, attorneys, educators, et  
16          cetera.

17          My chair mentioned the length of time it  
18          often takes to see a project to completion. I  
19          will add that institutional knowledge is  
20          important but leadership is essential. I fear  
21          that instituting term limits will negatively  
22          impact the Charter-mandated work of the board and  
23          may not necessarily bolster diversity.

24          Reflecting on our data, many realize the  
25          time commitment was too great and stepped down

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1 within their first terms. These are new board  
2 members. We've had several meetings over the  
3 last few years at which we didn't have a quorum.  
4 It is my hope that before moving forward, the  
5 Commission considers this testimony about the  
6 potential negative effects of term limits on a  
7 volunteer body performing a vital Charter  
8 mandate.

9 I also ask you to consider the importance of  
10 committed board members as well as acknowledge  
11 the need for leadership and mentorship as  
12 provided by senior community board members. I  
13 also ask that you look at communicate board  
14 attendance statistics as a board that has had a  
15 high turnover and recommend that data from other  
16 boards be reviewed before moving forward.

17 And then, just briefly, I would also like to  
18 lend my support to additional resources as it  
19 relates to urban planning. Our community board  
20 has used the City of New York's Planning  
21 Fellowship Program, CFP, which provides  
22 second-year graduate students in urban planning.  
23 Because of that grant money, we've had three  
24 successful planning reports that have assisted  
25 the district office in the work of the board.

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1 MR. PERALES: Thank you very much. Thank  
2 you.

3 Miss Bloom?

4 MS. BLOOM: Good evening. Thank you,  
5 Chairman Perales and the members of the  
6 Commission. It's nice to be here again tonight.  
7 I've spoken to -- I've spoken before the  
8 Commission several times at this point, and I'm  
9 going to focus my comments tonight first on  
10 ranked-choice voting and then if I can on  
11 community boards. Regarding.

12 Ranked-choice voting -- I'm not sure if I  
13 introduced myself. I'm Rachel Bloom. I'm the  
14 director of public policy and programs at  
15 Citizens Union, a good government group here in  
16 New York City.

17 So we have been long supporters of  
18 ranked-choice voting. New York city has  
19 horrible, horrible voter turnout even in our most  
20 high profile elections, and then when you look at  
21 the turnout in a primary and then if you look at  
22 the turnout in a run-off, it gets smaller and  
23 smaller and smaller and especially with closed  
24 elections, we have the smallest percentage of  
25 people choosing who, you know, and many things,



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1           whoever wins the Democratic primary ends up  
2           winning the election who are getting to  
3           participate in our primaries.

4           Today I just want to talk to you a little  
5           bit about how we think ranked-choice voting  
6           should be structured in New York City and why.  
7           So we support ranked-choice voting. I know in  
8           your preliminary report, you talked about it for  
9           citywides. We advocate that you have it for  
10          citywides, for borough-wide and for council  
11          races. We also support that you have  
12          ranked-choice voting for both primary elections  
13          and general elections.

14          First of all, we think that the benefits of  
15          ranked-choice voting are consistent across all  
16          elections. If you're going to have it for one,  
17          if you think it's worthwhile for one, why isn't  
18          it worthwhile for all.

19          The second is that we think it will be  
20          easier to have one consistent form of voting on  
21          the ballot rather than two. So as we've  
22          discussed before, if there's going to be  
23          ranked-choice voting, one of the very important  
24          components of it is going to be a public  
25          education campaign and so creating one cohesive

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1 ballot rather than a ballot that has one type of  
2 voting for one election and different type of  
3 voting for a different election, we advocate for  
4 ranked-choice voting across the entire ballot.

5 We recommend that the Commission support and  
6 propose the ranked-choice voting system where all  
7 candidates remain in play and the lowest  
8 vote-getters are distributed until -- and the  
9 next lowest and so on until one candidate gets  
10 majority. Now, when we were talking about what  
11 is a majority, what would be the threshold for  
12 winning with ranked-choice voting, currently it's  
13 40 percent for citywide offices. We believe that  
14 it should be 50 percent threshold for victory, as  
15 it makes sense to adhere to a majority vote and  
16 that way also more people get to feel like their  
17 voices are heard and their votes are counted in  
18 whoever we declare the winner.

19 Finally, when we were thinking about how  
20 ranked-choice voting should be structured in New  
21 York, we thought to ourselves how many candidates  
22 should voters be allowed to rank? Some cities  
23 allow, you know, as many candidates (inaudible)  
24 and others recommend -- oh, I'm sorry.

25 So we support -- we propose that you support

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1 a ranked-choice voting system where the number of  
2 candidates that can be ranked is tied to the  
3 physical limit of the machines as decided by the  
4 manufacturers. We look forward to talking more  
5 about ranked-choice voting, and I think it's the  
6 change that New York needs to see.

7 MR. PERALES: Thank you. Anyone have any  
8 comments?

9 One question I am constantly asked, and I'll  
10 ask Miss Bloom, the idea of ranked-choice voting  
11 has been around for many, many years. Why do so  
12 few jurisdictions use it?

13 MS. BLOOM: I actually don't think that so  
14 few jurisdictions are using it. I think the  
15 numbers are growing, and I don't know them  
16 offhand; I wish I had them in front of me but,  
17 you know, more and more municipalities and in  
18 some cases states are just adopting it and it's  
19 becoming more and more popular and, particularly,  
20 you know, there's very little power, I think,  
21 that New York's -- you know so much of how we  
22 vote has to be decided at the state level and  
23 we've been advocating for decades, literally,  
24 with absolutely no reforms, no changes.

25 This is something that you -- we have the

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1 power to do in New York City, so you know, this  
2 is one of the sole reforms where more people can  
3 actually feel like they're getting their voices  
4 heard and so we urge you to adopt it. And I will  
5 share that information with your staff about how  
6 many states and cities are adopting it these  
7 days.

8 MR. PERALES: Great. Thank you.

9 MS. BLOOM: Thank you.

10 MR. PERALES: Without further questioning,  
11 we thank the panel.

12 The next panel, I think this is Jackson  
13 Fischer-Ward, Sandra Rothbard, Lucy Koteen and  
14 Savannah Brown. We'll start with the gentleman  
15 on my left.

16 MR. FISCHER-WARD: Good evening. My name  
17 is Jackson Fischer-Ward. I'm here representing  
18 the office of assembly member Harvey Epstein.  
19 Mr. Epstein is the assembly member from the 74th  
20 District; that includes the neighborhoods of the  
21 lower east side, the East Village, Stuy Town,  
22 Peter Cooper Village, Murray Hill, Tudor City and  
23 the United Nations. Thank you for the  
24 opportunity to testify before the Commission  
25 tonight.

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1           So at the beginning of 2018, Mayor de Blasio  
2           unveiled a ten-point plan aimed at strengthening  
3           democracy here in New York City. The first point  
4           in the mayor's plan dubbed Democracy NYC was a  
5           program to appoint this Charter Revision  
6           Commission, which I am pleased to know is making  
7           great progress towards achieving its goals set  
8           forth earlier this year.

9           To further strengthen the health of our  
10          local democracy, we should look towards the  
11          creation of an office of civic engagement, as  
12          proposed by council member Brad Lander, which  
13          could play a valuable role in advising mayoral  
14          agencies, elected city officials and elected  
15          state officials that represent New York City  
16          residents on how to implement policies to  
17          increase resident participation.

18          Such an office could coordinate nonpartisan  
19          election day get-out-the-vote canvassing efforts  
20          to increase turnout. It could facilitate  
21          candidate training sessions tailored towards  
22          increasing the number of candidates for minority  
23          groups that have historically been  
24          underrepresented in the electoral process, and it  
25          could bolster existing outreach efforts to enroll

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1 New Yorkers in vital programs like scree and  
2 dream.

3 The office should be open to the public and  
4 have a physical storefront presence in each  
5 borough to accommodate visitors who are seeking  
6 information about how to get involved in civic  
7 affairs. These borough-based satellite offices  
8 could also serve as vote centers where New  
9 Yorkers could cast their ballots on Election Day  
10 or in the future during a period of early voting.

11 Finally, an office of civic engagement  
12 should be significantly invested in bringing  
13 about the state level changes that are necessary  
14 to reduce the current barriers that are  
15 participation that New Yorkers face and make  
16 voting more convenient. The office might  
17 organize lobby days or other outreach to win a  
18 more pro-voter system.

19 This would include advocating for automatic  
20 voter registration, Election Day registration  
21 preregistration for 16- and 17-year olds and  
22 early voting. I look forward to the outcomes of  
23 this Commission's work, which I hope will improve  
24 our city embarrassingly low level of civic  
25 participation across many avenues. Thank you.

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1 MR. PERALES: Thank you.

2 MS. ROTHBARD: Good evening. My name is  
3 Sandra Rothbard, and I am honored to represent my  
4 community and actually this community in my third  
5 term as a member of Brooklyn Community Board 2.  
6 The length of my membership to this board has  
7 only just surpassed the years I spent receiving  
8 rejection letters to becoming a member of this  
9 board, and so I support the recommendation that  
10 community boards have term limits.

11 We need to hear multiple voices. We need to  
12 have representation of the entire community and  
13 thus, I also support the plan for a different  
14 appointment process to community boards. We need  
15 to make sure the boards are diverse and that  
16 members don't lose their position because they  
17 have a difference of opinion with an elected  
18 official.

19 The issue of institutional knowledge has  
20 come up by staggering member appointments which  
21 we already do. I believe this can help with  
22 supporting and conserving our institutional  
23 knowledge. Give district offices the resources  
24 that they need. If we have the institutional  
25 knowledge at the staff and office level, then it

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1 is helpful and will allow us to actually have  
2 term limits and to turn over some of our members.  
3 But in order to have good staff at the district  
4 level, we need to not only provide them with  
5 physical resources but we also need to make sure  
6 they are paid well. They are overworked and  
7 underpaid and we expect a whole lot from them.

8 I also support the consideration to provide  
9 more resources to the board members themselves.  
10 I personally am a certified urban planner, and I  
11 support the suggestion to have urban planners  
12 available to community boards. Community Board 2  
13 already accesses planners for the Department of  
14 City Planning in the borough office in Brooklyn,  
15 and it's been very valuable to have somebody that  
16 is independent in a planning group that is  
17 independent from elected officials is incredibly  
18 valuable and would help our community boards  
19 greatly.

20 And finally, if civic engagement is truly a  
21 goal and important for this Commission, then our  
22 advisory role as community boards should really  
23 be taken seriously. Again, we're aware that we  
24 are advisory, but it seems as if most of our  
25 recommendations, whether major or minor, are



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1 simply ignored. So I ask that we be given  
2 appropriate power, advisory power, but given the  
3 right tools necessary to come to the appropriate  
4 recommendations for our community. Thank you.

5 MR. PERALES: Thank you.

6 MS. KOTEEN: Before I begin, could the  
7 people who came in late introduce themselves? If  
8 not now, at some point?

9 MR. PERALES: Of course.

10 MS. WEISER: Good evening and thank you for  
11 coming. I'm Wendy Weiser. I direct the  
12 democracy program at the Brennan Center for  
13 Justice at NYU law school.

14 MR. SIEGAL: Good evening. John Siegal. I  
15 apologize for being late. I'm a practicing  
16 lawyer in Manhattan and a mayoral designated  
17 civilian complaint review board, and a double  
18 apology because I'm going to have to leave early,  
19 and I mean no disrespect, but I just have to be  
20 somewhere in a little bit.

21 MR. BRAGG: And good evening. I'm Kyle  
22 Bragg. I'm secretary/treasurer of SEIU 32BJ as a  
23 160,000 member service employees union, and I'm  
24 also a member of Community Board 13 in Queens.

25 MS. KOTEEN: Thank you for that.

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1 MR. BRAGG: Yes.

2 MS. KOTEEN: Hi. My name is Lucy Koteen,  
3 and I'm a member of several community  
4 organizations as well as political clubs; CBID,  
5 Central Brooklyn Independent Democrats, and  
6 Civically Fort Greene Association, Preserve Our  
7 Brooklyn Neighborhoods, Citizens For Responsible  
8 Neighborhood Development, Friends of Fort Greene  
9 Park, and Human Scale NYC. And I just wanted to  
10 support the very valuable comments that you  
11 received from Lynn Elsworth of Human CL LIC, and  
12 I thought it worth rereading the problem that she  
13 identified and said, Anyone who has studied the  
14 database of donors to our mayor's election  
15 campaign knows that big real estate rules the  
16 campaign finance game in our city. The large  
17 sums that they give dominate the database,  
18 especially when you include the funds from real  
19 estate's directly linked families, lawyers,  
20 lobbyists and allied industries in engineering  
21 architecture and construction. The law enables  
22 this rather than prevents it.

23 And one other sentence that she wrote, New  
24 York -- in New York, the upside is that we would  
25 have gotten big money and in New York that means

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1 big real estate money mostly out of the campaign  
2 finance system where at present they rule with an  
3 iron fist.

4 And I think probably most of the people in  
5 this room would agree that a big problem is the  
6 power the real estate and the real industry under  
7 REBNY has in controlling our elected officials  
8 and having access to our elected officials, not  
9 only the developers and their lobbyists who spend  
10 millions of dollars -- who are paid millions of  
11 dollars by the developers to have access and that  
12 the people don't have the access, obviously,  
13 because we don't have the millions of dollars to  
14 hire lobbyists, unfortunately.

15 So there's so many issues under the  
16 developers having so much power. I just wanted  
17 to mention I sort of have a laundry list; I did  
18 not organize this so well, but I just wanted to  
19 mention the issue of air rights, that there's  
20 such a thing that exists, is problematic that  
21 developers can buy our air. They buy our air.  
22 They also take away our sunshine.

23 I don't know if it's in the purview of the  
24 Commission, but I would love to see the  
25 possibility of air rights being bought and sold

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1 removed as a possibility, because it's just --  
2 it's crazy. As we know, pay-to-play really rules  
3 this city and, you know, that's part of this  
4 problem of the developers having so much power.  
5 They pay, they contribute not only to campaigns  
6 but also to these not-for-profits that, for  
7 instance, the mayor or the borough president set  
8 up and there's no transparency. We should be  
9 able to see every dollar that is contributed in  
10 any way to any elected official, right?

11 MR. PERALES: I think your time is up.

12 MS. ROTHBARD: I'm sorry. I'm sorry. But  
13 one other thing: Any lobbyist appointments and  
14 meetings that are made should be publicly  
15 disclosed. Lobbyists meeting with our officials  
16 should not be hidden, so...

17 MR. PERALES: Thank you.

18 MS. ROTHBARD: I have a lot of other things  
19 to say but...

20 MR. PERALES: Miss Brown?

21 MS. BROWN: Good evening. My name is  
22 Savannah Brown, and I'm the assistant executive  
23 director at Black Women's Blueprint. We're an  
24 organization that's based in Brooklyn, New York  
25 that advocates for black women who are survivors

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1 of rape and sexual violence. We are grateful for  
2 the opportunity to participate in this process  
3 amidst other New Yorkers and within the borough  
4 of Brooklyn for the Charter Revision Commission.  
5 We seek to ensure that all aspects of the Charter  
6 review take into consideration diversity with  
7 specific regard to gender and sexuality with an  
8 eye to end discrimination against woman and  
9 girls.

10 Since 2010, Black Women's Blueprint has  
11 worked from our Crown Heights headquarters to  
12 secure the political, social and economic  
13 equality of all black women and girls and gender  
14 nonconforming people in New York City and around  
15 the nation. Black Women's Blueprint has a  
16 demonstrated track record of working closely in  
17 coalition especially with the United Nations'  
18 initiatives to push policy agendas that seek to  
19 eradicate sexual violence in underresourced and  
20 often forgotten communities.

21 As a part of our flagship initiative, the  
22 Black Women's Truth and Reconciliation  
23 Commission, black women survivors of sexual  
24 violence testified in New York City at the  
25 historic Riverside Church in April of 2016 to

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1 combat sexual violence in black communities.

2 We support using and adding each of the  
3 subject areas -- to each of the subject areas a  
4 gender lens based on CEDAW, the Convention on  
5 Elimination of Discrimination Against Woman.  
6 Black Women's Blueprint knows that we are a city  
7 not only in need of strong gender equity  
8 revisions that are robust and coherent and  
9 grounded in critical analysis but also in our  
10 sexuality and attends to the multitude of  
11 identities that make up who we are and how we  
12 move through the world.

13 The sixteen core articles of CEDAW, the  
14 Convention on Ending Discrimination Against Woman  
15 provide a replicable yet consistent template for  
16 indicators through which city agencies can  
17 activate the proposed action plan and analyze on  
18 racial and gender equity with ease using a human  
19 rights framework. We are counting down the days  
20 to the expiration of VAWA, which is not likely to  
21 be reauthorized in the end of September. With  
22 the recent federal administration's threats to  
23 make vital cuts to anti-rape, anti-battery and  
24 anti-stalking services guaranteed by the Violence  
25 Against Woman Act, we are running out of places

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1 to turn for safety and justice.

2 New York City must be on the front lines of  
3 protecting the rights of most marginalized  
4 residents, and that includes black women and  
5 girls in particular. A core component of this  
6 goal is ensuring not only access to equal  
7 opportunity but also equal outcomes. This  
8 reflects the human rights understanding of  
9 nondiscrimination.

10 We urge that you apply gender lens and  
11 intersexual analysis in all areas. We expect a  
12 gender analysis to happen across every single  
13 city department. This means that we know our --  
14 what our officials are doing right to protect  
15 women's rights and also what they've been doing  
16 wrong. We expect the establishment of over  
17 seeing oversight body focused on overseeing and  
18 implementing the gender analysis and gender  
19 equity initiatives.

20 We seek to see this across the board in the  
21 following areas: That New York City human rights  
22 initiative act on behalf of black women; that  
23 black woman acquire the full realization of their  
24 rights in New York City; that black women be  
25 supported and resourced in the aftermath of

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1 violence and that outcomes based projects be used  
2 to increase their civic engagement base building  
3 and voter empowerment. Thank you so much.

4 MR. PERALES: Thank you.

5 . Let me just make a comment before I ask  
6 my other commissioners if they have questions.

7 We are very, very concerned about the  
8 appearance of corruption as well as corruption.  
9 We are seriously trying to address the issue of  
10 campaign financing and seeing if we can basically  
11 get to the point that we can reduce the influence  
12 of money. That is something that we can do  
13 within the City Charter.

14 Are there members of the Commission with  
15 questions?

16 MS. ARCHER: I have one. My question is  
17 for Ms. Rothbard. You mentioned that you wanted  
18 a different appointment process. Can you talk  
19 about what would be highlights of what you would  
20 like to see in an appointment process or things  
21 that you've identified that are problematic in  
22 the current appointment process.

23 MS. ROTHBURD: Sure. So I know one  
24 recommendation is to come out for direct  
25 elections. It's something I'm still figuring out



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1 myself. I think the current situation doesn't  
2 work because we just have the same folks sort of  
3 controlling everything. And I've seen it in our  
4 community board; I've seen people lose their  
5 positions after only being a full member of a  
6 board for one or two terms because a particular  
7 elected official did not agree with a decision  
8 that they made. And if we're supposed to be  
9 truly independent bodies, then that just doesn't  
10 work.

11 MR. PERALES: But you're not -- well, let me  
12 just say that the issue of elected community  
13 boards has come up in a number of instances, but  
14 at the same time, we get people telling us that  
15 would be perhaps counterproductive because it's  
16 the political establishment that would control  
17 those kinds of elections. They have the troops,  
18 the sorters as they say, and they would probably  
19 get even more of their friends on the board.

20 MS. ROTHBURD: I completely agree; although  
21 at that point, maybe more people would actually  
22 know what, you know, community boards are or that  
23 community boards even exist. I think very few  
24 people in the city know that. I agree it's not a  
25 perfect solution; I just know that what we have

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1 now is not working.

2 MR. PERALES: Thank you. Anyone else?

3 Thank you very, very much.

4 This looks like Barbara Zahler-Gringer,  
5 Marcel Negret, Paula Siegel and Carol Melman.

6 MR. PERALES: Josh, this mic seems to be  
7 stuck there. Do you see where the mic hits the  
8 table?

9 JOSH: Better?

10 MR. PERALES: Much better.

11 MS. ZAHLER-GRINGER: Yeah, I think so.

12 MR. PERALES: Perfect. Thanks.

13 MS. ZAHLER-GRINGER: Good evening.

14 MR. PERALES: Good evening.

15 MS. ZAHLER-GRINGER: I'm Barbara  
16 Zahler-Gringer. In the 1970s as a law student, I  
17 worked with the Charter Revision Commission that  
18 was active at that time, so I know that your work  
19 is challenging and how important it is.

20 I'm also a member of Community Board 2 here  
21 in Brooklyn and I'm chair of the parks committee.  
22 I thought this meeting tonight was only about  
23 community boards, so I have two issues that are  
24 important to me.

25 One is that a community board should be

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1 given more authority and community board members  
2 should be term limited and especially those who  
3 serve in leadership positions should be term  
4 limited as well. To speak about the authority,  
5 it frequently is frustrating to serve on a  
6 community board and see developer after developer  
7 gain approval from the city for overly large  
8 buildings they want to erect when community  
9 opposition and that of the community board are  
10 strong.

11 It makes little sense to me to create  
12 community boards pay for the staffing of district  
13 offices and the district offices provide a great  
14 service to members of the community and then  
15 render board's virtually powerless. Look around  
16 Brooklyn Heights and see every building that has  
17 been built here against opposition from the  
18 community. Right now we have 80 Flatbush pending  
19 where the developers of that building have met  
20 with over 100 different groups and still they  
21 have not changed that building. We don't need a  
22 74-story building here, and yet we all know we're  
23 going to get it.

24 As to term limits, I find that I serve on a  
25 community board that is very diverse in every

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1 respect, and I think that the borough president  
2 here works to ensure that. So I don't think we  
3 need term limits to foster diversity. I do think  
4 we need them to keep the boards fresh and to give  
5 more people a chance to serve. I think term  
6 limits are also important for leadership  
7 positions, because on my board, the same people  
8 keep running unopposed and getting reelected  
9 making it impossible for others to have a chance  
10 to serve in those positions. Thank you.

11 MR. PERALES: Thank you.

12 MR. NEGRET: Hello. My name is Marcel  
13 Negret. I'm a project manager at the Municipal  
14 Arts Society of New York. We submitted comments  
15 earlier this week regarding civic engagement and  
16 community boards, so today I'll be focusing on  
17 the districting process and land use.

18 The current districting process does not  
19 provide sufficient independence from political  
20 interests and MAS agrees with proposals that  
21 would take appointments to the districting  
22 Commission out of the direct control of elected  
23 officials, prohibit former elected officials from  
24 serving on the Commission and remove the ability  
25 of the City council to veto the districting

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1 Commission's plan.

2 Moreover, the population is growing and by  
3 the 2020 Census, the city will be home to nearly  
4 9 million New Yorkers, and the existing 51  
5 council districts will be representing close to  
6 180,000 people each. As a reference, Chicago,  
7 Boston and Philadelphia each have council  
8 districts with approximately 55,000 people.  
9 That's like less than a third.

10 MAS supports the idea of having council  
11 districts roughly match the population of state  
12 assembly districts, for example, which represent  
13 currently approximately 120,000 people each.  
14 Under this scenario, the city would have about 70  
15 council districts. This would provide the  
16 benefit of having a local government that is  
17 closer to the people that it's representing.

18 Although the city's current population  
19 deviation of less than 10 percent satisfies the  
20 requirements of both the 14th Amendment and the  
21 current City Charter, MAS believes that such a  
22 percentage is too high for the diverse city like  
23 New York City.

24 We support the idea of decreasing the  
25 maximum population deviation between districts to

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1           5 percent. MAS is also concerned about the  
2           potential negative effects of population under  
3           count in the 2020 Census and we agree that the  
4           City Charter should mandate that all relevant  
5           city agencies promote and facilitate robust  
6           outreach and engagement around upcoming census.

7                   Finally, regarding land use, we were  
8           disappointed to find that land use was an area  
9           deferred for future consideration and not  
10          comprehensively addressed by this Commission;  
11          nonetheless, we offered testimony on this  
12          important topic.

13                   The current land use processes do not  
14          adequately facilitate community input  
15          prioritizing short-term concerns over long-term  
16          community planning. MAS believes that the city  
17          should shift from a focus on application-based  
18          decision making toward a community land base used  
19          planning process.

20                   Each community must accept its fair share of  
21          necessary development without evading its role in  
22          meeting the municipalities fundamental social,  
23          physical and economic needs. To effect such a  
24          change, the city has to trust that the citizenry  
25          given greater responsibility can raise to these

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1 two featured challenges.

2 Finally -- there's more in detail on the  
3 written comments, but given the time, MAS is  
4 opposed to the streamlining of the land use  
5 process by amending this Charter CPC, City  
6 Planning Commission, to make final determinations  
7 on all administrative land use permits such as  
8 certifications, authorizations and special  
9 permits.

10 MAS is also deeply concerned that this idea  
11 would remove the role of the City council from  
12 the CPC special permit process. MAS is also  
13 opposed to unnecessary changes to landmark  
14 destination procedures that would involve the  
15 CPC. Even more distressing is the idea of  
16 reorganizing landmark preservation Commission as  
17 a division of the department of city planning.  
18 We ask that the landmark destination process  
19 should remain entirely within the scope of an  
20 independent LPC. Thank you.

21 MR. PERALES: Thank you.

22 MS. MALMAN: I'm Carol Malman, and I seem to  
23 be one of the two concerned citizens who is not a  
24 member of the community board and not  
25 representing an organization; although, I have

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1           been active in -- participatory person in citizen  
2           action for decades. I am most concerned with --  
3           as a member, a long-term member of the Legal  
4           Women Voters, Civil Liberties union and other  
5           public interest organizations in participation in  
6           voting. So nobody here has mentioned early  
7           voting. To the extent that the Commission has  
8           any power to do that --

9           MR. PERALES: We don't.

10          MS. MALMAN: You don't. Okay. This is a  
11          problem. I've heard many comments already here  
12          that I know are not under your purview, so I  
13          don't want to add to that.

14          MR. PERALES: It's state law that determines  
15          that.

16          MS. MALMAN: So much of what the city does  
17          is determined in Albany, and maybe that needs to  
18          be changed, but I do want to strengthen public  
19          financing in government and increase the cap on  
20          public financing. I'm also interested in  
21          participation in the budgeting system. I have  
22          taken part in that.

23                 I'm concerned that there's not enough  
24                 information given to the public before the  
25                 participation begins about what is possible.



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1           What are the projects that can be implemented?  
2           There's not much point in participating and  
3           choosing projects that can't be implemented.  
4           That just frustrates people after they've  
5           participated. So it is important that the limits  
6           that -- be increased and that the information be  
7           given really helps people choose projects that  
8           can be implemented. Then they won't feel  
9           frustrated in their participation and might  
10          participate again. The opportunities to  
11          participate should also be increased.

12                 So I look forward to your doing what you can  
13          to strengthen the participation in a government  
14          of citizens. I'm not so sure a new bureaucracy  
15          is required, but I think that seems to make for  
16          more expenses on administration and not much on  
17          the actual implementation of participation.

18                 MR. PERALES: Thank you. Thank you very  
19          much.

20                 MS. SIEGEL: Can I ask a picky question  
21          before I begin?

22                 MR. PERALES: Sure.

23                 MS. SIEGEL: Do we still have quorum?

24                 MR. PERALES: Yes.

25                 MS. SIEGEL: Majority of 15?

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1 MR. PERALES: Yes. That's eight.

2 MR. SCISSURA: Somebody left.

3 MS. SIEGEL: But there's only seven of you.

4 So what does that -- where are we? What do we do  
5 now?

6 MR. SCISSURA: We're not voting on anything.

7 MR. PERALES: We're not voting on anything.  
8 We don't need quorum.

9 MS. SIEGEL: Okay. I don't actually know  
10 the answer to this question, but something  
11 changed. So the last time you said -- you lost  
12 one.

13 MR. SCISSURA: You need a quorum if you're  
14 voting on someone.

15 (Inaudible audience members.)

16 MR. PERALES: I didn't raise it as an issue,  
17 sir. Why are you being argumentative? I merely  
18 indicated that most of the board was here.

19 MR. SCISSURA: So why don't you go on with  
20 your testimony.

21 (Inaudible audience members.)

22 MR. PERALES: It's not relevant if we're  
23 listening to information. We're just taking  
24 information. We're not taking an action tonight.

25 MS. SIEGEL: Great. That's great. That's a

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1 good answer.

2 MS. MALMAN: I do have a question. Is this  
3 recorded?

4 MR. PERALES: Yes. Yes.

5 MS. MALMAN: So the others can listen if  
6 they wish?

7 MR. PERALES: They do. They're required to  
8 do that.

9 MS. SIEGEL: Sorry. That was a rough start.  
10 I'm going to focus on my testimony, but I  
11 just -- I do feel like it was important. The  
12 question of quorum came up earlier and now the  
13 number of commissioners has changed.

14 My name is Paula Siegel. I'm glad to be  
15 back with you guys in Brooklyn where I live and  
16 where I've lived for the last 20 years. I am  
17 senior staff attorney in the Equitable  
18 Neighborhoods Practice at the Community  
19 Development Project. We saw each other last year  
20 at the Brooklyn Botanic Garden. My colleague was  
21 at the issue forum on land use that you organized  
22 last month, and we're really glad to see that  
23 land use has gotten some attention from this  
24 Commission, and as the staff report rightfully  
25 notes the land use issues that the city is facing

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1 require a thorough review and a major public  
2 conversation about the future of the city's built  
3 environment.

4 We do think it's reasonable that this  
5 Commission accept the staff's recommendation to  
6 defer further consideration of land use  
7 especially of the ULURP process to future  
8 commissions. But land use in New York isn't  
9 solely determined by the uniform land use review  
10 process. That process is the process that kicks  
11 in when major changes to the underlying roles  
12 that govern the use of land in the city are  
13 proposed, and those proposals are usually made by  
14 developers.

15 There's also a quiet system, a machinery,  
16 that operates without major changes, without  
17 exceptions, that actually works to disenfranchise  
18 communities, to destabilize our neighbors and to  
19 displace our institutions. So even without  
20 digging into ULURP, which is a really important  
21 conversation about who needs to be involved when  
22 changes to the underlying rules are made, there  
23 are five things that we can address with small,  
24 simple changes to the Charter this November, and  
25 you have them in front of you, but I'll go

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1 through them.

2 So the first one seems like a no-brainer to  
3 me and I think a lot of folks here, but we must  
4 require that the city track and enforce all of  
5 the deed restrictions and remainder interests  
6 that it holds for the public benefit. The city  
7 doesn't have staff to enforce these restrictions  
8 now. But the department of citywide  
9 administrative services does have staff to  
10 respond to requests from property owners to lift  
11 those restrictions. Given that the permanence of  
12 the permanent Affordable Housing Program of this  
13 administration and the massive public investment  
14 in that program is actually all premised on this  
15 thing that they're calling a remainder interest  
16 in properties that the city is going to be  
17 financing affordable units in.

18 We need some infrastructure, a tracking  
19 mechanism and enforcement mechanism and staff to  
20 actually use it. I invite you to Google DCAS and  
21 deed restriction. What you will get is a form  
22 that you can fill out that says I would like to  
23 lift this restriction on my property and someone  
24 will call you.

25 MR. PERALES: Ms. Siegel, you've had several

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1 of them and your time has expired. Is there  
2 somewhere if you're just listing them quickly?

3 MS. SIEGEL: You have them in front of you.  
4 It's on a brown letterhead, but I'm going to list  
5 them really fast. So the other four -- I wanted  
6 to go through that one because it's really  
7 important.

8 The other four, prohibit the City from  
9 selling liens on properties owned by charity  
10 organizations; prohibit lien sales on  
11 privately-owned vacant buildings and lots with  
12 arrears and instead direct those to the existing  
13 third-party transfer program to create a pipeline  
14 of affordable housing that is actually housing  
15 that is already in our neighborhoods where people  
16 live, right? That is something we can do now --

17 MR. SCISSURA: Just list them.

18 MS. SIEGEL: Great.

19 We can create a financial for incentive for  
20 warehousing residential and commercial units, and  
21 we can add public Housing Authority land to the  
22 list of land use actions to which ULURP applies  
23 which, literally, involves adding four words to  
24 the City Charter and you have it in number 5.  
25 It's a change to section 187C.

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1 MR. PERALES: Thank you very, very much.

2 MS. SIEGEL: Okay.

3 MR. PERALES: Any questions for this panel?

4 No. Thank you very, very much.

5 Looks like Shelly Hagan, Felix Figueroa, Ken  
6 Morasky and Howard Katzman.

7 MS. HAGAN: Good evening. My name is Shelly  
8 Hagan. I belong to Fulton Area Coming Together.

9 MR. PERALES: Hold on one minute.

10 MS. HAGAN: Sorry.

11 MR. PERALES: Let me bring Erin Hyland up if  
12 the fourth member of this panel is not here.

13 Okay. You may proceed.

14 MS. HAGAN: Sorry.

15 MR. PERALES: My apologies.

16 MS. HAGAN: Good evening. My name is Shelly  
17 Hagan. I belong to Fulton Area Coming Together  
18 and Preserve Our Brooklyn Neighborhoods. When I  
19 got here this evening, I asked who is sponsoring  
20 the Charter Revision. The people at the sign-in  
21 said the mayor. That's interesting, because I  
22 got no notice from him, no notice from my City  
23 council member, the borough president, public  
24 advocate or comptroller. I heard about it from  
25 the Municipal Arts Society. This empty hall on a

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1 matter of such consequence and need is no  
2 accident. The mayor didn't want anyone here.  
3 He'll be able to say I held a Charter Revision  
4 Town Hall and no one came. People are happy with  
5 the way things are; otherwise, the town hall  
6 would have been full. This event tonight looks  
7 and feels like another exercise in government  
8 making fun of the people. If any of the few  
9 people here think their words will matter, let's  
10 hope they're right.

11 The issue I bring up tonight is that of  
12 business improvement districts. The legislation  
13 for bids is badly obsolete. The first bid was  
14 established in 1984 when New York City was trying  
15 to recover from near bankruptcy. The New York  
16 City of 35 years ago bears but a distant  
17 resemblance to the New York City of today. The  
18 physical city and the agencies of government, the  
19 laws and regulations have changed and changed and  
20 changed; the bid legislation remains exactly what  
21 it was in 1983.

22 Legislation conceived to help the city get  
23 back on its financial feet now functions to  
24 imprison struggling stores, forcing them to pay  
25 the bid for services they don't want or need. If



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1 a store refuses to pay the bid tax, the city  
2 shuts him down.

3 I urge this city -- the Charter Commission  
4 please to look at this old legislation again.  
5 The legislation of 1983 gives the store owners no  
6 escape; just two choices: Pay up or be shut  
7 down. Sounds like extortion. The city calls it  
8 business improvement.

9 MR. PERALES: Thank you.

10 Ms. Hyland?

11 MS. HIGHLAND: I'm Erin Hyland. I'm on the  
12 district committee for the District 39  
13 participatory budgeting project under Councilman  
14 Lander's office, so I'm here to speak specific to  
15 the participatory budgeting program and the  
16 recommendation that it be expanded and made  
17 required for everyone in the city.

18 MR. PERALES: Bring it up closer.

19 MS. HIGHLAND: Sorry. Better?

20 MR. PERALES: Yeah.

21 MS. HIGHLAND: The idea that participatory  
22 budgeting become a citywide program that everyone  
23 in the city gets to participate in and it's not  
24 optional and that it be expanded further to both  
25 capital and expense projects. Our districts is

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1 one of the few that has been allowed to have  
2 expense projects and we found it to be  
3 particularly a crude vehicle for communities to  
4 find programs that don't always hit the capital  
5 threshold.

6 In terms of thinking about where it would  
7 sit, we, I thin, will suggest that it become  
8 outside of the councilman and independent where  
9 the volunteers are encouraged to take leadership.  
10 I think best practices amongst many of the  
11 district committees finds that where the  
12 volunteers get to lead and be more active, you  
13 get better results because it's -- a lot of it is  
14 staff working with us but mainly volunteers  
15 committing to doing the outreach awareness  
16 building and all of that part.

17 So the idea that for this cycle, the kind of  
18 steering committee or citizen committee is being  
19 a little bit scaled back is a bit of concern, and  
20 so we'd like to see that that be more empowered  
21 in the recommendations going forward. And I  
22 think that would also adjust many of the other  
23 comments people have had about awareness and  
24 working with the agencies so that if projects are  
25 nominated and do get suggested, you have more

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1 vehicles and potentially ability to get the  
2 agencies to go forward so that that kind of --  
3 the disappointment that happens sometimes within  
4 the procurement rules could go away.

5 MR. PERALES: Thank you very much.

6 MR. MORASKY: Hi. My name is Ken Morasky.  
7 I'm a resident in Brooklyn and thank you for  
8 letting us speak tonight.

9 I'm here to talk about community board term  
10 limits. Living in New York, I think one of the  
11 most valuable things I've come to realize about  
12 the city is community boards are a very good  
13 local government process, and it helps community  
14 members really have a voice and participate in  
15 decisionmaking even if it's advisory.

16 And just to think about how many people live  
17 in New York City, over 8 million people and soon  
18 to be 9 million from what someone else had said  
19 earlier, and that you have 59 community boards  
20 with up to 50 members, it's only in 2,900 people.  
21 That's not a lot; that's a very small ratio. And  
22 so I really support term limits because I think  
23 that's going to be one method to help to bring in  
24 more people and help with the turnover.

25 I agree with some of the other comments that

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1 were said earlier, but one of the things I wanted  
2 to ask you is just what some of the methods would  
3 to be help bring more diversity to the community  
4 boards and I think thinking about outreach and  
5 getting word out about what community boards are,  
6 I don't think a lot of people do know what they  
7 are.

8 New York is a very vibrant city these days,  
9 and people are coming and going and some people  
10 don't even know, like, to register to vote. And  
11 so I think it's important to the get the word out  
12 and think about how the process of applying to a  
13 community board is approached. Standardizing the  
14 application process I think is a good step;  
15 removing it from the hands of the borough  
16 president and the council members is a good step  
17 as well.

18 Think about where, you know, people who are  
19 good community members could become part of the  
20 board. You know 16 year olds can be on the  
21 community boards, so local high schools I think  
22 are a good place to look for, you know, students  
23 that could be involved. Community shareholders,  
24 there's many organizations in communities all  
25 over the city who are invested in their

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1 communities.

2 Maybe they can propose people to be on  
3 community boards. So there's definitely  
4 resources or sources of pools of people out there  
5 that if we just reach out to the communities, and  
6 I was going to say bids, but that might not be a  
7 good one.

8 So it's something to consider, is really  
9 opening up the pool, the community boards to more  
10 people. Maybe think about dividing up into more  
11 community boards there can be, a higher threshold  
12 of how many community boards there can be. That  
13 can also widen the pool as well. So thank you  
14 for your time.

15 MR. PERALES: Thank you for your  
16 suggestions. Thank you very much. Yes, sir?

17 MR. KATZMAN: Good evening. My name is  
18 Howard Katzman, and I'm part of the New York City  
19 for CEDAW initiative. I came here in  
20 consideration of a citizen's initiative to be  
21 part of the New York City Charter Revision. I  
22 came with a group to describe an initiative to  
23 incorporate gender nondiscrimination into the New  
24 York City Charter. It is an initiative that  
25 incorporates objective means of identifying the

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1 discrimination and a way to resolve the  
2 discrimination it discovers. It consciously  
3 makes an effort to include the public in these  
4 actions.

5 This initiative has been developed by taking  
6 over four years, building a coalition and  
7 listening to the ideas of the public and  
8 government leaders. In fact, some of the  
9 commissioners must have heard about this  
10 initiative as some members of your organization  
11 are members of the coalition.

12 When we held a daytime news conference on  
13 the steps of City Hall over 200 people  
14 participated. Over 100 organizations were  
15 represented. The diversity. The diversity of  
16 gender; women; men; LGBTQ; gender nonconforming;  
17 the diversity of age; the diversity of ethnicity;  
18 the diversity of race and on and on.

19 Last night I came to the hearing in the  
20 Bronx, and I was shocked at the pitiable turnout  
21 that did not seem to bother anyone. It seemed  
22 like most of the people there were members of the  
23 community board. Here in Brooklyn, I'm glad we  
24 have a few more, but not enough to really do  
25 this, and again, the representation is community

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1 board members, not civic organizations and  
2 community members.

3 So the other part was that last night, there  
4 was a lot of talk about community boards and how  
5 they're chosen, and it seems if they're chosen by  
6 government, just seems that by elected officials  
7 just seems incestuous and not answering the  
8 community. You mentioned that the -- electing  
9 them was problematic based on size and everything  
10 else.

11 As an alternative, what if it was done by  
12 petition? If people who wanted to do it had to  
13 go into the community, talk to members of the  
14 community, give them an idea of what it is the  
15 community board would do in order to get  
16 signatures, it would be an interesting  
17 interaction. Anyway, thank you very much.

18 MR. PERALES: Thank you. Any questions from  
19 the Commission members?

20 MR. BRAGG: I have one, than you.

21 MR. PERALES: Yes, go ahead.

22 MR. BRAGG: Sorry, the third panelist, you  
23 had mentioned in regards to community boards of  
24 -- first recommendation I've heard about engaging  
25 younger citizens in that process, like

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1 16-year-olds maybe, high school sophomores or  
2 juniors, which I thought was pretty interesting.  
3 I've heard recommendations about participatory  
4 budgeting and having that age limit lowered to  
5 have people involved in that process, and you  
6 know, having, you know a defined structure  
7 throughout the city, but that was the first time  
8 I heard someone talk about lowering the age for  
9 community boards. I thought that was  
10 interesting. Could you just elaborate on this a  
11 little bit more.

12 MR. MORASKY: No, no, no, I -- it's already  
13 at 16.

14 MR. BRAGG: Oh, I thought you were saying  
15 that you were lowering it.

16 MR. MORASKY: No, sorry if that wasn't  
17 clear.

18 MR. BRAGG: Okay. Thank you for answering  
19 that, and everyone else who answered.

20 MR. PERALES: Thank you very, very much.

21 Sheila Katzman, Karen Peterson Yoving --  
22 Young, I'm sorry; Karen Atlas; Sandy Balboza.

23 You may begin.

24 MS. PETERSON: Hi. I've lived in Bed Stuy  
25 in Brooklyn since --



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1 MR. PERALES: Your name is? Your name?

2 MS. PETERSON-YOUNG: Oh, I'm sorry. My name  
3 is Karen Peterson-Young, and, like I said, I've  
4 lived in Bed Stuy since 2011, a couple of other  
5 neighborhoods before that in Brooklyn. I care  
6 about a lot of issues, but what's most important  
7 to me is getting the right people elected so that  
8 you can actually do something about those issues.

9 Now is our chance and now is a really  
10 important time for us to keep people energized  
11 about voting in politics. A lot of people have  
12 some into the game you know, if you will,  
13 recently. We want to keep them there by giving  
14 them a system that's more likely to deliver  
15 elected officials who actually represent them,  
16 and IRV and ranked-choice voting is that system.

17 In New York City, we often have six or seven  
18 candidates running for an office in the primary  
19 and that maybe sounds good, lots of choices,  
20 anyone can run, but in the system we have, it  
21 actually is not a good thing, because it means  
22 that people can win an election with a very small  
23 percentage of the voters.

24 I want to describe just such a crowded  
25 primary that went down last month in the 19th

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1 Congressional District in the Hudson valley. Ira  
2 Glass in This American Life did a great show  
3 about this race, radio show on the race and  
4 candidate Jeff Beals. I would recommend that you  
5 all go listen to it.

6 So Mr. Beals, who is a Bernie supporter,  
7 high school teacher, first-time candidate, he had  
8 worked earlier at the state department and he  
9 went to Iraq where we worked on the transitional  
10 government and the Iraqi Constitution. His  
11 colleagues there voted him most likely to write a  
12 dissent cable. That's where you stand up and  
13 say, hey, something's wrong. So he is a person  
14 who is honest, principaled, just the kind of guy  
15 that we need in government. Donors discouraged  
16 him from saying that he was for single payor, he  
17 thought the economy was rigged, but he kept  
18 saying these things.

19 Another candidate, Antonio Delgado, had been  
20 an attorney for Akin Gump, which is one of the  
21 top lobbying firms on Capitol Hill. Delgado got  
22 the support of the DCCC, naturally. Long story  
23 short, Delgado won this primary with 22 percent  
24 of the vote. That means 78 percent of the voters  
25 voted for someone else and, yet, there he is

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1 winning the primary. Or as one of the other  
2 candidates said, also referencing the low  
3 turnout, congratulations on having gained at the  
4 price of \$2 million the support of four percent  
5 of registered democrats. That's not an election.

6 So if there had been IRV, he couldn't have  
7 done that, because in IRV, the candidate can't  
8 win unless they get a majority of the voters.  
9 And that is simple and people would have been  
10 more motivated to vote because they would know  
11 that only majority can win.

12 MR. PERALES: Your time is up.

13 MS. PETERSON-YOUNG: Thank you.

14 MR. PERALES: Thank you.

15 MS. KATZMAN: Good evening. My name is  
16 Sheila Katzman. I'm a retiree of the United  
17 Nations. I am president of the International  
18 Association For Women In Radio & Television USA,  
19 and I'm here on behalf of the New York City FOR  
20 CEDAW Act Steering Committee; that's C-E-D-A-W,  
21 Convention of the Elimination of All Forms of  
22 Discrimination Against Women, a coalition of over  
23 300 organizations in the New York City area.

24 We're here because we want the CEDAW  
25 framework to be included in the City Charter.

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1 Let me provide some more information on who we  
2 really are. CEDAW is an international treaty  
3 that defines various types of discrimination  
4 against girls and women and establishes  
5 guidelines governments can follow to end this  
6 discrimination. To date, 189 countries have  
7 ratified CEDAW while 99 have signed. Since the  
8 United States has only signed by President Carter  
9 in 1980, the treaty has no binding effect on its  
10 laws and policies.

11 Given the reality, the Cities for CEDAW  
12 group arose in an attempt to propel CEDAW  
13 compliance nationwide at the local levels. So  
14 far, nine cities have adopted the CEDAW framework  
15 and over 25 cities have passed solutions with  
16 passage to full ordinance.

17 CEDAW's core objective is to propel  
18 governments to eliminate all forms of  
19 discrimination against all women and girls. The  
20 goal is to, one, investigate within city  
21 agencies, to identify city laws and policies  
22 where discrimination against girls and women can  
23 be found; two, work the public and -- work public  
24 and government to perform community, work with  
25 the public, sorry, and government to perform

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1 community need assessments and, three, create a  
2 concrete plan of implementations and  
3 accountability to improve practices.

4 Like previously stated, CEDAW provides a  
5 comprehensive framework for governments to  
6 examine their policies and practices in relation  
7 to women and girls and to rectify discrimination  
8 based on gender. This would be first -- this  
9 will be the first comprehensive review of the  
10 Charter since 1989, and New York City has the  
11 potential to integrate CEDAW framework into the  
12 new Charter.

13 CEDAW is the framework most helpful for the  
14 City Charter given the state of the city on  
15 issues ever gender. Including the New York City  
16 for CEDAW major work in the city's Charter is the  
17 best way for the New York City to -- for New York  
18 City to demonstrate the commitment to eliminating  
19 discrimination against girls and women.

20 MR. PERALES: Please sum up.

21 MS. KATZMAN: I'm wrapping up.

22 And actively take steps towards preventing  
23 discrimination as one of the most progressive  
24 cities in the world and host of the United  
25 Nations. It is time for New York City to take a

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1 public -- take public and -- a public and  
2 leadership stance on this.

3 MR. PERALES: Thank you.

4 MS. KATZMAN: Thank you.

5 MR. PERALES: Miss Atlas?

6 MS. ATLAS: Hi. Good evening. I'm Karen  
7 Atlas, and I want to express my appreciation of  
8 the Commission but also of my neighbors who are  
9 here still this late into the evening and all of  
10 the great points that have been made so far.

11 Basically, I want to talk about civic  
12 engagement and I -- in two ways, and my headline  
13 for what I want to talk about is how can we be  
14 more imaginative about our community engagement  
15 and how do we build that into the structures that  
16 support in the city.

17 So number one is participatory budgeting.  
18 I've been very involved in it; I'm on my district  
19 committee; I'm on the citywide committee, and I'm  
20 very excited about the model where residents are  
21 in a leadership position working with the city  
22 and working with nonprofits, and I think that the  
23 structures that promote that are really  
24 important.

25 I believe that an independent Office of

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1 Civic Engagement can be very helpful with that. I  
2 think that PB should be expanded, more money  
3 should be put in it; it should be capital and  
4 expense and really importantly, it shouldn't just  
5 happen; it should have the organizing support so  
6 that it isn't just the usual suspects but really  
7 there's organizing involved so that everyone is  
8 encouraged to participate, and that takes work,  
9 that doesn't just happen.

10 I want to speak for the independent civic  
11 engagement office. I am totally not interested  
12 in more bureaucracy, but I don't see it  
13 necessarily as being that. I see it being a  
14 facilitative body rather than one that dictates  
15 from above. I think that it -- by being  
16 independent, it could help really be proactive  
17 about bringing all of the incredible civic  
18 participation happening around this city.

19 I direct a group called Arts and Democracy.  
20 We grew out of a couple of national civic  
21 engagement initiatives, and there is -- what I  
22 want to speak for is when you develop -- when we  
23 start designing this office or this collaborative  
24 to really think about all of the creative and  
25 cultural arts forms of civic engagement around

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1 the city. And just to give a few of them, after  
2 Hurricane Sandy, there was incredible civic  
3 engagement both with the city but also from the  
4 grassroots.

5 We led at the Park Slope Armory, we had over  
6 100 volunteers supporting the evacuees there, and  
7 this was the cultural community. There's youth  
8 media initiatives that really engender the  
9 leadership of young people, and there's theatre  
10 the oppress that has legislative theatre. These  
11 are just a couple of examples. I want to name  
12 them because sitting here and testifying is one  
13 form of being engaged. A lot of people are  
14 involved in other ways that are more inclusive to  
15 them, and I hope we can support them as part of  
16 this office. Thank you very much.

17 MR. PERALES: Thank you.

18 Sandy Balboza.

19 MS. BALBOZA: Hi. Good evening. I'm Sandy  
20 Balboza, a 48-year resident and property owner of  
21 321 Atlantic Avenue in Boerum Hill, Brooklyn, and  
22 I'm active in my community. I want to focus on  
23 land use issues. The Department of City Planning  
24 does zoning without planning. They aggressively  
25 upzone areas of interest to developers. City



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1 Planning works with developers and public private  
2 partnerships to override existing zoning  
3 regulations that protect neighborhoods in order  
4 to favor these special interest groups. New York  
5 City must have a comprehensive long-term planning  
6 strategy that includes community-based planning  
7 in order to address a growing population while  
8 sustaining a healthy and vibrant city; therefore,  
9 community boards should have more power.

10 I know there was some issues about community  
11 boards, but I'm talking about land use policies.  
12 And more resources to hire full-time -- a  
13 full-time planner with expertise in zoning and  
14 community-based planning. Community boards are  
15 only advisory even though they represent the  
16 voice of the community, and sometimes they do get  
17 political and, you know, it doesn't work  
18 100 percent, but it's what we have.

19 Public/private partnerships are too powerful  
20 and should be eliminated. The Empire State  
21 Development Corporation which is the state, the  
22 New York City Economic Development Corporation  
23 and the Education Construction Fund, just three  
24 to mention, promote developer-driven projects.  
25 The community is left out of the planning process

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1 when these partnerships partner with developers.  
2 Selling public land -- oh, that's my next point. The city  
3 should stop selling public land to for-profit  
4 developers. Any housing built on public land  
5 should be built by not-for-profit developers and  
6 be 100 percent affordable for low and middle  
7 income seniors and the homeless population who  
8 struggle to live here now. And that's it. Thank  
9 you.

10 MR. PERALES: Very well. Thank you very  
11 much.

12 Any questions from the panel?

13 Well, thank you very, very much for your  
14 testimony.

15 The next panel is Daniel Fisch, Simon  
16 Weiser, Debra Siton and Yvonne O'Neill.

17 MR. PERALES: David Cohen? This is a Local  
18 32BJ again.

19 MR. BRAGG: Oh, okay. As I stated earlier,  
20 I will refrain from questioning this panel  
21 because of 32BJ staff are testifying. Thank you.

22 MR. PERALES: You may begin.

23 MR. WEISER: Thank you for being here today.  
24 I'm the first vice-chair of Community Board 1.  
25 It took me years of hard work that my colleagues

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1 voted me -- just voted me to become the first  
2 vice-chair of Community Board 1, and I'm here  
3 today to express the issue that was raised here,  
4 the Commission's idea of term limits.

5 I think it takes a lot of years of hard work  
6 for members to understand the fabric of the  
7 community, what they represent, and I've spoken  
8 to other members of the community board through  
9 other members here today that I don't think it's  
10 healthy, that issue of term limits, because this  
11 is -- once you get to know the community, who you  
12 represent, then if you have term limits, it takes  
13 years and years of this knowledge to understand  
14 issues, of transportation, of ULURP issues.

15 I myself, I'm on the transportation  
16 committee and I'm on ULURP committee plus I have  
17 to attend office. I just became the first  
18 vice-chair. It's a lot of commitment. I give  
19 away hours of work, and I feel that just changing  
20 the process, like somebody mentioned before,  
21 young people, they don't know what a commitment  
22 this is. I feel that all the testimony we heard  
23 before, most of them was from regular board  
24 members. People are in the managing position or  
25 chairs, they understand that term limits, in my

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1 view, won't work for -- won't be very health for  
2 community boards. Thank you very much.

3 MR. PERALES: Thank you.

4 Go ahead.

5 MR. COHEN: Good evening Chairman Perales  
6 and Commission. Thank you for another  
7 opportunity to testify today. I'm testifying on  
8 behalf of Allison -- sorry. I'm testifying on  
9 behalf of Allison Hirsch, 32BJ vice-president,  
10 political director of SEIU 32BJ. My name is  
11 David Cohen. I've got 2 minutes and 52 seconds.  
12 As you know, SEIU 32BJ is made up of 163,000 men  
13 and women who make their living in property  
14 services throughout 11 states and Washington D C.  
15 Our 85,000 members in New York keep our  
16 residential buildings, schools, offices and  
17 stadiums and airports safe and clean.

18 I'd like to begin the testimony tonight by  
19 thanking the Commission for compiling and  
20 publishing your preliminary findings report. We  
21 understand that on the recommendation to change  
22 the treatment of one core issue for your  
23 membership and our leadership, campaign  
24 coordinated member-to-member communications,  
25 you've heard our arguments in support as well as

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1 the support of other membership-based labor and  
2 community organizations, including 1199 SEIU,  
3 including Make the Road Action Fund and you've  
4 heard the arguments against the recommendations  
5 and have concluded that the question requires  
6 further examination and study.

7 To this end, I am here today to reiterate  
8 and underscore our argument. The Charter should  
9 be revised to clarify that the expenses for  
10 creating, producing and disseminating  
11 communications within the labor or membership  
12 organization are not deemed to be in-kind  
13 contributions to candidates in municipal  
14 elections. As you know -- I'm just going to move  
15 up a little bit. As you know, member-to-member  
16 communication is an essential feature of how  
17 unions work on everything from bargaining issues  
18 to political electoral work. Our members are the  
19 best messengers to share information with other  
20 members.

21 The current interpretation of the NYC  
22 Campaign Finance Board and the Campaign Finance  
23 Action the CCFA, treats membership communication  
24 when coordinated with a candidate as if it was  
25 communication with the general public. I'm going

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1 to not make the time limit.

2 This severely limits our ability to  
3 communicate with members about our electoral work  
4 and it undermines participation and mobilization  
5 of our members, including Felix Figueroa, who you  
6 heard from before; including Salul Hernandez, who  
7 testified in Queens at the first meeting;  
8 including Steven Yearwood, who testified at  
9 Botanic Gardens at the Brooklyn meeting, as well  
10 as, you know, our 85,000 members across the city.

11 Before the CFB deemed coordinated membership  
12 to be in-kind contributions, Local 32BJ ran a  
13 strong volunteer program recruiting members to  
14 participate in door-knocking and other electoral  
15 activities. These members were excited to see  
16 candidates and meet them.

17 In the 2017 elections and other municipal  
18 elections, they can't meet the candidates. It's  
19 confusing, and it doesn't make sense and it's a  
20 really hard conversation to have with members.  
21 I'm going to wrap up.

22 So to this end, we're recommending that the  
23 Charter should be revised to clarify that the  
24 expense for creating, producing, disseminating  
25 communications within a labor or membership

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1 organization are not deemed to be in-kind  
2 contribution to candidates in municipal  
3 elections.

4 I've attached and I'll submit in writing  
5 testimony that provides a deeper examination of  
6 these issues to aid in your committed continued  
7 study.

8 MR. PERALES: Please --

9 MR. COHEN: Thank you. And we support the  
10 civic participation initiatives of the Charter  
11 Revision Commission, and that will be submitted  
12 in our written testimony as well.

13 MR. PERALES: Well, thank you very much.

14 MS. SITON: Good evening. My name is Debra  
15 Siton. I'm a member -- I mean I live in  
16 Community Board 2. I have a background in  
17 engineering and project management, architecture.  
18 You can't hear me?

19 I have background in engineering and project  
20 management. I worked with MTA as a design  
21 consultant with a former company CTE Engineers;  
22 it was like one of the best little companies in  
23 the world that got bought out, but a lot of the  
24 things that are happening in New York City, I  
25 assume they're probably illegal, because the

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1 ULURP -- the ULURP -- the EISEs or the  
2 Environmental Impact Statements always precede  
3 the ULURPs, and they determine if a building  
4 should be or should not be built due do  
5 infrastructure. And where I live, I'm sure they  
6 did not accommodate the EIS, because the  
7 infrastructure is -- I mean the buildings are  
8 just too heavy to use the infrastructure that's  
9 in place.

10 And when I go outside now, I smell waste  
11 which is, you know, not good for children, it's  
12 not good for anybody. But I think that a lot of  
13 the things that are happening here in New York  
14 City -- I've lived in other places all over the  
15 country, and developers have destroyed most of  
16 the rest of the country but New York State was  
17 like a virgin market where they were not able to  
18 come in and destroy it, but now it just seems  
19 like they're given an open checkbook; they can  
20 break laws; they can do whatever they want to  
21 build these buildings, and they're blocking  
22 sunlight. There are people selling their homes  
23 because they have no more sunlight. And then I  
24 have a friend who lives in a penthouse suite and  
25 she has too much sunlight; she has to block the



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1 sun out.

2 So again, I just -- you know, I don't know  
3 what you guys can do about development. The bids  
4 are destroying the community. I came here  
5 because I was sick of the big box stores, but my  
6 bicycle shops -- I've had two bicycle shops close  
7 up on me, and they told me the bids did nothing  
8 to help them. They were giving them money and  
9 they did nothing, and they lost -- you know, they  
10 lost their businesses.

11 Another thing, the participatory budgeting,  
12 with participatory budgeting, why do you need a  
13 City council? I mean, because they're not doing  
14 their jobs. If you need the taxpayer to come in  
15 and tell you how to spend your money, that means  
16 that these City council representatives are  
17 unqualified to represent the people, you know,  
18 that vote for them or don't vote for them or  
19 whatever.

20 And I guess my last thing is, you know, with  
21 the giving away of school properties to  
22 developers, you know, that's a no-no, too. Like,  
23 why are they giving school properties to  
24 developers when those properties belong to the  
25 kids that are going to grow up here? You know,

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1 they should not be giving away -- the School  
2 Construction Authority should do what they're  
3 supposed to do. And I've interviewed with them  
4 -- I've interviewed with so many city agencies  
5 who just talk to me for three hours but they  
6 never hire me, but the School Construction  
7 Authority is responsible for maintaining the  
8 schools and making sure there's computers,  
9 infrastructure, you know, got the HVAC  
10 or whatever whatever.

11 MR. PERALES: Please sum up.

12 MS. SITON: That's my...

13 MR. PERALES: Well, thank you. Right on  
14 time. Thanks a lot.

15 MS. O'NEILL: Good evening.

16 MR. PERALES: Nice to see you again.

17 MS. O'NEILL: Yes. My name is Yvonne  
18 O'Neill, and it's good to be here to have the  
19 opportunity again to address this esteemed  
20 Charter Revision Commission as I did last evening  
21 in the Bronx. As secretary of the steering  
22 committee of NYC For CEDAW, I officially  
23 represent the Episcopal Diocese of New York. In  
24 the Diocese, I'm a member of the Diocesan  
25 council. I am on the task force against human

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1 trafficking and the task force on domestic  
2 violence. I recently chaired a Diocesan petition  
3 to the 17th General Commission Episcopal Church  
4 was held this month in Austin, but my biggest  
5 claim to fame is that I am a verger at the  
6 cathedral of St. John the Divine.

7 The Episcopal Diocese of New York covers a  
8 large territory, but it includes the boroughs of  
9 Manhattan, Bronx and Staten Island; and Brooklyn  
10 and Queens are part of Diocese of Long Island.

11 At its 70th general convention in Phoenix,  
12 the Episcopal church passed a resolution where it  
13 adopted or endorsed CEDAW, the Convention on the  
14 Elimination of All Forms of Discrimination  
15 Against Woman, and that resolution deplored the  
16 continued failure of the United States Congress  
17 to ratify the simple statement of the humanity of  
18 women. Among its many actions on CEDAW, in  
19 December of 2001, the Episcopal church joined  
20 about 60 other signors to an open letter to the  
21 U.S. Senate asking for ratification of the United  
22 Nations Convention on the Elimination of All  
23 Forms of Discrimination Against Woman, CEDAW.  
24 The letter stated, quote, We urge you to work to  
25 ensure immediate ratification of CEDAW, end

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1 quote.

2 To this day, the United States remains one  
3 of only six countries out of 196 nations that has  
4 not ratified this treaty. This is why the  
5 Episcopal Diocese of New York is pleased to join  
6 the efforts of New York City For CEDAW to get a  
7 women's Bill of Rights passed on CEDAW principals  
8 passed in New York City. We must reaffirm the  
9 rights of all our citizens for a just and equal  
10 society.

11 We believe that now is the time for the city  
12 to incorporate the principals of CEDAW in the  
13 Charter Revision. This will be a win-win for  
14 every woman, every man, every girl, every boy,  
15 and New York City will, indeed, be the beloved  
16 community that the late Dr. Martin Luther King,  
17 Jr. spoke of, and I quote Dr. King. He said, the  
18 end is reconciliation; the end is redemption; the  
19 end is the creation of the beloved community. It  
20 is this type of spirit and this type of love that  
21 can transform opponents into friends. It is this  
22 love which will bring about miracles in the heart  
23 of men, using the terminology of that day. Thank  
24 you.

25 MR. PERALES: Thank you. Thank you very

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1 much.

2 Any questions from the Commission members?  
3 Hearing none, let me thank the panel. Thank you  
4 very much.

5 We've got one more panel. Xiu Wen Chong  
6 (phonetic), James Green, and Lashman Ellis.

7 MS. ELLIS: It's Lashawn. It's Lashawn.

8 MR. PERALES: Lashawn Ellis.

9 MR. SCISSURA: What's your name?  
10 (Inaudible.)

11 MR. PERALES: Yes, I did call your name.  
12 Why don't you sit over there?

13 You may begin.

14 MS. CHONG: Hi. My name is Xiu Wen Chong.  
15 I'm a co-founder of the group Concerned Citizens  
16 For Community Based Planning, and I'm also a  
17 public member of the land use committee on  
18 Community Board 9 which covers Crown Heights and  
19 parts of Flatbush.

20 I do not support the recommendations to give  
21 boards more resources to appoint dedicated urban  
22 planners, because in my experience, boards and  
23 communities don't lack access to planning  
24 expertise right now. The problem is that  
25 community plans and views that don't fit in with

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1 the prevailing planning orthodoxy are being  
2 squashed. For example, at my community board,  
3 there are two neighborhood groups that have  
4 already hired independent planners. The borough  
5 president's land use director has likewise  
6 presented several times over last couple of years  
7 at our community board, and I believe that the  
8 Department of City Planning has a planner who is  
9 dedicated to our board and probably a couple of  
10 adjacent boards, which is fine.

11 Community boards hiring their own planners  
12 has also not helped our communities. In the  
13 past, our board hired a planning intern, but his  
14 work and conclusions were only discussed with a  
15 few board members until we threatened to FOIL for  
16 this report; and therefore, the report did not  
17 reflect most resident's desires and intentions  
18 for land use.

19 Likewise, at an adjacent community board  
20 which hired a planning intern from a non-profit  
21 foundation, the intern produced a great survey  
22 but then told board members at a land use meeting  
23 that the political powers that be had forced her  
24 to change her conclusions.

25 As a community member and board member, I

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1 want to hear from a variety of different planners  
2 and other advocates, whether they work for  
3 community groups or elected officials. Our  
4 communities are not homogenous and neither are  
5 the views or backgrounds of urban planners.

6 What is discouraging to me as somebody who  
7 has put a lot of time into civic engagement and  
8 my community board is when I see broad coalitions  
9 in other communities from Chinatown to Staten  
10 Island who have poured time and money into  
11 independent land use plans only to see them  
12 blocked from even entering the ULURP process when  
13 the Department of City Planning refuses to  
14 certify them. I would like to see the Charter  
15 revised to make it clear that other branches of  
16 government besides the executive branch can  
17 enable certification in community plans when it  
18 is clear that they enjoy broad support.

19 Finally, I would like to urge this  
20 Commission or at least our elected officials to  
21 prioritize land use issues. Our community  
22 district has seen over 2500 new market rate units  
23 be permitted over the last five years. That  
24 could be 7,000 new residents plus thousands more  
25 in the adjacent community districts. A

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1 deliberate policy of allowing overdevelopment  
2 through inappropriate zoning means drastic  
3 demographic change, and that will affect local  
4 elections far more than any tweaks to campaign  
5 finance, voting rules, census counts, citizen  
6 drives, et cetera. Thank you.

7 MR. PERALES: Thank you.

8 Lashawn?

9 MS. ELLIS: Hi there. Good evening. Hello  
10 Cesar.

11 I am going to talk about term limits and  
12 that -- the city planner appointing them to the  
13 community boards. I'm not sure how I feel about  
14 term limits. I think that there -- it's  
15 something that needs to be looked at because you  
16 have people who are on the board for twenty plus  
17 years, and that seems to be a little too long.  
18 Then you also -- two years on a community board  
19 is not enough time, so I think more things need  
20 to be looked at instead of just thinking about  
21 term limits.

22 I think one of the things that should be  
23 talked about is board expectation policies so  
24 that people know what's expected of them when  
25 they join a community board. Legal expectations



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1 and standards, those things should be looked at  
2 closely and, if people are not following those  
3 expectations, they need to be asked to leave.

4 Attendance is also a thing. I know there  
5 are a lot of people on our community board, their  
6 names are announced, and I've never seen their  
7 faces, and those people need to be held  
8 accountable and asked to leave because they  
9 should attend the meetings.

10 Members should know that they are at the  
11 community board or part of members of the  
12 community board to look after their community's  
13 best interest. Members should also be educated  
14 about the conflict of interest law. They should  
15 be educated on the City Charter. They should  
16 also know about open meetings law and know about  
17 parliamentary procedure and how to follow those  
18 rules.

19 Records should be kept. They should know  
20 how to keep records, both financial and meeting  
21 minutes. At the end of the two-year term,  
22 because I know there is a staggering, you know,  
23 people can be elected or appointed in a  
24 staggering two-year term. Fellow members should  
25 be able to look back at the records and see what

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1 contributions each member has made over the time  
2 they have been on the board and whether or not  
3 they should continue.

4 I think that the system -- there are many  
5 way to strengthen the system and, to me, term  
6 limits in just a very narrow way of looking at  
7 how to deal with community board membership.

8 The idea of a city planner in every  
9 community board simply to me is like having foxes  
10 guarding a henhouse. That's not necessary. CB 9  
11 already knows what this would be like every board  
12 would have a Richard Bearak telling them what  
13 they should do to protect themselves from minor  
14 as-of-right development that's taking place in  
15 their community. When all of his suggestions  
16 will just bring us irreversible doom and  
17 absolutely no affordable housing tied to the  
18 laughable MIH program that was voted down by a  
19 majority of the city's community boards, hence  
20 our advisory role. The real estate industry  
21 hobnobbing with our politicians and our cultural  
22 institutions is enough. Also having a real  
23 estate lobbyist as the Chair of the CB 9 is also  
24 enough. We don't need anymore foxes in the  
25 henhouse.

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1           MR. PERALES: Your time is up, but if you  
2           have to finish up, go ahead.

3           MS. ELLIS: No, that's it.

4           MR. PERALES: Well, thank you very much.  
5           Mr. Green?

6           MR. GREEN: Yes. My name is James Green. I  
7           work narrowly. I aim to attend these kind of  
8           meetings with a group I'm affiliated with,  
9           Citizens Defending Libraries. We most recently  
10          go to these main library trustees meetings where  
11          they have an executive session, I suppose, where  
12          they get most of their final business taking  
13          place there. I would go along with one or two of  
14          the other advocates who have been up here and  
15          saying that if I were not associated with the  
16          Citizens Defending Libraries and with another  
17          person that often comes to these sort of  
18          community board functions, Victoria Cambranese, I  
19          wouldn't have known about this at all to attend,  
20          but I came, basically, to see possibly familiar  
21          faces.

22          I wrote my thoughts down. I had imagined  
23          they would be read up by -- you know, read as a  
24          question for various of you ladies and gentlemen,  
25          but anyway, I'm a-- I guess you can call me a

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1 news junkie. I go to the library or to a social  
2 club every day; I get on the computer, I could  
3 sit there for hours and write down notes. And  
4 just today, a particular online journal  
5 slate.com, the author writes that cash or paper  
6 money is like a miracle, but in these type of  
7 situations, I guess where you have the developers  
8 going in due to the rezoning that takes place in  
9 the, I guess, upscale the businesses and so  
10 forth, they encourage the retailer to no longer  
11 accept cash and only take the consumer's plastic,  
12 which, to my mind, is an instrument of incurring  
13 debt.

14 And so the consumer taps his card or his  
15 smartphone and then another app, it's called  
16 miles, in exchange for your agreement to be  
17 constantly tracked, supposedly you'll get  
18 frequent discounts and deals. And to my way of  
19 seeing it, it's almost like a step or a few steps  
20 to remote control in your life in Trump America,  
21 and it just doesn't seem like smart, you know.

22 I guess I ended my thought that I wrote down  
23 that I wish that these type of gentrification  
24 activities could sort of at least sound as though  
25 they're smart, but it doesn't leave that

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1 impression to me anymore. It's some kind of out  
2 and out onslaught, and it only favors -- I don't  
3 know. I'm surviving. You know, people that I  
4 like are surviving, but who knows how long that  
5 it can go on, I guess, in you might say a  
6 warmhearted or friendly manner as much as you  
7 can, you know. So I guess that's pretty much  
8 what I was hoping to get in there.

9 MR. PERALES: Well, thank you very much. I  
10 appreciate it just as your time is up. Do any  
11 of the Commission members have questions?

12 Hearing none, we thank the panel for your  
13 testimony. Much appreciated.

14 Do I hear a motion to adjourn?

15 MR. HO: Adjourn.

16 MR. PERALES: Is it seconded?

17 MR. BRAGG: Second.

18 MR. PERALES: All those in favor.

19 MULTIVOICE: Aye.

20 MR. PERALES: Anyone opposed?

21 Thank you very much.

22 (Whereupon, at 8:33 P.M., the above matter  
23 concluded.)

24

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