

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

NEW YORK CITY CHARTER REVISION COMMISSION 2019

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September 12, 2018

Start: 6:00 p.m.

Recess: 9:34 p.m.

HELD AT: Lehman College
 Lovinger Theater
 250 Bedford Park Blvd W
 Bronx, NY 10468

B E F O R E: GAIL BENJAMIN
 Chairperson

COMMISSIONERS: Sal Albanese
 Dr. Lilliam Barrios-Paoli
 Lisette Camilo
 James Caras
 Eduardo Cordero, Sr.
 Stephen Fiala
 Paula Gavin
 Lindsay Greene
 Allison Hirsh
 Rev. Clinton Miller
 Sateesh Nori
 Dr. Merryl Tish
 James Vacca
 Carl Weisbrod

A P P E A R A N C E S (CONTINUED)

Jed Holtz, New York City Organizer, Freedom Socialist Party

Hannah Birnbaum, Coordinator, 32BJ, New Project Development

Kaitlyn Greenough, Advocate for Elected CCRB

Malcolm Green

Carl Lanzano, Chair, Health & Human Services Committee, Community Board 12

Linda Pedrosa, Member, Community Board 5

Diana Ayala, NYC Council Member & Co-Chair of NYC Council's Progressive Caucus

Chris Walters, Rezoning Technical Assistance Coordinator, Association for Neighborhood and Housing Development, ANHD

Jane Aoyama-Martin, Project Director, Bronx Legal Services

Alexis Lorenzo, Director of Foreclosure Prevention and Community Economic Development, Bronx Legal Services

Anita Long

Mohan Mehta, Senior Associate, Regional Plan Association

Daniel Glinsky, Russian-speaking Community Council

Ms. Lavaglia, Chair, Neighborhood Advisory, DYCD.

Judeo Sematelli

Alex Camarda, Senior Policy Advisor, Reinvent
Albany

Matthew Cruz, District Manager, Bronx Community
Board 10

Louis Rocco, Bronx Resident, President, Westchester
Square Civic Association

Hawk Newsome, President, Black Lives Matter

Paul Gilman, Bronx Community Greens

Tiffany Wheatland Disu, Educator, John Jay College
of Criminal Justice

Ken Brown, District Manager of Bronx Community
Board 5

2 [sound check]

3 CHAIRPERSON BENJAMIN: Hello and good
4 evening, and welcome to this, the first public
5 hearing of the Charter Revision Commission of the
6 City of New York established pursuant to Local Law 91
7 of 2018. I'm Gail Benjamin, and I am honored to lead
8 this commission as its chair. It is my pleasure to
9 call this meeting to order. I would like to
10 recognize that we are joined by Commissioners Lisette
11 Camilo, Jim Caras, Eduardo Cordero, Steven Fiala,
12 Paula Gavin, Lindsay Greene, Alison Hirsh, Reverend
13 Clinton Miller, Sateesh Nori, Jimmy Vacca who is
14 here, but just stepped out for a moment.

15 COMMISSIONER VACCA: [off mic] I'm here,
16 I'm here.

17 CHAIRPERSON BENJAMIN: And Carl Weisbrod.
18 Seeing those members present, we now have a quorum.
19 This is the first public hearing in our ongoing
20 effort to engage the public in the generation of
21 ideas about ways in which the City Charter can help
22 the city work better. The Commission was established
23 by legislation adopted by the City Council and has
24 appointment from each of the borough presidents, the
25 Public Advocate, the Comptroller, the City Council

2 and the Mayor. We Commissioners, 15 of us represent
3 a cross-section of New Yorkers. We live throughout
4 the five boroughs of the city. We work in diverse
5 fields. We are of different backgrounds, ages and
6 names, but what we share is a love of our city and a
7 desire to help shape the city's future and to
8 meaningful participate in changing the document that
9 will provide the basis for that task. Given that
10 you're all here today, you already are aware of the
11 importance of the Charter in how we live our everyday
12 lives here in the city. The Charter provides the
13 manner in which the city handles public money,
14 provides goods and services to residents. It defines
15 the responsibilities of government officials, as well
16 as the responsibilities of our city agencies and
17 provides the framework for the use and development of
18 land within the city. We're all here tonight to
19 propose ideas that can strengthen the compact between
20 citizens and their government. Ideas that can
21 provide a transition from the city of 1989 to the
22 city of 2050. These ideas may rebalance the rights
23 and responsibilities of our agencies or our
24 government officials, may streamline our budget or
25 may redefine how the city uses its land or purchases

2 its good and services. We welcome all of your ideas
3 and thank you for sharing them. If you wish to
4 testify to day, and have not already done so, please
5 fill out a speaker's slip and submit it to our staff
6 who is sited at-seated at the table in front. Please
7 make your points clearly and succinctly as we want to
8 understand the issues you raise. We're happy to
9 accept any written testimony you have either today or
10 over the course of the coming weeks and months. Our
11 web address and Twitter feed is on the pamphlets,
12 which I spread throughout the room, and are also
13 located on the table in the front. All testimony in
14 whatever form you choose to submit it will be
15 included in the record and made available to all of
16 the commissioners, staff, and to the public. We will
17 also hold Twitter and telephone Town Halls in the
18 coming months to provide more opportunities to hear
19 from you. We hope to gather a robust set of
20 proposals and we'll be conducting additional hearings
21 in the spring to present the results of our research
22 and analysis and receive further feedback. By
23 September of 2019, we will have shared with you a set
24 of revisions to the charter, which will be put before
25 you indeed before the electorate on the ballot of

2 November 2019. Again, we thank you for being here,
3 and taking part in this momentous task. We will
4 begin tonight's meeting and hear testimony from all
5 of you. We will limit testimony to three minutes per
6 person in order to ensure that we can hear from all
7 of you who wish to speak. After you testify, one of
8 the commissioners may have questions for you to
9 follow up on your ideas or proposals. I would like to
10 call up the first two people who will be speaking.
11 The first person is Hannah Birnbaum, and if you could
12 just come down to the table here, Hannah, and the
13 second person is Jed Holtz and if you could come down
14 also Jed. [background comments, pause] Hannah.

15 HANNAH BIRNBAUM: Hello. Can everybody
16 hear me?

17 CHAIRPERSON BENJAMIN: Yes.

18 HANNAH BIRNBAUM: Okay, good even
19 Commission Chair Benjamin and Commission members. My
20 name is Hannah Birnbaum, and I am the Coordinator for
21 32BJ's engagement with new development projects here
22 in New York City. On behalf of our 85,000 members in
23 the city thank you for holding these hearings, and
24 for giving your time and expertise to this important
25 process. Over the coming weeks 32BJ's officer and

2 members will be providing testimony to the Commission
3 covering a range of matters. We will be speaking
4 about how the Charter can be revised to allow for
5 greater community participation and more broadly felt
6 and enduring benefits from the city's Land Use
7 Policies, how the city's procurement practices can be
8 made more equitable and transparent, and how the
9 Charter can be amended to further embed social
10 justice in our city's laws. Tonight I will be
11 expanding on the first of these issues a need for a
12 more equitable and democratic approach to land use
13 decisions. For over a 100 years, New York City has
14 been shaped by its zoning laws. They have defined
15 the physical structure of our buildings where people
16 live and work and how we get around. Zoning laws
17 also determine when and how community voices are
18 heard, and what is valued when land—when land use
19 decisions are made. With the economy and population
20 of New York City growing strongly, there is an urgent
21 need to structure our land use policies and
22 procedures to ensure that the interest of working
23 people are promoted and their voices are heard. As
24 the union it represents the majority of workers in
25 the property services industry we support

2 developments that expands economic opportunity and
3 creates good living wage jobs. At the same time, we
4 are acutely aware of the affordable housing prices,
5 squeezing families across the five boroughs, and the
6 need to ensure that low and moderate income people
7 including the workers that this city relies upon can
8 stay in the neighborhoods they love. There are a
9 number of areas that we believe the commission should
10 explore in order to achieve a more just and inclusive
11 approach to land use. First, I want to talk about
12 expanding discretionary public review to cover more
13 new development especially larger projects. Much of
14 New York City's new development and the majority of
15 new housing is constructed as-of-right. This means
16 that comparatively, few projects come with
17 opportunities for community stakeholders to weigh in
18 about their impact and advocate for important
19 benefits like good jobs and affordable housing.
20 Residential and commercial projects that exceed 100
21 units or 100,000 square feet consistently stand to
22 have a significant impact on workers and the
23 standards they have fought for. Projects that exceed
24 this size threshold should be required to go through
25 a discretionary land use review with opportunities

2 for public participation. We also want to
3 specifically raise new construction on NYCHA land as
4 meriting a full Uniform Land Use Review Procedure or
5 ULURP requirement. The city is proposing to build
6 thousands of additional in-fill units on NYCHA
7 property, but dispositions of NYCHA land do not have
8 to go through ULURP. We are encouraging the
9 Commission to mandate that any new structures on
10 NYCHA land be subject to ULURP so that the
11 communities that are affected have a chance to weigh
12 in. We are also examining other specific types land
13 use actions where it may make sense to mandate ULURP
14 for special permits. These include large projects
15 that rely on zoning lot mergers, and minor
16 modifications to previous zoning decisions that lead
17 to significant numbers of new units. Second, I want
18 to talk about making the land use approval process
19 more transparent. Through our engagement in ULURP
20 and at the Board of Standards and Appeals, we have
21 learned first hand how difficult it can be to access
22 complete information about proposed development
23 projects and track where they are in the approval
24 process. This limits opportunity for important
25 public discussion about development and chances to

2 [bell] raise and address legitimate community
3 concerns. We're stepping--

4 CHAIRPERSON BENJAMIN: [interposing] I'm
5 sorry.

6 HANNAH BIRNBAUM: Can I have 20 seconds?

7 CHAIRPERSON BENJAMIN: Twenty seconds.

8 HANNAH BIRNBAUM: Alright. So, we're
9 suggesting that Commission consider measure to
10 promote and increase public awareness like creating
11 an essential database for land use applications and
12 requiring these to be posted on line for a period of
13 time before they're certified. I've submitted written
14 testimony. We have a couple of other suggestions,
15 one about attaching building service prevailing wage,
16 want to (sic) see disposal of public property and
17 another about improving the integrity and democratic
18 oversight of the Board of Standards and Appeals. So,
19 I'll leave it there, and you have our--our more
20 detailed written testimony. Thank you for this
21 opportunity.

22 CHAIRPERSON BENJAMIN: Thank you so much.

23 HANNAH BIRNBAUM: I think you have just
24 one copy, and I'll--

25 CHAIRPERSON BENJAMIN: Okay.

2 HANNAH BIRNBAUM: --I'll send it to the
3 Commissioner the same way.

4 CHAIRPERSON BENJAMIN: Okay, okay. No,
5 we can—we can copy it later. I'll just give you
6 that. I was just looking to see if it was here. Are
7 there any questions? Hearing none, thank you. Jed.

8 JED HOLTZ: Good evening, Commissioners.
9 My name is Jed Holtz. I'm the New York City
10 Organizer for the Freedom Socialist Party. On behalf
11 of my organization I'm calling on the Charter
12 Revision Commission to take this historic opportunity
13 and address some of the most undemocratic and unjust
14 realities of our city. I'll focus on two tonight.
15 The first is a denial of the basic democratic right
16 of voting to non-citizens. We all know immigrants
17 built this city, and their labor makes a massive
18 contribution to the economy, and estimated \$40
19 billion a year statewide. Non-citizens pay millions
20 in property, sales and payroll taxes in New York City
21 and yet they have no vote. This amounts to taxation
22 without representation, but you have the power to
23 help change that. A number of municipalities across
24 the nation are considering measures to allow non-
25 citizen voting, which was the standard practice in

2 this country until the 1920s. Several cities in
3 Maryland including Hyattsville and Mount Rainier have
4 granted non-citizens the right to vote in municipal
5 elections, and New York City must, too. The lack of
6 this right is the city's greatest barrier to civic
7 participation in government. Let's fix this.

8 Otherwise, all the talk in support of immigrants is
9 just empty rhetoric. The people who make this city
10 run, who create its culture, its profits and its
11 vitality should have a say at the voting booth.

12 Granting non-citizens this basic democracy is just
13 unlogical. The second injustice we must address is
14 the complete lack of accountability of the NYPD. You
15 will hear testimony in support of an elected Civilian
16 Review Board later tonight, and we call on you to
17 include it in the commission's recommended Charter
18 Revisions in November 2019. By being democratically
19 elected and empowered to make binding decisions, the
20 elected Civilian Review Board gives the public
21 recourse against and extremely powerful institution
22 that has failed to police itself. This could bring
23 justice to those who have suffered discriminatory,
24 demeaning and violent misconduct at the hands of the
25 police. It empowers those most vulnerable in our

2 society, women, people of color, non-citizens,
3 formerly incarcerated to defend themselves, and with
4 an elected special prosecutor independent of the DA
5 handling police cases, we'd have unbiased and
6 rigorous prosecution of cops. The time is overdue
7 for addressing these crises. Immigrants and all New
8 Yorkers deserve the ability to have a voice in
9 elections and against police misconduct. Amendments
10 to allow non-citizen voting and to replace the CCRB
11 with an elected and empowered board will simply move
12 our society closer to a humane and democratic city we
13 all deserve. [bell] Please put these issues on the
14 ballot. Thank you. [applause]

15 CHAIRPERSON BENJAMIN: Excuse me. Thank
16 you very much. Are there any questions for Mr.
17 Holtz? Thank you very much.

18 JED HOLTZ: Thank you.

19 CHAIRPERSON BENJAMIN: The next two
20 speakers are Kaitlyn Greenoff. I'm sorry if I
21 mispronounced it and Malcolm Green. [pause] Ms.
22 Greenoff, have I pronounced that correctly?

23 KAITLYN GREENOUGH: It's Greenough.

24 CHAIRPERSON BENJAMIN: Greenough. Okay.

2 KAITLYN GREENOUGH: Good evening. This
3 Charter Commission has the chance to create solutions
4 one of the biggest problems in our city, our crisis
5 of accountability with the NYPD. When the people of
6 New York are on the wrong end of police misconduct,
7 they have no real power to defend themselves, no
8 power to gain real justice. The police are literally
9 allowed to get away with murder, and the city does
10 nothing to protect its residents. Eric Garner,
11 Delron Small, Mohammed Bah, Deborah Danner, Malcolm
12 Ferguson, Ramarlie Graham, Nicholas Hayward, Jr.,
13 Sean Bell, Eleanor Bumpurs, and Amadou Diallo. The
14 list of people who have been killed by the NYPD is
15 long, and time and again we have seen the officers
16 involved walk away with their careers intact or even
17 improved. Standing alongside some of these no names
18 is an even longer list of lesser known New Yorkers
19 who have been tasered, beat up, threatened and abused
20 by police and have been left to suffer with no
21 recourse. Entire communities of color are under
22 siege. Parents are scared to let their children walk
23 alone even in broad daylight. Today the appointed
24 not elected Civilian Complaint Review Board is where
25 New Yorkers are supposed to go when they have been

2 mistreated by the police. Last year the CCRB
3 investigated less than a third of the nearly 5,000
4 complaints it receives. They substantiated only 264
5 determining that police had mistreated someone and
6 deserved disciplinary action in only five percent of
7 all reports. Even when the CCRB does find wrong
8 doing, they can only make a recommendation to the
9 Police Commissioner who can then downgrade or dismiss
10 any of their recommendations and, in fact, this is
11 what happens most of the time. Last year 73% of
12 disciplinary recommendations by the CCRB's APU were
13 watered down or ignored. They police themselves.
14 That's the truth and New Yorkers know it. The CCRB
15 doesn't work, and New Yorkers know it, but we can
16 create something that does. Our campaign has given
17 you an amendment to fix this problem. It creates an
18 elected board that has the power to investigate and
19 make binding decisions on abusive officers. People
20 who suffer on the wrong end of a police fist, Taser
21 or gun deserve a board that represents them, stands
22 up for them and can hold police accountable when they
23 abuse their power. This is what our amendment for an
24 elected Civilian Review Board establishes. In the
25 worst criminal cases the people of New York

2 desperately need an independent prosecutor to remove
3 the conflict of interest and the DA who works closely
4 with the police. Our amendment also addresses this:
5 An independent elected prosecutor that would take on
6 those case without bias. We have submitted a printed
7 copy of our finished amendment to each of you. We've
8 spent three years talking to the community. We are
9 sick and tired of needing to chant Black Lives
10 Matter. This is your chance to prove that they do.
11 The people of New York need protection against police
12 abuse. Propose this amendment and do your part to
13 solve this crisis because without a board and
14 prosecutor that has the power to stand up to police
15 abuse, we're only waiting for another death in the
16 headlines. Thank you. [applause]

17 CHAIRPERSON BENJAMIN: Thank you very--
18 please. [cheers/applause] Please. Do you--may I
19 ask you a question?

20 KAITLYN GREENOUGH: Sure.

21 CHAIRPERSON BENJAMIN: Do you envision
22 that the CCRB would have the direct--an elective CCRB
23 would have direct power to discipline the police
24 officers or are you suggesting that the board would
25 be elected and would still either have to forward

2 their recommendations to the prosecutor or to the
3 Police Commissioner for their recommendations to be
4 implemented?

5 KAITLYN GREENOUGH: So, the board would
6 be elected by the people of New York, and they would
7 then hear complaints, investigate cases, and when
8 they find wrongdoing, they—their decisions would be
9 binding. Their disciplinary decisions would be
10 binding, and then the elected prosecutor would take
11 on criminal cases. Thank you. Are there any other
12 questions?

13 COMMISSIONER ALBANESE: Just wanted--

14 CHAIRPERSON BENJAMIN: Sal.

15 COMMISSIONER ALBANESE: You are aware
16 that they—the City Council and the Mayor passed the
17 Community Safety Act, which includes a new Inspector
18 General for the Parks Department, and it's not
19 connected to the PD, and I wonder what your views are
20 on that.

21 KAITLYN GREENOUGH: Well, but the DA
22 still prosecutes the cases where police commit
23 crimes, and the DA also works closely with the
24 police. So, that's where we see the conflict of
25 interest and the problem.

2 CHAIRPERSON BENJAMIN: Anyone else? Yes.
3 Mr. Caras.

4 COMMISSIONER CARAS: Oh, would you view
5 this right now and this—

6 CHAIRPERSON BENJAMIN: You need the
7 microphone.

8 COMMISSIONER CARAS: Oh.

9 CHAIRPERSON BENJAMIN: You got to pick it
10 up, take it off? Pull, pull. [laughter]

11 COMMISSIONER CARAS: In addition to the
12 Inspector General and the Department of
13 Investigation, there's also the mayoral control—
14 there's the Mayoral controlled Police Board, there's
15 the Internal Affairs and the CCRB. Would this assume
16 all of those functions? Would this just replace the
17 CCRB?

18 KAITLYN GREENOUGH: We believe that the
19 people of New York deserve to elect a board who would
20 be able to oversee the police who are supposed to be
21 working for us. So, as far as the details of that, I
22 would have to get back to you. I don't—I don't know,
23 but I know that our legislation creates a board
24 that's elected, and that's what. That's what we're
25 calling for because we believe it's really important

2 COMMISSIONER CARAS: Okay.

3 CHAIRPERSON BENJAMIN: Anyone else?

4 Carl.

5 COMMISSIONER WEISBROD: Yes.

6 CHAIRPERSON BENJAMIN: Carl.

7 COMMISSIONER WEISBROD: Yeah, I'm—I'm
8 still a little unclear about what you mean by the
9 power to discipline. That power would be up to and
10 including discharge of the officer or also--

11 KAITLYN GREENOUGH: Yes.

12 COMMISSIONER WEISBROD: --and, but any
13 criminal matter would be referred to a DA?

14 KAITLYN GREENOUGH: I would be referred
15 to an independent elected prosecutor in lieu of a DA.

16 COMMISSIONER WEISBROD: Not a DA?

17 KAITLYN GREENOUGH: Right now it's—it's
18 done by the DA. So, instead it would be done by this
19 independent and elected prosecutor.

20 COMMISSIONER WEISBROD: Thank you.

21 CHAIRPERSON BENJAMIN: Alison.

22 COMMISSIONER HIRSH: Sorry, I think I'm
23 also just a little confused, but so we'd be electing
24 both a Civilian Complaint Review Board, and an

2 independent prosecutor separately or the CCRB would
3 have the prosecutorial power within it?

4 KAITLYN GREENOUGH: Well, the—the—the
5 elected Civilian Complaint Review Board would refer
6 criminal cases to the—to the elected special
7 prosecutor.

8 COMMISSIONER HIRSH: So, we'd be creating
9 multiple new—it would be multiple new elected
10 positions? Can I ask one more question? I'm worry.

11 CHAIRPERSON BENJAMIN: Yes.

12 COMMISSIONER HIRSH: For the non-criminal
13 disciplinary actions, have you thought at all about
14 how it relates to Collective Bargaining Agreement
15 that the police officers have with the City and the
16 Department?

17 KAITLYN GREENOUGH: The Collective
18 Bargaining Agreement?

19 COMMISSIONER HIRSH: The—there's a—
20 there's a disciplinary—one I assume, I don't actually
21 know the details of the police officers' contract
22 but—or even if its open so or not, but there's—I—one
23 assumes that there's some disciplinary procedures
24 that negotiated between the PBA and the City and I
25 didn't know whether you've thought about how the new

2 disciplinary procedures would relate or impact that I
3 guess?

4 KAITLYN GREENOUGH: I'll—I'll have to get
5 back to you on the details, but, you know, just to go
6 back to what we're calling for is that we believe
7 that the people of New York decide to have a say and
8 that that board should have binding discipline because
9 as we can see the Police Commissioner waters down and
10 ignores a lot of the recommendations. So, it's a
11 problem.

12 CHAIRPERSON BENJAMIN: Sal.

13 COMMISSIONER ALBANESE: Yeah. I guess I
14 mean police officers are public employees, as you
15 know, and all public employees are covered by state
16 law, collective bargaining agreements, which
17 basically outline what the procedure is for
18 disciplining whether it be a police officer, whether
19 it be a school teacher, anyone who works for the city
20 has these—these—this due process, and you would agree
21 the police officers deserve due process as well.

22 KAITLYN GREENOUGH: Absolutely. We all
23 deserve due process.

24 COMMISSIONER ALBANESE: So, how—how do
25 you—how do you get around addressing the issue of

2 discipline and police officer—disciplining police
3 officers and getting around what is Civil Service
4 law, which is an Albany issue?

5 KAITLYN GREENOUGH: I'll have to bring
6 this to the legislative team, and we can get back to
7 you in writing, but I do know that, you know, this
8 question has come up several times when we've
9 presented this, and we've done a thorough review of
10 all state law, and we can't find any—any thing in the
11 state law that says that this couldn't happen. Like
12 there's some concern about how the Police
13 Commissioner, and people say that it's in state law,
14 that the Police Commissioner has the ultimate
15 authority but--

16 COMMISSIONER ALBANESE: [off mic] It's
17 not even about the Police Commissioner, it's about
18 Civil Service Law whether it be a police officer or
19 whether it would be a Sanitation worker, whether it
20 be school safety agent, they all under the rubric of
21 Civil Service Law and Section 75 and 76, which—which
22 mandates due process. You would agree that police
23 officers deserve due process, right? You would agree
24 to that, right?

2 KAITLYN GREENOUGH: Yes, I already said
3 that.

4 COMMISSIONER ALBANESE: You're right.

5 CHAIRPERSON BENJAMIN: Jim.

6 COMMISSIONER CARAS: One second. Along
7 similar lines, have you guys looked at the State Law
8 implication of having—creating a local city
9 prosecutor because it's my understanding that the
10 district attorneys are city employees at state
11 office, that they are created by state law. So, it
12 would be a similar—if—if—I'm wondering if you've done
13 research on the ability of the city to have a local
14 city prosecutor created by City Charter.

15 KAITLYN GREENOUGH: I'll have to bring
16 that back to the Legislative team and get back to
17 you.

18 COMMISSIONER CARAS: Thanks.

19 CHAIRPERSON BENJAMIN: Reverend Miller.

20 COMMISSIONER MILLER: I'm very interested
21 in hearing more about your proposal. I do know there
22 us a special prosecutor place in the Attorney
23 General's Office when it comes to cases where
24 civilians, unarmed civilians die at the hands of the
25 police. So, if your proposal came to fruition I'd

2 like to know how potentially three levels of
3 prosecution would take place: Special prosecutor in
4 the state, your independent elected prosecutor and
5 the district attorney some of which brought a lot of
6 special prosecutors. I'd be more interested in
7 hearing about who that would play out.

8 CHAIRPERSON BENJAMIN: A quick question
9 and then—it seems as if you've put a lot of thought
10 and research into your proposal. Is it possible you
11 could share that research with us?

12 KAITLYN GREENOUGH: The—the research
13 itself, you have our legislation there.--

14 CHAIRPERSON BENJAMIN: [interposing]
15 Right.

16 KAITLYN GREENOUGH: --in front of you.

17 CHAIRPERSON BENJAMIN: And-but I was just
18 wondering if there was more legal research that you
19 could point to on these issues.

20 KAITLYN GREENOUGH: Sure. Well, certainly
21 any questions that came up that has to do with
22 legislative items, I'll—I'll bring to the legislative
23 team to answer.

24 CHAIRPERSON BENJAMIN: Thank you. Anyone
25 else? Thank you, Ms. Greenough. Mr. Green.

2 MALCOLM GREEN: Thank you. I'm-I'm not
3 here with the organization. I actually caught wind
4 of this not too long ago, and I actually work. I
5 have a terrible headache today. I'm sorry. Excuse
6 me. I'm not at my best. I did want to come down
7 here, though, still and comment on this public
8 hearing because I thought this was important. An
9 elected civil complaint review board is probably the
10 least you can do, to be honest with you. I'm quite
11 frankly disgusted at the way people, citizens, humans
12 have been treated in this whole country, but we're
13 specifically dealing with New York City, and it's
14 been no different here. The bottom line I think is
15 the-the-and I don't know the details of police
16 training, but from friends that I have that are in
17 uniform in other places let me know that it's-it's-
18 it's an us against them mentality when being trained.
19 When you have policies that have police that don't
20 live in the communities come in police and leave,
21 it's like an abusive situation. It's set up to be as
22 non-accountability. I can do what I want, and I know
23 these guys. I mean this is not something I'm just
24 sort of coming in as a citizen saying I wonder if
25 this happening. I thought about going into

2 situations I've have myself, but I figured two
3 minutes and probably two hours wouldn't be enough, to
4 be honest with you, in just in the way things have
5 gone. I think that again this is the light in to
6 have a elected civilian complaint review board that
7 has some kind of teeth or else, you know, this is a
8 situation where you're-you're-you're pushing the
9 populations to the point where they will only go so
10 far. So, this is a situation where you want it to,
11 you know, represent as a-as a civil body. I don't
12 know this charter body or whatever or you know,
13 passing it over to the City Council and to state
14 legislation. Wherever it needs to go because this is
15 an opportunity that I didn't want to squander by not
16 saying what I'm feeling like I need to say. You need
17 to do something. People are dying, people are being
18 choked out. People are not even reporting so many
19 things that are happening. Aside from that, it
20 presents a climate where children are raised in the
21 atmosphere of fear. I mean you're-you-you don't even
22 listen to your dad when a cop is there and tells you
23 something different. I mean that-that is an
24 undermining of the whole familial bond. I mean it's-
25 I could get, you know, it's two minutes and I'm going

2 to run out, but I-I-I did want to say that, and I'm
3 sorry I don't have my thoughts a little more together
4 on this. I will come prepared if you have more of
5 these meetings. The second thing I wanted to mention
6 is the—and I don't know how—what reach you guys have
7 with this, but there's a primary tomorrow, but so
8 many of us who aren't Democrats and Republicans can't
9 vote in these primaries and I think that that sways
10 it in a way that it's, as we've seen in our last
11 presidential election, some things happened that
12 probably shouldn't have happened as a result of, you
13 know, not just primaries, but other shenanigans. So,
14 I think that that would help be more transparent with
15 respect to what the people in this city want and what
16 they're able to express through primaries and through
17 Civilian Complaint Review Boards, et cetera. I think
18 that we're in a—in a—in a day and age where things
19 are leaning towards many of these governmental bodies
20 are just sort of vapors of actual—it's like the
21 solage of a—of a cake that was baked and left the
22 room. You can still smell the cake and that's sort of
23 the way I-I-I am seeing a lot of governmental bodies,
24 and I would hope that just hear me. You know, you—you
25 can ask me questions, if you will. That's not an

2 issue, but please do this at a minimum side and--and
3 whatever you can do more forceful, and to be honest
4 to hold the police accountable, and give them the
5 same due process we get. I wouldn't deny them.
6 They're the citizens just the same.

7 CHAIRPERSON BENJAMIN: Thank you, Mr.
8 Green.

9 FEMALE SPEAKER: Yes. [applause]

10 CHAIRPERSON BENJAMIN: If we could--tell
11 me if I have what you said essentially correct that
12 you are interested in us examining the election of a
13 civil--Civilian Complaint Review Board as an elected
14 body. Number 2 it seemed to me you were also
15 suggesting reinstating a residency require for
16 police? Would you say that that--and--

17 MALCOLM GREEN: [interposing] Yeah,
18 these-these--those are the weeds of it, right. My-my
19 thinking is, you know, and you guys, that's what you
20 guys do. I mean I don't want to be rude, but that's
21 sort of what you guys do as elected officials. You go
22 through the weeds. You hammer out the law. You find
23 where this can work. I'm just a citizen coming and
24 saying that when grow up in black neighborhood, which
25 I did and all you see is people that don't live there

2 and they talk to you in front of your mom, in front
3 of your friends in ways that, you know, you go to
4 jail when you're--when somebody else a common person
5 does that the way you react them, and you have this
6 fear of even responding verbally because you know
7 they don't get the same due process you do.

8 CHAIRPERSON BENJAMIN: And the last thing
9 I heard you talking about was non-partisan voting.

10 MALCOLM GREEN: Right.

11 CHAIRPERSON BENJAMIN: Okay.

12 MALCOLM GREEN: That's absolutely. I
13 mean that's--I would imagine more and more people are
14 not registering under Democrat or Republican these
15 days if I can say those two words, but and--and--and
16 they need to be heard just as well. So--

17 CHAIRPERSON BENJAMIN: Thank you very
18 much.

19 MALCOLM GREEN: Please.

20 CHAIRPERSON BENJAMIN: Questions.

21 Counsel. [applause]

22 COMMISSIONER: If I could on the last
23 subject matter, the elections. Are you advocating
24 for open primaries or non-partisan elections? What
25 would your preference be?

2 MALCOLM GREEN: Again, you caught me at a
3 disadvantage. I'm not certain of the difference. I
4 think that a person if they're registered to vote
5 should be able to vote whether they're Independent,
6 Republican or Democrat. If there is a primary, they
7 should be able to participate, period. I don't know.
8 However that falls.

9 CHAIRPERSON BENJAMIN: Any other
10 questions. Thank you very much, Mr. Green and Ms.
11 Greenough. [applause] Next up Carl Lanzano and Linda
12 Pedrosa. Mr. Lanzano.

13 CARL LANZANO: My name is Carl Lanzano.
14 I'm a member of Community 12. I chair the Health and
15 Human Services Committee. The reason—the reason I'm
16 here is to talk about changing the situation in the
17 Council for the community board. Community boards
18 are the go-to agencies that citizens go to when
19 there's a problem or civic question. We have
20 excellent representatives in our Councilmen, the
21 State Assemblymen and Senators, but as good as they
22 are, they are not us. The people themselves I
23 believe should have direct representation in the City
24 Council. That is why I'm proposing creation the
25 Community Board Council for the City of New York. It

2 would consist of an elected volunteer-elected
3 volunteer representative one from each community
4 board who would meet on a regular basis to discuss
5 and seek solutions to the issues of the city. Then,
6 then they would elect one representative from each
7 borough to be a borough representative to the Council
8 and they would have a vote. Being a volunteer-this
9 being a volunteer position, politics would kept at a
10 minimum and the allegiance would be to the people of
11 the city who worked the hardest to make the city
12 work, and having a vote that would be five county
13 votes added would allow the borough representatives
14 to connect with every community board in his or her
15 borough and able to effect legislation and to give
16 the people the information that he directly-he or she
17 directly obtain from his experience, and also to
18 convey to the Council hands-on needs that the people
19 do have and-and they-that they should pass them on.
20 Thank you very much for your time.

21 CHAIRPERSON BENJAMIN: Thank you very
22 much. Mr. Fiala.

23 COMMISSIONER FIALA: Thank you, Madam
24 Chair. This one is our-this is an interesting
25 proposition. The community boards have gone through

2 a number of revisions in the '70s and the '89
3 Charter. Right now there are 59 community boards.
4 Your--and connect me if what I'm saying is wrong
5 because I want to get the substance of your
6 recommendation. You're proposing that one from each
7 of the 59?

8 CARL LANZANO: Yes, one from each of the
9 59. Well, in each borough.

10 COMMISSIONER FIALA: Okay, you'll have--
11 yes.

12 CARL LANZANO: One from each of the 59.
13 They'll have a committee in each borough, and that
14 borough will--would elect a borough representative,
15 which would be a voting and a voting seat on the City
16 Council.

17 COMMISSIONER FIALA: So, five--in effect--

18 CARL LANZANO: [interposing] Five.

19 COMMISSIONER FIALA: -five additional
20 members would be added to the City Council in the
21 capacity of community board borough wide officials?

22 CARL LANZANO: Yes.

23 COMMISSIONER FIALA: The--the net impact
24 being increasing the City Council by five, but the
25 people selecting those five, those are community

2 board members or are these borough wide elections
3 participated in by the voters?

4 CARL LANZANO: [interposing] They would--
5 well--and I don't know if I said it, but they would be
6 volunteers, which being unpaid, which would not make
7 them--it would be just the political people.

8 COMMISSIONER FIALA: [interposing] So,
9 then these--so the borough--the borough entities would
10 choose their representative for the borough and then
11 those--

12 CARL LANZANO: [interposing] Well, we--

13 COMMISSIONER FIALA: --five would go to
14 the City Council and have the right to proposed
15 legislation and vote on legislation, but they would
16 be in a volunteer capacity?

17 CARL LANZANO: Right. So, each--

18 COMMISSIONER FIALA: Okay.

19 CARL LANZANO: --so if--if you have 12
20 community boards in the--in the Bronx, they would each
21 send a member to the Council, rather to a--to a newly
22 created committee. That committee would for its own
23 president, vice president, take minutes and would
24 meet on a regular basis, and they would have one
25 representative for--from the borough. All volunteer

2 all just going back to the people on the Community
3 Boards. Yes.

4 COMMISSIONER FIALA: Thank you, Sir.

5 CARL LANZANO: Thank you.

6 CHAIRPERSON BENJAMIN: Let's start with
7 Lindsay. Here Lindsay.

8 COMMISSIONER GREENE: I had a follow-up
9 question. There is already some existing linkages
10 between the borough presidents and community boards
11 that is quite extensive, as I understand it. Is
12 there—are there specific deficiencies in that
13 relationship or system that you are trying to address
14 there.

15 CARL LANZANO: No, the representatives we
16 have are excellent, but to me I feel that they're
17 elected officials, and—and as good as they are they—
18 they sometimes are beholding to the process rather
19 than the people. We see—we said they do come to the
20 meetings. They do respond to our requests and they—
21 and in Community Board at least—at least I know
22 they're very responsive, but I feel if we had
23 somebody that could be an unpaid representative to
24 sit in on the City Council and give direct feedback
25 to the—the people that come every month, and people

2 that goes to the community boards and said why can't
3 we have this? Why can't we have this? This is very
4 good, and thank you, and the--the people from the
5 board can talk to the people not as an--and they don't
6 have to worry about being elected again. They would
7 just give the feedback that they get.

8 COMMISSIONER GREENE: Thank you.

9 CHAIRPERSON BENJAMIN: Mr. Vacca.

10 COMMISSIONER VACCA: I--I think your idea
11 has some merit. It needs to be considered. I--I do
12 have some questions about it. In 1978 I was a
13 Chairman of Community Board and we did have what was
14 called a coalition of community board chair people,
15 and we did meet. That coalition in 1978 had enough
16 support where we hired an executive director, and
17 tried to function. It became unwieldy and it
18 didn't--it--it didn't really continue to function after
19 a period of time. So--but I do think you raising the
20 issue that community boards because we have 59 of
21 them they don't have a vehicle where they can
22 register how they feel with one voice on certain
23 policy and budget issues. So, I see that, but I also
24 then say that when you're talking about boroughs my
25 question comes up? What is the role of the Borough

2 Service Cabinet? What is the role of the Borough
3 Board? Are those entities effective? If they're not
4 effective, why not? Is that a partial answer because
5 the Borough Service Cabinet has all the district
6 managers, and the Borough Board has all the Community
7 Board chair people, but you're talking about a
8 citywide entity. I'm just wondering if using those
9 existing entities and then creating a citywide entity
10 to be advisory because I don't see—I know for a
11 fact that right now all City Council Members must be
12 elected. So, to have someone on the City Council as
13 a voting member who is not elected, I think would be
14 problematic from the point of view of the Voting
15 Rights Activists or nothing else. But I would
16 appreciate that you submit something to this this
17 body that would further clarify and define what
18 you're talking about because I—I do think it may have
19 merit if we can get more specifics and we can talk.

20 CARL LANZANO: Well, if I can respond.
21 Some of those agencies you mention, people just don't
22 know about. So there are office that the people do
23 not connect to us. The other thing is they are
24 elected. They're not—and that's so that they are
25 elected by the people that got to the community Board

2 meetings that try and do the best for the community,
3 and the other thing is it would—they have volunteers,
4 and they would have a vote, which I'm—I'm sure your
5 1978 Committee didn't have, but if it had a vote in
6 the Council, then that would—that would give
7 community boards more than and advisory capacity,
8 which hey largely have now. We do have some—we do
9 have a lot of powers with the community board and
10 influence, and we were very respected. I agree, but
11 this would give the people in the community board
12 real teeth, and that could affect the legislation.

13 CHAIRPERSON BENJAMIN: Anyone else?

14 Thank you, Mr. Lanzano, and now Mr. Pedrosa.

15 LINDA PEDROSA: Good evening ladies and
16 gentlemen. My name Linda Pedrosa. I'm a member of
17 Community Board 5. My main issue regarding the board
18 is that we—we should—we need to have term limits when
19 it comes to electing the Chair and executive
20 committees at the board. [applause] We have our
21 chairperson who has been at the board for 10 years
22 and honestly this is going to be the 11th year, and I
23 feel honestly so embarrassed because the reputation
24 of Community Board 5 is so poorly that even it is
25 affecting our community. What reflects in board

2 reflects in the community. When I came to Community
3 Board 5, my eagerness, my desire was to intervene and
4 intercede for the community because we are the voice,
5 the eyes and the ears of the community, and our votes
6 count, but the thing is that at time in our boards
7 what happen is that there is some—there is some
8 interests, favoritism, and I don't see that this
9 right. That we should do things honestly, the right
10 way. Proceed with the community openly, and in
11 addition to that, this is a little something
12 different that I would say that we should have more
13 power in the community though we are volunteers
14 because we live in the community. We live and we
15 know what's going on, and what affects our community,
16 and with these new housing developments, which in a
17 sense I am not disagreeing. You know, I agree with
18 progress, but what my concern is the environment that
19 we need space. We need to protect our ecosystem. We
20 need to because if we lose these things that we, you
21 know, we can really get—I don't want to see a place
22 all built up in concrete and tall buildings. I
23 believe in progress, but I wish and would have
24 neighborhoods not to lose their identity and not to
25 have, you know, these own—these mom and pop stores

2 who really build up our community. We need to get
3 back to restore these basic values, and I'm going to
4 bring it here: Compassion and love and understanding
5 for one another with bipartisan. You know, but the
6 most important thing is to, you know, to understand
7 each other, not to look at the difference but look
8 what can unite us and bring us together. Thank you.
9 [applause]

10 CHAIRPERSON BENJAMIN: Thank you. May I
11 ask you, the Mayor's current Charter Revision
12 Commission has recommended, and it will be on the
13 ballot this November that there be a term limit for
14 all members of community boards.

15 LINDA PEDROSA: Great. [applause]

16 CHAIRPERSON BENJAMIN: So, that--would
17 that--that satisfies that first issue that you raised
18 about.

19 LINDA PEDROSA: Yes. Because the thing is
20 we preach to people--I mean to the children we have to
21 face changes in the future when you graduate, when,
22 you know, when you're in school, and then at times
23 when it comes to us, we want to stay, and that's
24 what's happening in our board with the same old
25 routine. There is no change. We need to change

2 because when this country was built, it was built on
3 the change from the 13 colonies. Now, it's the
4 United States of American. That was a change. We
5 need to change to see new things, to evolve and, you
6 know, and that's what our problem is at times. We
7 are afraid to face changes, and that's what's
8 happening in my Community Board 5. I love this
9 community. I love my board, but the way I see
10 things, they're not going on the right direction.

11 CHAIRPERSON BENJAMIN: Okay, thank you.

12 Thank you. [cheers/applause] Council Member—no,

13 COMMISSIONER VACCA: I—I want to

14 CHAIRPERSON BENJAMIN: Jimmy Vacca.

15 COMMISSIONER VACCA: I wanted to

16 reiterate what our chair just said that the Mayor's

17 Commission has proposed term limits, but I also

18 wanted to let you know—I'm sure you may know this,

19 but your board has the right to implement term limits

20 for officers now. Any community board can vote and

21 modify their bylaws, and they can insert term limits

22 for officers. Now, in the Bronx, historically, we've

23 had some board that elected not to do that, and we've

24 had many chair people serve you for 20 and 30 years,

25 and we had boards like I was a district manager for

2 Community Board 10. My board while I was there had a
3 2-year term limit. So, some boards did elect for
4 term limits. Other boards did not, but you have the
5 power now on your board to implement term limits for
6 officers. What the Mayor was proposing is term
7 limits for members which in 10 years will end up
8 being a term limit for the officer of 10 years as
9 well, but if you wanted to make it 2 years or 3, you
10 have that power right now.

11 LINDA PEDROSA: Thank you.

12 CHAIRPERSON BENJAMIN: Thank you. Any-
13 thank you both.

14 LINDA PEDROSA: Thank you.

15 CHAIRPERSON BENJAMIN: Next up will be
16 Council Member Diana Ayala--

17 MALE SPEAKER: [interposing] Right.

18 CHAIRPERSON BENJAMIN: --and Chris
19 Walters.

20 MALE SPEAKER: [off mic]

21 CHAIRPERSON BENJAMIN: Yes, I agree. We
22 are going to let the Councilwoman speak.

23 MALE SPEAKER: [off mic] At your
24 discretion?

25 CHAIRPERSON BENJAMIN: Yes.

2 MALE SPEAKER: [off mic] Okay. Thank you.
3 I will speak another time.

4 CHAIRPERSON BENJAMIN: Okay. I will and
5 your name. [applause]

6 MALE SPEAKER: [off mic] [applause]

7 CHAIRPERSON BENJAMIN: Okay. [pause]

8 COUNCIL MEMBER AYALA: Good evening.

9 CHAIRPERSON BENJAMIN: Councilwoman
10 Ayala.

11 COUNCIL MEMBER AYALA: Good evening. Let
12 me just adjust this a little bit. Good evening,
13 Charter Revision Commission. Thank you for the
14 opportunity to testify. I am Council Member Diana
15 Ayala, Co-Chair of the City Council's Progressive
16 Caucus. In this testimony I will be focusing on the
17 city's Land Use powers and process fees, which has
18 wide reaching effect of critical issues affecting the
19 city. This issue is a priority for the 22 members of
20 our caucus who represent districts across the five
21 boroughs of New York City. It is not secret that the
22 city land use and planning processes are deeply
23 flawed. Opposition to recent rezonings have made it
24 clear: New Yorkers are unhappy about the city's land
25 use process. The current system frustrates community

2 members, grassroots organizers, elected officials and
3 planners alike. This is because the city's approach
4 to planning is basically reactive. Without a larger
5 citywide plan in place, we react to private
6 developments, natural disasters, school seats,
7 homelessness and other important infrastructural
8 needs randomly. In the Bronx we are experiencing an
9 unprecedented level of development and growth. As an
10 elected official from the Bronx, I can tell you from
11 my experience the status quo of ad hoc planning is
12 just not working. We need a larger vision, one based
13 on our short-term and long-term needs. We need a
14 larger vision based on equity, a vision in which low-
15 income communities do not have to solely bear the
16 brunt of the city's ever-ever-every housing and
17 infrastructure needs. We need to envision a land use
18 process where communities are empowered and the
19 equitable distribution of city resources, facilities
20 new developments is prioritized. As a first step, I
21 will share five guiding principles that reflect the
22 Caucus' values, and will driver the development of
23 our recommendations moving forward: (1) Equity and
24 fairness to ensure that all communities are doing
25 their fair share and have access to affordable

2 housing services and amenities and healthy
3 environments. (2) Proactive and responsive plans to
4 account for housing—for the housing needs of those
5 growing cities as well as existing conditions and
6 infrastructural needs. Inclusive engagement to
7 ensure all New Yorkers have a voice in the land use
8 decision process. Resilience and sustainability to
9 guard against the future impacts of natural disasters
10 and climate change. Transparency and accountability
11 to ensure the New York—New Yorkers understand how and
12 why decisions are made, how to participate and how
13 those decisions affect—will affect them. Guided by
14 these principles, the Progressive Caucus is working
15 with our community partners to develop specific
16 recommendations to achieve the following three goals:
17 (1) Create a comprehensive planning framework that
18 includes the Fair Share Analysis; (2) Make the City
19 Planning Commission independent and create a long-
20 term planning office. (3) Empower communities to
21 engage in decisions before, during and after land use
22 processes. Our current system does not provide an
23 avenue in which we have an honest conversation about
24 our city's needs. Much of it is done out of the
25 public eye with outcome revealed and often negotiated

2 with just moments before a final vote. This method
3 is not working. We need to engage in proactive
4 planning that is guided by the latest real estate
5 speculation but by data, local and commitment to
6 right past inequities and projected long-term needs.
7 [bell]

8 CHAIRPERSON BENJAMIN: If you could wrap
9 up.

10 COUNCIL MEMBER AYALA: Yes. Over the
11 next several months, we will be refining the proposal
12 that we have laid out today alongside our colleagues,
13 and community partners. Thank to the Commissioners
14 for your time and we look forward to working with
15 you. Our colleagues in the City Council and the
16 community partners who refine recommendations that
17 reflect the principles and achieve the goal that we
18 have outlined here today. Thank you.

19 CHAIRPERSON BENJAMIN: You're welcome.
20 [applause] A quick question for you.

21 COUNCIL MEMBER AYALA: Yes.

22 CHAIRPERSON BENJAMIN: When you were
23 talking about an independent elected Planning
24 Commission, is that instead of the City Council?

25 FEMALE SPEAKER: [interposing] Hey.

2 COUNCIL MEMBER AYALA: Actually, yes.
3 Sorry.

4 CHAIRPERSON BENJAMIN: No, no. Only the
5 person whose name is called can speak.

6 COUNCIL MEMBER AYALA: Yes.

7 CHAIRPERSON BENJAMIN: Sorry.

8 COUNCIL MEMBER AYALA: Oh, it would be
9 independent of the City Council. I mean I think
10 based on research the Charter mandates that, you
11 know, required--would have to require there be an
12 independent body.

13 CHAIRPERSON BENJAMIN: But you would see
14 that there would be one independent elected body and
15 then another independent elected body would vote?

16 COUNCIL MEMBER AYALA: Well, I really--I--I
17 would Zarra (sic) because they're the ones that were
18 doing the research on this. I'm here testifying on
19 behalf of the Caucus today but I can give the data.

20 CHAIRPERSON BENJAMIN: If you have data
21 we would appreciate--

22 COUNCIL MEMBER AYALA: [interposing]
23 Yeah.

24 CHAIRPERSON BENJAMIN: --your submitting
25 it to us, but really only--

2 COUNCIL MEMBER AYALA: [interposing]

3 Yeah.

4 CHAIRPERSON BENJAMIN: --the person who
5 was signed up--

6 COUNCIL MEMBER AYALA: [interposing]

7 Thank you.

8 CHAIRPERSON BENJAMIN: --can speak.

9 COUNCIL MEMBER AYALA: No, we appreciate
10 that.

11 CHAIRPERSON BENJAMIN: Are there other--
12 Yes, sorry. So I see Paula--

13 PAULA: Yes.

14 CHAIRPERSON BENJAMIN: --and then Alison
15 following Jimmy Vacca and then Carl Weisbrod.

16 COMMISSIONER GAVIN: A clarifying
17 question.

18 COUNCIL MEMBER AYALA: Yes.

19 COMMISSIONER GAVIN: Are the principles
20 how you would measure success in decisions? Are you
21 proposing those are measures of success from making
22 the land use decisions?

23 COUNCIL MEMBER AYALA: I'm sorry.

24 COMMISSIONER GAVIN: The principles that
25 you listed--

2 COUNCIL MEMBER AYALA: [interposing] Yes.

3 COMMISSIONER GAVIN: --are they what you
4 have defined as the measures of success--

5 COUNCIL MEMBER AYALA: [interposing] Yes.

6 COMMISSIONER GAVIN: --the criteria?

7 COUNCIL MEMBER AYALA: Yes, I believe so,
8 and I mean based on personal experience we just went
9 through a rezoning, and my district is actually split
10 in two halves, right, 50%, 49% actually in Harlem and
11 51% in South Bronx, and we just went through an
12 extensive rezoning process, and I think that had we
13 had these measures in place the process would have
14 been a little bit easier to have to go through where
15 we're really at a point where we're being reactive,
16 and we're using the tools that are available to us
17 that don't necessarily allow us to build and develop
18 or prepare for a future that is actually affordable
19 to the communities that live and are being impacted
20 by these rezonings.

21 COMMISSIONER GAVIN: Thank you.

22 COMMISSIONER HIRSH: Hi. Thank you,
23 Council Member so much. I just--can you--I missed the
24 three criteria.

2 COUNCIL MEMBER AYALA: Yes, sorry, it's a
3 little for—So, I'm turning it. Sorry, my eyes are
4 also going. Creating a comprehensive plan—planning
5 and fair share framework, right, which would be—so
6 the city needs to assess a whole—as a whole the need
7 for housing, public facilities and neighborhood
8 amenities. So, right now we're doing it by
9 piecemeal, right, which community is gentrifying the
10 quickest and then we're reacting to that and
11 developing a plan around that, an action plan around
12 that, you know, to—to rezone those communities, but
13 we're not necessarily taking a holistic look at the
14 city, and while we're rezoning one community, three
15 communities are, you know, going through the same
16 process. And so, we need to have a more uniform
17 policy in terms of framework to address that, and
18 then the second was making the City Planning
19 Commission independent and creating a new office for
20 long-term community planning. So right now there's
21 the—the mayoral majority on the CPC and the Chair
22 that simultaneously direct the City Planning
23 Department is the framework, right, and the City
24 Planning Commission must be reformed to ensure
25 greater objectivity and independence from political

2 actors is what we're asking and then the third was
3 empowering communities to engage in decisions—in
4 decisions before and after Land Use processes. The
5 community boards for example have all been, you know,
6 desperately asking for land use experts on their
7 staff and they just don't have the financing to have
8 someone, you know, on board, and so we're asking that
9 that be a consideration as well.

10 CHAIRPERSON BENJAMIN: Jimmy Vacca.

11 COUNCIL MEMBER AYALA: Hi, Jimmy.

12 COMMISSIONER VACCA: How are you, Diana?

13 COUNCIL MEMBER AYALA: Good.

14 COMMISSIONER VACCA: I know where you're
15 coming from obviously.

16 COUNCIL MEMBER AYALA: Yes.

17 COMMISSIONER VACCA: As somebody who was
18 there. Let me say one or two things briefly. The
19 City Planning Commission is controlled by the Mayor
20 at this point.

21 COUNCIL MEMBER AYALA: Yes.

22 COMMISSIONER VACCA: Okay. I didn't—I
23 wasn't clear. Are you saying that the City Planning
24 Commission--you said it should be independent. Should
25 it be--

2 COUNCIL MEMBER AYALA: [interposing] Yes.

3 COMMISSIONER VACCA: --an elected body of
4 people or should it be appointed by a multitude of
5 people so that no one individual has controlling
6 power, but that power is disbursed among various
7 people so that there is a better opportunity for the
8 Planning Commission to modify items. What do you--
9 what do you say--when you say independent, what do you
10 mean?

11 COUNCIL MEMBER AYALA: Well, I think--I
12 think--I mean I would always vote--yeah, I would always
13 argue on the side of, you know, voting someone in.
14 Asking people in is a--is a better way, but I think
15 that that's something that we're, you know,
16 discussion with local community based groups to try
17 to kind of define more--more specifically.

18 COMMISSIONER VACCA: So, you're open
19 into--you're open as to or the Progressive Caucus is
20 open about what the Planning Commission would look
21 like--

22 COUNCIL MEMBER AYALA: [interposing] Yes.

23 COMMISSIONER VACCA: --but you no longer
24 want the Planning Commission to be--to have a majority
25 of it's members--

2 COUNCIL MEMBER AYALA: [interposing]

3 That's right.

4 COMMISSIONER VACCA: --appointed by the
5 Mayor?

6 COUNCIL MEMBER AYALA: That's right.
7 That's right because depending on the Mayor I mean
8 the--the outcome is pretty obvious.

9 COMMISSIONER VACCA: Okay, quickly,
10 you're aware of 197-A in the New York City Charter,
11 197-A Plans--

12 COUNCIL MEMBER AYALA: [interposing] I
13 am.

14 COMMISSIONER VACCA: --which the community
15 boards can call upon.

16 COUNCIL MEMBER AYALA: [interposing] Or
17 community boards.

18 COMMISSIONER VACCA: Many community
19 boards are frustrated--

20 COUNCIL MEMBER AYALA: Yes.

21 COMMISSIONER VACCA: --they are only
22 advisory in nature.

23 COUNCIL MEMBER AYALA: Yes.

24 COMMISSIONER VACCA: So is a way--is this
25 something you're talking about having 197-A plans

2 have more teeth through a community planner that the
3 board is assigned to have? I know you cannot favor
4 that in your testimony.

5 COUNCIL MEMBER AYALA: I am not aware
6 that we have had that discussion, but I don't think
7 that is a bad idea.

8 COMMISSIONER VACCA: Okay.

9 COUNCIL MEMBER AYALA: Yeah. Thank you
10 for that.

11 CHAIRPERSON BENJAMIN: Carl. [laughter]

12 COMMISSIONER WEISBROD: So, I have a few
13 questions. First of all--

14 COUNCIL MEMBER AYALA: Yeah.

15 COMMISSIONER WEISBROD: --you had very
16 comprehensive testimony. Are you--can you submit that
17 to us.

18 COUNCIL MEMBER AYALA: We can. Yeah,
19 Zarra submitted it. Yes.

20 COMMISSIONER WEISBROD: Well, if we have
21 a copy of that, that would be okay. Thank you.

22 COUNCIL MEMBER AYALA: Yes.

23 COMMISSIONER WEISBROD: When you talk
24 about a comprehensive plan for the city, who or what

2 body do you envision that actually prepares that
3 plan?

4 COUNCIL MEMBER AYALA: I don't know. I
5 think that that's part—that's part of what we were
6 asking the—the Charter to kind of consider, right?
7 It has to be an independent, you know, body, but, you
8 know, I don't—I just—I—it's pretty obvious that, you
9 know, we're heading in the wrong direction here with
10 rezoning, you know, specific communities. We just
11 saw the—the mess that was, you know, in Inwood and,
12 you know, the communities are completely split on
13 this—on this issue right. You have members that kind
14 understand that we need to do something, but are we
15 doing everything that we can? I don't think so. I
16 think that we can be building, you know, smarter, and
17 I think that we can be preparing for more deeper
18 affordable options for community residents that are
19 being pushed out day in and day out. So, what that
20 body looks like I really, you know, again I am—I was—
21 I just came back from vacation and I volunteered to
22 come in and testify today and have been part of some
23 of these discussions, but on the—the tease out of
24 the—of the meat of—of the legislation and the
25 proposals really comes from Zara, who's our Director,

2 and she can share more if you want. You know, if you
3 want some more data, we can submit it in writing.

4 COMMISSIONER WEISBROD: It's, and as it--

5 COUNCIL MEMBER AYALA: Yes.

6 CHAIRPERSON BENJAMIN: You can use the
7 follow up.

8 COMMISSIONER WEISBROD: I-I and you also
9 asked for equity and-and fair share requirements and,
10 as you know, there are-we currently do have in the
11 Charter fair share provisions, and so I'm wondering-

12 COUNCIL MEMBER AYALA: [interposing] They
13 don't work. I'm sorry, but in my experience they
14 didn't work.

15 COMMISSIONER WEISBROD: [interposing] So,
16 how-how would you-how would you suggest they be
17 change to make them more effective?

18 COUNCIL MEMBER AYALA: I would eradicate
19 them because they don't work. I mean Fair Share-I
20 wouldn't call Fair Share, a community like mine in
21 the South Bronx where we're over-saturated in
22 shelters and Methadone clinics and, you know, all
23 types of-of programs that reap no real benefits to
24 the community-the residents that live there. That's
25 not fair share. It's not fair share, you know, when

2 you just assume that because we're, you know, the
3 people that live there are poor and people of color.
4 That it's okay to just, you know, dump everything on
5 that community. [applause] So, I would completely
6 eradicate it.

7 COMMISSIONER WEISBROD: I appreciate—and
8 I do appreciate that there's been a lot of concern
9 about how Fair Share operates, but I'm just
10 interested in how you think it should be changed, if
11 you know.

12 COUNCIL MEMBER AYALA: I, you know, I—
13 it's a very—it's a difficult, you know, question to
14 respond to—to answer, right. We have and I'll—and
15 I'll use the shelter as an example. We have maybe 20
16 of them in my district, and then you go to Queens and
17 people are fighting because they don't want the one,
18 right.

19 COMMISSIONER WEISBROD: Uh-hm.

20 COUNCIL MEMBER AYALA: But I'm pretty
21 sure that those communities are also putting people
22 into the shelter system, and I think that, you know,
23 whatever tools the city is using to analyze and to
24 determine where families are place, is—is a—is a
25 flawed process. We're putting children—we're

2 removing them from the communities they know and
3 putting them into schools, and now they become
4 transitional and how you have failing schools that
5 are failing because children are not receiving the
6 holistic services that they need because they've been
7 ripped out of their communities. And so, I don't—I
8 don't know what the process looks like, and I'm not
9 going to sit here and pretend that I, you know, I—I—I
10 understand what the city—how the city makes these
11 decisions, but I—I can tell you that based on the
12 fact that I am a recipient of a lot of these—these
13 social service programs that come into my community,
14 which I, you know, I'm not saying and I—I want to be
15 very clear that I am not objecting to having a
16 shelter in my district. I just don't think that my
17 district should bear the burden for the entire city.

18 [applause]

19 CHAIRPERSON BENJAMIN: So, Sal.

20 COMMISSIONER ALBANESE: Council Member--

21 COUNCIL MEMBER AYALA: Yes.

22 COMMISSIONER ALBANESE: --let me
23 congratulate you on—on raising two very important
24 issues.

25 COUNCIL MEMBER AYALA: Thank you.

2 COMMISSIONER ALBANESE: I think the issue
3 of infrastructure and long-term planning is causing a
4 lot of consternation around-around the city. The
5 question is how do we address it? I mean there are a
6 number of proposals. So, I-one-someone submitted a
7 proposal that I-that I submitted to the staff that
8 would mandate a Deputy Mayor for Infrastructure who's
9 an urban planner, and that person would Chair the
10 City Planning Commission, and part of their
11 responsibility would be to issue report card's on our
12 city's infrastructure on an annual basis, which in
13 many areas is collapsing, and also to come up with a
14 plan either biannually or annually in terms of the
15 city's development. How do we develop the city? How
16 do we make it work for everyone?

17 COUNCIL MEMBER AYALA: Yes.

18 COMMISSIONER ALBANESE: But certainly, I
19 look forward to what the Progressive Caucus is
20 considering, and hope you-hopefully-I'm sure the
21 Commission is--will

22 COUNCIL MEMBER AYALA: Thank you.

23 COMMISSIONER ALBANESE: --as well, but I
24 want you to consider that--that idea as well, and I'd
25

2 be more than happy to share more information with
3 that.

4 COUNCIL MEMBER AYALA: [interposing]
5 We're still refining some of these, and some of my
6 colleagues will be testifying at other boroughs and
7 so you should be hearing more from us.

8 CHAIRPERSON BENJAMIN: Alison.

9 COMMISSIONER HIRSH: Hi, I just had a-a
10 couple follow-up questions. As I think more about
11 it, and I-I appreciate all of the goals and the
12 principles obviously of the-of what we're trying to
13 accomplish, but if you create one citywide rezoning
14 plan, would the City Council lose its ability-its
15 approval rights because it seems that one potential
16 downside is that once you actually are thinking about
17 the city as a whole and not neighborhood to
18 neighborhood, which in theory I certainly agree with,
19 you actually diminish the ability for individual
20 communities and impacted communities to engage in the
21 process because it's much harder to engage in a
22 process that crosses five boroughs with 8 plus
23 million people than it is to engage in a process that
24 is based in your neighborhood. And so, how would you
25 actually maintain the existing community engagement

2 at-within the ULURP process if you're not having
3 localized ULURP processes.

4 COUNCIL MEMBER AYALA: I don't-I don't
5 think that we should-I'm not proposing, and I don't
6 think that the-the-the Caucus is proposing a citywide
7 rezoning. I think-and I think that what we're asking
8 for is a holistic review of the entire city, and
9 looking at those areas that may be problem areas,
10 areas that are heavily gentrifying areas where rents
11 are skyrocketing, areas where we have the-maybe some
12 of the oldest tenement buildings where we know that
13 people are being outpriced, areas that we still have
14 maybe city land. I mean we should really have very
15 little of these days, where we can-where there's a
16 potential for development. I think that that is
17 what's we mean as being proactive in looking at that
18 instead of just saying well, you know, East Harlem
19 and Inwood, you know, they're-they're gentrifying,
20 let's, you know, let's-let's rezone there. I think
21 what we have, you know, we have issues, you know,
22 citywide. We have issues in Staten Island. We have
23 the same issues in Brooklyn, but we don't have a
24 plan. We're looking at we're piecemealing it, and it
25 just doesn't work. [background comment]

2 CHAIRPERSON BENJAMIN: Jim.

3 COMMISSIONER CARAS: Thank you, Council
4 Member Ayala--

5 COUNCIL MEMBER AYALA: Yes, thank you

6 COMMISSIONER CARAS: --and I, too, have,
7 you know--

8 COUNCIL MEMBER AYALA: [interposing] How
9 are you?

10 COMMISSIONER CARAS: Good. How are you?

11 COUNCIL MEMBER AYALA: [interposing] And
12 everything I saw was clear.

13 COMMISSIONER CARAS: It's so clear.

14 COUNCIL MEMBER AYALA: Exactly.

15 COMMISSIONER CARAS: Thanks for coming.

16 I, too, am very sympathetic with these goals.

17 There's one area that I've been working on, well with
18 the Borough President for the last five years--

19 COUNCIL MEMBER AYALA: Yes.

20 COMMISSIONER CARAS: --the Manhattan
21 Borough President, which is inclusive engagement.

22 COUNCIL MEMBER AYALA: Yes.

23 COMMISSIONER CARAS: And, you know, we've
24 worked very hard to bring stakeholders, community
25 groups, community representatives, community board

2 members together, pre-certification, pre-ULURP
3 certification whenever there's a larger or impact
4 bulk rezoning. So, I, you know, when--when the
5 Progressive Caucus meets, I--I would love to hear more
6 from you guys on, you know, should there be triggers
7 for when that occurs.

8 COUNCIL MEMBER AYALA: Yeah.

9 COMMISSIONER CARAS: Should--are you
10 proposing that somewhere in the system there be the
11 ability to have a process, precertification? When
12 would that ability kick in? I--I know you're probably
13 not there yet--

14 COUNCIL MEMBER AYALA: Yes.

15 COMMISSIONER CARAS: --but I'd be very
16 interested in--in hearing that because so much of--so
17 much of these things, you know, the devil is in the
18 details, and either they can be done hopefully in a
19 way that's workable or--but we don't want it done in a
20 way that will overburden the whole process--

21 COUNCIL MEMBER AYALA: [interposing]
22 That's right.

23 COMMISSIONER CARAS: --but I'm--I'm very
24 interested and I'd like to hear more.

2 COUNCIL MEMBER AYALA: Thank you, thank
3 you.

4 CHAIRPERSON VAN BRAMER: Sal.

5 COMMISSIONER ALBANESE: Council Member,
6 in this discussion we—we can't separate the—the
7 influence of money and politics on—on these rezoning
8 issues. I'm sure you're aware of that and I—one of
9 the things that hopefully we'll look at is to revamp
10 our campaign finance laws. Other cities like Seattle
11 have democracy vouchers, which basically is—is public
12 financing the campaigns, which we've seen, as you
13 know, a number of scandals or pay to play over the
14 last, you know, eight years, and—and going back,
15 money and politics plays a big role. So, so-called
16 independence is impacted by campaign contributions.
17 So, I—I would hope that the camp—that the Progressive
18 Caucus looks at some of the proposals that are out
19 there, but we're looking Seattle Democracy Vouchers,
20 Arizona, Connecticut where they're taking money out
21 of the process and you can't separate those. You
22 know, real estate is like—in New York City is like
23 oil to Texas. It's very, very lucrative. There's a
24 lot of—there's a lot of political influence by major
25 donors on—on the political plays in the city. So, as

2 part of this process, I would urge the—the Caucus to
3 look at a different approach to campaign finance
4 because what we have in the city is not working right
5 now.

6 COUNCIL MEMBER AYALA: Well, I—I
7 appreciate that. I think that, you know, what I
8 would add is that, you know, I mean some of my
9 colleagues are actually going, you know, through this
10 process as we speak, and that is a very grueling
11 process. You know, it's just as grueling for the
12 constituents as it is for the elected officials
13 because we are, you know, between a rock and hard
14 place. We either do something now or, and, you know,
15 and allow our communities to continue to gentrify or
16 we step, we intervene and we rezone in a way that
17 allows us to develop something that the community
18 will find useful, and it isn't always because we're
19 being reactive, and we're not really giving it a
20 thoughtful, you know, review. Then we're forced
21 with, you know, housing and the 40, 60, 80% of the
22 AMI bracket, which is really unaffordable to a lot of
23 the constituents that we're trying to keep in place.

24 CHAIRPERSON BENJAMIN: Thank you. I
25 think Lindsay Greene had a—

2 COMMISSIONER GREENE: I did. I had a—a
3 question. I would love to hear your thoughts and
4 maybe deter follow-up--

5 COUNCIL MEMBER AYALA: Yes.

6 COMMISSIONER GREENE: --where you had
7 something written. There are existing planning
8 staff, you pointed out accurately that urban planning
9 is a very—it's very technical or land use itself is
10 incredibly technical. It's very much in the weeds
11 kind of area, (coughs) we have staff at the
12 Department of City Planning. There are external
13 groups like the Regional Plan Association that do, do
14 a fair bit of work on looking at demographics in
15 terms of where are people likely to move? Where is
16 job growth like that inform a lot of the work that
17 goes into some of the neighborhood—the neighborhood
18 activity, but is-is that existing apparatus something
19 you feel like does not have the level of
20 transparency? Like do you not feel like you have
21 enough--

22 COUNCIL MEMBER AYALA: [interposing] I
23 don't think they have--

24 COMMISSIONER GREENE: --access to the
25 data?

2 COUNCIL MEMBER AYALA: It doesn't happen
3 soon enough, but that conversation isn't, you know,
4 you don't—you—you don't come into a community until
5 after, you know, there's already something to respond
6 to, and I think that you could get there sooner. We
7 did—in East Harlem we did an extensive East Harlem
8 Neighborhood Plan that allowed community residents,
9 you know, stakeholder to participate in the
10 conversation, but a lot of those conversations
11 realistically was geared in a certain direction
12 because were limited to box of possibilities and so
13 we had to react to that or nothing.

14 COMMISSIONER GREENE: I guess I meant
15 more or less specific to you trying to respond in the
16 moment to that, but in your day-to-day life as a
17 Council Member--

18 COUNCIL MEMBER AYALA: [interposing] Yes.

19 COMMISSIONER GREENE: The—the level of
20 access you have to the staff at the Department of
21 City Planning or existing planning organizations that
22 are doing this long-term work that is not specific to
23 access there. (sic)

24 COUNCIL MEMBER AYALA: [interposing] The
25 access is there. The access is there.

2 COMMISSIONER GREENE: It is there?

3 COUNCIL MEMBER AYALA: Yeah, it is there.
4 Yes.

5 COMMISSIONER GREENE: But it's not
6 adequate to get to the informed long-term data?

7 COUNCIL MEMBER AYALA: I don't—I don't—no
8 I mean I think that it depends on the elected
9 official. Right, the plan is on what's happening in
10 a specific community. I think, you know, our days
11 are pretty grueling and we're dealing with a million
12 issues, you know, that are coming at us
13 simultaneously, and it's very difficult for us as
14 well, you know, to just sit there—to sit there and
15 dedicate the—the amount of time, and that's why the
16 community boards are really crucial as part of this
17 process, and that's why it's important that they also
18 have land use experienced staff because that's where
19 the work begins right? That's where—that where all
20 the grassroots work is done, and they advise to, you
21 know, to—to develop a Council Member and I—you know,
22 so, yeah but the services are available. I mean the
23 resources are there.

24 COMMISSIONER GREENE: Okay.

25 CHAIRPERSON BENJAMIN: Carl.

2 COMMISSIONER WEISBROD: Yes I—Council
3 Member I think if I understood you correctly in
4 response to a question Commissioner Hirsh, you don't
5 think of a comprehensive plan as being a--

6 COUNCIL MEMBER AYALA: [interposing] No.

7 COMMISSIONER WEISBROD: --new zoning
8 resolution--

9 COUNCIL MEMBER AYALA:[interposing] No.

10 COMMISSIONER WEISBROD: --but—but—but so
11 would something along the lines of PlanNYC or OneNYC,
12 which the Charter requires the city to do every two
13 years, which is a—a broad update on, and approach on
14 many of the issues, but perhaps not all of the issues
15 that you raised, be the kind of approach to a
16 comprehensive plan that you have in mind?

17 COUNCIL MEMBER AYALA: If we put those—if
18 we put those ideas to action, yes, but if we're
19 writing them down and we're sharing a brochure, no.

20 COMMISSIONER WEISBROD: But it's—I mean
21 comprehensive plan if I understand what you're saying
22 is something not exactly on the—a matter of law, but
23 rather a plan literally that then gets implemented
24 through law over time. Is that a fair--?

2 COUNCIL MEMBER AYALA: Well, you do that
3 now. You do that now and we haven't seen the outcome
4 right, and so I think that it takes the Charter
5 Review and makes—it takes a mandate sometimes to
6 make, you know, to effectuate change, and I think
7 that, you know—you I've read those—those—those books
8 of suggestions and wonderful ideas, but they don't
9 ever—they're never—they never come to fruition and so
10 that's my concern, and I think that that's the
11 concern of the Caucus as well.

12 CHAIRPERSON BENJAMIN: Thank you very
13 much.

14 COUNCIL MEMBER AYALA: Thank you, thank
15 you.

16 CHAIRPERSON BENJAMIN: And I'm sure we'll
17 be hearing more from the Progressive Caucus, and
18 you'll—you'll submit some additional material.

19 COUNCIL MEMBER AYALA: Thank you.

20 CHAIRPERSON BENJAMIN: And thank you for
21 waiting Mr. Walters.

22 CHRIS WALTERS: Good evening Chair
23 Benjamin and good evening Commissioners. Thanks for
24 the opportunity to testify tonight. I'll be speaking
25 broadly on the same theme as the Council Member on

2 land use reform. My name is Chris Walters and I'm
3 the Rezoning Technical Assistance Coordinator at the
4 Association—at the Association for Neighborhood and
5 Housing Development, ANHD. ANHD is a coalition of
6 neighborhood groups throughout New York City working
7 to ensure the right to affordable housing and
8 thriving equitable neighborhoods for all New Yorkers.
9 In my role in ANHD I provide technical assistance to
10 community groups engaged in campaigns around large
11 scale neighborhood rezonings including the Jerome
12 Avenue rezoning that was approved earlier this year
13 here in the Bronx. Through my work with these groups
14 I've seen first hand the unfortunate ways in which
15 New York City's current land use process is simply
16 not working for low-income communities. This fact is
17 reflected in numerous land use actions including
18 neighborhood rezonings that increase displacement
19 pressures for low and moderate income neighborhoods
20 while failing to provide housing that is affordable
21 to the majority of the community. Public land being
22 given away to for-profit developers and community
23 members and community boards whose voices and
24 recommendations are largely ignored. The way land
25 use decisions are made and who has a say in them

2 truly matters, and the consequences, as I'm sure
3 you'll hear throughout these hearings are very real.
4 Too many low-income communities feel they have no
5 agency in the changing taking place in their
6 neighborhoods. While too many wealthy communities
7 remain exclusionary and they're not asked to do their
8 part. Changing the way that land use decisions are
9 made in NYC then is a matter of equity. Low-income
10 communities should not have to bear the brunt of new
11 density for a growing city or accept luxury
12 apartments in order to get long overdue investments.
13 We need to use the charter revision process to
14 reimagine how land use decisions are made, and the
15 way that increases community power in the planning
16 process to advance the equitable distribution of city
17 resources, facilities and new development. On behalf
18 of ANHD and its members I urge the Commission to make
19 land use perform specifically with the aim of
20 increasing equity across neighborhoods a central
21 focus of your upcoming efforts. ANHD will be working
22 with its members to develop more specific proposals
23 to advance these goals and we look forward to sharing
24 these with the Commission in the weeks and months
25 ahead. Thanks very much for your time.

2 CHAIRPERSON BENJAMIN: Thank you very
3 much, Mr. Walters. Mr. Vacca.

4 COUNCIL MEMBER VACCA: I'm interested in
5 your testimony, but I wanted to touch on something,
6 and I wanted to know if this is included in your
7 overall assessment, mainly as-of-right development.
8 We have communities that get a notice that a new
9 building is going up, and because that building is
10 meets the zoning even if the community has concerns
11 about density or lot line to lot line development,
12 they are told it is a matter of right and nothing you
13 can do. So, I want to know where do you fall on this
14 issue? Is this something that you've heard from your
15 constituent organizations that is a-a willingness to
16 discuss or a feeling that this should be included.

17 CHRIS WALTERS: Sure. You know, I don't
18 want to get ahead of our membership right now in
19 terms of what specific recommendations be put before
20 the Charter Committee. I know in terms of our base
21 building groups and organizing, you know, working
22 with developers for as-of-right buildings, looking
23 for what leverage they can, you know, trying to
24 really get that community input and community
25 interests in these developments is something our

2 groups are very interested in. Whether as-of-right
3 is something that we as a-as an organization and our
4 members would want to address through charter reform,
5 I wouldn't speak to right now, but I think that this
6 larger issue of-of equity in terms of where every
7 neighborhood is seen, you know, is every neighborhood
8 getting the resources that it needs? Is every
9 neighborhood doing its part for adopt, you know, for
10 absorbing new density in the city? Is every
11 neighborhood doing its part for accepting city
12 facilities both what are considered positive and-and
13 negative.

14 CHAIRPERSON BENJAMIN: Thank you. Thank
15 you very much, Mr. Walters. Our next speakers are
16 Alexis Lorenzo and Jane Aoyama Martin. [background
17 comments, pause]

18 JANE AOYAMA-MARTIN: Good evening. I'm
19 Jane Aoyama-Martin. I'm the Project Director of
20 Bronx Legal Services. This is Alexis Lorenzo our
21 Director of Foreclosure Prevention and Community
22 Economic Development. On behalf of our clients in
23 the Bronx communities that we serve, we want to thank
24 the New York City Charter Commission for holding
25 these public hearings. Bronx Legal Services is part

2 of the larger Legal Services NYC, which is the
3 largest civil legal services provider in the country.
4 For over 50 years we've challenged systemic injustice
5 and help clients meet basic needs in housing,
6 education, healthcare, family stability, income and
7 economic security. Our neighborhood based officers
8 across the five boroughs serve 80,000 New Yorkers
9 every year. In the Bronx last year we served 28,000
10 low-income Bronx residents with all of their legal
11 issues. Last year we protected nearly 13,000 tenants
12 and their families who were facing eviction. Our
13 work in the area of housing puts us in a position to
14 understand the complex housing crisis facing our
15 clients daily. It's from the breadth of experience
16 that we testify today, and at this point we're
17 sharing out time. I'd like to turn it over to Alexis
18 Lorenzo.

19 ALEXIS LORENZO: Thank you. Good evening
20 Commission members. As Jane mentioned, my name is
21 Alexis Lorenzo, and I not only work in the Bronx, but
22 I am a lifelong resident. We at Bronx Legal Services
23 have had the privilege to work with many long-term
24 residents and community leaders in the Bronx. While
25 we are a full service legal services organization,

2 much of our work has been focused on helping our
3 clients keep a roof over their heads, the basic
4 essential human need for a place to live. In our
5 practice we are witnessing a shrinking housing stock,
6 unaffordability and displacement of families every
7 day caused by rezoning, market speculation and greedy
8 landlords. We are witnessing the reduction in
9 affordable rents and destruction of our Bronx
10 communities. Rezoning exacerbates gentrification and
11 displacement and causes re-segregation because of the
12 unaffordability levels of new housing stock created.
13 To create greater accountability for affordable
14 housing plans, we ask the commission to consider the
15 following two points: Strengthen anti-displacement
16 protections for low-income New Yorkers, require the
17 city to report on how proposed affordable housing
18 plans are compliant with the Fair Housing Act in
19 particular disparate impact. Implement meaningful
20 methods for evaluating the potential for direct and
21 indirect displacement as a result of its affordable
22 housing plan. This would include adding public
23 housing land to those dispositions subject to public
24 review under ULURP so that residents get a meaningful
25 say in how public land in NYCHA's inventory is used.

2 Secondly, we would like to see meaningfully-
3 meaningful community planning that is participatory,
4 equitable and supported by data, which would involve
5 standardizing the community board application and
6 selection process, establishing an independent
7 community planning office that supports community
8 involvement and promotes resident led housing
9 initiatives. It would also require the city to
10 uniformly collect neighborhood profile data that
11 could be shared with community residents and give
12 agencies the information to re-evaluate the impact of
13 land use activities in the long term. Finally, the
14 Bronx is entitled to continuous and consistent
15 investments by the city, not investments that forces
16 out low-income and working class residents of color
17 and destroys our communities. Bronx residents are in
18 need of affordable long-term housing for themselves,
19 their families and -excuse me- and we need to ensure
20 that Bronx retains its character, it's diverse and
21 thriving communities. On behalf of Bronx Legal
22 Services and Legal Services NYC, we thank you for
23 your time and giving us the opportunity to testify
24 here today. [applause]

2 CHAIRPERSON BENJAMIN: Thank you very
3 much. Questions? Jim and then Steve.

4 COMMISSIONER CARAS: Thank you for your
5 testimony. I had a question similar actually to what
6 the Chair asked previous. Do you all have research
7 on the issues of housing on public housing sites and
8 ULURP? 197-C in our Uniform Land Use Review
9 Procedure 8 does nominally subject housing and urban
10 renewal plans and projects pursuant to city, state
11 and federal housing laws, and I wondered if you guys
12 had researched how broad or narrow that is in
13 comparison to what one of your suggestions is, and
14 I'd be interested to-to see that.

15 JANE AOYAMA-MARTIN: We'd be happy to
16 follow up with the Commission on additional research,
17 but our testimony comes from our on-the-ground work,
18 what we see and how we help the low-income residents
19 in the Bronx. So, we can't really provide, you know,
20 burden (sic) ourselves with, you know, research and
21 discuss, you, to answer your question. [applause]

22 CHAIRPERSON BENJAMIN: Okay. Steve.

23 COMMISSIONER FIALA: Thank you. Ms.
24 Lorenzo, could you just flesh out in brief detail
25 what constitutes in your mind an independent

2 community planning office. What would that construct
3 be like?

4 ALEXIS LORENZO: Not appointed, elected.

5 COMMISSIONER FIALA: Elected. [applause]

6 So, so replacing the--

7 ALEXIS LORENZO: [interposing] That's the
8 position we've taken.

9 COMMISSIONER FIALA: Yeah. Replacing the
10 existing CPC with 13 elected members.

11 ALEXIS LORENZO: That's right.

12 COMMISSIONER FIALA: Okay, thank you.

13 [applause]

14 CHAIRPERSON BENJAMIN: And would that
15 then replace the City Council also?

16 ALEXIS LORENZO: That's our position.

17 CHAIRPERSON BENJAMIN: Okay, thank you
18 very much. [applause] [off mic] Anita Long from Past
19 Protestants, and Mohan Mehta. [background comments,
20 pause] Oh, I'm sorry. [on mic] But meanwhile, I can
21 speak quite loudly. So, Anita Long, and Mohan Mehta
22 along, and Mohan Meta. [pause] Ms. Long.

23 ANITA LONG: Good evening.

24 CHAIRPERSON BENJAMIN: Do you have a-if
25 you could speak into the microphone.

2 ANITA LONG: Good evening Charter
3 Committee. My name is Anita Long--

4 CHAIRPERSON BENJAMIN: Hold on one
5 second. Is that working?

6 ANITA LONG: I don't know. This must be
7 working.

8 CHAIRPERSON BENJAMIN: Okay, you may need
9 to speak more directly--

10 ANITA LONG: Okay.

11 CHAIRPERSON BENJAMIN: --into it.

12 Closer, to it.

13 ANITA LONG: Good evening Charter
14 Committee and thank you for the opportunity to allow
15 me to speak. I am a member of Citizens of the Bronx.
16 The Bronx is a--the Bronx has the largest racial-
17 ethnic groups, which are Hispanics, which is 55.4%
18 followed by blacks, 29.5% and whites, which is 9.6%.
19 In 2016, the median household income of the Bronx
20 residents was \$35,000 approximately. However, 30-
21 30.5% of the Bronx residents still live in poverty.
22 My talk about is affordable housing. The government
23 says housing is affordable if tenants pay no more
24 than 30% of income towards rent, but 30% of \$30,000
25 is very different than 30% of \$250,000. So, when the

2 government talks about creating affordable housing,
3 we have to ask affordable to whom? The government
4 uses area median income, AMI, to create affordable
5 housing programs. The AMI for the New York City is
6 about \$90,000 for a family of four. The average
7 income for a family of four in the neighborhoods
8 around Jerome Avenue is about \$25,000. That's about
9 30% of the AMI. So, when the government talks about
10 subsidizing affordable housing, we have ask will it
11 be affordable to the Bronx residents? Salaries of-of
12 the city renters have not changed much in over 20
13 years, but the average monthly rent for an apartment
14 in New York City increased about 40% in those years.
15 The city's newest policy, which is called Mandatory
16 Inclusionary Housing, which was created for
17 affordable housing requires developers to set aside
18 25%--25 to 30% of units in new development as
19 affordable housing. MIH sets that levels of
20 affordability. Now there are two main options that
21 the Bronx developers will use. Option 1: Ten percent
22 of the apartments to households making 30--about
23 \$36,000 or less, 25% of the apartments goes to the
24 households making \$54--approximately \$54,000 or less
25 and 65% of the apartments will now become market

2 value. Option 2: Thirty percent of the apartments to
3 households making approximately \$72,000 and 70% of
4 the apartments will become market value. [background
5 comments, pause] Okay. I'm going to speed it up.
6 MIH hasn't created affordable housing for the Bronx
7 residents affected by the Jerome Avenue Rezoning.
8 There's currently no mechanism in place to create
9 affordable housing that will reflect the needs of
10 local residents unless we change the formula for what
11 affordability levels are or create something new for
12 the residents of the Bronx. You have about 80% of
13 the population who is being left out in the-- Thank
14 you. [applause]

15 CHAIRPERSON BENJAMIN: Thank you very
16 much. As you—as you know, the affordability levels
17 of the AMI are set by the federal government, and
18 when we take federal money we have to use those
19 numbers. However, the city as you've said in MIH and
20 in other of the housing programs, there—they rant
21 from 20% of AMI to 80% to try and get additional
22 units available to different levels of income. But I
23 do want to say that the AMI is not something the city
24 sets, but we can decide the percentage of AMI that

2 the housing will be available to. Any questions?

3 Okay, thank you Mrs. Long. Mr. Mehta.

4 MOHAN MEHTA: Good evening Commissioners.

5 Thank you for giving me the opportunity to provide

6 testimony to advise the next phase of Charter Review

7 and Revisions. My name is Mohan and a Senior

8 Associate with the Regional Plan Association. RPA is

9 an urban planning, research and advocacy organization

10 working to improve the New York Metropolitan Region's

11 prosperity, sustainability and quality of life. This

12 fall New Yorkers will be able to vote on a series of

13 Charter Revision proposals for restructuring New York

14 City government. In our Fourth Regional Plan we

15 discussed the importance for inclusivity in planning

16 and development of processes that govern our city.

17 We applaud the Mayor's commission for promoting the

18 ideas of more robust civic engagement and solutions

19 to diversify community boards and drive community

20 planning. The Council Commission has the opportunity

21 to build off these efforts and provide comprehensive

22 review and overhaul for voters in 2019. Imposing

23 term limits on community board members standardizing

24 the appointment process and using annual reporting to

25 ensure boards represent their districts, as proposed

2 by the Mayor's Commission, will expand opportunities
3 for civic engagement and help create more
4 representative body of local stewards. To reduce the
5 knowledge gap and promote robust participation in
6 meetings and decision making, community board reform
7 should include specific tools and practices such as
8 expanded budgets purports to improve capacity and
9 accessibility. Funding should be used to hire
10 technical experts such as full-time urban planners
11 that can improve more capacity and prepare them to
12 the developed community plans; childcare and
13 translation services before public events should be
14 fully funded to improve community turnout and
15 participation at events. Standardizing requiring
16 digital tools for engagement, software could be
17 implemented citywide to enable community members to
18 participate in community board discussions and
19 decisions without physically being at the meeting.
20 Additionally, each community board should have
21 predictable online presence and clarity and publicity
22 for events and agendas, historical records,
23 communications other documentations. Standardizing
24 training for Board members so that they better
25 understand basic planning concepts in the ULURP

2 process can help community boards better define the
3 role in the development process, and what community
4 outcomes should be prioritized. Community boards
5 should also be required to produce official community
6 plans and updates on a rolling basis. If a Civic
7 Engagement Commission is established, the city will
8 have taken an important step solidifying the value
9 and necessity for broader community participation in
10 decision making. As currently proposed, the
11 Commission will focus on participatory budgeting,
12 language interpretation at poll sites, raising
13 awareness of city services and supporting other
14 engagement activities citywide. This entity should
15 be given the resources necessary to take on more
16 responsibility and reach. The commission can work
17 with community groups and community boards to
18 strategize local planning activities, take lead on
19 pre-ULURP action around the city to involve the
20 public before and during formal processes, develop a
21 citywide planning framework source from community
22 board input, and be tasked with regularly undertaking
23 a citywide comprehensive planning process. Efforts
24 should also be made to improve transparency and
25 reduce the burden on city government by establishing

2 processes, rules and guidance to enable community
3 based decision making. In addition to building
4 awareness and consensus on projects, the city should
5 adopt tools and systems to encourage community
6 stewardship or neighborhood access, and provide a
7 platform to push new ideas. I'll briefly touch on
8 two examples: Madrid adopted a free civic engagement
9 platform called Console and it successfully used this
10 technology to give broader engagement during
11 participatory-participatory budgeting. The
12 technology also enables residents to pitch and
13 promote ideas for new projects. If an idea receives--
14 receives a certain number of votes from the
15 community, the Council is required to evaluate the
16 idea and consider it for adoption.

17 CHAIRPERSON BENJAMIN: [interposing] Oh,
18 can you sum up? (sic)

19 MOHAN MEHTA: New York City already has a
20 similar approach to its budgeting.

21 CHAIRPERSON BENJAMIN: The bell has gone
22 off so--

23 MOHAN MEHTA: [interposing] Yes.

24 CHAIRPERSON BENJAMIN: --if you could sum
25 up?

2 MOHAN MEHTA: And we encourage
3 exploration of apply this technology further. I'll
4 just quickly go over some land use goals that we—we
5 think that the Commission shod consider.

6 CHAIRPERSON BENJAMIN: There—have—have
7 you submitted that to us?

8 MOHAN MEHTA: No. I can submit this at
9 the end.

10 CHAIRPERSON BENJAMIN: That would be--

11 MOHAN MEHTA: Yeah.

12 CHAIRPERSON BENJAMIN: --that would be
13 good.

14 MOHAN MEHTA: Okay, we—we believe
15 adopting official plans for each community board that
16 includes targets to increase the supply of affordable
17 housing and identify infrastructure needs, clear and
18 comprehensive official requirements and guidance,
19 transparency and accountability in the land use
20 review process. So, the public can weigh in before
21 an EIS is submitted, and track new mitigation efforts
22 for all EISs prepared including public—public and
23 private land use apps, and requiring community needs
24 assessments before the disposition of public sites.
25 We—we look forward in the coming months to working

2 with our partners in the Commission to solidify more
3 requirements.

4 CHAIRPERSON BENJAMIN: Thank you very
5 much, and if you could submit to us so that we could
6 have a copy of it. Questions? Thank you very much.

7 COMMISSIONER VACCA: What--what--can you
8 clarify what you just mentioned about E-A-EIS and EIS
9 statements? Were you--you spoke about major
10 developments and that the EIS and EAS statements
11 should be submitted the community boards. Is that
12 what you said?

13 MOHAN MEHTA: No, I--

14 COMMISSIONER VACCA: Oh, I thought that's
15 what you said because that already happens now.

16 MOHAN MEHTA: Right, right. We're saying
17 that there should be--mitigation measures should be
18 tracked better when--when--with--when the EIS is
19 prepared for both public and private land use
20 applications.

21 COMMISSIONER VACCA: Okay.

22 MOHAN MEHTA: I'd say I believe the
23 Council already has a--a process for tracking both
24 mitigation and--and governmental commitments to

2 community—to communities pursuant to zoning changes,
3 and they are tracked and published.

4 CHAIRPERSON BENJAMIN: Okay, you may want
5 to take a look at that but if could submit your
6 testimony--

7 MOHAN MEHTA: Sure.

8 CHAIRPERSON BENJAMIN: --I would
9 appreciate it. Roxanne Delgado and Alfred Lynch, Jr.

10 ROXANNE DELGADO: Hello. How are you?
11 My name is Roxanne and I've lived in the Bronx my
12 whole life. I'd like to start off first with
13 Commission should have chose a better date. I'm
14 sorry. I had to leave a volunteer event for the
15 primary date tomorrow. So, I know you have limited
16 choices, and also I would like if the Commission will
17 introduce each of its members and your background,
18 but I could look it up on the website. Okay, to
19 continue. I'm here on behalf and support of term
20 limits. Rumors says that this commission was
21 convened by the City Council to overturn term limits
22 again, against all the people. Like I said, it's
23 rumors. Like I said, the people voted three times
24 for two term limits, and actually my City Council
25 Member Jimmy Vacca against the will of the people had

2 voted him to the third term in 2009. Shame on you,
3 but I digress. Hello.

4 COMMISSIONER VACCA: I always thank you
5 for your remarks, which are most times not pleasant,
6 but—

7 ROXANNE DELGADO: [interposing] They're
8 factual, though.

9 COUNCIL MEMBER VACCA: --I'm proud of—I'm
10 proud of my service.

11 ROXANNE DELGADO: [interposing] But
12 they're factual.

13 COUNCIL MEMBER VACCA: I'm proud of my
14 service. Other people can't say that. I'm proud of
15 my service.

16 ROXANNE DELGADO: But it's a fact.
17 First, you interrupted my time and second it's a fact
18 that you overturned term limits. It's a fact. So,
19 please let's not argue. Let's be polite. I apologize
20 Commissioner.

21 COUNCIL MEMBER VACCA: That's being
22 polite, yes.

23 ROXANNE DELGADO: But I was really
24 interrupted by my former City Council Member. There'
25 a loophole that will permit him—permit him to run

2 again in 2020, which would be the worst thing to
3 happen to me. God forbid. So, we need to close that
4 loophole because people voted for each city Council
5 Member to serve two terms. Actually, City Council
6 Member Karen Koslowitz has served ten years from
7 2000—like ten years.

8 CHAIRPERSON BENJAMIN: Karen Koslowitz.

9 ROXANNE DELGADO: I'm sorry.

10 CHAIRPERSON VAN BRAMER: Koslowitz.

11 ROXANNE DELGADO: She served 10 years and
12 she returned in 2009 to serve another 12 years
13 totaling 22 years in service, which is against the
14 two-four term limits which is eight years.

15 CHAIRPERSON BENJAMIN: Yes, but the
16 legislature—I don't mean to interrupt you—

17 ROXANNE DELGADO: It's a loophole.

18 CHAIRPERSON BENJAMIN: It's not a
19 loophole. What the legislation says and what was
20 adopted is that a Council Member can only serve two
21 consecutive year terms.

22 ROXANNE DELGADO: Two consecutive.
23 Exactly.

24 CHAIRPERSON BENJAMIN: But—but if they
25 return after not serving, there is no prohibition--

2 ROXANNE DELGADO: [interposing] But there
3 should be.

4 CHAIRPERSON BENJAMIN: It is not a
5 loophole.

6 ROXANNE DELGADO: There should be a
7 prohibition.

8 CHAIRPERSON BENJAMIN: This is the law.

9 ROXANNE DELGADO: This is against the
10 spirit of the law. There should be a prohibition as
11 you stated where they're not only—can only serve
12 consecutive terms for—term years, but they also
13 cannot return after serving those two consecutive -
14 four terms because it's against the spirit the
15 people. You have to understand there's laws that
16 there's always like that are ways to circumvent the
17 law. I'm asking you to prevent that from happening
18 please because you have to give other new voices a
19 chance. These people are serving to their—to their
20 80s. No sense. I'm not against—I'm not against, but
21 sometimes you have to have new voices. These people
22 are the ones why I can't afford my rent any more.
23 They say oh, City Planning. It's the City Council
24 that approves these zonings. It has the final
25 authority. So why do they blame it to City Planning?

2 It's the City Council and the Speaker that does it.

3 They have more power than Mayor has. Okay.

4 [applause] I'm sorry, but it's true.

5 CHAIRPERSON BENJAMIN: Alright.

6 ROXANNE DELGADO: I mean I'm sorry, and
7 my second thing district manager. They should be
8 appointed I mean elected not appointed because this
9 is a powerful position and my former City Council
10 member chose our District Manager. No offense to
11 him. He's a nice young guy, but if he's the best of
12 the selection process we don't know. It's a closed
13 process, and one last thing please, please one last
14 thing.

15 CHAIRPERSON BENJAMIN: Okay.

16 ROXANNE DELGADO: One last thing and I'm
17 leaving. Because I was unprepared. I wrote this at
18 the last minute. Community Boards yes term limits,
19 the District Manager should be an elected position
20 and I guess I was talking about, and special
21 elections. Thank you for your time. Thank you,
22 Commission. Have a good day.

23 CHAIRPERSON BENJAMIN: Any questions?

24 Oh, really quick. Any questions.

25 ROXANNE DELGADO: I'll go. (sic)

2 CHAIRPERSON BENJAMIN: I just want to
3 make sure what you said. You—you would like us to
4 look at making the term limit prohibition for all
5 time.

6 ROXANNE DELGADO: Exactly.

7 CHAIRPERSON BENJAMIN: You get two terms
8 period.

9 ROXANNE DELGADO: They should not be able
10 to return.

11 CHAIRPERSON BENJAMIN: [interposing] So,
12 that was kind of a yes or no?

13 ROXANNE DELGADO: Yes, please
14 Commissioner, please Chairperson.

15 CHAIRPERSON BENJAMIN: And you're also
16 asking us about electing district managers--

17 ROXANNE DELGADO: [interposing] Correct.

18 CHAIRPERSON BENJAMIN: --in our
19 community, electing in the community how would they
20 be elected?

21 ROXANNE DELGADO: Just like the—a regular
22 elected position you're elected.

23 CHAIRPERSON BENJAMIN: Like your—your
24 Council Member, right.

2 ROXANNE DELGADO: Yes, and I think for
3 the same terms. They come through the same process,
4 the same year. It could run consecutively.

5 CHAIRPERSON BENJAMIN: But the other
6 members of the Community Board would not be?

7 ROXANNE DELGADO: [interposing] No, no
8 because they're volunteer. They don't receive a
9 salary. .

10 CHAIRPERSON BENJAMIN: Okay.

11 ROXANNE DELGADO: Thank you.

12 CHAIRPERSON BENJAMIN: Thank you.

13 ROXANNE DELGADO: Thank you.

14 CHAIRPERSON BENJAMIN: Is Alfred Lynch,
15 Jr. [applause] Not here? [background comments]
16 Okay, then Demetri Daniel Glinsky and Grace Lavaglio
17 or Lavaglia? Grace are you here?

18 GRACE LAVAGLIA: Present.

19 CHAIRPERSON BENJAMIN: Okay. Is it
20 Lavaglia or Lavaglia.

21 GRACE LAVAGLIA: Lavaglia.

22 CHAIRPERSON BENJAMIN: Okay. So, Mr.
23 Glinsky.

24 DANIEL GLINSKY: Okay. Good evening dear
25 commissioners. I want to thank your staff for

2 reaching out. To fight, you need a purpose to fight.

3 Following up on my testimony on similar lines of

4 subject at the City Council Immigration Committee

5 last year. The Russian-speaking Community Council

6 the organization that I represent here today is

7 501(C)(3) non-profit organization that is organizing

8 that location for about 200,000 immigrant New Yorkers

9 from 15 former countries with a special emphasis on

10 refugees, asylum seekers and a growing number of a

11 particular exiles from Russia and other authoritarian

12 regimes, and these are the people who are escaping,

13 have escaped and people what's called here taxation

14 without representation in their native countries, we

15 want them to be able to find a better arrangement for

16 themselves in their new home country, which is why I

17 will be speaking--well, there were a number of very

18 important proposals here that I would support, but I

19 will stay within the City Charter itself, and only

20 address our proposals for one section. That is

21 Chapter 1, Section 18 Office of Immigrant Affairs.

22 Well, our city is 60% foreign born now by official

23 studies, and from our perspective what immigrants

24 need most of all are first representation and second

25 is demand for safe streets. (sic) Well, the Mayor's

2 Office of Immigrant Affairs, as it is structured
3 under this article gives none of that at the moment.
4 Its staff are very good professionals. They have
5 plenty of good intentions, very educated, but often
6 have very little connection to immigrant communities
7 which are not represented there and often feel
8 excluded. The charter has no provisions for regular
9 input from these community into the work and the
10 staff of this officer, and many complain that the
11 office is really not responsible. Sometimes not able
12 to respond at all to what's going on within as well
13 as between immigrant communities. [bell] Meanwhile
14 in other cities, progressive governments have set up
15 different types of entities and agencies on immigrant
16 affairs. It includes community leaders and have much
17 broader mandates than MOIA. Thus San Francisco has
18 an Immigrant Rights Commission, which by law must
19 ensure that more than half of its members are
20 immigrants and must hold annual public hearings.
21 Important when report on this policy commission must
22 by law provide presentation from a reasonably broad
23 spectrum of refugee and immigrant communities. There
24 are similar immigrant councils in the state of
25 Massachusetts and assists the governments Nashville,

2 Houston, et cetera. The father of comprehensive
3 immigration reform that was passed by the U.S. Census
4 in 2013 that so many of us supported at the provision
5 and setting up new American councils at the local
6 level. These arrangements are clearly more
7 progressive, more Democratic and representative than
8 the current Office of Immigrant Affairs. [bell] So,
9 we urge the commission to follow this work, the
10 examples and to scrap the Office of Immigrant Affairs
11 in its present form. Instead, there should be an
12 immigrants rights and policy commission more along
13 the lines of Human Rights Commission. Its members
14 should be appointed from candidates of established
15 community leaders submitted by immigrant-led non-
16 profit organizations. It's composition should be
17 approximately proportional to major immigrant
18 communities in the city, but no less than one for any
19 community of 20,000 people or more, and this
20 Commission is to be effective and to command real
21 respect should the salaried professional civil
22 services because—partly because there are big
23 differences in our communities in terms of their
24 leadership and their—their organizers being able to
25 get funded for their work. Some are working for

2 many, many years providing government community
3 relations free of change on a once-year basis because
4 it is a specially funding process in City Council is
5 unfortunate. It is a very flawed and often very
6 politicized. Some smaller communities might get a
7 lot of money. Larger at all. So, that's what I
8 wanted to submit for your attention, and we will be
9 submitting draft revisions in writing later, and--

10 CHAIRPERSON BENJAMIN: [interposing] That
11 would be really--

12 DANIEL GLINSKY: And we support--we
13 express support to some of my people who are not
14 here--

15 CHAIRPERSON BENJAMIN: [interposing] That
16 would be good.

17 DANIEL GLINSKY: --but they wanted to be
18 here and testify.

19 CHAIRPERSON BENJAMIN: Thank you so much.
20 [applause] Are there questions? Thank you much, Mr.
21 Glinsky. Ms. Lavaglia.

22 MS. LAVAGLIA: Good evening, good evening
23 everyone. Thank you for allowing me to speak. I'm
24 flying by the seat of my pants. I don't have
25 anything to submit. Yay. [laughter] I'm a

2 community resident of the Alagen (sp?) Avenue area.

3 I am very involved in my community. I'm an advocate.

4 I am the Chair of the Neighborhood Advisory for the

5 DYCD. I'm on some other community organizations for

6 the 49th Precinct Clergy Council, and I go to all my

7 community board meetings and my Precinct Council

8 meetings and pretty much any meeting that I think is

9 going to benefit the Community such as this one. And

10 I basically wanted to address the--the over-

11 development of our community. The young lady that

12 spoke about the AMI, the AMI is like rocket science.

13 Nobody can understand where they get numbers from.

14 So, if there's any way to get rid of that and come up

15 with an actual formula that will work, that would be

16 good. The housing--this housing crisis that people

17 keep talking about and are buying into is really not

18 a housing crisis at all. It's a manufactured housing

19 crisis. The problem is that the rent--you have

20 developers coming in, and raising the property taxes

21 and the--the rents come--they come in. Affordable

22 housing when you say affordable housing I think it's

23 like 30 or 35 is affordable. What about the people

24 that maybe make \$15 or \$14,000 a year? We're not

25 even on the--the chart. There are people, the elderly

2 the disabled, people that may not be part of SCRIE or
3 DRIE and things like that. There are homeowners that
4 are struggling to keep their homes because everything
5 is going up. So, there's no lack of housing.
6 There's housing, but it's just not affordable, and
7 making \$30,000 a year does not make something
8 affordable either because in our community, we have
9 more low-income people than affordable income people
10 at this point. So, that's just basically what I
11 wanted to say.

12 CHAIRPERSON BENJAMIN: You've got 20
13 seconds

14 MS. LAVAGLIA: I got 50 seconds, okay.
15 [laughs] I forget what I was going to say. I should
16 have wrote this down. Oh, the Methadone clinics that
17 are popping up all over the place and the-the
18 shelter. They're converting apartment buildings into
19 shelters without any community input at all. It is
20 ruining our quality life issues, and I think that
21 needs to be more transparent. The community has-has
22 to have a voice in who is going to be living next to
23 us. We don't know who is living next to us. We get
24 people from who knows where coming that are displaced
25 from Brooklyn and-and Harlem and wherever. There's-

2 there's gentrification going on, they get displaced.
3 They come to the Bronx and they bring their bad
4 habits with them, and we don't need that. We have
5 our own bad habits, and just—I just want to say one
6 last thing regarding the police. Before people bash
7 the police—yes there are problems with some things,
8 the police have a very hard job, and I think we need
9 to support them. If more people are involved in
10 their—in their police precincts like I am, a lot of
11 people in the community are, you get to know your
12 police officers. You know your captain. They have
13 the neighborhood coordination officers ow, which is
14 basically bring back the beat cop. So, it's not—I
15 don't know where people are getting that other
16 information from, but if you do consider having a
17 CCRB or having a different—a different commission
18 overseeing the police, they need to be mandated to—to
19 train and go to the Citizen's Police Academy for
20 training before anybody be on any board that's going
21 to decide what happens to a police officer when
22 they're doing something that they are required—that
23 they have to do. I mean they have to protect
24 themselves as well and not only us. Thank you.

2 CHAIRPERSON BENJAMIN: Okay, thank you.

3 Are there any questions? Thank you very much Mr.

4 Glinsky and Ms. Lavaglia. [background comments]

5 Okay, I've been asked to say anyone who has testified

6 today who has not already submitted copies of their

7 written testimony to the staff, we strongly urge you

8 to send a copy of this, of your testimony to the

9 Commission either through our website, which is

10 www.charter2019.nyc or by email to info@charter

11 2019.nyc or you can give it to one of the staff

12 members seated here including Jonathan who is just

13 sitting down, who is raising his hand; Ann who is

14 sitting and was raising her hand, is raising her

15 other hand or Indiana or Janeda who are not raising

16 their hands but there's Janeda--there they are. Okay,

17 and we will take that testimony any time. The next

18 speakers Judeo Semantelli, Keith. I can't quite and

19 Alex Camarda.

20 JUDEO SEMANTELLI: Okay, just try Madam

21 Chair. (sic)

22 CHAIRPERSON BENJAMIN: Well, it's your

23 handwriting actually.

24 JUDEO SEMANTELLI: I wrote it actually.

25

2 CHAIRPERSON BENJAMIN: [laughs] So, we'll
3 blame you.

4 JUDEO SEMANTELLI: I was wondering how I
5 was going to get some water here.

6 CHAIRPERSON BENJAMIN: Okay, good.

7 JUDEO SEMANTELLI: That's free way. Mr.
8 Albanese, how are you? A maverick. This man is a
9 maverick.

10 CHAIRPERSON BENJAMIN: Yes.

11 JUDEO SEMANTELLI: Not like certain
12 other City Council people, but I'm not going there.

13 CHAIRPERSON BENJAMIN: Are you talking
14 about Mr. Fiala?

15 JUDEO SEMANTELLI: Can I go first. Who
16 would you prefer?

17 CHAIRPERSON BENJAMIN: Well, I called
18 Judeo.

19 JUDEO SEMANTELLI: Oh, first up. Okay,
20 I'll-my name is Sematelli, Judeo Semantelli, and I'm
21 here to say that my City Council or the City Council
22 itself as a whole has been doing such a great job. I
23 support a third term. That's a joke. [laughter]

24 CHAIRPERSON BENJAMIN: No it is not.

2 JUDEO SEMANTELLI: That is a joke, and
3 that's--

4 CHAIRPERSON BENJAMIN: I was writing it
5 down.

6 JUDEO SEMANTELLI: --and my point is it's
7 a joke because this is what the community is
8 speaking. As Mrs. Lovaro (sic) said, this is a joke,
9 and I hope that this committee, this revision,
10 Charter Revision that actually legislated itself as a
11 board, which I think is a conflict of interest if it
12 eve comes up, but I hope it doesn't come up, but that
13 it created itself. I'm hoping some of the brave
14 members here by the end of my three minutes will say
15 no we don't support a three term and we're not going
16 to advocate. This board will not advocate for one,
17 and I'm--and I'm looking at him. I waiting for him to
18 do it after my three minutes, but we'll see and--but I
19 testified at the Mayor's Revision. I'm here. Thank
20 you for having us here, and thank you for spending
21 this evening with us, but there are certain issues.
22 One of the issues that we need to do, or would like
23 to suggest is that the Department of Investigation,
24 the Department of Investigation, the chairperson--or
25 the Director instead of being appointed should be

2 elected. Should be elected as one of the independent
3 bodies as the public advocate and the Controller. It
4 is a fair and balanced of—considering our government
5 is a one-body system, I think the only other
6 government set up that way is somewhere in Minnesota.
7 So, it's very, very strange, a large city. So, I
8 think it's great that we don't have an upper body or
9 upper house and we did. We did, that's true.

10 CHAIRPERSON BENJAMIN: The Board of
11 Estimate.

12 JUDEO SEMANTELLI: The Board of Estimate,
13 and we revised in '89 absolutely, but it—when they
14 revised it, and the federal government approved it,
15 and authorized us New York City to adopt this new
16 form of government, there was a balance. There was
17 an independent Controller, an independent Public
18 Advocate to balance out the one-body system, to
19 balance it out because this is what it needs to have
20 a balance and the community board were part of that
21 independent. We keep hearing about advisory. The
22 Community Boards itself have an independent agency.
23 They're not a mayoral agency. They're an independent
24 agency. They have the same authority. One off the
25 problems is that the politics, the politics about

2 local City Council people that influence our boards,
3 our community boards. How do we remove that? We
4 remove that by in addition if I may--

5 CHAIRPERSON BENJAMIN: Yes.

6 JUDEO SEMANTELLI: --I'm round up. One
7 of the ways to do it is to eliminate by the borough
8 president or the recommendations of the City Council,
9 have them go through a petition process and possibly
10 let their neighbors sign a piece of paper to say we
11 want you to be on the board, and have those
12 individuals. We don't need the other boards. I've
13 heard people testify here three or four, but I think
14 they want to create three or four more boards. We
15 don't need other boards. We have the community
16 boards that are in place already. We just need to
17 strengthen them, make them independent from the
18 politics. Get the politics out of the community
19 boards and have, thank God, the-the Mayor's
20 Commission Revision. It's going to have term limits.
21 So, I think that's all positive, and this is what we
22 need, and in addition to that, I just--the reason to--
23 to re-enforce the fact that we need a term limit, the
24 Councilman mentioned the 197. I sat on a community
25 board and obviously, it's very difficult to create a

2 197. That is the means of creating some of the
3 testimony here by the not-for-profit organizations.
4 So, there is the means. How many 197s have been
5 produced by—by the boards, very, very small? Very,
6 very small throughout the city.

7 CHAIRPERSON BENJAMIN: [interposing] We
8 can probably—we can probably ask Mr. Weisbrod.

9 JUDEO SEMANTELLI: Okay, the—yeah, very—
10 I don't even think that Community Board 10 ever
11 produced a 197, and I don't think a lot of boards
12 have created a 197. It's a difficult process.

13 CHAIRPERSON BENJAMIN: It is.

14 JUDEO SEMANTELLI: It needs a lot of
15 technical individuals, a lot of city planning, urban
16 planners to actually establish one. So I—I think
17 that's where we should be going, and to re-strengthen
18 our boards where we resolve a lot of the testimony
19 and a lot of the issues that we're raising today.

20 CHAIRPERSON BENJAMIN: Would people
21 really—I'm sorry, but do you think people would
22 really get involved? You're—you're way too young to
23 remember the anti-poverty boards and they were
24 elections by local communities that would distribute
25 certain kinds of money, and—and not many people voted

2 in them. Similarly, when we elected community--when
3 we elected--

4 JUDEO SEMANTELLI: [interposing] community
5 boards.

6 CHAIRPERSON BENJAMIN: --school boards--

7 JUDEO SEMANTELLI: [interposing] Yes.

8 CHAIRPERSON BENJAMIN: --we also didn't
9 get vast amounts of turnouts even though parents were
10 involved and PTAs tried to get people out, do you
11 think if we had elected community boards we'd really
12 get any wider cross-section of the community?

13 JUDEO SEMANTELLI: You would get a--you
14 would get a higher caliber of individuals that want
15 to commit and do and volunteer. I'm a volunteer for
16 30 years. Volunteer. You would get people that
17 volunteer a higher caliber. You would get the policy
18 side of it. That's the most important. The only
19 thing that influences our community boards and--and
20 restraints and become--and they become a focal point.
21 I heard the council person here talking about. The
22 City Council has been selling their district south
23 for the past 50 years. Who are they kidding? Now
24 they want control. They want local control. They've
25 been selling out their communities to developers for

2 years. Look at their—look at their campaign coffers.
3 Each—each City Council person.

4 CHAIRPERSON BENJAMIN: [interposing] But
5 if you--

6 JUDEO SEMANTELLI: Developers call the
7 shots in New York City and eliminate that, re-
8 strengthen boards and have them a real say.

9 CHAIRPERSON BENJAMIN: Are you suggesting
10 that we look at the conflict of interest and how—how
11 elected officials collect money for their campaigns?

12 JUDEO SEMANTELLI: Well, the Department
13 of Investigation independent or elected as an
14 independent office holder is in an agency and
15 independent agency not appointed, would hopefully be
16 able to resolve some of the se issues. We will talk
17 about CCRB. They want to cover the—or oversee the
18 police. We didn't hear any—anyone mention about the
19 politicians. The politicians have to be overseen.
20 The politicians you need and independent board to go
21 see them. You can't trust our politicians.
22 [applause]

23 CHAIRPERSON BENJAMIN: There are laws
24 currently, but I'm going to as are there any
25 questions for this--? Sal.

2 COMMISSIONER ALBANESE: As usual, you
3 pull no punches, and always great to hear your voice.
4 Just a couple of—a couple questions. How-how would
5 feel about the City Council having advice and consent
6 where a DOI commissioner or a police commissioner or
7 a DO—the head of DOE would have to be approved by the
8 City Council like they in the Senate when the
9 president proposes high level officials that would
10 give the Council and the communities at large an
11 ability to vet folks better. What's your—what's your
12 position on advice and consent?

13 JUDEO SEMANTELLI: I—I don't believe
14 that it should happen that way. I personally believe
15 ultimately the most powerful, the most powerful
16 endorsement is a vote, and if someone elects an
17 individual person or in the—in an individual position
18 of the Department of Investigation through a vote,
19 that empowers. That mandates that person to be
20 independent, to be liable to the individuals and to
21 the people. So, anything else would still be
22 political.

23 COMMISSIONER ALBANESE: What—what about—
24 what about the Public Advocate who is elected having
25 that responsibility?

2 JUDEO SEMANTELLI: So, true. So, true.

3 There is some—they have some, but unfortunately, the
4 mandate, the mandate of an investigator—investigatory
5 agency were hopefully subpoena power. Well, that—
6 with subpoena power--

7 COMMISSIONER ALBANESE: [interposing] One—
8 one—one of the--

9 JUDEO SEMANTELLI: --would be I think,
10 would be a big plus.

11 COMMISSIONER ALBANESE: But one of the
12 things we're charged with is looking at the powers of
13 elected officials and, you know, possibly
14 restructuring them. So, a Public Advocate would also
15 have that—play that role as the DOI, head of the DOI.

16 JUDEO SEMANTELLI: [interposing] Well, I
17 haven't seen any public advocate take that position
18 or be aggressive to it, although Mr. De Blasio
19 challenged Mr. Bloomberg and he got into the City
20 Hall. I told Tisha James the same thing. I said the
21 road to City Hall is through challenging your mayor.
22 She kept quiet, and now she's running for something
23 else, right. So, the point is we need independent,
24 independently elected where the vote—the vote of the
25 people might be small, but the vote of the people

2 mandates the requirements of a position of a position
3 of especially an investigator or special prosecutor
4 or director or a position of Department of
5 Investigation.

6 COMMISSIONER GAVIN: Excuse me. A
7 little bit of a follow-up question to what Chair-
8 Chair Benjamin asked, you—you pointed both—the—if I'm
9 paraphrasing correctly that someone who is elected is
10 inherently independent, but you also indicated a
11 frustration with the fact that donors to elected
12 officials' campaigns dictate a lot of—of how they
13 behave once in officer. Are there campaign finance
14 or other changes you would like to see to help reduce
15 that conflict.

16 COMMISSIONER ALBANESE:

17 JUDEO SEMANTELLI: Absolutely and you
18 made an excellent point. I think in reference to the
19 DOI, we should finance it. Finance that campaign.
20 No contributions. Zero contributions for a special
21 prosecutor. That would eliminate all influence of
22 money.

23 CHAIRPERSON BENJAMIN: Anyone else?
24 Alison.

2 COMMISSIONER HIRSH: So, to that-to the-
3 it would be public. So, how would one qualify to
4 get-some of the zero financing when it's publicly
5 funded?

6 JUDEO SEMANTELLI: Petitioning.

7 COMMISSIONER HIRSH: So, anybody who got
8 the requisite number of signature would get the same
9 baselined amount of money from the City to run?

10 JUDEO SEMANTELLI: The system is set up
11 that way, yes. That would be an appropriate means of
12 show of support.

13 COMMISSIONER ALBANESE: Well, let me-

14 JUDEO SEMANTELLI: [interposing] I mean
15 I-we can't-we can't allow the Bar Association to do
16 it, that's-I-I don't want to see any outside-

17 COMMISSIONER HIRSH: I think there is
18 some Constitutional challenges to that based on-about
19 the individuals being able to then spend without
20 limit because we can't-couldn't stope them et cetera
21 that-

22 COMMISSIONER ALBANESE: If I could just
23 comment on that, Madam Chair.

24 CHAIRPERSON BENJAMIN: Yes, I'm sorry.
25

2 COMMISSIONER ALBANESE: The—the idea of—
3 of public financing in the campaigns is not a novel
4 idea.

5 JUDEO SEMANTELLI: Absolutely.

6 COMMISSIONER ALBANESE: We're—we're at
7 my—my Borough President Eric Adams who appointed me
8 one of the things that he said to me is he wants to
9 see public findings in the campaign. So, we get the
10 money out of politics, and it's not where we
11 reinvented-reinventing the wheel. You look Seattle,
12 you look at Arizona, you look at Connecticut, you
13 look at Maine and Vermont they have true public
14 funding with campaigns. Of course, there are a lot—
15 you can't just go out and run for officer. You have
16 to go out and make sure that you're a credible
17 candidate, and there are ways to do that but my point
18 is that it's—it's not—this is not unusual. Others—
19 other cities and—and localities are doing it and
20 states are doing it. So, we could be—we should be
21 doing the same thing especially in view of the issues
22 we've seen with pay to play in New York City.

23 JUDEO SEMANTELLI: Good. So, you're
24 going to be influencing the board to get an
25 independent DOI.

2 COMMISSIONER ALBANESE: I'm one of 15
3 Commissioners.

4 JUDEO SEMANTELLI: Good. That's all.
5 We-well, we start with one.

6 CHAIRPERSON BENJAMIN: Thank you. Any
7 other questions? Than you very much.

8 JUDEO SEMANTELLI: Thank you. [applause]
9 Mr. Camoff-Camarda. Sorry.

10 ALEX CAMARDA: Hi, good evening,
11 Commissioners. My name is Alex Camarda. I'm the
12 Senior Policy Advisor at Reinvent Albany. Reinvent
13 Albany is a good government organization. We
14 specialize in open government, transparency and the
15 Freedom of Information Law. It seemed from the
16 testimony I heard tonight listening to many people
17 provide their recommendations to-that there's a real
18 need for greater engagement with governments and more
19 democracy and more input into government decision
20 making, and so I hope our recommendations tonight
21 provide an avenue for that. We that Chapter 47 of
22 the Charter, which is entitle *Public Access to*
23 *Meetings and Information* should be rewritten. It
24 should be overhauled. It's a chapter of the Charter
25 that it feels very dated when you read it. I think

2 much of it was written probably 30 years ago before
3 we had cell phones, and before the Internet, and
4 before a lot of the modern technology we have today
5 that could provide an avenue for input by the public
6 and to government decision making. So, we have three
7 broad recommendations in rewriting Chapter 47.

8 First, we think that city data that is data housed in
9 government agents—agencies, should be by default open
10 to the public with few exceptions. Secondly we
11 believe that many of the processes that agencies
12 engage in with the public should be digitized and
13 much of the paper based processes be eliminated, and
14 then third, the city has many agreement with outside
15 entities, academic institutions and so forth for data
16 sharing sometimes of personal identifying
17 information, and we think the parameters of that
18 sharing should be disclosed to the public much like
19 the focus you've seen on technology companies like
20 Facebook and so forth. With regards to the Open Data
21 recommendation, we think that could be realized in a
22 number of ways. First, we think the City Open
23 Records Portal should be codified and put in the City
24 Charter. It's currently created by an Executive
25 order, and administered by the Department of Records

2 and Information Services commonly known as DORIS. We
3 think a Council Bill Intro 328 of 2014 provides a
4 starting point to codify the Open Records Portal in
5 the Charter. We think that Public Data Director,
6 which is in the Charter in this section should be
7 eliminated. It was a precursor to the Open Data Law.
8 We think the Open Data Law, which is currently in the
9 Administrative Code should be strengthened and put in
10 the City Charter. We think the Mayor's Office on
11 Data Analytics, which was also created by executive
12 order should be put in the charter. Its
13 responsibilities outline particularly or its director
14 and also the Chief Open Platform Officer. [bell] So,
15 there are many other recommendations, which are in
16 our written testimony, but all of them are oriented
17 toward making the city more modern and creating a
18 digital infrastructure to enable the public to better
19 communicate with city officials.

20 CHAIRPERSON BENJAMIN: Thank you very
21 much, Mr. Camarda. Questions?

22 COMMISSIONER WEISBROD: Yes, I—

23 CHAIRPERSON BENJAMIN: [interposing] Carl
24 and then Paula.

2 COMMISSIONER WEISBROD: I thank you for
3 your testimony and look forward to reading your
4 written testimony as well, and I especially am
5 grateful for your work in Albany.

6 ALEX CAMARDA: Thank you.

7 COMMISSIONER WEISBROD: The
8 recommendations that you've--that you make here do you
9 have examples of best practices elsewhere that could
10 be models for this, for your recommendations?

11 ALEX CAMARDA: Sure. I mean it really
12 depends on the particular area that we're talking
13 about. In the city it was one of the first to pass
14 an Open Data Law--

15 COMMISSIONER WEISBROD: [interposing]
16 Right.

17 ALEX CAMARDA: --and scope a model for
18 the country. At the same time when it comes to the
19 Freedom of Information Law, most states and
20 localities including New York City are really behind
21 where the federal government is. The federal
22 government has a much better Freedom of Information
23 Law infrastructure, and for example they have
24 agencies submit reports that provide very detailed
25 information as to the types of request for records

2 they receive, how each of those requests is handled
3 and processed, and they make available Freedom of
4 Information Law requests to agencies once they're
5 granted to the public. So, it creates kind of a
6 reading room of-of government documents and it also
7 eliminates work for city agencies because they are
8 not processing the same requests over and over again.

9 COMMISSIONER WEISBROD: Uh-hm.

10 ALEX CAMARDA: They can just point to a
11 reading room where it's already been made available
12 and there are entities in New York that do this. The
13 Port Authority is one for example that had actually a
14 reading room of all requested documents that were
15 released via FOIL

16 COMMISSIONER WEISBROD: I would-I would
17 just as-if you could follow up and submit as a-sort
18 of a postscript to your testimony on the best models
19 that you're aware of throughout the country that
20 would be helpful.

21 ALEX CAMARDA: Sure we can do that, and
22 then I-and I think when it comes to digitizing the
23 infrastructure of the city, I mean there's a lot of
24 processes that are in motion at different agencies.
25 For example, I know when it comes to procurement

2 they're updating the Vindex with Passport. I know
3 that many vendors complain about having to submit
4 RFPs sometimes in person via mail. I think that will
5 help cure that problem, but there are many paper
6 based processes whether it's submitting an
7 application for a permit for a license where you have
8 some agencies that actually have made these
9 processes—processes digitized and then others that
10 have not yet done so or even within an agency they've
11 done it for one form or one application, but not
12 another and it's really about sharing best practices
13 within the city.

14 COMMISSIONER WEISBROD: I—I think that
15 would be—the more information you can provide would
16 be helpful. I think the more efficient we can make
17 the government the better it's going to be certainly
18 between and among agencies as well as with the public
19 and the more transparent we can be, the better the
20 public will understand what government does as well.

21 CHAIRPERSON BENJAMIN: Thank you.

22 COMMISSIONER WEISBROD: So look forward to
23 it.

24 CHAIRPERSON BENJAMIN: Paula:
25

2 COMMISSIONER GAVIN: Hi. Just a quick
3 question that's sort of a follow-on from Carl's and
4 that is were you saying that you felt directionally
5 the city was moving properly on open data as well as
6 the data analytics? Your concern is that it should
7 be in the Charter versus and executive order?

8 ALEX CAMARDA: Correct. I-I think a lot
9 of what has been done should be codified and can be
10 strengthened in the Charter. I also think goals and
11 kind of a more coherent vision could be laid out in
12 the Charter. I mean the rubber hits the road for a
13 lot of these things on, you know, whether they can
14 technically be done and the different data bases that
15 are involved, and that's really something that's done
16 best at the agency level administratively, but
17 certainly the coals and the aspirations and the
18 vision could be laid out in the charter and for
19 certain things that are in executive order are being
20 done administratively. I think that those could be
21 codified as well.

22 COMMISSIONER WEISBROD: Thank you.

23 CHAIRPERSON BENJAMIN: Thank you.

24 ALEX CAMARDA: Thank you.

25 JUDEO SEMANTELLI: Thank you.

2 CHAIRPERSON BENJAMIN: Mr. Semantelli and
3 Mr. Camarda. Louis Rocco and Matthew Cruz [pause]
4 [background comments] Mr. Cruz.

5 MATTHEW CRUZ: Yes. Thank you. Good
6 evening Chair Benjamin, fellow Commissioners, elected
7 officials and members of the public. My name is
8 Matthew Cruz and I'm the District Manager for Bronx
9 Community Board 10. However, I am not speaking on
10 behalf of my agency, but as a student of community
11 boards and community government as outline in
12 Sections 2800 and 2801 of the City Charter. While my
13 remarks will be brief, it is incumbent upon me in
14 light of the propose voting item that decide term
15 limits for Community Board member this November, to
16 remind this commission that community boards continue
17 to play a vital role in delivering municipal services
18 at the neighborhood level. With term limits in mind,
19 I ask that this Commission identify ways to broaden
20 the influence of community boards in areas such as
21 the city budget and land use, two areas where
22 tangible results can materialize. The commission can
23 begin by measuring the impact of the District Needs
24 Statement on our city budget. As currently outlined
25 in the City Charter, community boards are tasked with

2 submitting annual district needs, but far too often
3 the community board expense and capital
4 recommendations do not make its way onto the Mayor's
5 Executive Budget. Upon receiving this information, a
6 district manager has to report to his or her board
7 that the local park will not be receiving the funding
8 it needs, that the city will not be expanding its
9 precinct manpower or that the city will not be
10 studying ways to create transportation alternatives.
11 Moreover, many city agencies decide not to report its
12 budgetary needs to the community board rendering the
13 district needs full of terms—full of items that
14 altogether just become a wish list. With regard to
15 land use matters, community boards may decide to
16 undertake a community based plan known as a 197-A,
17 but since its creation only 11 have been adopted and
18 on only two hailed from the Bronx. As many
19 understand, land use decisions are by far the most
20 important decision—important decision a community
21 board can make. Strengthening 197-A plans or
22 enhancing the influence of the borough president to
23 bring such a plan before the City Planning Commission
24 can be a way to uphold the voice of communities and
25 reinforce the importance of community government.

2 Many community—many community members—members join
3 community boards to protect the neighborhood
4 character. For arduous initiative such as a 197-A to
5 not be afforded an official review further lessens he
6 community board's resolve. As aforementioned, with
7 term limits on the horizon, it is crucial that we
8 develop ways to strengthen community boards. If we
9 do not, then fielding new applicants will be
10 difficult as many will feel that they cannot effect
11 change in ways that will serve their communities.

12 This Commission's review of items such as the
13 District Needs Statement and 197-A Plan determine the
14 future of Community Board membership, and with its
15 success in showing residents that participating and
16 community government is a noble cause, and that
17 joining a community board is a noble use of their
18 time. Lastly, as we are all aware, community members
19 or volunteers [bell]—if I can get 30 more seconds.

20 Lastly, as we are all aware, board members are
21 volunteers. All volunteers should be able to point
22 to something tangible and feel proud of it as lending
23 one's time is a resource that one can never get back.

24 I stand ready to work with this commission on
25 identifying ways to enhance the community board's

2 role as doing so will also have the added benefit of
3 protecting the livelihood of civic associations that
4 act as a stepping stone toward joining a community
5 board. Thank you, Madam Chair. [applause]

6 CHAIRPERSON BENJAMIN: Thank you very
7 much, Mr. Cruz. Carl, Jimmy.

8 COMMISSIONER WEISBROD: I—I have I guess
9 one observation and one question, Mr. Cruz. Thank
10 you very much for your testimony.

11 MATTHEW CRUZ: Thank you.

12 COMMISSIONER WEISBROD: The observation
13 is that with respect to the district needs statements
14 that the community boards produce every year, and as
15 you know, you send them to individual agencies who
16 ultimately respond or don't respond and response is
17 frequently shall we say ragged. There is now a much
18 more transparent analysis of those community district
19 need statements and I—I don't know if you've seen
20 them comparing community board to community board
21 that I urge you to take a look at what—in terms of
22 the first question. The second question with respect
23 to 197-A, how would you strengthen that?

24 MATTHEW CRUZ: I would make them—in my
25 opinion. I'm not speaking on behalf of my board, but

2 an idea that I had was reinforcing the borough
3 president's office. I think that perhaps if we can
4 get the borough president to sign onto a community
5 board's 197-A after all that work had been done for
6 about a year or two, and that be up before the City
7 Planning Commission could work. I would love for the
8 borough president's office to have an opportunity
9 when the community board takes this action to then
10 bring before the City Planning Commission.

11 COMMISSIONER WEISBROD: So-so, would it be
12 that the borough president has a resource that would
13 (a) really strengthen the ability of the community
14 board to produce the plan or simply have an
15 endorsement from the borough president that would
16 then bring it to the--

17 MATTHEW CRUZ: [interposing] Well, then,
18 of course, it's sent by City Planning Commission to
19 review.

20 COMMISSIONER WEISBROD: Thank you.

21 MATTHEW CRUZ: Than you.

22 CHAIRPERSON BENJAMIN: Thank you. The
23 next one as Jimmy Vacca.

24 COMMISSIONER VACCA: Let me ask a couple
25 of questions. Do you feel that if 190s--do you feel

2 that if community board members felt that the 197-A
3 plan had teeth that they would want to participate?

4 Do you think that these plans being advisory from the
5 very—from sort of the very beginning.

6 MATTHEW CRUZ: Absolutely.

7 COMMISSIONER VACCA: So, it's a bid.

8 MATTHEW CRUZ: Right.

9 COMMISSIONER VACCA: Community members
10 are saying we're going—we're going to spend two years
11 of our time putting this together at least, and then
12 it's only about a faded (sic) life.

13 MATTHEW CRUZ: [interposing] Right, if
14 they had—if they had determined that at advisory.
15 Thank you.

16 COUNCIL MEMBER VACCA: The district needs
17 statement, I wanted to get back to that and—and—and
18 Commissioner Weisbrod is correct that there is an
19 analysis now that compares community board from
20 community board what their needs were, and they—they
21 give a compare and contrast, but when you do the
22 district need statement, am I correct in stating that
23 almost every agency automatically and instinctively
24 says no to everything the board requests?

2 MATTHEW CRUZ: It's either no more
3 information is needed of in the fact that speak with
4 your Council members.

5 COUNCIL MEMBER VACCA: That has been
6 going on for 30 years, and there has to be something
7 done, and I'm glad you brought it up--

8 MATTHEW CRUZ: [interposing] Thank you.

9 COUNCIL MEMBER VACCA: --because
10 community boards have hearings. They--they involve
11 the community, they submit recommendations for
12 expense and capital items, and I even wonder if the
13 agencies even review them without--I even wonder if
14 the agencies review them before they say no. I think
15 that--is the no auto--do you find the no to be
16 automatic? Do you have an analysis? Do you get a
17 rationale why they said no? What do you get when
18 they say no?

19 MATTHEW CRUZ: No. There's no rationale
20 to it.

21 COUNCIL MEMBER VACCA: You just get an--
22 you get something in a sentence or two that says no?

23 MATTHEW CRUZ: Absolutely, absolutely and
24 I can produce last year's district meeting as well
25 for the Commission.

2 COMMISSIONER WEISBROD: Can I at least
3 respond to Commission Vacca and to you. That is not
4 the experience of every community board. So, that's
5 why I urge you to look carefully at the analysis of
6 district needs statements, and the response to those
7 statements from all 59 community boards or to all 59
8 community boards from city agencies because they're
9 all over the place, and I think you would find that
10 analysis very interesting because the response is not
11 always no, and if it is always no for Community Board
12 10 in the Bronx, then I think there's an issue that
13 you can appropriately deal with or should deal with.

14 CHAIRPERSON BENJAMIN: Anyone else?

15 Thank you, Mr. Cruz.

16 MATTHEW CRUZ: Thank you. Mr. Rocco.

17 [applause]

18 LOUIS ROCCO: Excuse me. Good evening.
19 It's kind of—let me start this way. It's thank you
20 for giving me the opportunity to speak at this
21 Charter hearing. My name is Louis Rocco. I'm a
22 dedicated resident of the Bronx. I've put in almost
23 all my lifetime trying to improve the Bronx. I've
24 been on community boards. You know, I'm a 9/11
25

2 survivor, which yesterday was 9/11 and a decorated
3 hero--

4 CHAIRPERSON BENJAMIN: Thank you for your
5 services. [applause]

6 LOUIS ROCCO: --which I deserve and
7 earned. I came to get involved in my community
8 because I wanted to make it be the best. I waited for
9 the opportunity to testify at a charter hearing and
10 it seemed never to come. Our opportunity is today.
11 It seemed ironic that the district manager and myself
12 of the same community board sat together. I have
13 different views, and everybody should have different
14 views. And we lost someone that would go after the--I
15 don't know if you would say money, but it would put
16 in. We had a manager that that was a community board
17 member that going after the money that was there. We
18 lost him. I don't know why, but it seems that what I
19 heard is the District Manager got a \$20,000 raise by
20 losing that person that was going in there with
21 denying him for getting any services. Now, I'd like
22 to speak on the community boards. I'm also a civic
23 leader. My name is Louis Rocco of Westchester Square
24 Civic, and there's a lot of injustice being done.
25 Our communities are failing. Our community boards

2 are failing. I want term limits. I want also
3 elected people on these community boards. We have
4 people on the community boards that are destroying
5 our communities. I've been out there trying to take
6 care of a community, and making it thrive, and
7 somehow our community boards, not direct. This is
8 not a direct like, you know, hit on the community
9 boards. They don't want it to survive. They stop
10 slow zones. They stop play streets. They stop even
11 with the police that we request. It's being stopped.
12 There's an injustice being done. An investigation
13 needs to be done on why the politics stops the people
14 in the Bronx from getting ahead. The amount of money
15 that could be saved. We need to start doing
16 investigations like Mr. Ajideo said, we need to get
17 investigations done. This is a crime being happening
18 in our—in our—in our communities. We established
19 these BIDs, which are failing, our streets are
20 filthy, our community boards what they do is they
21 promote everything for a BID, which is a business
22 opportunity. They're supposed to be not-for-profits.
23 They're making profits. The people are disgusted.
24 You got to listen to the people and see what goes on
25 in our community boards. [bell] I'm very passionate

2 to see this here, and I see in front of me a lot of
3 years of dedicated service that—that says that we
4 need change before the city changes to the worst, and
5 we're—we're asking you. We're—we're—I don't know how
6 to put it. I'm begging our leaders to stop doing
7 what we're doing. We're failing. Our schools are
8 failing. I have a community that doesn't haven't
9 have a school, and as far as nationality, the best
10 thing we could have is a multi-cultured nationality
11 in my community. We're not even addressing that.
12 So, we need to get on the ball and make some changes
13 because this city is going to fail. As I speak, I
14 have neighbors moving out by the hundreds. I would
15 say my intention is to move out, but what I've been
16 through I'm staying.

17 CHAIRPERSON BENJAMIN: I would urge you
18 to say, Mr. Rocco.

19 LOUIS ROCCO: God gave me--

20 CHAIRPERSON BENJAMIN: New York needs
21 people like you. [applause]

22 LOUIS ROCCO: God gave me a will.

23 CHAIRPERSON BENJAMIN: You are
24 passionate--

2 LOUIS ROCCO: [interposing] God gave me a
3 will. [applause]

4 CHAIRPERSON BENJAMIN: --about the
5 communities.

6 LOUIS ROCCO: Four months ago I was
7 slated to have back operation. I walked out. I
8 said, God, I have not finished what I want to do, and
9 this is coming from my heart. I am on a mission. I
10 want this to be the best Bronx and the best city in
11 the world. We need your support. Listen to us.
12 Listen to Semantelli, listen to the people. That's
13 all we're asking. You know, it's not about money.
14 we need to stop the bad politics and move on.

15 CHAIRPERSON BENJAMIN: And we are here
16 and I just add my--

17 LOUIS ROCCO: I love you guys.

18 CHAIRPERSON BENJAMIN: --support here.

19 LOUIS ROCCO: I love you guys. I love
20 you--

21 CHAIRPERSON BENJAMIN: Thank you.

22 LOUIS ROCCO: --and I want you to help
23 us. That's all I'm asking, and I-I don't have the
24 right words.

2 CHAIRPERSON BENJAMIN: You have the right
3 words.

4 LOUIS ROCCO: I have the passion, and the
5 passion is never going to die. I thank you.

6 CHAIRPERSON BENJAMIN: Passion covers the
7 right words. Thank you, Mr. Rocco. [applause]
8 Lindsay. Wait. There's a question for you, Mr.
9 Rocco.

10 COMMISSIONER GREENE: Yeah, Mr. Rocco,
11 than you. I wanted to ask a follow-up question. You
12 expressed some--some dissatisfaction with how I
13 believe your Business Improvement District has been
14 working. Could you elaborate more on some of the
15 concerns you have--

16 LOUIS ROCCO: [interposing] Some of the--

17 COMMISSIONER GREENE: --and what you
18 might like to see changed, and how they're either
19 structured or how they operate?

20 LOUIS ROCCO: Okay, some of the changes
21 are they receive a lot of money, \$800,000 and another
22 \$138,000. The streets are filthy. They're employing
23 people that don't have the tools to take care of it.
24 They're not doing the jobs. We have business that
25 are closing by the hundreds. The rent is

2 extraordinary. They want \$6,500 for a store, which
3 hasn't been rented in three or four years. We go out
4 there and it's the same old no services. Where is
5 this money going? They claim to be not-for-profits,
6 but they're making profits. The community is
7 complaining against all these fares and all these
8 things that come in, which charge profit. Their
9 communities right after these fares and all this type
10 of stuff that goes on without our consent, it becomes
11 dirty, becomes drawn out bringing in problems into
12 the community. They—right now they have security
13 that we don't believe is—is illegal to have this
14 security. The stores don't want it. They force
15 things on us. We go to these community board
16 meetings and we are told, not asked, of certain
17 things that come upon us. It was recently they
18 wanted to extend a mall or part of street. I went
19 door to door to everyone of the owners, and they
20 denied wanting it. It was pushed through by the
21 community board in light of knowing that we have
22 problems with Lehman High School, which Councilman
23 Vacca tried for years, which nothing has been done.
24 We still have the fights, the stabbings and
25 everything, and it took a community to get together

2 and clergy and everything to try to stop a 17-year-
3 old from getting killed. And this is—you got to
4 listen to the community. Councilman Vacca, I want to
5 say something good. Since you're not there, we have
6 another Councilman that's been there so much. It was
7 a pleasure not having you come to these meetings.
8 So, we—we—right now we have a Councilman that's there
9 all the time to enter in—to persuade. He's there all
10 the time. It was a pleasure not seeing you at a lot
11 of these meetings. [applause]

12 COMMISSIONER VACCA: And it's my pleasure
13 not seeing you. [laughter]

14 LOUIS ROCCO: And—and when I came, and
15 yes it is.

16 CHAIRPERSON BENJAMIN: [interposing] And
17 stop, stop, stop, stop, stop.

18 LOUIS ROCCO: [interposing] I have one
19 other--

20 CHAIRPERSON BENJAMIN: Stop, stop, stop.

21 LOUIS ROCCO: --and I never got my wish
22 from you when we had seniors eating out of garbage
23 cans, and you said there's two things: (1) was a
24 manhole, which is still broken, and I spoke to you,
25

2 and I says and very politely I says, Councilman, can
3 you help me out. We have—you what his-

4 CHAIRPERSON BENJAMIN: Yes.

5 LOUIS ROCCO: --his word was? Do it
6 yourself.

7 CHAIRPERSON BENJAMIN: Mr. Rocco. Mr.
8 Rocco, [woman shouting] thank you for your testimony,
9 I--

10 LOUIS ROCCO: [interposing] Thank you,
11 and it had to get—it had to get hot because that will
12 make improvements.

13 CHAIRPERSON BENJAMIN: We thank you for
14 your testimony.

15 LOUIS ROCCO: And I—I—love yous all.
16 Thank you. [applause]

17 CHAIRPERSON BENJAMIN: The next people up
18 are Hank Newsome--

19 HAWK NEWSOME: No, Hawk.

20 CHAIRPERSON BENJAMIN: Hawk Newsome. I'm
21 sorry. [cheers/applause] And Paul Gilman. Paul
22 Gilman. Okay. [background comments, pause] Mr.
23 Newsome.

24 Yes, thank you for—can you guys hear me?

25 CHAIRPERSON BENJAMIN: Yes, sir.

2 HAWK NEWSOME: Especially that woman who
3 made the policing comments. [laughter] Good
4 afternoon. My name is Hawk Newsome. I'm the
5 President of Black Lives Matter of Greater New York.
6 I am a Bronxite. I'm also here to speak on behalf of
7 the elected Civilian Complaint Review Board. What we
8 have here is the opportunity for New York to be a
9 trailblazer on an issue that has plagued our society
10 since the inception of policing in black and brown
11 communities. You have the opportunity to right
12 wrongs. You have the opportunity to say that black,
13 brown, gay and trans lives matter to you.

14 [cheers/applause] Over the years, New York City has
15 had the most high profile cases of police brutality,
16 not Selma, not Ferguson, not Texas, but here in New
17 York City. Some were a little obvious--some were
18 obviously before my time, but there have been cases
19 that I've personally seen like Eric Garner who was
20 choked to death. The police officer who choked him
21 was not indicted. The Department took no action, and
22 our progressive mayor said that he was waiting for
23 Washington, D.C., Donald Trump's Administration to
24 make a move before he would, an--an opportunistic PR
25 stunt. Two days before the anniversary of Eric

2 Garner's death, he announced that the Police
3 Department would launch an investigation into this
4 officer's action. We can talk about Akai Gurley, how
5 Ken Thompson--God bless his soul--but his officer -his
6 office convicted a man of manslaughter and the
7 recommended no jail time. Who here of color knows
8 someone from our communities that have been convicted
9 of manslaughter, and there was no request of jail
10 time. This is injustice. [applause] Right now our
11 people have no protection, and you have the ability
12 to give us some sort of protection, and that is
13 through the elected Civilian Complaint Review Board.
14 As it stands, I can tell you what's not work. The
15 Civilian Complaint Review Board is appointed by the
16 Mayor's Office, and the Police Commissioner. This is
17 implicit bias. You know who signs your checks. You
18 know who appoints you, and this is who your loyalty,
19 you are loyal to. What we propose is that the people
20 elect their own, the people, the same people who take
21 to the streets, activists who sit up there and over
22 there. Those people run for these seats. Therefore,
23 there can be some accountability. Right now, the
24 Police Chief can overturn the decisions of the
25 Civilian Complaint Review Board. What is the purpose

2 of the Civilian Complaint Review Board if he can do
3 that? [bell] He has Internal Affairs. They have
4 their Sergeants Benevolent Union. They have so many
5 different levels of—of just protection. Why can't we
6 have something that's independent and accountable to
7 the people. [applause]

8 CHAIRPERSON BENJAMIN: Thank you.

9 Alison.

10 COMMISSIONER HIRSH: Thank you so much.

11 I have two questions. First is earlier this evening
12 a proposal was presented to elect both an independent
13 to the Civilian Complaint Review Board and a separate
14 special prosecutor.

15 HAWK NEWSOME: Yes.

16 COMMISSIONER HIRSH: And I wanted to get
17 a sense of whether you're supportive of that or this
18 is a separate—this is just specific to the CCRB.

19 HAWK NEWSOME: Yes, I am totally in
20 support of that. Right now what we have is
21 protections under the Executive Order by the
22 Governor, which gives the Attorney General the power
23 to prosecute these cases. We have Andrew Kearse
24 which is currently before the Grand Jury. We've also
25 had Delrawn Smalls, but we would like—what we would

2 like is sharks. What we want are real trial
3 attorneys with a real salary with their own
4 investigators who can prosecute these cops. These
5 people have an alliance, an inseparable alliance.
6 The DAs and the Police Officers—all law enforcement.
7 They have an alliance. What we need to do is break
8 that chain so these people can operate autonomously
9 and give justice to the people because it's alluding
10 us in the current system. Second question.

11 [applause]

12 COMMISSIONER HIRSH: Yes. Thank you.
13 Now I have so many more, but my second question is
14 have you given any thought to whether the CCRB
15 commissioners would be elected citywide or at a
16 district level or borough level or anything on that?

17 HAWK NEWSOME: I think that—I—I would say
18 Councilmanic districts. I would say assembly
19 districts. I personally have been on both sides of
20 this. Out of college I worked for the District
21 Attorney's Officer right here in the Bronx, and I saw
22 the ills first hand. I saw the bias, I saw the
23 racism first hand, but I also saw the CCRB, which was
24 headed up by a former cop who had an alliance to
25 those cops--

2 COMMISSIONER HIRSH: [interposing] Sure.

3 HAWK NEWSOME: --and people--I saw people
4 walk out of there feeling deflated. So, I guess the
5 logistics, you guys can figure it out. You've been
6 doing it a lot longer than I have, but I'm just here
7 to get this where it needs to be out in front of the
8 people.

9 COMMISSIONER HIRSH: Thank you.

10 HAWK NEWSOME: You know, you had a
11 question about due process, and I heard about that
12 questions. My question to you is how does that
13 deprive people of due process? Right now it just
14 takes the position. I'm talking to Mr. Albanese.
15 Right now it takes--it--it just takes the--the--the--the
16 Mayor's Office and the Police Commissioner out of it,
17 and gives power to the people, and we fight for power
18 to the people.

19 COMMISSIONER ALBANESE: What I meant by
20 due process is that police officers like other civil
21 servants--

22 HAWK NEWSOME: Uh-hm.

23 COMMISSIONER ALBANESE: --are entitled to
24 state--state law that--that spells out how the
25 disciplinary--how the disciplinary process works.

2 HAWK NEWSOME: Yes.

3 COMMISSIONER ALBANESE: The 30-day
4 suspense the administrative trial. For example, you
5 just can't--the mayor just simply can't fly with
6 police officers.

7 HAWK NEWSOME: Yes, correct.

8 COMMISSIONER ALBANESE: There is due
9 process--

10 HAWK NEWSOME: [interposing] Absolutely.

11 COMMISSIONER ALBANESE: --which I think
12 cops are entitled to like Sanitation workers and
13 teachers. You know, these are folks that--that work
14 for the city, and--and the state has set out under
15 Civil Service Law due process, which is outlined
16 whenever disciplinary measures are taken into
17 consideration. So, the CCRB and even the Police
18 Commissioner cannot overrule Civil Service Law. What
19 they could do, if you want to change the law and some
20 of our police officers and--and that might give them
21 the same protection as other employees, but Civil
22 Service--Civil Service Law Section 75 and 76 spells it
23 out not only for cops.

24 HAWK NEWSOME: [interposing] Yes.

2 COMMISSIONER ALBANESE: It's for all the
3 300,000 people who work for the City of New York all
4 have those--those due process.

5 HAWK NEWSOME: Of course and I've got to
6 tell you don't let the Nikes the ripped jeans, and
7 the T-shirt fool you. I have a law degree, right.
8 So, basically what I'm saying to you--

9 COMMISSIONER ALBANESE: [interposing] It
10 certainly--

11 HAWK NEWSOME: --is this is not taking
12 away their right to due force. This is just a due
13 process. This is just an added protection to the
14 people. No one is saying that the Civilian Complaint
15 Review Board could just snatch away their jobs.
16 We're just saying we--we need for ammunition in our
17 guns because usually all of that ammunition is in the
18 bullets of our guns, and those bullets enter
19 helpless, unarmed black and brown bodies and we're
20 dying. So, if anyone in this room should be
21 advocating for us, it should be you because you are
22 appointed by the officers that are failing us, and
23 you should be our front--first line of defense in
24 trying to change this system and--[applause]

2 CHAIRPERSON BENJAMIN: Thank you, Mr.
3 Newsome. Any--?

4 HAWK NEWSOME: And if I could add one
5 other thing?

6 CHAIRPERSON BENJAMIN: Just one.

7 HAWK NEWSOME: I'm sorry, just one.

8 CHAIRPERSON BENJAMIN: Sure.

9 HAWK NEWSOME: Gentrification is
10 colonization, and right now it's like Christopher
11 Columbus all over again in our boroughs, and we're
12 just murdering and displacing people and that's it.

13 CHAIRPERSON BENJAMIN: Okay. Thank you,
14 Mr. Newsome. [applause] Mr. Gilman.

15 Hi. Hello, can you hear me.

16 CHAIRPERSON BENJAMIN: Sure.

17 PAUL GILMAN: Okay, my name is Paul
18 Gilman. I'm here to represent the Bronx Community
19 Greens. Before I start my testimony I'd like to add
20 something to what Hawk said is that the Special
21 Prosecutor in the Eric Garner case appointed one is
22 now a Congress person. He got rewarded for letting
23 that cop go. So, if we had an elected prosecutor
24 maybe that prosecutor actually can--did justice in
25 that case would be a Congressman and not this dude we

2 have now in Staten Island. [background comments]

3 Okay, now for my testimony. Okay, the Bronx

4 Community Greens are for, that is right, we're for

5 electing both all community board members, and all

6 members of the Police Review Board. As it stands

7 now, both boards are appointed by members of the

8 institutions that is City Council and the Police

9 Department that had institutional, political and even

10 personal interest to protect that are often at odds

11 with the communities they are supposed to serve.

12 Electing the members of these boards will expand the

13 pathways for the grassroots polity that is all of us

14 in here. Where was I? [laughter] For the grassroots

15 polity—oh, yeah. Yeah, I can't read my own

16 handwriting. [laughter] Yeah, all of us in here,

17 these boards are the pathway to the grassroots polity

18 to participate in the oversight and governance of

19 this system. More independent people will be able to

20 participate. Members of the boards—of the boards,

21 City Council will have to—oh, yeah. I mean they'll

22 be, you know, these people who get elected will be

23 keeping an eye on the City Council people and their

24 areas because they don't have to answer to them.

25 Right, all they have to do is answer to the people

2 they were elected and, you know, to go out through
3 the process of electing knowing that there are more
4 opportunities to get elected to this thing. I think
5 will actually encourage the community to participate
6 more, be more exciting. You actually know your
7 neighbor is running for this and that, and it will be
8 more exciting than this news backroom process, in
9 which how these people are appointed now. So, I'm
10 going to repeat the Bronx Community Greens are for
11 electing all community board members and all members
12 of the Police Review Board. [applause]

13 CHAIRPERSON BENJAMIN: Thank you.

14 Questions? Seeing none--

15 COMMISSIONER ALBANESE: No, I--

16 CHAIRPERSON BENJAMIN: Oh, Sal. Sorry.

17 COMMISSIONER ALBANESE: So, you--you are
18 interested in grassroots elected. You are interested
19 in grassroots activity to elect folks to different
20 whether it be the Civilian Complaint Review Board or
21 other board, but what about the folks that are in
22 office now? I mean these are folks that you have an
23 opportunity to vote for or against. The Mayor, for
24 example, controls the Police Department. He appoints
25 the Commissioner, the City Council Members. I mean

2 if-if--if they're not doing the job, why would more
3 elected positions under the same process make a big
4 difference?

5 PAUL GILMAN: Well, we're told not
6 community boards in the charters, and whether they
7 should be appointed or not. Of course, we're
8 supposed to elect the Mayor. Why not elect more
9 people? What's wrong with that? There's nothing
10 wrong with it. [applause] I mean we're talking—I
11 mean I didn't bring this topic up. It's the community
12 boards do we want elected or not? I say yes. Do you
13 want the Police Review Board elected? Yes. I don't
14 even think the police should actually participate in
15 the Police Review Board because they're supposed to
16 serve us. I don't think. You notice that when a
17 police commissioner gets appointed they have a
18 legislative agenda. That's wrong. You're not
19 supposed to have a legislative agenda. They're
20 supposed to follow what we tell them. They're
21 supposed to follow the laws that we make. [applause]
22 They're not supposed to have an agenda. They are
23 supposed to be a neutral body to protect all people,
24 but when they have their own agenda and their own

2 institutional needs, they become alienated and it's
3 often at odds with serving the community.

4 CHAIRPERSON BENJAMIN: Thank you.

5 COMMISSIONER ALBANESE: Sal. Anyone
6 else? Thank you, Mr. Gilman. Thank you, Mr.
7 Newsome. [applause]

8 PAUL GILMAN: You're welcome. That's ten
9 bucks, please.

10 CHAIRPERSON BENJAMIN: Excuse me. I'm
11 going to—we have three slips left. So, I'm going to
12 call all three people up. Maybe Indiana if you
13 could—if we could borrow your chair.

14 INDIANA: Yes.

15 CHAIRPERSON BENJAMIN: Tim Brown, Tiffany
16 Wheatland and Jonathan Garcia. [background comments,
17 pause] Mr. Brown. [background comments, pause]

18 TIFFANY WHEATLAND DISU: Good evening,
19 Commissioners and everyone. Thank you all for
20 staying. We almost froze to death. I thought I'd
21 have to leave.

22 CHAIRPERSON BENJAMIN: Thank you for
23 staying.

24 TIFFANY WHEATLAND DISU: My name is
25 Tiffany Wheatland Disu. I am here before you as an

2 educator. I teach undergraduate classes at John Jay
3 College of Criminal Justice within the CUNY system.
4 I am also a member of Community Board 7 where I serve
5 the—where I chair the Economic Development Committee,
6 but I'm here in my individual capacity. What I want
7 to say to you all, I'm actually here on behalf of the
8 Civilian Complaint Review Board to support the
9 testimony that has been presented before you this
10 evening and to just lift—to add my voice to the
11 voices that have already spoken before me to support
12 this Elected Civilians Report, and I don't think I
13 need to rehash all the reasons why, but what I want
14 to say to you is that as an educator I think we face,
15 all educators in New York City have a particular
16 conundrum particularly at an institution at John Jay
17 where we educate the next leg, the next class of law
18 enforcement personnel whether it's district attorney
19 or police officers or judges, those who wish to
20 become law enforcement in one of the greatest cities
21 on the earth. That we live in a society in New York
22 City but in—across this nation broadly where we're
23 taught the ideals of justice and the laws of our
24 classrooms, but we don't see them enacted on the
25 streets of the city that we live in, and at John Jay

2 as some of you may know, we have a particular mission
3 to educate—to advocate, but to educate more
4 importantly fierce advocates for justice. I
5 personally take that mission very seriously and I
6 teach actually classes on African-American and
7 African history. In those classes while we don't
8 speak about policing day-to-day, I know that the
9 students that I educate, which are predominantly
10 black and brown come from communities where (1) they
11 are experience over-policing. They experience bias.
12 They all have stories of people—families and friends
13 that have been incarcerated or that have had run-ins
14 with law enforcement. Some of them, as I mentioned,
15 want to become the next class of law enforcement, and
16 they understand that there's a crisis in our nation
17 and there's crisis in our city. I face a paradox in
18 trying to help them understand that it's something
19 that can be overcome. When the rulings for people
20 like Eric Garner and rest his soul were decided I was
21 perplexed. What do I tell my students? How do I
22 explain to them that we live in a system that is
23 actually unjust? The Civilian Complaint Review
24 Board I think is one small step that we can take to
25 move our compass a bit more towards equity.

2 [applause] I do not come here to speak, to give
3 testimony, but I think that I have a responsibility
4 as a member of the community, and a mandate as an
5 educator, as I said, to just lend my voice to this
6 discussion, and I hope that you all will seriously
7 consider not only the personal testimony that has
8 been presented [bell] before you, but the testimony
9 of all of those who lay slain in our streets. Those
10 voices who we will never hear from because they no
11 longer live. That it is important that we distribute
12 some of that power to ensure that those who commit
13 crime, those who kill civilians, innocent or not
14 should be held accountable, and how else better to do
15 that than to shift some of that power into the hands
16 of the people. [applause] Right, a redistribution of
17 power to the citizens of these communities, which are
18 impacted most by-by this sort of violence and harm.
19 Thank you.

20 CHAIRPERSON BENJAMIN: Thank you very
21 much. Any questions? [applause] Thank you, Ms.
22 Wheatland Disu. Mr. Brown.

23 KEN BROWN: Thank you.

24 CHAIRPERSON BENJAMIN: Okay.

25 JOHN GARCIA: I'm sorry go ahead.

2 KEN BROWN: Oh, okay. Thank you, Mr.
3 Garcia. Chairman Benjamin, members—members of the
4 Commission, thank you very much for taking our
5 testimony. This is an important exercise in
6 democracy, and making our great city even better. I
7 am—I have the privilege of being the District Manager
8 of Bronx Community Board 5. So, there's a couple of
9 items that I'd like to submit my recommendations
10 regarding this condition. First, it's—it's our
11 consideration that access to planning professionals
12 at the community board level in specific is a vital
13 asset. Given our recent experience in the Jerome
14 Avenue rezoning, it would have been found appropriate
15 and vital that we have technical assistance provided
16 to us in the form of urban planners that could have
17 represented and articulated the concerns of our
18 community board members in a way that conforms to the
19 vocabulary and expertise of professionally trained
20 urban planners. Regarding to—and the—the proposition
21 as it's stated in the ballot recommendation is an
22 attractive one regarding those to make a pool of
23 planners available at a citywide level, which could
24 then be afforded on a—on a demand—as a—on a per-
25 demand level to the community boards as needed, would

2 have been a resources that could have been a much to
3 our advantage in the rezoning process. Regarding the
4 Fair Share criteria, there has been considerable
5 agitation and consternation in our community regard
6 the Fair Share Criteria as it applies to the
7 notification and siting specifically of homeless
8 shelters. I want to echo and reconfirm the testimony
9 that's been given by other members that we also in
10 our community feel burdened by these sorts of
11 facilities. Community Board 5 I think is the second
12 highest concentration of shelters in the borough.
13 It's our or my understanding that the Fair Share
14 Criteria specifically is a means of notification of
15 the siting of—of burdensome community facilities, and
16 that it is not a requirement for an affirmative
17 consideration of burden in the community, and given
18 the—given the mandate by the Mayor's Plan on
19 Homelessness to site shelters in communities where
20 people originate from has an—has an intended or
21 unintended consequence of overburdening poor
22 communities and underserved communities. So, it in
23 effect is punishing poor communities. So, the Fair
24 Share criteria has to be reformed so that it takes
25 better consideration of the consequences of burdening

2 our communities, and not just the means of
3 notification. Okay. Thank you. [applause]

4 CHAIRPERSON BENJAMIN: Questions? Thank
5 you, Mr. Brown. Now we have Mr. Garcia. Thank you
6 for waiting, Mr. Garcia.

7 JOHN GARCIA: Thank you. Okay, good
8 evening. [Speaking Spanish] My name is John. I live
9 in the neighborhood. I heard about this yesterday so
10 I don't have a big speech. I am not her to, you,
11 bother anybody. It's just ideas, right?

12 CHAIRPERSON BENJAMIN: Uh-hm.

13 JOHN GARCIA: So, I came with--

14 CHAIRPERSON BENJAMIN: Let's hear them?

15 JOHN GARCIA: I'm sorry.

16 CHAIRPERSON BENJAMIN: I said let's hear
17 them.

18 JOHN GARCIA: Okay. So, basically right,
19 it's time to make profit, right. The Bronx is
20 growing, which you guys could see all over and
21 there's people everywhere and the train station is
22 crowded. Basically, once we make a profit, right,
23 what are we doing to do with profit? Can we share it
24 with community members? Can we share it with people
25 that work for the city? And the idea that I came up

2 with is going block-by-block, right, to survey every
3 block to see what they need, right. For example,
4 let's say a block has a park. Does that park need
5 new-new floors, new bathrooms and stuff like that.
6 Does the block need a training facility? Do they
7 need sports facilities for the kids and stuff like
8 that, right. Another thing that I came up with,
9 right, is using the space below and between, you
10 know, at least the train station, there's a lot of
11 space inside the train subways everywhere. That, you
12 know, it's—we could use it for something. I don't
13 know. I work in construction. We make up stuff out
14 of anything so [laughter] basically have more green
15 spaces. That's what I would have done. For example,
16 right, you have to put a botanical garden in the
17 Bronx, right. So, I came up maybe right now have--

18 CHAIRPERSON BENJAMIN: [interposing] We
19 have one in Brooklyn, too.

20 JOHN GARCIA: Wait, wait, wait. MTA
21 indoor botanical garden, you know. I don't know.
22 Another thing why not have like they have in
23 Manhattan the Grand Station, why not we have one, BX
24 Grand-Grand Station or something. I was about to
25 close. I'm sorry.

2 CHAIRPERSON BENJAMIN: [laughs]

3 JOHN GARCIA: I calmed down. Another
4 thing that I came up with, right, it's, you know, we
5 have be a BX Coast, the BX Coast is really big right.
6 Why not fix that. I work in Queens and they have a
7 section where they're fixing the parks. Right now
8 maybe have a park around the perimeter, maybe high
9 elevated. You know, there's war problems going on
10 now and in the future, and, you know. Another thing
11 I came up with, right for schools, right, it's a
12 problem with the guns, right. You see this new stands
13 outside on the street corners where you could plug
14 your phone, right. What have, you know, gun
15 detectors around the perimeter of the schools. You
16 know, I don't know, it's just an idea. Almost
17 finished. Almost finished. I'm sorry. Just got to
18 get into my phone, right. I have too much ideas in
19 here. Sorry, sorry.

20 CHAIRPERSON BENJAMIN: Never too many
21 ideas.

22 JOHN GARCIA: There's a problem with the
23 drugs, right? At the end of the day I was watching
24 the news K2 problem, right. I came up the idea of
25 why not have a deep undercover investigation to see

2 who is selling these drugs on the street. Why not
3 have some of these people, you know, go undercover to
4 see who's—who's selling what? Who's selling the, you
5 know, rollups, who's selling baggies, who's selling
6 stuff like that, right? Why not, right. Almost
7 finished. With businesses, right, you know, some of
8 these businesses they look ugly outside. Why not,
9 you know, sit down with them and see what they need
10 in the inside and the outside. You know, bringing
11 more and more people into the community so they can
12 spend their money in the Bronx actually. Almost
13 finished. [laughter] Parking problems, right.
14 There's a parking problem. Why not build underground
15 parking? Why not? The Olympics are coming. Why are
16 we not speaking about getting the kids ready for the
17 Olympics, right? One more thing. Why not us be the
18 cornerstone of the nation, the Bronx? Why not? And
19 with that have a good day. [cheers/applause]

20 CHAIRPERSON BENJAMIN: Questions? Thank
21 you Mr. Cruz, thank you Mr. Cruz. Thank you Mr.
22 Norton and thank you Ms. Disu.

23 JOHN GARCIA: Mr. Garcia.

24 CHAIRPERSON BENJAMIN: I'm sorry.

25 JOHN GARCIA: Mr. Garcia.

2 CHAIRPERSON BENJAMIN: Oh, I'm sorry.
3 I'm really sorry.

4 JOHN GARCIA: Yeah, it is a long night.
5 I'm sorry.

6 CHAIRPERSON BENJAMIN: I'll say thank you
7 Mr. Brown. Ken Norton is, you know, a boxer so
8 that's pretty good. You've been—you've been
9 elevated. Mr. Norton, Mr. Garcia and Ms. Wheatland
10 Disu. Thank you very much and thank you for waiting.
11 [applause]

12 MALE SPEAKER: Thank you, Madam Chair,
13 the rest of all dockers.

14 CHAIRPERSON BENJAMIN: [off mic] Thank
15 you.

16 MALE SPEAKER: [off mic] Although I
17 didn't need assistance with my third term, I'm still
18 waiting for somebody to talk, but you say no. (sic)

19 CHAIRPERSON BENJAMIN: We just want to
20 surprise you.

21 MALE SPEAKER: [off mic] Oh, thank you.

22 CHAIRPERSON BENJAMIN: Thank you.
23 [background comments] Wait, don't—don't leave.

24 Don't go, don't go. We're not done. [background
25 comments] Give me a second here. [background

2 comments] Is there anyone else from the public who
3 wishes to testify and whose name I haven't called?
4 [background comments] Hearing none, seeing none, I
5 will now close the public hearing. I thank everyone
6 for attending, sharing your thoughts and ideas with
7 us. I encourage you to continue to do so throughout
8 this process. For those of you who said you would
9 send us copies of your testimony or further thoughts,
10 we'll be looking for them, and remember to visit our
11 website. Follow us on Twitter and Facebook. I will
12 now move on to our next order of business, which is
13 the Commission's adoption of the Minutes of our July
14 16th Organizational Meeting, which has been
15 previously provided to the Commissioners and are
16 available in draft form on the Commission's website.
17 Do I hear a motion to approve.

18 COMMISSIONER: So moved.

19 COMMISSIONER: Motion.

20 CHAIRPERSON BENJAMIN: Second?

21 COMMISSIONER: I second.

22 CHAIRPERSON BENJAMIN: Discussion?

23 COMMISSIONER: Thanks.

24 CHAIRPERSON BENJAMIN: Therefore, all
25 those in favor.

2 COMMISSIONERS: [in unison] Aye.

3 CHAIRPERSON BENJAMIN: Opposed? The
4 motion carriers. Now, I note for the record that we
5 received a letter from Jeff Metzler resigning as
6 Executive Director of the Commission. You have
7 received in your briefing materials biological
8 information—biographical information [laughter]—I'm
9 sure--the current commission staff including that of
10 Ed Atkin. I will entertain a motion of the
11 Commission to appoint Ed as our new Executive
12 Director, and delegate to him authority to conduct
13 the day-to-day business of the Commission including
14 the ability appoint other staff members as may be
15 necessary to assist the Commission in its work to
16 establish policies and procedures for staff members
17 necessary to ensure the professional and orderly
18 conduct of the staff's work as well as the ability to
19 accept any and all services, facilities or funds on
20 behalf of the Commission in accordance with Section
21 36 of the New York State Municipal Rule—Municipal
22 Home Rule Law. Is there a motion?

23 COMMISSIONER: So moved.

24 CHAIRPERSON BENJAMIN: Second?

25 COMMISSIONER: Second.

2 CHAIRPERSON BENJAMIN: Discussion? All
3 those in favor.

4 COMMISSIONERS: [in unison] Aye.

5 CHAIRPERSON BENJAMIN: Opposed. The
6 motion carries. Congratulation, Ed.
7 [cheers/applause] Our next hearing will be in
8 Brooklyn this coming Monday September 17 at 6:00 p.m.
9 in the Founders Auditorium at Medgar Evers Colleges,
10 which is located at 1650 Bedford Avenue in Crown
11 Heights. For those of you who are interested prior
12 to that point, Commissioner Albanese will be giving a
13 brief discussion with cable access in Brooklyn as
14 Commissioner Vacca did last week for-before the Bronx
15 hearing. While you are more than welcome to take
16 your written materials with you, please leave your
17 folders and your placards with your name behind so
18 that we may use them again at the next hearing.

19 COMMISSIONER: Leave our folders?

20 CHAIRPERSON BENJAMIN: Uh-hm.

21 COMMISSIONER: Leave our folders?

22 CHAIRPERSON BENJAMIN: Yes, you can take
23 the material. [background comments] I will now
24 entertain a motion that this meeting be adjourned.

25 COMMISSIONER: So moved. Second.

2 CHAIRPERSON BENJAMIN: Second from-

3 COMMISSIONER: Second.

4 CHAIRPERSON BENJAMIN: All in favor?

5 COMMISSIONERS: [in unison] Aye.

6 CHAIRPERSON BENJAMIN: All opposed? The

7 motion carries and the meeting is adjourned. Thank

8 you very much. [applause] [background comments]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date October 7, 2018