

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

NEW YORK CITY CHARTER REVISION COMMISSION 2019

----- X

September 27, 2018
Start: 6:00 p.m.
Recess: 12:44 a.m.

HELD AT: New York City Hall
Council Chambers

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
Alison Hirsh
Rev. Clinton Miller
Sateesh Nori
Dr. Merryl Tisch
James Vacca
Carl Weisbrod

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

Corey Johnson, Speaker, NYC Council

Scott Stringer, NYC Comptroller

Gale Brewer, Manhattan Borough President

Helen Rosenthal, Council Member, NYC Council

Keith Powers, Council Member, NYC Council

Bradford Gonzalez-Sussman, Pitta Bishop
Attorney & Senior Government Relations Specialist
Appearing for: Lancman Van Arsdale, Jr., Assistant
Business Manager, IBEW Local Union No. 3 AFLCIO

Gregory Floyd, President, Local 237 Teamsters

John Manning, Bay Ridge, Brooklyn Resident

Rachel Bloom, Director of Public Policy & Programs,
Citizens Union

Bella Wong, Voting Reform Chair, League of Women
Voters

Kate Doran, Election Specialist, League of Women
Voters

Frank Morano

Jeff Weiss, Fellow to SUNY Rockefeller to the
Government

David Ford, First Vice Chair & Chair of Charter
Revision Task Force, Manhattan Community Board 3

Marilyn Galphin, Founder, Voices for Shelter Animals

Craig Seamen, Voices for Shelter Animals

M. N'digo Washington, Appearing for NYC Council
Member Inez Barron

Juan Pagan, Native New Yorker Running for Election

Roxanne Delgado, Bronx Resident

Betty Maloney, Radical Women

Holly Rocca

Michael Beltzer, Community Organizer, Southeast Bronx

Pamela Monroe, Steering Committee Member, Campaign
for an Elected Civilian Review Board

Joanna Crispe, Municipal Art Society of New York

Shula Kendrick, Save Central Park NYC

Andrea Goldwyn, New York Landmarks Conservancy

Patricia Okoumou, Scaled the Statue of Liberty
Advocate for Elected Civilian Review Board

Beth Goldman, President, New York Legal Assistance
Group, NYLAG

Michael Zumbluskas, Former Chairman, Manhattan County
Chairman of the Independence Party

Alida Camp, Chair of Community Board 8

Nancy Sliwa, Director, Guardian Angels Animal
Protection

Curtis Sliwa, Chairman, New York State Reform Party

Michelle Jackson, Deputy Executive Director
Human Services Council, HSC

Tousif Asan, Civic Engagement Coordinator
New York Public Interest Research Group, NYPIRG
Appearing for: Megan Ahern, Program Director

Mary Luke, NYC CEDAW Act & Metropolitan New York
Chapter of UN Women

Alicia Boyd, Attorney and Brooklyn Resident

Kyle Bragg, Secretary-Treasurer, SEIU 32BJ

Ed Hartzog, Co-Chair, Housing Committee, Community
Board 8

Julia Durante-Martinez, New Economy Project

Andy Morrison, Campaigns Director, New Economy
Project. Appearing for Public Bank NYC

Emily Goldstein, Director of Organizing and Advocacy
Association for Neighborhood & Housing Development,
ANHD

Howard Katzman, Policy and Strategy Representative,
Steering Committee, NYC for CEDAW Act

Darlene Jackson, City Employee, Manhattan Community
Board 11, East Harlem

Terri Cude, Chair, Community Board 2, Manhattan

Anirudh Dinesh, Associate Research Fellow, Governance
Lab

David Eisenbach, History Teacher, Columbia University
& past Public Advocate Candidate, Democratic Primary

Susan Lerner, Executive Director, Common Cause NY

Nikolai Popa, Advocating for Immigrant Rights

Thomas Burton, Member Community Board 1 & Owner of
Sailing Business

Leandra Requena. Activist & Junior Member of SEIU 32
BJ, and leader of Committee Orasca (sp?) of Make the
Road New York

Lowell Van Der Valk, President, Carnegie Hill
Neighbors

Scott Kaplan, Officer, Jim Owles Liberal Democratic
Club and Gramercy-Stuyvesant Independent Democrats

2 [sound check] [background comments,
3 pause]

4 CHAIRPERSON BENJAMIN: Good evening and
5 welcome to today's hearing of the Charter Revision
6 Commission of the City of New York established
7 pursuant to Local Law 91 of 2018. I am Gail Benjamin
8 and I am honored to lead this Commission as chair.
9 It is my please to call this meeting to order. I
10 would like to recognize that we are joined by
11 Commissioners Sal Albanese, Lilliam Barrios-Paoli,
12 Lisette Camilo, Jim Caras, Stephen Fiala--

13 SERGEANT-AT-ARMS: [interposing] Quiet,
14 please.

15 CHAIRPERSON BENJAMIN: --Paula Gavin,
16 Reverend Clinton Miller, Sateesh Nori, and Carl
17 Weisbrod. I said Lisette Camilo. Therefore, we have
18 a quorum. This is the fifth public hearing in our
19 ongoing effort to engage the public in the generation
20 of ideas about ways in which the City Charter can
21 help make the city work better. This Commission was
22 established by legislation proposed by the Speaker,
23 adopted by the City Council and has appointments from
24 each of the borough presidents, the public advocate,
25 the Controller, the City Council and the Mayor. We,

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

2 and thank you for sharing them with us. If you wish
3 to testify today, please fill out a speaker's slip
4 and to-submit it to our staff. I would say for all
5 of you that we have almost 70 speaker slips. So,
6 this may be a long hearing. Please make your points
7 clearly and succinctly, as we want to understand the
8 issues you raise. We're happy to accept any written
9 testimony you may have either today or over the
10 course of the coming weeks and months. Our web
11 address and Twitter feed is on the pamphlets, which
12 are on the table located in the front of the room.
13 All testimony in whatever form you choose to submit
14 it will be included in the record and made available
15 to the Commissioner's staff and to the public. We
16 hope to gather a robust set of proposals that will
17 and we will be conducting additional hearings in the
18 spring to present the results of our research and
19 analysis, and receive further feedback. By September
20 of 2019, we will share with you a set of proposed
21 revisions to the Charter, which will then be put
22 before all of you on the ballot of November 2019.
23 Again, we thank you for being here and taking part in
24 this momentous task. As a first order of business I
25 will entertain a motion to adopt the minutes of the

2 Commission's September 24th meeting. Motion to
3 adopt.

4 COMMISSIONER: So moved.

5 CHAIRPERSON BENJAMIN: Second?

6 COMMISSIONER: Second.

7 CHAIRPERSON BENJAMIN: All in favor?

8 COMMISSIONERS: [in unison] Aye.

9 CHAIRPERSON BENJAMIN: Opposed? The
10 motion carries. We will not start our public
11 testimony on proposals to revisions of the Charter.
12 We will limit testimony to three minutes per
13 individual in order to ensure we can hear from
14 everyone who wishes to speak. Members of the
15 Commission may have questions for you to follow up on
16 your ideas or proposal, and I would ask that
17 everybody really attend to the three-minute limit.
18 There is a clock that will tell you when you're three
19 minutes have elapsed, and there will be a beep that
20 will go off and if you could conclude your remarks
21 then, I would appreciate it as would the other
22 members of the public who wish to have time to speak
23 also. For the first member I call up Speaker Corey
24 Johnson. [background comments, pause]

25 SPEAKER JOHNSON: I can begin—

2 CHAIRPERSON BENJAMIN: Yes.

3 SPEAKER JOHNSON: --Chair? Yes. I was
4 seated where you're sitting for six hours today, so,
5 it's funny to be on this side.

6 CHAIRPERSON BENJAMIN: If you'd like to
7 change seats, we can do that.

8 SPEAKER JOHNSON: Definitely not. Good
9 evening. I want to thank you, Chair Gail Benjamin
10 and Commissioners of the 2019 Charter Revision
11 Commission for holding these hearings and this
12 hearing, and establishing such a positive start to
13 this process. I am particularly proud of this
14 commission. There has never been as far as I am
15 aware a Council legislated Charter Revision
16 Commission in Borough President Gale Brewer's and
17 Public-I see Gale here, and Public Advocate Tish
18 James deserves an enormous amount of credit for
19 taking this issue on before I became Speaker of the
20 Council. And in another first, this Commission
21 consists of appointees from almost every elected
22 official in the city, citywide or borough wide and no
23 one, no one has a majority of seats on this
24 Commission. To top it off, since 1989, no Charter
25 Revision Commission has been charged with looking at

2 the entire Charter with no specific mission other
3 than to make things better for New Yorkers by
4 improving our government. This is truly an
5 independent fully empowered Charter Revision
6 Commission. I am proud of the structure we
7 established for this commission, and believe this
8 should be the standard for all future commission that
9 are called. With that in mind, I would like to
10 proposed several broad topics for this commission to
11 study. These topic area arise out of internal
12 discussions in the City Council including through our
13 Policy Working Group at the Council led by Council
14 Members Brad Lander and for Fernando Cabrera. We
15 have more detailed proposals in the future, but for
16 now we hope these will start some of the important
17 discussions that we think we should take place.

18 First, we recommend that the structure of the city's
19 government, the allocation of power and the system of
20 checks and balances within the system be examined by
21 this commission. The Council is the legislative body
22 of the city of New York, a separate branch of
23 government designed to be a check on the Executive.
24 That balance of power was clearly envisioned by the
25 framers of the '89 Charter, but it was not fully

2 formed. For example, the Council currently has
3 limited authority for the review of the appointment
4 of Mayoral agency heads and does not have their
5 authority to remove any of them. You should also
6 consider whether budgets of certain offices, which
7 are uncertain and subject to political considerations
8 as opposed to substantive need should be fixed
9 budgets or independently set budgets. Along those
10 lines I also think that the role of the Corporation
11 Counsel and the Law Department merits your attention.
12 One lawyer attempting to serve two separate branches
13 of government is an invitation for confusion and
14 disruption and may not be in the best interests of
15 the entire city. I urge you to examine how we can
16 improve this structure. Next, we recommend that the
17 Charter Revision Commission undertake a through
18 review of the budget process to ensure that the
19 Council is, in fact, able to serve as a co-equal
20 budget partner and a balanced check on the Mayor's
21 authority that the 1989 Charter Revision Commission
22 envisioned it to be. This year's \$89.2 billion-I
23 repeat billion dollar budget is more than three times
24 the size of the \$26.8 billion budget, which was in
25 place in 1989 and the city's economy and finance

2 today, as I'm sure we'll hear from the Comptroller,
3 who I believe is here tonight--[coughs]--are far more
4 stable than they were less than 15 years after the
5 Fiscal Crisis of the 1970s, which rocked our city.
6 With this evolved budgetary landscape in mind, the
7 Council believes that the Commission should focus its
8 budget related review on the principles of fiscal
9 responsibility, transparency, accountability and
10 efficiency. The Council Recommends that that Charter
11 Commission look at two categories of revisions: The
12 current distribution of budgeting authority, and
13 clarifying distribute--and clarifying charter language
14 regarding budget format with clear ties between
15 programs and budget lines, which could have wide
16 ranging impacts on both the expense and capital
17 budgets of the city of New York. We also recommend
18 that you examine the city's land use process. Prior
19 charter revision commissions have put off discussion
20 on this important topic usually for lack of time.
21 With this commission we have the expertise and
22 capacity to explore questions that we have pushed off
23 in the past. Today, I want to draw your attention to
24 four of those questions. The first: There is, as
25 many people will tell you, a lot of fatigue and

2 frustration [bell] about our current land use
3 process. With a citywide planning framework that
4 sets clear planning goals for neighborhoods across
5 the city be a far better approach than we have right
6 now. Number 2: How do we increase equity of benefit
7 and equity of burden across the city? Number 3: How
8 can we approve the mechanics of land use, and finally
9 how do we ensure meaningful public participation in
10 the land use process. I look forward to coming back
11 to you with specific proposals regarding these
12 important land use questions in the near future.
13 Next--and I'm almost finished, Madam Chair--during
14 your previous four meetings I hears a lot about
15 police accountability from folks that came and
16 testified. It is, it is vital that we ensure
17 confidence in our public safety institutions by
18 providing proper oversight and real accountability in
19 law enforcement. I strongly urge you to take this
20 issue seriously, but I am not endorsing or opposing
21 any of the views that previously came before you.
22 Finally, civic participation--

23 CHAIRPERSON BENJAMIN: [interposing]

24 Please.

2 SPEAKER JOHNSON: Finally, civic
3 participation is of utmost importance to me and my
4 colleagues, and I urge the Commission to look into
5 elections in particular instant runoff voting.
6 Runoff elections are costly exercises that few people
7 actually vote in. We can maximize voter
8 participation by making each vote more meaningful
9 rather than requiring additional elections. I look
10 forward to presenting more detailed proposals to this
11 commission regarding these issues and likely a few
12 more in the coming months. Until then, I want to
13 thank you for your service. I also want to thank my
14 colleagues at the Council for their input, and as I
15 have said before, I believe the City Charter is in
16 good hands with all of you.

17 CHAIRPERSON BENJAMIN: Thank you very
18 much, [applause] Council-Speaker Johnson. Are there
19 any questions? Thank you very much.

20 COMMISSIONER CARAS: [off mic] Yes.

21 CHAIRPERSON BENJAMIN: Oh. Jim.

22 COMMISSIONER CARAS: [off mic] Thank you,
23 Speaker. [on mic] Thank you Speaker Johnson, and
24 thank you for your support. I am really glad you
25 mentioned the budget because it's been a long, long

2 time interest of mine ever since being Finance
3 Counsel and Acting Finance Director at the Council.
4 You talked about clear lines between programs and
5 budget lines. Do you think—right now we have—I have
6 this page--I've been carrying it around with me for
7 weeks—of the current budget the Department of
8 Homeless Services has about \$2.1 billion budget, \$1.9
9 billion of that are in one unit of appropriation. Is
10 that appropriate?

11 SPEAKER JOHNSON: I don't want to look at
12 Dr. Lilliam Barrios-Paoli when I answer this question
13 because she has some expertise on this, but I would
14 say no. It's-it's-it's not appropriate and—and let
15 me just give you a few reasons and I'll try to answer
16 this question—question quickly. We—we want to—part
17 of our job is to do real oversight, and to be able to
18 understand what's working and what's not working. We
19 want to know how much is in a particular program
20 whether it be a rental assistance program that is
21 currently getting a certain amount of money, and if
22 there are other programs that get money, but aren't
23 working as well, we want to see that clearly
24 delineated so we can do oversight on those programs,
25 and understand how it should be broken down so that

2 we can ask the appropriate questions through our
3 oversight role as a municipal legislature. And then
4 one of the--I believe the '89 Charter Revision
5 Commission had envisioned was through out budget
6 process, budget modifications. If the Mayor wants to
7 modify the budget and needs more money for Homeless
8 Services or for the NYPD or for the Department of
9 Education, and there's a program that's working or
10 not working there is a process to do that. It is a
11 budget modification process. They're usually
12 presented to us once or twice a year where OMB comes
13 forward and has proposals to change some of the
14 spending that was proposed in the current fiscal
15 year. So, having greater units of appropriation
16 spelled out in a more detailed and accurate way would
17 allow us to do greater oversight and we could do more
18 budget modifications with proper oversight to
19 understand how that money should be spent and have a
20 meaningful voice in how that money gets moved around.

21 COMMISSIONER CARAS: Thank you. I look
22 forward to your proposals on that.

23 CHAIRPERSON BENJAMIN: Any other
24 questions? Thank you Speaker Johnson. We appreciate
25

2 your bringing this group into fruition and your
3 testimony today.

4 SPEAKER JOHNSON: Have fun tonight. It's
5 going to be a short night.

6 CHAIRPERSON BENJAMIN: [laughter] The
7 next speaker is Comptroller Scott Stringer.

8 [background comments, pause] I would also like to
9 acknowledge that Mr.-Commission Ed Cordero has joined
10 us, and to say that if any of you who are standing
11 around the room would like to sit, there are seats
12 upstairs and there are also seats interspersed
13 throughout the room that are available. So, if you
14 would like a seat, either upstairs there are lots of
15 seats, and there are-

16 SCOTT STRINGER: We-- could do that.

17 CHAIRPERSON BENJAMIN: --or a few seats
18 throughout

19 SCOTT STRINGER: No, I need my-

20 CHAIRPERSON BENJAMIN: --throughout the
21 room. [background comments, pause] Comptroller
22 Stringer.

23 COMPTROLLER STRINGER: Okay. I've got
24 your name right. Well, thank you, Chair Benjamin and
25 members of the Commission for the opportunity to

2 testify this evening on this very important topic.

3 As you know, change is the life blood of our great

4 city, and our Charter is the engine that helps our

5 government adapt to new challenges, not only today

6 but for years to come. Unfortunately, we have not

7 taken a comprehensive look at our Charter for nearly

8 30 years since Supreme Court forced us to in 1989 and

9 that's a long time. Over the past 30 years New York

10 has witnessed enormous change, much of it good from

11 diverse population growth to new emerging job centers

12 in all five boroughs to our reduction in crime, but

13 there has also been an explosion of homelessness, a

14 deterioration of our subway infrastructure,

15 persistent inequality in our public schools, and the

16 continuing disappearance of affordable housing.

17 Meeting these challenges in the 21st Century will

18 require new ideas and perhaps a new City Charter.

19 Without new ideas our Charter is an outdated set of

20 rules and regulations instead of the living,

21 breathing document we need it to be. The engine of

22 our city begins to slow, and that is unacceptable,

23 and that is why I am pleased to share with you a

24 comprehensive report from my office called *A New*

25 *Charter to Confront New Challenges*. It includes 65

2 ideas to improve the Charter. I will be going
3 through those 65 ideas. No, just kidding.

4 CHAIRPERSON BENJAMIN: But not at this
5 moment.

6 COMPTROLLER STRINGER: But at this—but
7 not at this moment. [laughter] This book is not
8 intended to be a comprehensive vision for tackling
9 all of our problems. It's not intended for that
10 purpose, but I hope to give to you a document based
11 on what I've learned as a member of the Assembly,
12 Borough President and City Comptroller. It offers
13 what I think is a roadmap for facing challenges,
14 implementing changes and making city government
15 better for everyone. In our report, you will find
16 ideals on how to create wealth in one of our
17 neighborhoods by helping to close the inequality gap
18 and create more economic opportunity in all five
19 boroughs. You will find strategies on how to give
20 communities a greater voice in land use decisions and
21 how to make sure our city engages in more long-term
22 planning. There are thoughts on housing and steps we
23 can take to fight back against the scourges like lead
24 paint and mold to strengthen inspections and changes
25 in agencies. We tackle our city's archaic

2 procurement process, which I'm sure many people want
3 to rise up and say procurement yes, but I know no
4 one really looks at it that way, but I do—we, which
5 too often leaves frontline social service providers
6 without the funds they need to operate. We should
7 thank about making substantive changes through the
8 Charter. We also take a deep dive into our city's
9 Capital Budget, which right now is a black hole that
10 emits almost no useful information. These are just
11 some of the ideas in our report. I know the
12 Commission will be hearing from many others with
13 thoughtful ideas, but hopefully, the suggestions
14 we've outlined today can spark some discussions in
15 the months ahead. It's my intention to make our
16 proposal somewhat of a living document. We're going
17 to add to those proposals—the proposals in the book.
18 Obviously, we will do that in consultation with
19 everybody, and again, I want to stress these are only
20 some ideas. Many of these ideas can be discounted.
21 Some should be looked at carefully, but we really
22 wanted to take the time in our office to give you a
23 set of ideas based on some topics that I think would
24 be relevant for your consideration, and lastly, I
25 want to just say Chair Benjamin that this is a pretty

2 powerful and—and smart group of commission members,
3 and I think there's great potential. I know many of
4 you personally, and if I don't know you, I know you
5 by reputation, and you really represent the best of
6 the city. So, I wish you, you know, real success in
7 your endeavor to enhance our Constitution.

8 CHAIRPERSON BENJAMIN: Thank you, very
9 much Comptroller. Are there any questions of
10 Comptroller Springer? Springer?

11 COMPTROLLER STRINGER: Stringer.

12 CHAIRPERSON BENJAMIN: Okay, thank you
13 very much Scott.

14 COMPTROLLER STRINGER: Thank you very
15 much.

16 CHAIRPERSON BENJAMIN: I know we will be
17 talking to you in the days to come--

18 COMPTROLLER STRINGER: [interposing] I'm--
19 I'm looking forward to it.

20 CHAIRPERSON BENJAMIN: --as we read this
21 report. I'd also like to acknowledge the presence of
22 Commission Hirsh, and what? [background comments]
23 Oh, I'm sorry. Sal.

24 COMPTROLLER STRINGER: Mr. Albanese.

2 COMMISSIONER ALBANESE: Yeah, good
3 evening Comptroller Stringer. I noticed in your
4 report you mention strengthening campaign finance
5 laws in the city, which I think obviously are in view
6 of the scandals we've seen were inadequate. What-
7 what is your vision for Campaign Finance Law that-
8 that removes conflicts of interest and feed pocketed
9 self-interested folks from winning our politics?
10 What's your view of that?

11 COMPTROLLER STRINGER: Look, I-I thin
12 that there's a number of interesting proposals that
13 go beyond New York City. You've championed the
14 vouchers and I commend you for that. I do think we
15 should consider a couple of things that relates to
16 campaign finance. First and foremost, we have to
17 make sure that that candidates can run competitive
18 elections. We have to make sure that big spenders
19 with unlimited money do not take advantage of
20 whatever reforms are put forth. That's a larger
21 conversation, but as someone who had to run against
22 someone with unlimited money, with a campaign finance
23 program that doesn't really address that kind of-
24 those kind of issues. I look forward to working with
25 you. Second, I would ask you to close what I think

2 is a glaring loophole. There are times when
3 candidates need that public campaign finance-
4 financing. You play by the rules, you get those low
5 donor contributions. We need the Campaign Finance
6 Board and they do—they get those checks to where they
7 have to go for the campaign, but there's also a
8 situation where candidates are able to access public
9 money for races that they're going to win by 80% of
10 the vote costing city taxpayers millions of dollars.
11 I would rather limit incumbents who have a huge
12 financial advantage with no real opponent. They
13 should not access those campaign funds. I ask you to
14 take a look at that as well, and also I just want to
15 say to all of you as I have great respect for the
16 Commission that that concluded. We had some really
17 great people on that Commission, but I do want to say
18 that the Campaign Finance Proposals that they ended
19 up putting on the ballot were not well through out.
20 It did not come with a larger vision. I think you
21 have an opportunity to do that, and second what I
22 guess I want to say is today specifically because
23 this proposal will be on the ballot, when you think
24 about long-term planning, when you think about
25 community-based planning, when you think about how

2 the rules of the game are usually in favor of—of more
3 wealthier well heeled people, the notion that you're
4 going to instill term limits on community board
5 members who have the experience fighting everyday in
6 the community without any other substantive proposals
7 makes absolutely no sense to me, and I think you have
8 an opportunity to really engage on how our city can
9 access to our government.

10 COMMISSIONER ALBANESE: Just a quick—

11 CHAIRPERSON BENJAMIN: [applause]

12 [interposing] Please, please.

13 COMMISSIONER ALBANESE: --a quick follow-
14 up, but you are the Chief Fiscal Officer--

15 COMPTROLLER STRINGER: [interposing] The
16 money is in the bank.

17 COMMISSIONER ALBANESE: I understand.

18 [laughter]

19 CHAIRPERSON BENJAMIN: And the check is
20 in the mail? [laughter]

21 COMPTROLLER STRINGER: Always on time.

22 Yes.

23 COMMISSIONER ALBANESE: Do—do you feel
24 that we need to spend \$10 million in city wide
25

2 campaigns and the Mayor's race? I mean do we need to
3 spend that much money to get your message out?

4 COMPTROLLER STRINGER: Well--

5 COMMISSIONER ALBANESE: It's the cap, as
6 you know for--for citywide for--and the Mayor's race.

7 COMPTROLLER STRINGER: Well, look at your
8 own experience, right.

9 COMMISSIONER ALBANESE: Right.

10 COMPTROLLER STRINGER: Look at your own
11 experience. You can't win citywide office spending a
12 very small amount of money. The question is how do
13 you get people to a threshold where we can engage
14 people?

15 COMMISSIONER ALBANESE: [interposing]

16 Well--

17 COMPTROLLER STRINGER: So, so for example
18 is--so for example in the Campaign Finance Proposals,
19 right they seek, you know, there's a spending cap.
20 Believe it or not, having gone through these
21 campaigns it seems like a lot of money, but it's
22 actually not when you think about cost of television,
23 digital, mail. One of the things that--that I thought
24 was interesting about raising the matching fund
25 threshold to 8--to 8 to 1 there was no credit given or

2 understanding of what it would actually take for a
3 campaign to build out a low donor strategy. So, this
4 is why I think you have to sort of clean up a lot of
5 this work. If we're going to really create a small
6 donor citywide opportunity for candidates, then we
7 also have to give them the ability to actually do
8 that. Right now the system is geared quite frankly
9 to people like me who are incumbents who have done
10 this multiple times, but that is not right and that
11 is not fair. We have to think about the new
12 candidates that are going to be coming here, and
13 doing some bold discussion of issues, but if they can
14 never get their issues out there because they don't
15 have that threshold of money, then it's going to be a
16 status quo election in 2021--

17 COMMISSIONER ALBANESE: [interposing]

18 Yeah.

19 COMPTROLLER STRINGER: --and that's not
20 right. Do you know what I'm saying?

21 COMMISSIONER ALBANESE: Yes.

22 COMPTROLLER STRINGER: Because there has
23 to be a balance.

24 COMMISSIONER ALBANESE: Just based on my
25 own experience, I think \$5 million is sufficient to

2 get your message out, but you need a couple—you
3 definitely need millions. I'm not sure you need \$10
4 million.

5 COMPROLLER STRINGER: There are people
6 who would argue that \$10 million is actually not a
7 lot of money and by the way, we should--

8 COMMISSIONER ALBANESE: [interposing] But
9 consultants would argue that.

10 COMPROLLER STRINGER: No, no. When you
11 think about what TV time and the amount it takes to
12 get on and break through, you know, I'll be honest
13 with you. It was—in my race for Comptroller where I
14 was running against a self-funder, you know, that—
15 that individual spent \$12 million for Comptroller. I
16 couldn't ever spend that, but the question always for
17 me was could I break through? I would read that in
18 the papers everyday. He's not braking through
19 because he doesn't have the money.

20 CHAIRPERSON BENJAMIN: Okay.

21 COMPROLLER STRINGER: So, it's a
22 balance. [background comments, pause]

23 CHAIRPERSON BENJAMIN: Commissioner
24 Caras.

2 COMMISSIONER CARAS: Thank you.

3 Comptroller Stringer, one--I was leafing through your
4 report, and one thing caught my eye--

5 COMMISSIONER ALBANESE: Which page?

6 COMPTROLLER STRINGER: --in particular in
7 the first Preliminary Budget after Charter Revision,
8 the Mayor and Council should jointly determine the
9 units of appropriation to be included in each major
10 agency. I was wondering if you had background on
11 that because it's--to the extent I've been able to do
12 research on this, and I've tried to do a fair amount,
13 that was raised as a proposal in the '89 Charter
14 Commission, but there was supposed to be a transition
15 provision that called for the Mayor to submit a
16 preliminary list, and I--I did some research and I
17 found that they discussed that when they voted on the
18 budget provisions, and there were people who said
19 well that's going to be in the transition provisions,
20 and then it never appears in the transition
21 provisions and I was never able to find out why that
22 was the case. I--I--so, I wondered if any of--if you
23 have any background on where this proposal came from,
24 and if you have any idea--if your staff might have
25 ideas on what happened to that in the '89 Charter.

2 COMPROLLER STRINGER: To the extent
3 we're allowed to assist with that, I would certainly
4 be happy to meet with you and-and take you through
5 that. I think that the unit of appropriation, the
6 measure should be to specific programs and budget
7 items so that we know exactly what that unit of
8 appropriation means. I think there's going to be a
9 lot of support for that. Certainly in our office it
10 would be very helpful for our audit work, and just
11 for transparency. I don't know all the-this is a
12 pretty comprehensive book, and we do some history
13 about charter commissions, but I don't think we
14 addressed that nuance, but I'll be happy to work with
15 you.

16 COMMISSIONER CARAS: Okay, thank you.

17 CHAIRPERSON BENJAMIN: [off mic]

18 Commissioner Weisbrod. (sic)

19 COMMISSIONER WEISBROD: First of all, I
20 do want to congratulate you and thank, Mr.
21 Comptroller for your work as borough president in
22 raising the quality of Community Board membership. I
23 think you did really an excellent job, and I
24 appreciate it.

25 COMPROLLER STRINGER: Thank you.

2 COMMISSIONER WEISBROD: I have sort of a
3 broader question for you. Speaker Johnson noted that
4 this Charter Commission has an extraordinarily broad
5 mandate and the broadest for sure since 1989 and I
6 also know that uniquely perhaps, you know, everyone,
7 all the elected officials who appointed members to
8 this Charter Commission are term limited, and so
9 they're not going to be in their current positions
10 three years from now. And so, it's an opportunity in
11 the sense to take a step back and I wonder whether
12 broadly, and I have--obviously I haven't read your
13 recommendations--

14 COMPTROLLER STRINGER: Uh-hm.

15 COMMISSIONER WEISBROD: --and look
16 forward to reading them, but broadly speaking, do you
17 think given the various positions you've held in city
18 and state government that the basic balance among the
19 various elected officials is right? Are we dealing
20 largely on correcting idiosyncrasies or--and is the
21 basic balance between the executive, the legislative--
22 Legislative Branch, borough presidents and Council
23 members, which was fixed in 1989, fundamentally
24 right? I'm not asking you whether it's exactly
25 right, but is the basic balance right in your view?

2 COMPTROLLER STRINGER: To answer your
3 question, I—I do think the '89 Charter has got it
4 right in a lot of areas, and the document has really
5 stayed the same with some changes for a good part of
6 30—30 years, and I think that—and I think partly they
7 were under the gun because of the ruling, and it was
8 wholesale change in city government. So, I think
9 people took it very seriously, but the Commission was
10 very much like the people that—who I'm speaking to
11 tonight. People who have community and government
12 and, you know, private sector experience, mayoral
13 experience, Council experience, land use experience
14 and I—I think even though we would say that the—that
15 they got it right, I think it's important to sort of
16 do a refresh, and I think whether it's mayoral
17 agencies and procurement, the Comptroller's Office
18 and budgeting, should we refresh a little bit? I
19 think on the Public Advocate's Office, the role of
20 the Council. The Speaker talked about that. I think
21 it is very appropriate to do that. The balance that I
22 would say everyone comes here sort of—and—and this is
23 what's happened in previous Chapter revisions.
24 Mayors who convene Charter revision commissions had
25 an axe to grind or someone's gore had to be got.

2 That was true when there was the whole fight to
3 eliminate the Public Advocate's office. This
4 commission does not have that. So, having a fuller
5 agenda means you don't have a narrow view of what the
6 outcome is going to be, and that has happened in some
7 of these Commissions although some have done great
8 work. So, I would say take an expansive view, but
9 also remember that if you are the Mayor, you want to
10 make sure that we have a mayoral structure so that
11 things can move in city, right? When we were laying
12 some of our ideas, some of it comes from a Borough
13 President/Comptroller lens, right. I want to see the
14 City Planning Commission, you know, not change, but a
15 little more to community boards and borough
16 presidents. I want to see more community based
17 planning because I did that for 8 years a borough
18 president. As Comptroller, I want transparency and
19 more audit. If the Mayor was standing—was sitting
20 next to me, he would do I think a very good job
21 saying be careful that we don't grind the government
22 to a halt, and I think that's your job to get us to a
23 place that we have a new document, but we haven't
24 broken the city, and I wish you good luck with that.

25 COMMISSIONER WEISBROD: Thank you.

2 COMPROLLER STRINGER: Thank you. Thank
3 you, everybody.

4 CHAIRPERSON BENJAMIN: [off mic] Any
5 further questions? [on mic] Any further questions?
6 No. Thank you, Comptroller Stringer.

7 COMPROLLER STRINGER: Thank you. Thank
8 you everybody.

9 CHAIRPERSON BENJAMIN: I would like to
10 recognize that Commissioner Hirsh and Tisch are here
11 and ask if they would like to vote in the affirmative
12 on adopting the minutes of the last meeting.

13 COMMISSIONER HIRSH: [off mic] I was here
14 during voting, and I was here at that time and I
15 already voted on it.

16 CHAIRPERSON BENJAMIN: Okay, thank you,
17 Commissioner Hirsh and Commission Tisch. Our next
18 speaker is our Manhattan Borough President who shares
19 my name and initials, Gale Brewer. [background
20 comments, pause]

21 GALE BREWER: Good evening G-B and to
22 each of the Commissioners for taking on this role,
23 and welcome in Manhattan. It's the largest turnout
24 of all five boroughs. Let me be clear. Thank you.
25 Manhattan rocks, [laughter] and I want to thank the

2 Speaker and the Public Advocate for working with us
3 on a Charter Revision Commission, and you are all
4 here, and I appreciate that. There is so much to
5 talk about. With my short time I will present an
6 overview of items that I would like to see this
7 commission to consider, and we will have full
8 testimony in the near future and I do hope and I
9 think you will put all testimonies on the web. Real
10 estate, as you know, plays a most crucial role in the
11 physical state of city, and so I want to start with
12 my suggestion for changing land use procedures, some
13 of which were derived from the excellent work done by
14 the inclusive city working group, which I worked on
15 with Council Member Reynoso. So, Number 1:
16 Preplanning must be built into ULURP. Input from
17 community boards and elected officials must be
18 considered before a project is certified. Number 2:
19 Borough presidents should be allowed to submit
20 amended applications with their ULURP recommendations
21 with a city agency or a local development corporation
22 is the applicant or co-applicant, which would be put
23 important potential zoning changes in scope for the
24 City Council. During the Inwood rezoning, for
25 instance, everyone but the Department of City

2 Planning wanted to storefront size limits, something
3 I worked on on the Upper West side. If I could have
4 submitted an alternative application during ULURP,
5 these storefront size limits could have been adopted
6 by the Council. Number 3: There needs to be a
7 citywide comprehensive plan every 10 years. This
8 planning process could distribute new developments
9 equitably across the city. Additionally, the zoning
10 resolution itself could be reviewed every 10 years,
11 and then you could have—include use group reform, and
12 other issues that people want. Number 4: For
13 Changes to special permits such as the Two Bridges
14 Project, which we're dealing with now, there must be
15 a new ULURP for modifications that differ from what
16 was presented during the initial ULURP. Also, the
17 City Council must be solely authorized to determine
18 whether a modification to proposal is within the
19 scope of the original application and the
20 environmental review and Number 5 on the issue land
21 use, super tall buildings are everywhere. Without
22 getting into my own feelings about the—I think you
23 know them—I recommend that at a minimum we make
24 requests for zoning lot mergers for easement
25 agreements and development rights publicly accessible

2 through an online map portal so we know what's going
3 on. I want to talk about some other things quickly:
4 Landmarks Preservation Commission, I appreciate the
5 presence on the LPC of architects and planners, but
6 we need preservationists, and we need to have
7 stipends for the commissioners. Another issue is the
8 robust issue that was brought up earlier of spending
9 priorities. The Council does not currently have
10 access to the units of appropriation, and you heard
11 some discussion earlier about that. By providing
12 details of what the Council is being asked to
13 approve, including their reconciliation of year-over-
14 year changes and by prohibiting an agency from
15 categorizing all of its spending in one unit, as you
16 heard earlier, the Council could really know what the
17 basic form of government actually is and where the
18 taxpayers' money going. Also requiring service level
19 information and performance measures, the budget
20 should match the performance. For each unit of
21 appropriation in the budget, would add transparency.
22 Finally, with regard to budget, the Charter should
23 require that the Mayor provide final revenue
24 estimates earlier than is currently mandated. Then,
25 then the Charter would further empower the city's

2 body to make better informed decisions. Just a few
3 more things.

4 CHAIRPERSON BENJAMIN: Okay.

5 GALE BREWER: Our ability to govern is
6 also determined by the independence of our oversight
7 body. For instance, the Office of Corporation
8 Counsel provides legal guidance not only for the
9 Mayor, but the city government as a whole like the
10 borough president and the City Council. The position
11 of Corporation Counsel we feel should be advice and
12 consent by the City Council. The Civilian Complaint
13 Review Board needs some changes in order to fulfill
14 its role in ensuring the public has effective
15 recourse when there are complaints about police
16 conduct, and we will have some very specific
17 suggestions for that. I am a believer in the local
18 form of government, community boards. Without going
19 into all the specifics of the previous commission
20 that was appointed by the Mayor, I want to point out
21 that I do not think that we should have term limits
22 for community boards. That is our first line of
23 defense in neighborhood planning. Finally, in the
24 1989 Charter Revision when the Board of Estimate was
25 abolished, a funding formula for borough president

2 disbursed capital funding to the community was
3 established base on the land area, and population of
4 each borough. It's a very important role, and my
5 office has funded parks and schools and so on, and
6 lots of infrastructure, but according to a recent NYU
7 study, Manhattan's population doubles everyday as an
8 additional 2 million commuters come in to the island
9 and taxing our infrastructure. This daily population
10 spike is not reflected in the funding formula for
11 borough president and it should be. We have 60
12 million tourists, and lots of commuters, not in the
13 budget in terms of the priorities. Thank you for the
14 opportunity to testify tonight. I will submit my
15 written much longer testimony shortly. Thank you for
16 all being here, and I'm really excited about this
17 Charter Revision Commission. Thank you.

18 CHAIRPERSON BENJAMIN: Thank you, Gale.
19 We're really excited that you took the time to come
20 here, particularly when I know you have an important
21 hearing across street on Riker's Island, and the
22 decentralization of that facility. We'd like to get
23 you over there as soon as possible. So are there any
24 questions from members of the Commission? Alison
25 Hirsh.

2 COMMISSIONER HIRSH: Hi Borough
3 President. Thank you for being here. I just have
4 two questions, and I know you're—you need to get out-
5 -

6 GALE BREWER: [interposing] That's fine.

7 COMMISSIONER HIRSH: --under the-

8 GALE BREWER: [interposing] It's-it's a
9 mess over there. There's 200 people who can't get
10 in. So, it's much nicer being here.

11 COMMISSIONER HIRSH: Well, then I'll--then
12 I'll talk slowly--

13 GALE BREWER: [interposing] Please.

14 COMMISSIONER HIRSH: --so you don't have
15 to go across the street. [laughter] I just had a
16 question. If you could--two questions. One is on the
17 Alternative Application during the ULURP process.

18 GALE BREWER: Yes.

19 COMMISSIONER HIRSH: Do you--can you
20 explain how that would work? Would both applications
21 go through the Council simultaneously? Would the one
22 be adopted within the other? What would the
23 practicalities of that look like?

24 GALE BREWER: Well, it's a good question.
25 In other words, the concept is and the Inwood is an

2 example. I can be a little bit more specific. The
3 City Council, which I was on for 12 years, right now
4 makes the final decisions, as you know, and they
5 should, but the issue is if you have some good ideas
6 as borough presidents and some borough presidents
7 have good ideas. [laughter] Community boards have
8 good ideas, and this issue of retail is a big concern
9 in Manhattan in particular, loss of mom and pops.
10 And so what happened in Inwood to be honest with you
11 is that we suggested that the size of the retails be
12 a certain size all across Inwood in the rezoning.
13 The City Planning Commission at the City Council
14 level refused to even include that in their proposal.
15 So, therefore, the Mayor's Office said no we won't do
16 it, and understandably because I've been in the City
17 Council. The clock ticks and you have to get through
18 and vote. If, in fact, as the borough president we
19 could have said this is a priority, and A Text,
20 Application Text, as it's called for us. It wouldn't
21 take the entire quote/unquote "recommendation" that
22 is essentially what the Borough President's ULURP is,
23 but you would take certain items, and this would be
24 part just as the City Council votes finally, it would

2 be included as an application text in the final
3 document.

4 COMMISSIONER HIRSH: Got it and I have
5 one more question, changing the subject. Do you—you
6 know, we've heard a lot of testimony about different
7 ways to reform the CCRB--

8 GALE BREWER: Yeah.

9 COMMISSIONER HIRSH: --and I was
10 wondering—I know you mentioned that you think reform
11 is a priority if you have specific recommendations
12 about how to do that.

13 GALE BREWER: I have some. I'm pretty
14 familiar with zoning. I am less of an expert on the
15 CCRB, to be honest with you, but I will say that I
16 know that at several of the hearings of this
17 commission the topic has come up, and I think
18 apparently the current memorandum of understanding,
19 which, of course, is an MOU that provides for the
20 Administrative Prosecution Unit and that's set forth
21 and New York City Police Department's duty to
22 cooperate with the board. It needs to be codified
23 and made permanent, and what that says in English I
24 believe and I've just met with some of the board
25 members of CCRB to talk about this, is that folks at

2 the CCRB feel that sometimes what they suggest is not
3 taken seriously at NYPD. So, how do you--your goal is
4 to have seriously taken your recommendations. Now
5 how you accomplish that is something that I hope that
6 you will focus on.

7 COMMISSIONER HIRSH: Thank you.

8 CHAIRPERSON BENJAMIN: Commissioner
9 Fiala.

10 COMMISSIONER FIALA: Madam Borough
11 President--

12 GALE BREWER: [interposing] I love Staten
13 Island, but you know who I really love, Jimmy Oddo.

14 COMMISSIONER FIALA: I know, I know.

15 CHAIRPERSON BENJAMIN: Well, we love
16 Steve Fiala as much as you love Jimmy Oddo.

17 GALE BREWER: [interposing] I know but I
18 really, really, rally love Jimmy Oddo.

19 COMMISSIONER FIALA: I know. Everybody
20 loves Jimmy Oddo. [laughter]

21 GALE BREWER: Not as much as me.

22 COMMISSIONER FIALA: I love Jimmy Oddo,
23 too.

24 GALE BREWER: I know.

2 COMMISSIONER FIALA: I thank him for the
3 opportunity to be here.

4 CHAIRPERSON BENJAMIN: Can we see a show
5 of hands for everyone who loves Jimmy Oddo?
6 [laughter] Thank you.

7 COMMISSIONER FIALA: Madam Borough
8 President, there are two areas, two very quick
9 questions, one regarding your testimony and one
10 concerning an area that's of particular concern to
11 me. Regarding your testimony, you allude to moving
12 the date in which the Mayor presents the Council his
13 final budget estimates. Do you have—do you have a
14 specific timeframe in mind? How—how much would you
15 push it up?

16 GALE BREWER: Well, I would have to get
17 back to you on that.

18 COMMISSIONER FIALA: [interposing] Okay.

19 GALE BREWER: I will tell you that, you
20 know, again as a member of the Finance Committee in
21 the City Council, it was a big challenge to be able
22 to come up with our list, and I'm sure the Speaker
23 and his staff have the same problem now. Not only
24 were—was there a time issue, but you have to figure
25 our what the revenue projection is going to be, and

2 so you're constantly juggling, and so again is this
3 something that could be worked out? I would be
4 preferable if it did. I don't know. I can't give—I
5 can work on the exact date. I know the overall
6 problem is that you spend a lot of time, and then you
7 find out that the timing doesn't work for all the
8 work that you've done.

9 COMMISSIONER FIALA: Okay, the second one
10 relates to service delivery. The 1989 Charter spent
11 a fair amount of time on this. Service delivery is
12 essentially one of the most important things that
13 municipal government does. The role of the borough
14 president many would argue was eviscerated. I voted
15 against that charter precisely for that reason just
16 in full disclosure, but the language in the existing
17 charter some would argue in theory at least provides
18 borough presidents with a meaningful and substantial
19 role in effecting service delivery outcomes in their
20 boroughs. Is it your experience that the theory or
21 the language that supports that statement that
22 borough presidents having a meaningful role in
23 service delivery meets the reality, or is there
24 something that we could look at doing to enhance the
25 role of a borough president so that that individual

2 he or she has a meaningful voice in shaping the
3 policies relating to delivery of services in the
4 city.

5 GALE BREWER: That's a great question. I
6 would say a couple of things. First of all, working
7 with the community boards we obviously have borough
8 service and we also have a borough board every single
9 month, and to get the borough service, which is when
10 the agencies and the community district leaders,
11 community board district managers come every single
12 month. You do not find a large number of city
13 agencies participating, and you don't see the kind of
14 data. I passed the Open Data when I was in the City
15 Council. So, I really, really believe that this data
16 that you're looking for because the way to do service
17 delivery is to know the data. So you know what the
18 challenges are in your borough. So, the
19 strengthening to answer your question, which is an
20 excellent one, would be to shore up and do some
21 mandates or participation in the borough service and
22 the borough board, and secondly to figure out working
23 with the community boards either through staff or
24 better data presentation, and we've spend hours and
25 we train them and so on. They have monthly borough

2 service cabinets of their own with all the agencies.
3 That data doesn't necessarily get accumulated in any
4 kind of a meaningful way. So, it would take a—a
5 staffing and correlation with the budget and the
6 program, which we talked about earlier in terms of
7 the units of appropriation. But as usual, Staten
8 Island has a great idea in terms of how you would
9 take—looking at the borough, what is the Department
10 of Transportation doing for Staten Island? What is
11 it doing in terms of Parks Department and is it
12 getting its fair share? That would be the—the
13 metrics that you would be measuring against when you
14 have enough data that's collected from the community
15 boards and from the borough service. It is not done
16 now.

17 COMMISSIONER FIALA: Thank you very much.
18 Thank you, Madam Chair.

19 CHAIRPERSON BENJAMIN: Are there any
20 other questions of Borough President Brewer?

21 GALE BREWER: Give my best to Jimmy.
22 [laughter] Thank you very much.

23 CHAIRPERSON BENJAMIN: Thank you.

24 COMMISSIONER FIALA: Thank you, Gale.
25

2 CHAIRPERSON BENJAMIN: If I could ask
3 people to put their phones on mute at a minimum,
4 everyone would appreciate—would appreciate that. I
5 am going to call up the next panel, and if you would
6 come up quickly, and speak succinctly, we would all
7 appreciate it. Helen Rosenthal, Keith Powers,
8 Bradford Gonzalez-Sussman, Gregory--[background
9 comments] Flake, and John F. Manning. Well, Mr.
10 Manning, I believe we've seen you before in Brooklyn.
11 Yay. [background comments, laughter] Craig Floyd
12 not Flake. I'm terribly sorry.

13 COUNCIL MEMBER ROSENTHAL: Was that part
14 of my three minutes? Is it going to be part of my
15 three minutes if I say what happens? Yes?

16 CHAIRPERSON BENJAMIN: It's all part of
17 your three minutes.

18 COUNCIL MEMBER ROSENTHAL: No, I'm not
19 doing that. [laughter]

20 CHAIRPERSON BENJAMIN: Helen Rosenthal.

21 COUNCIL MEMBER ROSENTHAL: Great. If I
22 could give this to the—somebody. Thank you very
23 much. Before you start the clock--[laughter] I—I just

24 CHAIRPERSON BENJAMIN: [interposing] Yes,
25 you have to find the source.

2 COUNCIL MEMBER ROSENTHAL: --to say that
3 turnabout I guess is fair play. I'm looking at some
4 of you who I've been a little sharp with. I'm sorry.
5 [laughter] Good evening. My name is Helen
6 Rosenthal. I'm the City Council member rep-
7 representing the Upper West Side, and I chair the
8 City Council's Committee on Women. I'd like to begin
9 by thanking the members of the Charter Revision
10 Commission for their service and for providing
11 residents across the city with the opportunity to
12 testify. I have two issues for your consideration.
13 First, that the Charter be revised to integrate the
14 United Nations Convention on the Elimination of all
15 forms of Discrimination Against Women, CEDAW, and
16 two, that the Charter identify mechanisms to hold the
17 city accountable for its contract procurement
18 process. So, first has--has to do with the gender
19 equity issue. As Chair of the Committee on Women,
20 I've come to believe that the circumstances that are
21 unique to women or under which women are particularly
22 vulnerable are not considered a priority by our own
23 New York City agencies. Through law making we've
24 made some strides from providing menstrual products
25 in the city's schools, jails and homeless shelters to

2 passing Anti-Sexual Harassment in the Workplace laws.

3 In my written testimony, I referenced recent

4 oversight hearings on the NYPD Special Victims

5 Division and on sexual violence in city jails. Both

6 hearings revealed the stark vulnerabilities that

7 women face. My hope is that by including CEDAW

8 principles in our Charter, women's unique experiences

9 would be prioritized within the mission of each city

10 agency perhaps empowering the Equal Employment

11 Practices Commission, and requiring them to issue an

12 annual public action report could be one way of

13 achieving that goal. On procurement reform we must

14 first recognize that the city relies on contracted

15 non-profits to provide a vast range of essential city

16 services from mental healthcare to senior centers and

17 daycares to more than 2.5 million vulnerable New

18 Yorkers. The providers are chronically under-funded,

19 and are often paid 8 to 12 months late. With the

20 goal to increase transparency, and accountability, I

21 have a couple of suggestions. We have to shine a

22 light on late payments to human service sector

23 contracts. The city has to reimburse for interest

24 payments that non-profits must pay for loans take out

25 to cover the cost of providing government services

2 prior to contract registration--[bell-and information
3 about the procurement status of capital projects
4 which can take decades to complete must be made
5 public. Nearly done. For the Comptroller we have to
6 ensure that contracts submitted to the Comptroller
7 are subject to a 30-day limit for registration and
8 that this 30-day period is paused, not restarted if a
9 contract is rejected, then resubmitted for
10 consideration. Similarly, when the Comptroller, the
11 Comptroller must publicly report the reasons for
12 rejecting contracts, and identify whether or not they
13 are within the scope of the Comptroller's Charter
14 allowed reasons for rejection. In other words, we
15 must take politics out of the contract process. And
16 lastly, and this is a suggestion, that we empower the
17 Procurement Policy Board, the PPB. We require that
18 they have public meeting at least four times a year,
19 and we provide PPB with the authority to make changes
20 to city procurement rules if these changes can help
21 expedite contract registration. There is an urgent
22 need for robust and meaningful procurement reform,
23 and I am hopeful that this commission can identify
24 ways to do so in the New York City Charter. Thank
25 you.

2 CHAIRPERSON BENJAMIN: Thank you very
3 much, Commissioner Rosenthal. Are there any
4 questions? [pause] Nope. Thank you very much. I
5 look forward to seeing more testimony from you and on
6 some of these issues of procurement, which I think
7 are very important, but very dry. [laughter] Not
8 you. Not you being dry, but just that the public
9 finds the issues of procurement.

10 FEMALE SPEAKER: [off mic] I was going to
11 say that.

12 CHAIRPERSON BENJAMIN: [laughs] We can
13 say it. [laughter]

14 COMMISSIONER: But we may have to hire a
15 special prosecutor. [laughter]

16 CHAIRPERSON BENJAMIN: The next speaker
17 is Council Member Keith Powers.

18 COUNCIL MEMBER POWERS: Thank you, and
19 thank you, and good evening. I don't believe Helen
20 Rosenthal is dry. She's animate and she's--

21 CHAIRPERSON BENJAMIN: [interposing] No,
22 not Helen.

23 COUNCIL MEMBER POWERS: --right at the
24 point, isn't she. My name is Keith Powers. I'm a
25 City Council Member representing District 4 in

2 Manhattan, which encompasses a big part of Midtown in
3 Manhattan, the Upper East Side where I live,
4 Stuyvesant Town and Peter Cooper, and I'm testifying
5 here on behalf of myself and many of the constituents
6 I see here from my district tonight, and also as a
7 member of the Progressive Caucus who has been coming
8 to all these hearings to talk about improvements in
9 the planning and land use process here in New York
10 City. So, thank you for the—for the ability to
11 testify. I've submitted what is our testimony as the
12 Caucus that encompasses many of the things you've
13 heard. I—I believe by test—by hearing five you've
14 heard this a few times. So, for brevity and time I
15 just wanted to talk about what I think is our biggest
16 issue right here today, which is and the Speaker
17 touched upon it as well, which is to have a better
18 framework for Land Use development and planning in
19 the city, and many are referring to it as a more
20 comprehensive planning process. And I believe this is
21 a crucial topic for this Charter Revision Commission
22 to address, not be—not just because it hasn't been
23 addressed for a long time, but I actually believe the
24 members on this Charter Revision Commission are
25 uniquely qualified to be able to take issues around

2 land use and development. As you've heard from
3 colleagues at other hearings, many regular New
4 Yorkers, many who are here today feel generally
5 unsatisfied with the current land use process, and
6 the strategy in the city. The current system seems
7 to frustrate almost everybody whether it's community
8 members, organizers, elected officials, those in the
9 development world and planners. As an elected
10 official, I can tell you in my—so 10 months here that
11 it's a frustrating process trying to balance the
12 needs of a growing and global and 21st Century city
13 with the often raised rightful concerns about the
14 impact to development whether it's about
15 affordability, height and density, impact on the
16 ground level businesses or many more of the other
17 issues that come up as we're building and growing
18 here as a city. The many that—the reason that many
19 of us are favoring a process that looks at the
20 beginning of this long-term is because we believe
21 that a comprehensive process would actually create a
22 guiding set of principles and ideas that provide—
23 provide relief from that tension and—and make us
24 better at addressing the long-term needs of the—of
25 our neighborhoods and of the boroughs that we live

2 in. And as we are a global city that aspires to be
3 changing and to be growing endlessly, I think that a
4 long-term process for each borough or each—for each
5 neighborhood will be better situated to give us a
6 starting point to analyze applications that come
7 before us, and also to create a set of goals about
8 infrastructure, school seats, other needs that we
9 have in our communities rather than just taking
10 particular applications one at a time. I think many
11 here have sort of experienced that frustration of how
12 does one project fit into the bigger picture that we
13 have as gold? I think it really actually, too, that
14 everybody would be better situated to have some sort
15 of starting point to—to begin to go through. There
16 are other recommendations that have been made. The
17 Comptroller has made some about how to—how to improve
18 representation and reflection of City Planning, and
19 other processes. I won't go into detail on those. I
20 have six seconds, but I—but I would just mention some
21 other personal things I care about in addition to
22 that: Voting [bell] yeah, the Speaker brought it up,
23 but looking at things like instant runoff voting as
24 an alternative to a low turnout, special actions
25 right now for the three city light offices perhaps

2 looking at other offices I think is a good place,
3 things to look at. Our city budget procurement
4 included in that, but really making sure that our
5 city budget gives us the path to making—having long-
6 term savings, having long-term planning in our city
7 budget as well because I think we also are taking the
8 city one budget at a time, having accurate revenue
9 estimates in the budget, and putting us on a path to
10 be fiscally responsible and not, and may Council
11 Members be able to be part of that process, and know
12 that we're meeting those goals. And the last thing
13 I'd say in my last 0 seconds is as the Chair of the
14 Criminal Justice Committee in the City Council, too,
15 I don't think this has been discussed, but there is a
16 part—a section in the charter that the part to
17 discuss is the Correction System, the Criminal
18 Justice System in New York City. It's not really—
19 it's pretty muted on many topics around criminal
20 justice, and we are going to submit I think more
21 details and proposals around things that could be
22 improved in that. But I think it's an area that's
23 been absent in this conversations today about the
24 City Charter, and I know there's many people who
25 aren't here that also care deeply about the Criminal

2 Justice and Correction System, and we'd love to see
3 even some thoughts in this process around whether
4 that could be improved as part of this as well.

5 Thank you.

6 CHAIRPERSON BENJAMIN: Thank you, Council
7 Member. Are there any questions? Sal.

8 COMMISSIONER ALBANESE: Good evening. In
9 terms of infrastructure, the city's infrastructure as
10 well as the state, and part of the country is in
11 disastrous shape. We don't seem to have a process in
12 place in New York City for value-evaluating bridges
13 or roads, our mass transit system. Do you have any
14 idea, any proposals on how we on a regular basis
15 assess our infrastructure in this town?

16 COUNCIL MEMBER POWERS: Yeah, that's a
17 good question. I think for—I mean just to take a
18 step back to what I said earlier, is we don't set any
19 goals in like any particular community board or
20 community to say how much affordable housing do we
21 need. And when we get applications, we always have
22 this tension here about how many affordable housing
23 units do we have. It's near a subway line. Should
24 that be a place where we should build in versus other
25 areas? There's—we—I know this has come up, but the

2 NIMBY and the IMBY and all the other acronyms, we
3 should set some goals. I mean I think we really
4 should have identity-identifying, which neighborhoods
5 really are good for growth, which are good for-or
6 need infrastructure. I think that certainly City
7 Planning should be and-and the Department of
8 Buildings and all the sort of ecosystem around land
9 use and development should be doing maybe more
10 regular identification of what their needs are, and
11 then having some measurement tool to go against it
12 because we go- We see buildings go up, but we don't
13 know how many people. I-I think every day are going
14 to depend upon the subway system or how many school
15 seats we need. I think we do some of that. In terms
16 of how we can better address that or-or understand
17 it, I'll have to come back to you on that to be
18 honest, but I think starting to have a measurement
19 tool, or-or goals at the beginning would at least
20 give us an idea to say when we're reviewing ULURP's
21 applications or just looking at as-of-right
22 development whether we're, you know, whether we are
23 in the ball park or not.

24 CHAIRPERSON BENJAMIN: Thank you. Are
25 there any-Commissioner Nori.

2 COUNCIL MEMBER POWERS: I'm either doing
3 something right or wrong if I'm getting asked
4 anything. (sic)

5 COMMISSIONER NORI: Thank you, Council
6 Member. I think it's fair to say that this is the
7 second most important hearing of the day, and people
8 agree with that.

9 COUNCIL MEMBER POWERS: Okay.

10 COMMISSIONER NORI: My question to you is
11 with respect to Fair Share, I understand the concept
12 in theory, but would you and the members of the
13 Progressive Caucus be sensitive to issues and--

14 COUNCIL MEMBER POWERS: [interposing]
15 Uh-hm.

16 COMMISSIONER NORI: --of siting things
17 like homeless shelters and services for the disabled
18 in the communities in which people already live? Is
19 that a consideration that we should take into
20 account?

21 COUNCIL MEMBER POWERS: So, Fair Share is
22 definitely a topic that we discussed both in the
23 Progressive Caucus and among City Council Members who
24 were discussing it, and a feeling like the way it's
25 set up right now is not adequate to the needs of it.

2 To be honest, Fair Share is a really highly debated
3 topic because of the sort of the outcome that—that's
4 associated with it. I'll tell you somebody who has
5 maybe vocally supported homeless shelters at times in
6 my very crowded and dense district, understanding
7 that it's all districts that have to take a—take a
8 part of solving problems for the city. It's a very
9 difficult process. I think there is a real appetite
10 amongst us to revisit that, and I think you'll see a
11 tension about whether—when you talk about Fair Share,
12 of course, about whether you should be creating—
13 creating limitations in certain areas or making a
14 place where every—every body is open, and available
15 for it. I know that other members have come there
16 from the Caucus have come and talked about the need
17 to improve the definitions of Fair Share, which I
18 think would at least give us some better guiding—
19 guiding rails and when we talk about it, or when we
20 make decisions about what should be in different
21 districts, but I just personally have felt like in
22 the middle of Manhattan we have to be, you know, both
23 sensitive to all density and the safety issues, but
24 also part of solving the problem—problems.

2 CHAIRPERSON BENJAMIN: Anyone else?

3 Thank you Council Member.

4 COUNCIL MEMBER POWERS: Thank you,
5 thanks.

6 CHAIRPERSON BENJAMIN: The next Speaker
7 Bradford Gonzalez-Sussman.

8 BRADFORD GONZALEZ-SUSSMAN: I'm trying to
9 get his right. Good evening Chairwoman Benjamin and
10 members of the Charter Revision Commission. My name
11 is Bradford Gonzalez-Sussman and I'm from Pitta
12 Bishop, and I will be presenting the testimony of
13 Lancman Van Arsdale, Jr. IBEW Local 3 Assistant
14 Business Manager. Good evening. Thank you for this
15 opportunity to submit testimony regarding potential
16 changes to the New York City Charter. My name is
17 Lance Van Arsdale, and I am the Assistant Business
18 Manager of International Brotherhood of Electrical
19 Workers, Local Union No. 3 AFLCIO Local 3. Local 3
20 represents nearly 28,000 workers throughout New York
21 City and surrounding counties. For nearly half a
22 century about 1,800 of these members have been
23 telecommunications workers first working for Time
24 Warner Cable and then subsequently Charter
25 Communications a/k/a Spectrum. The relationship

2 between these workers and their employees throughout
3 Local 3's bargaining relationship with them has been
4 significantly impacted by the New York City Charter's
5 provisions regarding franchises, primarily contained
6 in Sections 363, 365, 372, 373, 375 and 376. Based
7 upon Local 3's experience with the—with the
8 operations of these franchisees and with the process
9 by which they received their franchises, we are
10 convinced that the current franchise framework
11 contained in the Charter is flawed, favors
12 franchisees and prospective franchisees and shields
13 the process for meaningful community input and public
14 scrutiny. But having the decades of direct
15 experience with the telecommunications companies is
16 not required to be able to identify that there's a
17 major failure in the provisioning of
18 telecommunication services in our city. I'm sure
19 that any person in attendance tonight could rattle
20 off a list of problems that they are experiencing
21 with their cable television, telephone or Internet
22 service. Attached to this testimony are proposed
23 changes to the previously cited sections of the
24 Charter as well as to others. Recognizing that the
25 Commission may be reticent to completely change the

2 framework by which these franchisees are negotiated,
3 and awarded by the city, these changes would
4 certainly provide more transparency to an opaque
5 process. However, Local 3 truly believe that for any
6 meaningful improvement upon the process, which will
7 empower local communities and which will better
8 ensure these companies to whom the city grants the
9 enormous and lucrative benefit of a franchise for any
10 services, but especially for telecommunications, this
11 Commission must consider an alternative mechanism for
12 the franchise process. In that regard, the framework
13 of the Uniform Land Use Review Procedure, ULURP, we
14 believe is a good model. As members of the
15 Commission, you likely are familiar with the history
16 of ULURP and how it was intended to encourage local
17 community input into zoning and land use decisions.
18 In the wake of the decades of infrastructure
19 developments commissioned by Robert Moses over the
20 objections of local communities. Ultimately, the
21 franchise process is one that implicate—that
22 implicates land use. A franchise—a franchise permits
23 a franchisee the considerable benefit of using the
24 inalienable property of the city for a fixed period
25 of time. In some cases up to 50 years to provide

2 services to city residents. In the
3 telecommunications context [bell] the franchisee's
4 use of the city's inalienable property includes the
5 ability to install infrastructure needed to deliver
6 services to the franchise's customers. The
7 construction attendant—the—the construction attendant
8 to this infrastructure installation and maintenance
9 or the failure to do so has tremendous impact on
10 local communities. For this reason, the franchise-
11 franchise process while being directed by an agency
12 with particular expertise in the area should
13 authorize community boards, borough presidents and
14 City Council Members to have a specific role in the
15 negotiation of the terms of a franchise and the
16 section—and the selection of a franchisee. May I
17 read the last couple of sentences?

18 CHAIRPERSON BENJAMIN: Very quickly.

19 BRADFORD GONZALEZ-SUSSMAN: Very quickly.
20 I'll ready fast. Recognizing there is limited time
21 this evening, and many others that wish to testify, I
22 have—I have limited my remarks, but I welcome the
23 opportunity to speak with or your staff further about
24 changes to the franchise process. We need a process
25 that ensures that local communities have a formal and

2 meaningful role in the decision making related to
3 franchisees—to franchises. Only then will multi-
4 national corporations that invariably are the
5 franchisees, be accountable to the needs of New
6 Yorkers and not merely to their shareholders. Thank
7 you.

8 CHAIRPERSON BENJAMIN: I'm going to as
9 Chair take my prerogative. I'm not sure if you're
10 familiar with the franchises or if you're reading
11 that—Mr. Van Arsdale's speech, but if you are, then
12 you must be aware that the franchise process
13 involves—it's a multi-step process that involves an
14 authorizing resolution that comes to the City Council
15 and if there are major land use impacts, then it
16 would go through ULURP, and it would go to the
17 community board, the borough board, the City Planning
18 Commission and again the Council. However, that
19 would be on the land use issue. The contract itself
20 is solely within the purview of the FCRC and the
21 Mayor. So, when you are suggesting that it should go
22 through ULURP, are you suggesting that the current
23 process where it may go through ULURP is insufficient
24 ore are you suggesting that every franchise no matter
25 how insignificant should go through ULURP?

2 BRADFORD GONZALEZ-SUSSMAN: The—in the
3 complete testimony, the—the sections that we're
4 recommending get analyzed are—are—are blacklined. I
5 just read the--

6 CHAIRPERSON BENJAMIN: Are what? Excuse
7 me.

8 BRADFORD GONZALEZ-SUSSMAN: Are—are—are
9 blacklined or noted in the—in the complete testimony.
10 I just read the—the—the--

11 CHAIRPERSON BENJAMIN: [interposing]
12 Highlights.

13 BRADFORD GONZALEZ-SUSSMAN: --cover
14 letter to the—thank you. [laughs]

15 CHAIRPERSON BENJAMIN: Okay. Thank you
16 very much.

17 BRADFORD GONZALEZ-SUSSMAN: Thank you.

18 CHAIRPERSON BENJAMIN: Are there any
19 other questions? No questions, Carl. [laughs] The
20 next speaker is Mr. Flake whose name I originally
21 pronounced wrong, and I'm sorry.

22 GREGORY FLOYD: Floyd, Floyd, Floyd.

23 CHAIRPERSON BENJAMIN: And I did it
24 again.

25 GREGORY FLOYD: I get that a lot.

2 CHAIRPERSON BENJAMIN: Well, I don't know
3 if this is your handwriting but—

4 GREGORY FLOYD: It may be. I apologize.

5 Thank you, Chair Benjamin and Commissioners for

6 allowing me to come here and testify. My name is

7 Gregory Floyd. I'm President of Local 237 Teamsters,

8 and I am testifying with the proposal of the City

9 Council approve any sale, lease or management of

10 public housing. Despite decades of efforts to

11 encourage the creation of low cost private housing,

12 New Yorkers continue to face severe shortage of

13 affordable housing, and our city's most significant

14 source of permanent affordable housing remains public

15 housing. Traditionally, a mix of city and state and

16 federally owned buildings under of the management of

17 the Mayor and his appointees through NYCHA.

18 Beginning under Mayor Bloomberg and continuing under

19 Mayor de Blasio, NYCHA has embarked on a series of

20 so-called public/private partnerships including in-

21 fill land participation in the Federal Rental

22 Assistance Development Program, RAD. At their core,

23 these projects hand over publicly owned and managed

24 low-income housing land for profit interests. The

25 disseminating of the tradition of public housing is

2 an urgent concern to half a million disabled working
3 poor and senior citizens that call NYCHA their home.
4 So are the Living Wages Union, Civil Service
5 protections that generations of NYCHA workers have
6 fought for. To date, details of these private deals
7 and potential consequences of removing affordable
8 housing from the public stock have largely been
9 hidden from voters. These back room deals must stop.
10 Our public housing system is one of the city's most
11 affordable public assets and safety nets. Decision
12 on its future should be conducted in full
13 transparency. RAD works as transferring public
14 housing units to the private sector. As our current
15 homeless and affordable housing crisis make clear,
16 the public/private sector cannot be counted on to
17 create and maintain adequate affordable housing. A
18 recent GAO study found that HUD is failing to
19 adequately track impacts on tenants, monitor
20 potential violations of resident rights under the
21 law, and HUD policies. While it is clear what
22 private developers gain from RAD conversions valuable
23 public assets—access and public funding is not all
24 clear, if anything. NYCHA residents and our city
25 taxpayers what do they get from that process? Take

2 the Triborough building conversions [bell] where the
3 de Blasio Administration was accused of intentionally
4 side-stepping the city's Uniform Land Use Review
5 procedures when it sanctioned NYCHA sale of
6 properties. Two of the Triborough partners BFC and
7 LMN have been targeted by building trades unions for
8 their use of non-union labor. So, I—I
9 just don't—I'll submit the testimony later, but I
10 just want to say it is important, and we cannot trust
11 the sale of the last public housing stock, and
12 affordable housing in this city to any one person,
13 and this administration. We should use the City
14 Council and all 51 of its members to approve any
15 lease, sales and management of these properties.

16 CHAIRPERSON BENJAMIN: Thank you very
17 much. [applause] Please, please. Are there any
18 questions for Mr. Floyd?

19 COMMISSIONER ALBANESE: I have a
20 question. Yes.

21 CHAIRPERSON BENJAMIN: Sal.

22 COMMISSIONER ALBANESE: Thank you, Mr.
23 Floyd and you hit on a very good point here. Sadly,
24 public housing is the only affordable housing left in
25 this town and, of course, we know the scandal

2 surrounding the terrible neglect, but specifically on
3 the RAD program, which is private contractors
4 handling issues in some developments, is the city-is
5 NYCHA saving any money through that program, or are
6 the contractors making money, and the employees are
7 getting paid less? Have you done an analysis of
8 that?

9 GREGORY FLOYD: Well yes, the-the city is
10 getting the money from the federal government, but
11 here's the difference. The management companies
12 coming in make all the money. The employees don't
13 any money, and the residents see an improvement
14 through that. However, there is a potential of the
15 homes-those apartments going market rate in 10 years,
16 and other cities, the affordable housing has
17 disappeared and so has public housing, and Maxine
18 Waters who a lot of us in this hall respects, wrote
19 two letter to President Obama objecting to the
20 creation of the RAD program.

21 COMMISSIONER ALBANESE: But is the city's
22 argument going to be that-that we save a lot of
23 money, and-and-and--

24 GREGORY FLOYD: [interposing] No, the
25 city's argument is going to be they get funding from

2 it, but in Cambridge, Massachusetts, which this Union
3 took a trip to, they've managed to keep the unionized
4 employees, and also keep the affordable stock intact,
5 and they've managed their housing far better in
6 Cambridge, Massachusetts--where this mayor happens to
7 have come from--much better than they do in New York
8 City.

9 COMMISSIONER ALBANESE: So the RAD program
10 allows for federal funding to come in. Without it,
11 we wouldn't get the federal funding. Is that--is that
12 the issue?

13 GREGORY FLOYD: Well, it's--it's--it's a
14 federal funding that's available now going through
15 HUD, and it's a different program. So the Obama
16 Administration set it up that way as opposed to just
17 HUD dispensing money to the housing developments.

18 COMMISSIONER ALBANESE: Thank you.

19 CHAIRPERSON BENJAMIN: Commissioner
20 Miller.

21 COMMISSIONER MILLER: Thank you, Mr.
22 Floyd for your testimony and for all your work.
23 Undoubtedly, we've been hearing throughout all of
24 four boroughs so far including tonight that there's
25 no affordable housing in New York City, and even

2 housing that's defined as affordable is really not
3 affordable. It's come to my attention that there's a
4 little known federal housing law that states that if
5 residents of NYCHA or public housing have the
6 wherewithal to organize, even if the city talks about
7 using NYCHA land to do development, they have first
8 rights of refusal. I'm sure if more people knew
9 about that, there would be less talk about developing
10 NYC land. So, my question is real simple. Perhaps
11 your local could be more instrumental in bringing us
12 more information about these federal laws, Local 237?

13 GREGORY FLOYD: Well, I'm unfamiliar with
14 that because we—we just represent the employees, but
15 I can have some attorneys--

16 COMMISSIONER MILLER: [interposing] Sure--

17 GREGORY FLOYD: --look into that for us
18 because I'm not familiar with what you just said, and
19 I don't know that to be a fact.

20 COMMISSIONER MILLER: It's been brought
21 to my attention that there is a law, such a law. I'd
22 like to know more about it if it exists.

23 GREGORY FLOYD: Yeah, I—I just don't know
24 that to be a fact.

25 COMMISSIONER MILLER: Okay. Alright.

2 CHAIRPERSON BENJAMIN: Thank you. Mr.
3 Manning.

4 JOHN MANNING: My name is John Manning. I
5 am a resident of Brooklyn and a civil servant. I
6 speak this evening to ask the Charter Revision
7 Commission to prioritize the issue of protecting our
8 city and its communities from the negative aspects of
9 over-development. Historic preservation,
10 environmental protection, and the sustainability of
11 neighborhoods that working people call home are three
12 vitally important concerns for the long-term future
13 of our city. We must require and empower the
14 Department of City Planning and the rest of city
15 government to address the over-exploitation of our
16 neighborhoods, the displacement of people of modest
17 means and the destruction of our national heritage.
18 Thank you for the opportunity to testify. The City
19 of New York and the Greater New York region have a
20 rich heritage and a beautiful natural environment.
21 This is the finest natural harbor on the Atlantic
22 seaboard. Lower Manhattan and Brooklyn are among the
23 place-places where our nation's history began. My
24 neighborhood, Bay Ridge is zoned so that buildings
25 are not taller than six stories. It is a wonderful

2 community to live in or visit. Brooklyn Heights and
3 other sections of Northern and Central Brooklyn are
4 national treasures. One block from y apartment
5 building there is a small Revolutionary War cemetery.
6 Two blocks away there is botanical garden maintained
7 by community volunteers. Due to the political power
8 and influence enjoyed by the real estate industry,
9 general contractors and other special interests and
10 their lobbyists, all over town there is an enormous
11 square box high-rise going up. Many of these
12 buildings are eyesores. Working class people and
13 small business owners are being displaced.
14 Communities that contribute a lot to the city are
15 being destroyed. It is absurd that government policy
16 encourages this while our mass transit and
17 infrastructure needs are neglected. In many European
18 cities during the post-World War II reconstruction,
19 there was blend of modern buildings and the
20 restoration of historic areas in city quarters. We
21 can do that here. Historic preservation is not just
22 one building. It should be an area. We meet tonight
23 in a charming 200-year-old landmark. Two blocks away
24 at the South Street Seaport is a slice of 19th
25 Century urban America. However, here in Lower

2 Manhattan in almost every space that becomes
3 available, garish, ugly high-rise buildings are
4 springing up all over. Constructing new buildings and
5 blocks that are aesthetically pleasing and
6 neighborhood friendly and affordable for working
7 people is something we can do. Small to medium sized
8 parks and gardens are vital to a stable community. I
9 ask the Charter Revision Commission when drafting
10 proposed city planning and land use law to not be
11 beholden to the rich and powerful, but to appreciate
12 the need for a city that is enjoyable to live in
13 where people who work for a living have a securer
14 place and the importance of the legacy we will leave
15 behind for future generations. Thank you.

16 [applause]

17 CHAIRPERSON BENJAMIN: Excuse me. If we
18 could—I understand that you are supportive of what
19 Mr. Manning has said as are many people, but it
20 really just takes time away from your friends and
21 neighbors who would like to testify if after every
22 speaker we have--[bell] Are there any questions for
23 Mr. Manning. Alison

24 COMMISSIONER HIRSH: Do you have specific
25 proposals about how you would go about changing the

2 land use process or zoning laws to accomplish what
3 you're suggesting in that testimony.

4 JOHN MANNING: I think we have to
5 recognize the problem that we addressed in the
6 Brooklyn hearing that the Real Estate Board and the
7 General Contractor's Association basically control
8 the city's power establishment, and we need to
9 empower community boards and ordinary citizens.

10 Having said, to answer your question, again in Bay
11 Ridge the area is zoned so buildings don't go higher
12 than six stories, and we have some lovely charming
13 blocks, and if you get into Dyker Heights and
14 Bensonhurst, there is affordable housing. There's
15 some affordable housing in Bay Ridge depending how
16 you define it. I grew up Peter Cooper Village,
17 Stuyvesant Town. The working class World War II
18 veterans who moved in in the late 40s that was the
19 government in the private sector working together.
20 When I was in the service, I was stationed in
21 Germany. If you visit Europe you're going to find
22 places that were bombed out or fought over during the
23 war, and the reconstruction they have gleaming glass
24 and steel towers, BMW headquarters. They also have
25 charming medieval and renaissance blocks and

2 buildings that are wonderful to walk down. Yeah, we
3 can have a blend. You know, we can build new
4 buildings that are lovely like Brooklyn Heights and
5 that sort of thing. Everything doesn't have to be a
6 square box 100-story eyesore.

7 COMMISSIONER HIRSH: Alright, thank you.
8 [background comments, pause]

9 JOHN MANNING: Thank you.

10 CHAIRPERSON BENJAMIN: Thank you, Mr.
11 Manning. Any other questions? Okay. The next panel
12 is—we need one more. [background comments] The next
13 panel is Rachel Bloom, Bella Wong and Kate Doran,
14 Frank Morano, and Jeff Weiss. [background comments,
15 pause]

16 MALE SPEAKER: So, Weiss left.

17 CHAIRPERSON BENJAMIN: Okay. I'd like to
18 have Mr. David Ford. [background comments] Ms.
19 Ford—Ms. Bloom.

20 RACHEL BLOOM: Oh.

21 CHAIRPERSON BENJAMIN: Okay.

22 RACHEL BLOOM: We need to move up. No.
23 Okay. Good evening Chair Benjamin and distinguished
24 members of the New York City Charter Revision
25 Commission. My name is Rachel Bloom. I'm the

2 Director of Public Policy and Programs at Citizens
3 Union, a Good Government Group here in New York City
4 state. We thank you for holding this and other
5 hearings throughout the city, and giving us the
6 opportunity to publicly share recommendations with
7 you. We offer our congratulations to the
8 Commissioners. The first one comprised of nominees
9 from all branches of New York City government, and
10 the first one convened by Council Legislation. We
11 hope the diversity of perspective will lead to some
12 bold reforms in the Charter process. Throughout its
13 history, Citizen's Union has supported periodic
14 comprehensive review of the New York City Charter,
15 absent a political agenda via the appointment of an
16 independent Charter Revision Commission to ensure
17 that City government is operating effectively,
18 efficiently and in the public's interest. We believe
19 that this commission must not simply revive, but
20 undertake some bold reforms. The process and
21 recommendations that come out of it must strengthen
22 the integrity and transparency of government
23 institutions so that public confidence is greater and
24 New Yorkers are able to better participate in
25 government—in governmental decision making. Over the

2 coming months Citizens Union will be submitting
3 detailed testimony on a host of issues. You'll
4 probably see my face many more times in the following
5 broad categories. The first categories listed below
6 are ones that we identified in partnership with our
7 good government partners at the League of Women
8 Voters in New York City and We Invent Albany. Their
9 election reform, open government and transparency,
10 ethics reform, government efficiency and
11 accountability and land use reform. Tonight, I will
12 focus my recommendations in the area of election
13 reform. We will testify on the other ones in
14 upcoming hearings. Our first recommendation in
15 election reform is to institute a top 2 election
16 system. We urge you to consider establishing a system
17 making the first primary election open to all
18 eligible voters regardless of party status so that
19 every registered voter can participate in the
20 primary, which is often the most determinative in who
21 is going to be elected to office in New York City.
22 When we talk about elections and primaries there is
23 1.3 million voters who have now effectively chosen—
24 shut out from choosing many of the city's elected
25 officials because they are not affiliated with the

2 Democratic Party. Second, as you've heard before
3 tonight institute one choice voting. We urge you to
4 consider this so that candidates, voters can rank
5 their preference for candidates rather than allowing
6 them to vote for only one. Our third recommendation—
7 I'm being quick to meet my time, increase ballot
8 access by reducing petitioning signature
9 requirements. Lowering the signature requirement
10 would likely enable more candidates to get on the
11 ballot because they could better withstand aggressive
12 challenges from other candidates, and as we saw
13 recently competitive elections, get people to turn
14 out to vote. Too often our elections aren't very
15 competitive. Number 4, we ask you to enact true
16 independent counsel redistricting, which the Mayoral
17 Charter Revision Commission wanted to look at, but
18 said they didn't have the time to really
19 comprehensively address it. While the city appears
20 to have an Independent Redistricting Commission, it
21 is independent in name only because all of its
22 members are directly chosen by elected officials.
23 There's too close a connection between those who draw
24 the lines and those who appoint them—and those who
25 appoint them. [bell] So, I will—you'll be hearing

2 from me later. The only thing is when you look at
3 the—who is going to be on the ballot in 2019
4 potentially, you know, seeing if you can move your
5 referendums to 2020 so that we will have more people
6 and more New Yorkers voting on whatever it is that
7 you've proposed to reform our City Charter. Thank
8 you.

9 CHAIRPERSON BENJAMIN: Thank you very
10 much. I wish we could move it 2020, but it's my
11 understanding that due to both the legislation
12 adopted and the rules concerning charter revision
13 commission, that we would run the risk of being
14 bumped by a mayoral commission, and I understand Mr.
15 Albanese has a question for you.

16 RACHEL BLOOM: Yes.

17 COMMISSIONER ALBANESE: On the
18 Independent Redistricting Commission, what is the—the
19 shape of that commission that Citizens Union
20 recommends to make sure that it's independent? I
21 think you raised a valid point. How do you craft
22 such a commission?

23 RACHEL BLOOM: So, we propose that one-
24 third or five members including the Chair and
25 Executive Director of the Redistricting Commission be

2 appointed by the Campaign Finance Board, creating a
3 buffer between the Council and the Mayor.

4 COMMISSIONER ALBANESE: Campaign Finance
5 Board. Wow.

6 RACHEL BLOOM: [laughs]

7 COMMISSIONER ALBANESE: I thought we were
8 going to be independent.

9 RACHEL BLOOM: They are an independent
10 agency.

11 COMMISSIONER ALBANESE: Oh. Appointed by
12 the Mayor and the City Council. I'm sorry, continue.

13 RACHEL BLOOM: We can—considering this
14 will create a buffer that we are hoping to have, and
15 then consequently the Redistricting Commission will
16 have greater independence to draw lines to more
17 accurately reflect coherent city communities. So, we
18 want to also support prohibiting the drawing of lines
19 to favor any—favor or oppose any political party.

20 COMMISSIONER ALBANESE: I understand the—
21 - I think we understand the concept.

22 RACHEL BLOOM: Yeah.

23 COMMISSIONER ALBANESE: The shape of it
24 is the issue.

2 RACHEL BLOOM: So, the shape of it is to
3 add five new—to assign seats to the Campaign Finance
4 Board, and then any plans for reform it will have to
5 be approved by 11 of 15 redistricting commissioner
6 instead of the current nine. [background comments]

7 CHAIRPERSON BENJAMIN: Commissioner
8 Fiala.

9 COMMISSIONER FIALA: Thank you, Madam
10 Chair. Ms. Bloom, thank you for your testimony and
11 thank you to Citizens Union for their submission.
12 I'd like to focus on the non-partisan election issue.

13 RACHEL BLOOM: Uh-hm.

14 COMMISSIONER FIALA: I served on the
15 previous two Charter Commissions. We chose not to
16 take up the issue. The last Charter Commission to
17 take up the issue was 2003. Four commissions prior
18 to 2003 took up an extensively studied and debated
19 the issue, and felt there was merit. Finally, in
20 2003 the issue was brought before the voters of New
21 York. Citizens Union by my recollection, and correct
22 me I'm wrong because I often am. Citizens Union had
23 opposed non-partisan elections--

24 RACHEL BLOOM: [interposing] You are
25 correct.

2 COMMISSIONER FIALA: --in four of those
3 five attempts, but in 2003 your organization changed
4 its course. I'm wondering if you could walk us
5 through the thought process. How--how in the course
6 of a year do you go from being against to for? And
7 secondarily, what's changed since 2003? Voters
8 reject this proposal 70%. I was hoping for different
9 outcome, but by 70% they rejected it. Has the case
10 been strengthened since 2003--what is that? 15 years
11 ago--or weakened? I think I know the answer, but
12 Citizens Union in particular has a pretty interesting
13 history with this subject and I'm curious to find out
14 what your--what your thoughts are.

15 RACHEL BLOOM: I, unfortunately can't
16 really answer that in great detail about the change
17 within Citizens Union although we have historically
18 over 120 years, you know, our policies are developed
19 by our committees and then approved by the board. We
20 have changed our position over the years on several
21 issues. So, I can't speak to the details of that
22 because that was long before my time. Regarding
23 voters having voted it down 15 years ago, I mean
24 there is a lot has changed since then. I think
25 notably the 2015 election with so many people wanting

2 to—I really—I think it really rose—rose to the
3 forefront the issue that New York State has the
4 longest lag time of any state in the country when it
5 comes to changing your party registration. You
6 basically if you want to vote in a party registration
7 have to change your registration a year in advance
8 and even if the makeup of Albany is changed whether
9 that’s going to be one of their top election reforms
10 is very—is a question that no has the answer to, but
11 right now there’s no movement in Albany to change
12 that. People are incensed about it. People wanted to
13 vote for—vote in the primary elections in 2016, and
14 hundreds of thousands of people couldn’t and they—it
15 really rose the issue, and it’s something that’s
16 talked about by voters in New York in a way that
17 wasn’t talked about I think before because it—it—all
18 these new voters excited by Trump, excited by Sanders
19 wanted to go out and vote and support them, and they
20 weren’t able to including Donald Trump’s children who
21 are registered in New York and couldn’t change their
22 party in time. So, it’s an issue that impacts all
23 New Yorkers all parties across party lines, and when
24 you look at the number of New Yorkers that aren’t
25 registered with a party and how many election, how

2 many primaries in New York really determine who's
3 basically going to win the election in most-in most
4 case. It really should be something—I think it's an
5 issue whose time has come to be reconsidered
6 especially in light of the lack of movement in Albany
7 when it comes to this.

8 COMMISSIONER FIALA: Thank you very much.

9 CHAIRPERSON BENJAMIN: Seeing no other
10 questions, thank you very much. Ms. Wong.

11 BELLA WONG: I need to see like if the
12 mic is on. Yes. Good after—good evening, Chair
13 Benjamin and members of the Charter Revision
14 Commission. I want to--

15 CHAIRPERSON BENJAMIN: I'm not sure your
16 mic is on.

17 BELLA WONG: Oh, is it not?

18 CHAIRPERSON BENJAMIN: It's a little
19 button on the bottom--

20 BELLA WONG: It's got--

21 CHAIRPERSON BENJAMIN: --that should be
22 red.

23 BELLA WONG: It's red. So, maybe I just
24 need to speak into.

2 CHAIRPERSON BENJAMIN: You've got to pick
3 it up, then.

4 BELLA WONG: Yes. Okay, so good evening.
5 Than you for allowing me speak. My name is Bella
6 Wong. I'm the Voting Reform Chair of the League of
7 Women Voters.

8 CHAIRPERSON BENJAMIN: [interposing] It
9 you could move it closer--

10 BELLA WONG: Sure.

11 CHAIRPERSON BENJAMIN: You're not getting
12 picked up.

13 BELLA WONG: I will continue to get it as
14 I have it here.

15 CHAIRPERSON BENJAMIN: That's good.

16 BELLA WONG: Great. So, I'm representing
17 the League of Women Voters in the City of York. I'm
18 here with Kate Durand who is our Election Specialist,
19 and we—we are a multi-issue non-partisan political
20 organization that promotes informed and active
21 participation and government at the national, state
22 and local level. I believe I have already testified
23 with respect to a couple other issues involving
24 elections. So, today we're going to focus on
25 supporting instant runoff voting in New York City

2 also know as Ranked Choice Voting. We have supported
3 this process since 2010 when we advocate for it to be
4 implemented for the Special Non-Partisan elections
5 that filled City Council vacancies as well as for
6 absentee military voters in the 2013 primaries for
7 citywide offices since it's a very elaborate process
8 to get ballots back and forth for those individuals.
9 So, our interest was tipped off in part by the 2009-
10 2013 citywide Democratic primaries. In those years,
11 we had runoff elections because no Public Advocate
12 candidate received 40% or more of the vote. That
13 meant that there was a runoff election. In both
14 cases, each costing the city \$13 million while the
15 turnout was a mere 7%. So, this is clearly not a
16 very representative way to think about how the people
17 of New York City should be voting for public office.
18 As a result, we looked for alternatives, which would
19 achieve the stated goal of electing candidates who
20 have significant voter support without requiring a
21 second election. So Ranked Choice Voting is great in
22 this way because it allows you to rank all of your
23 candidates at which point there is a process by which
24 people's second, third and even fourth choices may be
25 taken into account. Thereby allowing us to avoid a

2 runoff, an in-person second runoff because you have a
3 second, you have an instant runoff, one in which we
4 already know your preferences and thus able to figure
5 out who has a broad base of support. So, with my
6 last 30 second we have a few reasons beyond the
7 stated ones that I think will be important to this
8 issue. At the time when we first proposed it, we
9 started lever voting, but now we have electronic
10 voting, which will greatly increase the speed and
11 efficacy of the tabulation. Voters in other places
12 such as San Francisco have long adopted this new
13 rule, and have found it to be easy to comprehend,
14 easy to use and, in fact, in many cases less
15 confusing than other sorts of election methods. And
16 lastly, I think it's very good for rhetoric [bell]
17 because it is in the interest of politicians to
18 appeal to people as the second choice as well as the
19 first choice of voters. It encourages a certain
20 temperance we believe in rhetoric to avoid creating
21 this sort of antagonist rhetoric that we currently
22 see in campaigns today. Thank you so much. I want
23 to thank particularly Speaker Johnson and Councilman
24 Powers for also mentioning instant runoff voting. I

2 think it's a really great issue and would be very
3 important to the city. Thank you.

4 CHAIRPERSON BENJAMIN: Thank you very
5 much, Ms. Wong. Are there any questions?

6 COMMISSIONER ALBANESE: Yes.

7 CHAIRPERSON BENJAMIN: Sal

8 COMMISSIONER ALBANESE: Just a quick
9 question. You know that this was considered by the
10 Mayor's Commission.

11 BELLA WONG: Yes

12 COMMISSIONER ALBANESE: And it seems like
13 a no-brainer. Why do you think they punted on it?

14 BELLA WONG: I can't speak as to that,
15 but I think we have a great opportunity here to take
16 it up again.

17 COMMISSIONER ALBANESE: Yeah, yeah.

18 BELLA WONG: Thank you.

19 COMMISSIONER ALBANESE: You're a
20 politician.

21 CHAIRPERSON BENJAMIN: Asked and
22 answered. Okay.

23 KATE DORAN: My name is Kate Doran and
24 I'm so—

2 CHAIRPERSON BENJAMIN: Speak into the
3 mic, please. You've got to put it really close.

4 KATE DORAN: Yes. My name is Kate Doran,
5 and as Bella mentioned, I'm the Election Specialist,
6 and we watched very closely the Mayor's Commission,
7 Charter Revision Commission, and our understanding is
8 that there was just a division among the members of
9 the Commission that they couldn't—they couldn't
10 decide that this was an important—

11 COMMISSIONER ALBANESE: [interposing]
12 What was the rationale? What was the division about?

13 KATE DORAN: I believe we heard some talk
14 that there were certain commissioners who believed
15 that they wanted to see a head-to-head contest that
16 that that was important to see two people facing off
17 against each other in these—in these runoffs rather
18 than the instant runoff. [background comments]

19 CHAIRPERSON BENJAMIN: No. Sorry. Ms.
20 Doran.

21 KATE DORAN: Yes.

22 CHAIRPERSON BENJAMIN: Would you like to
23 give your testimony?

24 KATE DORAN: I have nothing further to
25 add.

2 CHAIRPERSON BENJAMIN: Well that's a
3 united front

4 KATE DORAN: We—we did it together, and
5 that was the design of it.

6 CHAIRPERSON BENJAMIN: Paula.

7 COMMISSIONER GAVIN: Thank you very much
8 for being here and—and your testimony. How many
9 members are there in the League of Women Voters in
10 New York City?

11 KATE DORAN: I believe we have
12 approximately 350, something like that.

13 BELLA WONG: Something like that and some
14 of them are here tonight.

15 COMMISSIONER GAVIN: And so this
16 represents really the--

17 BELLA WONG: [interposing] Yes.

18 COMMISSIONER GAVIN: --the-the-the
19 feeling of that collective body?

20 KATE DORAN: Oh, absolutely. That's the
21 way we operate, grassroots decision making.

22 COMMISSIONER GAVIN: So, thank you so
23 much.

24

25

2 CHAIRPERSON BENJAMIN: Thank you very
3 much. The next speaker is Frank Morano. I think
4 we've seen you in other boroughs.

5 FRANK MORANO: Good evening,
6 Commissioners. Thank you for the opportunity to be
7 heard this evening. I do hope that when your
8 schedules permit, you'll review my written testimony.
9 Out of respect for your time and everyone else who's
10 here, I'm going to try and keep my remarks brief, and
11 there are a number of aspects of Charter suggestions
12 in my written testimony, but I'm not going to have
13 the opportunity to get into it here, and Commission
14 Albanese and Commissioner Vacca at the Queens hearing
15 on the 20th were kind enough to ask me a bit about
16 the initiative and referendum process, and Ranked
17 Choice Voting. So, I didn't include those in my prior
18 written remarks, but I've done a fair amount of
19 research that's included in these that I hope you'll
20 look at, and far be it to correct Commissioner Fiala
21 who's one of the people in public life that I admire
22 most, but Citizens Union actually opposed non-
23 partisan elections in 2003. It was in 2010 seven
24 years later that they changed their position on it,
25 and they cited that turnout had grown so low and

2 elections were so pre-ordained that parties should
3 lose their domineering powers. Seven years more of
4 watching the disaster of city government led them to
5 that conclusion. I think they were right, but one
6 thing Citizens Union said in 2003 when they opposed
7 non-partisan elections was if the Mayor's Commission
8 really wanted to put forward a progressive proposal
9 that was really going to include more people in the
10 process, they should look at proportional
11 representation. I think they were right about that,
12 too. Now, part of the challenge that you have is
13 that even though you have two years, you're looking
14 at the entire City Charter. Now, what that means for
15 us the public, as we're offering you suggestions is
16 we have no idea necessarily where to focus. It
17 doesn't make sense for us to talk about enhancing the
18 powers of the office of Public Advocate for instance
19 if you're going to abolish the office of Public
20 Advocate. It doesn't make sense for instance if
21 you're going to abolish the office of Public
22 Advocate. It doesn't make sense for me to spend a
23 lot of time talking about what the petition
24 requirements should be for political parties if we're
25 going to have non-partisan elections. That being

2 said, I do hope you will schedule in your election
3 reform aspect of your study maybe in the next round
4 of hearings, one evening and maybe even a series of
5 evenings dedicated to studying proportional
6 representation. The 11 years that New York City's
7 legislature the City Council was elected by
8 proportional representation was really the Golden Age
9 in terms of diversity. Not just racial and gender
10 diversity when we saw the first women elected and the
11 first African-American elected, but political
12 diversity. You saw people other than Tammany Hall
13 Democrats getting elected for the first time. You
14 saw independent Democrats, republicans, third-party
15 candidates, and the only reason it was abolished was
16 because two Communists were elected at the height of
17 the Red Scare, and that's no way to determine the
18 ideal composition of a legislature. So, there are a
19 lot of different ways to utilize proportional
20 representation, and I do hope you'll hold a hearing
21 where you hold-hear from experts with some
22 suggestions about how to include both partisan and
23 non-partisan models for proportional representation.
24 The only other thing I'll mention this evening is the
25 issue of coterminous districts. [bell] Community

2 board districts we have 59 in the city. We have 51
3 Council Districts. That means it's not unusual to
4 have two or three Council Members staff and service
5 and work with the community board, and that is a
6 tremendously inefficient process. It causes district
7 managers and community board chairs to have to deal
8 with two or three Council offices. It causes Council
9 Members to have to send staffers to two or three
10 different community boards. It would be much more
11 simple to have simply either 51 community districts
12 or 59 Council Districts, and have the districts be
13 coterminous. One Council Member per community board
14 district.

15 CHAIRPERSON BENJAMIN: Thank you very
16 much. Steve.

17 COMMISSIONER FIALA: First of all, thank
18 you for correcting me and the record. Let's take
19 this backwards. I'm-I-coterminality is something I'm
20 in agreement with and tried in past commissions to
21 redress that nonpartisanship. Let's just cut to the
22 chase--

23 FRANK MORANO: [interposing] Uh-hm.

24 COMMISSIONER FIALA: --because we've
25 studied this thing forever. What do you say to

2 people who oppose it that say blanks meaning the
3 unaffiliated, Republicans, Independents,
4 conservatives, working families, they all chose their
5 party or they chose not to be affiliated. They made
6 an adult choice not to be affiliated. Therefore,
7 they knew the consequences. This is their right to
8 do so. So, if they want to sit in another party or
9 no party at all, they forfeit the opportunity to have
10 a meaningful voice in the municipal elections. How
11 do you come back to that?

12 FRANK MORANO: [interposing] I think--

13 COMMISSIONER FIALA: That's their choice.

14 FRANK MORANO: --I think, you know, I
15 find that attitude and that supposition incredibly
16 insulting and smacking of political bigotry of the
17 worst type. I think to penalize people for their
18 political beliefs by saying they don't get any
19 meaningful voice in selecting their elected officials
20 is about as un-American as anything I can possibly
21 imagine. You want to tell a registered democrat in
22 your old Council District in the South Shore of
23 Staten Island who hates Donald Trump that believes
24 he's a racist Russian agent with a double digit IQ
25 that they have to register as a Republican in order

2 to have a meaningful voice in the City Council
3 election? I don't want to be in the room when you
4 have to tell them that. You want to tell a Democrat—
5 you want to tell a registered Republican that lives
6 in—in Sal Albanese's old City Council district who
7 believes that, you know, Nancy Pelosi is a Communist,
8 you know, then—and you want to say you have to
9 register as a Democrat in order to have a meaningful
10 say in elections. It's ludicrous. Let people be a
11 part of whatever political party they want. It
12 shouldn't penalize them from and prohibit them from
13 having a meaningful voice in elections. You can't do
14 that to people that are paying for these elections.
15 If the Republicans and the Democrats want to pick
16 their own candidates, then let them pay for these
17 elections themselves, but if the taxpayers are going
18 to pay for them, then let the taxpayers participate
19 in these elections. [applause]

20 COMMISSIONER FIALA: Thank you very much.

21 CHAIRPERSON BENJAMIN: [interposing]
22 excuse me, excuse me. [cheers/applause]

23 SERGEANT-AT-ARMS: Quiet down, please.

24 CHAIRPERSON BENJAMIN: My—my heartfelt
25 suggestion is if you are in favor of what the Speaker

2 or anyone else is saying that you use your jazz
3 hands, and then we can proceed in an orderly fashion.
4 Thank you for your comments.

5 FRANK MORANO: Thank you.

6 CHAIRPERSON BENJAMIN: The next speaker
7 is Jeff Weiss.

8 JEFF WEISS: Thank you very much and good
9 evening. My name is Jeff Weiss. I am a fellow at
10 the SUNY Rockefeller Institute of Government where I
11 specialize in a statewide program on census and
12 redistricting. I'm also a veteran of many years to
13 State Assembly and Senate working on redistricting.
14 I've come really just to discuss one issue. After
15 the 2010 Census and the 2000 Census I served as
16 Counsel to the New York City Councilmanic Districting
17 Commission, and I came tonight to address two areas
18 of the Charter that one needs modification and one
19 possible reform. The first is that I think Section
20 52-H requires that the City Districting Commission
21 submit its Councilmanic Districting Plan to the
22 Department of Justice for what was called Sectioned
23 by Pre-Clearance to guarantee that there was still
24 the illusion of an already voting strength amongst
25 the 51 districts. In 2013, the U.S. Supreme Court in

2 the Shelby or the *Shelby vs. Holder* decision knocked
3 out the triggering mechanism that New York City fell
4 under that caused the Section 5 review, and that
5 other parts of the same section adequately covered
6 the fact that the Voting Rights Act still applies.
7 You might want to take out the language that refers
8 to the Department of Justice submission. It's highly
9 unlikely that Congress is going to reauthorize it in
10 the short term, but even if it—whether it does or
11 doesn't the Voting Rights Act still applies
12 regardless. So, it's actually an added extra
13 sentence in the Charter. Also, I'm not going to
14 advocate the Independent Commission. The Commission
15 we have now actually works. The last two plans
16 received prompt DOJ approval, and not a single
17 lawsuit had been filed against the plan. My job
18 working for the two commissions was as Counsel of,
19 you know, good cop/bad cop. My jobs was to make sure
20 that the Voting Rights Act in the Charter all of the
21 laws were complied with, and we did that. The Mayor,
22 the two Council leaders appoint the members to it.
23 It works in a bipartisan fashion. There was general
24 agreement. The criteria are unique among all the
25 laws in New York State and really in the nation

2 having ranked, prioritized criteria that worked well
3 with each other. But if you do want to consider an
4 independent commission I would take the Councilmanic
5 review process out of it. It's just an elimination
6 of a few words that the Commission plan would become
7 final, and then just responding to Commissioner
8 Albanese's question earlier about how we should
9 appoint a commission, I would suggest the California
10 or Arizona models, which use a lottery or a citizen
11 volunteer process, but you would need somebody to
12 administer it. And the last thing I'll say is on
13 coterminality, Council Districts are based on one
14 person and one vote population [bell] equality, and
15 Community planning boards are based on the
16 neighborhood definitions. If you go to 51-51 or 59-
17 59, just be aware if you do that that there are
18 different bases in how they were drawn, and the-I've
19 indicated in my statement and to your staff I'd be
20 glad to help craft such language or offer
21 alternatives if that's what you choose to do. Thank
22 you.

23 CHAIRPERSON BENJAMIN: Thank you very
24 much, Mr. Weiss. Stephen and then Sal.

2 COMMISSIONER FIALA: Thank you Professor,
3 with respect to coterminality, I-I-I recognize the
4 distinction between a service district and a
5 Councilmanic district, but would you concede the
6 point that there-if-if we were to realign those two,
7 that there is-is a substantial-a substantially
8 improved chance that you would see an improved
9 dialogue in synergy and coordination and
10 collaboration between Council Members and the
11 Community Boards.

12 JEFF WEISS: Well, in the--

13 COMMISSIONER FIALA: [interposing] That
14 right now--

15 JEFF WEISS: [interposing] Yeah.

16 COMMISSIONER FIALA: --pieces get left
17 out because as Mr. Morano alluded to, some Council
18 Members share a piece, and those communities kind of
19 get left out of the process because the Council
20 Member feels well it's his, no it's hers, not it's
21 his. So, if there was this realignment, would there
22 not at least-would we not at least have the potential
23 to see greater synergy and collaboration between the
24 local elected official and the most basic of

2 representatives at the local level community board
3 member?

4 JEFF WEISS: Objectively, rationally yes,
5 but politics always plays a hand. Having worked in
6 so many states on line drawing and looking at how
7 Congressional, State Assembly, State Senate, local
8 Council lines are not coterminous. Some people like
9 having three or four members of the Senate or
10 Assembly and some would like to just have one.
11 Sometimes if we're right party, the more votes, the
12 more power you get, you know, projects and money you
13 could bring home. But for a city like New York with
14 the delivery systems and the overlap and—and New York
15 State has thousands of special districts that overlap
16 and make no sense, but they've been all created
17 because there was no stop gap against this going back
18 a hundred years ago. So, the idea is a good one.
19 It's a matter of whether the political will is to do
20 that.

21 COMMISSIONER FIALA: Thank you.

22 CHAIRPERSON BENJAMIN: Mr. Albanese.

23 COMMISSIONER ALBANESE: Yeah. Thank you,
24 Professor. Even though the Redistricting Commission
25 is—has done a decent job in terms of compliant with

2 federal law, there--there have been no lawsuits. I've
3 seen a lot of hanky-panky by incumbents who have made
4 that connection to redistricting commission members
5 who were appointed by themselves. I--I would love to
6 see us move towards a more independent process, and
7 one of the things that we look at is as a Commission
8 is what's working in other cities and other states,
9 and you mention Arizona and you mentioned California.
10 I would love to see--

11 JEFF WEISS: [interposing] With
12 California I actually served as Counsel to the
13 California Senate when the Senate itself had no role
14 after 2010. The lines were drawn there by an
15 independent commission. The four legislative leaders
16 in Sacramento were limited to viewing the selected
17 candidates at a certain vetting level. There were
18 thousands of people that signed up to, you know serve
19 on the Commission, but through a vetting process it
20 was, you know, it was elimination, but it went down
21 to about 23 people, and the political leaders were
22 allowed to reject one or two, but didn't have final
23 say, and then it had no involvement whatsoever. But
24 in--in observing how the, you know, the line drawing
25 process went, it did work independently. They had

2 independent staff. They did require vest-nesting of
3 districts for the State Senate and for the State
4 Assembly there. So, California's process did work.
5 Both parties have benefitted from it in various ways.
6 The state is predominantly Democratic, but it worked
7 as the best model I've seen of a really independent
8 process where the political players really had no
9 role--

10 COMMISSIONER ALBANESE: [interposing]

11 Well--

12 JEFF WEISS: --and, in fact, the
13 Democrats came out better than anticipated. They
14 were fearful of it before it was enacted.

15 COMMISSIONER ALBANESE: Well, let me ask
16 the Commissioner of Research those two lines, and if
17 you've got some information on it, I'd appreciate it
18 if you could send me it all.

19 JEFF WEISS: [interposing] I-I'd be glad
20 to be helpful.

21 COMMISSIONER ALBANESE: Thank you.

22 CHAIRPERSON BENJAMIN: Thank you very
23 much. Any further questions for Mr. Weiss? Carl.

24 COMMISSIONER WEISBROD: Just going
25 through this question of coterminality for a second,

2 on the—it's always been a—a nice concept, but as you
3 say, service districts and election districts are
4 frequently decidedly different, and not always, but
5 frequently. When you have been on Charter on
6 redistricting commissions, every 10 years those
7 districts change as populations shift. Is that
8 correct?

9 JEFF WEISS: That's true.

10 COMMISSIONER WEISBROD: So, if we had
11 coterminality we would require [bell] those community
12 boards and the services that would also be linked to
13 coterminality that the city provides are usually over
14 many instances with capital investments over an
15 extended period of time to also shift if we were
16 going to maintain coterminality. Would that be
17 correct?

18 JEFF WEISS: [interposing] Well, the—the
19 Council Districts are required to be changed by
20 virtue of the U.S. Constitution by the City Charter.
21 The community planning boards and I had served on one
22 of them Brooklyn are creatures of administrative
23 action. You could move those as often as the city
24 law permits without regard for the by person limit.
25 (sic)

2 COMMISSIONER WEISBROD: I appreciate
3 that, and what--what in effect now we have 59
4 community boards that are reasonably stable. The
5 communities know what their community boards are.
6 The people are appointed to their community boards.
7 If we had coterminality, that would necessarily as
8 the Constitution required Councilmanic districts to
9 shift, and if we maintain the tight link, that would
10 also require--

11 JEFF WEISS: [interposing] Yeah.

12 COMMISSIONER WEISBROD: --community
13 boards to shift as well--

14 JEFF WEISS: [interposing] Yeah.

15 COMMISSIONER WEISBROD: --wouldn't it?

16 JEFF WEISS: Because the--the legislative
17 districts are required to be equally populous, and
18 there are shifts every ten years, when you look just
19 in Brooklyn, there are some districts that up against
20 New York Harbor that by in the State Legislature can
21 include, you know, five or eight different separate
22 communities. In the 51st Assembly District that I'm
23 familiar with having served as counsel to the member
24 there, has eight distinct communities, and three or
25 four different planning boards, four different police

2 precincts, but one overall administrative school
3 district, and those lines are required just to be
4 equally populous. You can't start annexing, you
5 know, part of South Brooklyn to Manhattan or Staten
6 Island unless there's a bridge or a tunnel there.
7 So, you know, that becomes difficult--

8 COMMISSIONER WEISBROD: Right.

9 JEFF WEISS: --and unless the state law
10 in New York or the Legislature or for the city
11 tightens up the criteria, there's no stopping either
12 or the Legislature or the so-called new Advisory
13 Commission that the voters approved in 2014 at the
14 state level from creating the same kind of twisted
15 lines you've got now in some places.

16 COMMISSIONER WEISBROD: Exactly. Thank
17 you very much.

18 CHAIRPERSON BENJAMIN: Thank you very
19 much. The last speaker in this panel Mr. Ford.

20 DAVID FORD: Thank you, Chairwoman
21 Benjamin and Commissioners. My name is David Ford,
22 and I am representing Manhattan Community Board 3. I
23 am the First Vice Chair and Chair of the newly formed
24 Charter Revision Task Force of our Community Board.
25 The issues I am highlighting today were previously

2 voted on by the Board for the Mayor's Charter
3 Revision. However, the CB3 Task Force will be
4 working on a broader spectrum of issues to
5 participate with this Charter Revision Commission
6 2019. My statement today is consistent with the
7 resolution passed by the full board during our June
8 meeting. In the interest of time, I will just reads
9 the highlights. Community Board 3 requests that the
10 Charter Revision Commission conduct meetings and
11 hearing with community boards including members and
12 staff for input as to the workings of the board and
13 clarifications and codifications requests. Community
14 Board 3 recommends that Community Boards have
15 independent budgets. Community Board 3 recommends
16 that community boards have a full-time urban planner
17 on staff and budget appropriation to fund said
18 position. Community Board 3 recommends that full
19 support services be assigned and codified to specific
20 agencies and offices, and include personnel support
21 for staffing issues, personnel benefits, technical
22 support and maintenance, use of city facilities for
23 community meetings, fiscal information system
24 support, law department support, protections from
25 harassment or unfair practices and other support

2 services that are included in other agencies.
3 Community Board 3 recommends that the Charter
4 Commission consider creating standards and promoting
5 transparency by publishing more demographics and
6 vacancy status, which would promote more
7 representative and effective boards. Community
8 Board 3 recommends that the Charter Commission review
9 the mandated notification process to take into
10 account community board schedules by giving notice at
11 an early stage or lengthening the notification time.
12 Community Board 3 lastly recommends that the Charter
13 Commission do not limit terms of members. It's very
14 important that we have people on the board that have
15 institutional longevity. Thank you.

16 CHAIRPERSON BENJAMIN: Thank you very
17 much, Mr. Ford. Jim.

18 COMMISSIONER CARAS: [off mic] Thank you--

19 CHAIRPERSON BENJAMIN: Turn your mic on.

20 COMMISSIONER CARAS: Thank you, David and
21 thank you for serving and for serving as the head of
22 the task force on Charter Revision. I just have one
23 quick question on Community Board independent
24 budgets. Has the board given any thought to what
25 perhaps you might tie the budget to?

2 DAVID FORD: We'll—we'll work on that,
3 but, you know, the situation is that the boards have
4 staff of about three to four and a budget of about
5 \$200,000 and 90% of that budget is allocated toward
6 staff. So, there's often times where they're
7 possibly facing even losing the small staff that they
8 have, but we'll—we'll have to review that issue--

9 COMMISSIONER CARAS: [interposing] Okay.

10 DAVID FORD: --in our meetings.

11 COMMISSIONER CARAS: Okay.

12 DAVID FORD: So, we'll get back to you at
13 a later date.

14 COMMISSIONER CARAS: I'd be curious to
15 see how community board budgets have either stagnated
16 or gone up over time in comparison to for example the
17 Mayor's Community Assistance Unit. Thank you.

18 DAVID FORD: Thank you.

19 CHAIRPERSON BENJAMIN: Thank you very
20 much for this panel. We appreciate your coming and
21 staying and testifying. Just a quick note to let
22 everyone know we've had 14 speakers and it's been
23 almost two hours. We will stay. We have about 70
24 speakers left who have signed up. So, you can kind of
25 look at your time and figure out how long. So, to

2 the extent possible if you can limit your comments to
3 the really important points so that everyone can be
4 heard, I think everyone would appreciate it. The
5 next five speakers are Marilyn Galphin, Craig Seaman,
6 and Dingo Washington. [background comments] Juan
7 Pagan, Alyssa Chan and Kate Myers. [background
8 comments, pause] Ms. Galphin.

9 SERGEANT-AT-ARMS: Please keep it down.

10 MARILYN GALPHIN: Hi. My name is Marilyn
11 Galphin, Founder of Voices for Shelter Animals. We
12 want and animal welfare department created, and the
13 Department of Health out. Historically, they have
14 shown—not shown concerns for the health of the New
15 York City shelter animals. A former executive
16 director of ACC from 2003 when asked about the DOH
17 said this: If the concern or question is: Does the
18 Department of Health have the best interest of the
19 ACC or the animals in its care at heart, the answer I
20 clearly no, they do not. As many have already
21 testified, nothing has changed. As per Scott
22 Stringer's 2013 Administrative Report, the root of
23 the problem is structural. The Animal Care Centers
24 are controlled by the New York City Department of
25 Health and Mental Hygiene, an agency whose mission

2 and expertise has not sufficiently focused on animal
3 welfare. In three months, December 2017 to February
4 2018, approximately 185 dogs were at risk of CIRDC,
5 basically a code. Twenty-one of those dogs were
6 killed. Pneumonia is on the rise, cats are getting
7 Calicivirus, which can be fatal. The Department of
8 Health and ACC justified disease as something that is
9 normal in shelters. An anonymous read—an anonymous
10 statement by a rescue person: These animals are
11 coming out extremely sick. They're coming out with
12 Kennel Cough each and everyone of them. The
13 veterinary bills are outrageous. Rescues had to turn
14 their backs on these animals because they can no
15 longer help. At the end of 2016, there was the Avian
16 Flu outbreak among cats. These cats were put in a
17 temporary quarantine facility and that only happened
18 because this was contagious to people. The Department
19 of Health should act responsibly and remove all the
20 animals now to a temporary facility and completely
21 sanitize the shelter. Some animals are left
22 suffering for days with excruciatingly painful
23 conditions. Instead of getting emergency medical
24 care, the animal centers wait to see if a rescue
25 will call so that the rescue takes on the financial

2 burden. The ACC Fast Track System of Spay/Neuter,
3 was designed to get the most adoptable animals out to
4 give more time for the more difficult to adopt
5 animals, but this has backfired because of the
6 diseased ravaged shelter. An animal comes out of
7 surgery, it comes back weakened immune system. It
8 gets sick, it gets on an at-risk list, and can be
9 euthanized. We have documented through FOIL requests
10 74 victims since January 2017. We think the number
11 is higher. This is not in the best interest of
12 animals. We've seen many cases of alleged bite
13 histories. The Department of Health needs proof and
14 cause of a bite rather than allow killing on hearsay.
15 Rescues and volunteers petrified to speak out for
16 fear of losing their right to pull the animals for
17 the fear of being let go. It exemplifies the
18 dysfunctional and toxic culture. The Department of
19 Health and Animal Care Centers does want team process
20 to save lives. Animals can be pigeonholed into death
21 sentences by behavior assessments, which are part of
22 Department of Health Contract. Positive experiences
23 with animals by volunteers are undervalued and not
24 taken into consideration, which can save an animal's
25 life. The assessments could give an animal a New

2 Hope Rescue Only label. [bell] That animal could be
3 pulled only by a New Hope Rescue partner. If they're
4 not available, they could be killed. If they allow
5 an increase in qualified 501(c)(3) rescues, more
6 positive outcomes can result. The Department of
7 Health doesn't steps to work with the ACC to evaluate
8 and change assessment standards. In closing, we need
9 an agency capable of enforcing proper healthcare for
10 animals under the city's oversight and to ensure a
11 humane shelter system. We need an entity that's only
12 focus is for animals comprised of compassionate
13 animal lovers with animal related experience who
14 understands companion and all non-companion animals
15 are sentient beings. We need people who will fight
16 for the welfare of all animals in the city, and
17 protect them from abuse, inhumane treatment,
18 exploitation and death as we also tackle issues such
19 as the puppy mill pet stores in the city, pet
20 discrimination, backyard breeders and carriage horse
21 industry.

22 CHAIRPERSON BENJAMIN: Thank you, Mrs.
23 Galphin.

24 MARILYN GALPHIN: Yes. I have one more
25 sentence, please.

2 CHAIRPERSON BENJAMIN: Just one.

3 MARILYN GALPHIN: Yes. We ask that the
4 Charter be part of a potential unprecedented and
5 historic event to help the New York City animal--

6 CHAIRPERSON BENJAMIN: [interposing] That
7 was--

8 MARILYN GALPHIN: --welfare agency and we
9 would--

10 CHAIRPERSON BENJAMIN: [interposing]
11 Thank you.

12 MARILYN GALPHIN: Thank you.

13 CHAIRPERSON BENJAMIN: Mr. Seaman.

14 CRAIG SEAMAN: Hello, I'm Craig Seaman
15 from Voices for Shelter Animals also. We need an
16 animal welfare department because the Department of
17 Health has shown overriding concern for the healthy
18 animals under Care and Control. Excuse me. [coughs]
19 In 2016, 93% of the animals transferred to New Hope
20 Rescue Partners were not healthy. That's a crisis.
21 There has been no health related stats regarding
22 transfers on adoptions for 20 months since then
23 except for the month after the City Council hearing
24 with the ACC. Also, in 2016, 37% of the animals
25 euthanized were treatable. This pattern continues

2 without significant change. The ACC doesn't publish
3 Industry Standard Pet Evaluation Matrix, which
4 explains which illness and behaviors conformed to
5 categories of treatable or unhealthy. The Animal
6 Welfare Department would require that matrix be made
7 public, evaluated and make recommendations. The DOH
8 does ACC facility inspections, but if there was real
9 concern about animal health compliance, then not only
10 would the DA-DOH demand continued health reporting,
11 but they would insist on steps to improve those
12 atrocious conditions. During the City Council Health
13 Committee hearing with the ACC and DOH, they were
14 asked about the health isolation facilities and they
15 admitted they were inadequate. Follow-up questions
16 asked about the planned extension to the neighboring
17 garage, which would make space-asked if it would make
18 space for improved ISO facilities, and that wasn't
19 the ACC or DOH's priority. The garage expansion now
20 years in the waiting won't address the health
21 problems. Those costs for those problems are handed
22 to the rescues making them more reluctant to poll.
23 The DOH contract uses vague language like "reasonable
24 effort to rehome animals" yet doesn't define that
25 effort. An animal welfare department would set

2 procedures and those are concretely defined in no-
3 kill policies. At the most recent ACC board meeting
4 they admitted they often don't sedate the animals
5 they euthanize. These animals may be alert and
6 healthy. They don't have vets on duty. They point to
7 state law saying that only a vet could administer the
8 sedative. The lack—the lack of on-duty vets isn't
9 about the cost, though. [bell] They can't hire
10 enough vets to take the job. No wonder why? What
11 animal loving vet wants to kill animals for kennel
12 cough and kitty colds? State law isn't an excuse.
13 An animal welfare department would require a vet to
14 be on duty to make medical end-of-life decisions.
15 The DOH encourages behavior tests, which warrant
16 mental life and death decisions putting animal only
17 at risk for euthanasia, and limiting assets only to
18 New Hope Partners. The DOH allows the ACC to assume
19 dogs and cats not adjusting to shelter life are
20 dangerous to society. The Journal of Veterinary
21 Behavior published a peer reviewed study that such
22 testing is no better than the flip of a coin. An
23 animal welfare department would know that behavior
24 tests are only a snapshot in time and not a reliable
25 indicator of dangerous behavior. And finally, we

2 need an animal welfare department that can implement
3 no-kill procedures in the City Charter because it
4 should be a permanent institution. Thank you.

5 CHAIRPERSON BENJAMIN: Thank you very
6 much. [applause] Are there any questions for Mr.
7 Seaman?

8 CRAIG SEAMAN: Yes.

9 CHAIRPERSON BENJAMIN: No. Thank you
10 very much. Mr. Seaman. Ms. Washington.

11 N'DIGO WASHINGTON: Good evening members
12 of the Charter Revision Commission and members of the
13 audience. My name is M. N'digo Washington and I'm
14 testifying on behalf Council Member Inez Barron who
15 represents the 42nd Council District and is Chair of
16 the Committee on Higher Education. This evening
17 Council Member Barron would like to request that
18 members consider making significant changes to the
19 Civilian Complaint Review Board. According to the
20 powers and duties of the board, excerpts from Section
21 440 of the New York City Charter states: The Board
22 shall have the power to receive, investigate, hear,
23 make findings and recommending action upon complaints
24 by members of the public against member of the Police
25 Department that allege misconduct involving excessive

2 use of force, abuse of authority, discourtesy or use
3 of offensive language including, but not limited to
4 slurs relating to race, ethnicity, religion, gender,
5 sexual orientation and disability. I join with the
6 advocates who call for establishing a Civilian Review
7 Board that is elected by New York City voters. We
8 have experienced, read or witnessed too many accounts
9 of misconduct, abuse and police treatment of New York
10 City residents particularly of unarmed persons by
11 officers of the NYPD with little or no punishment
12 meted out to the officers. I point your attention to
13 some of the most egregious: 18-year-old Ramarley
14 Graham from the Bronx who was killed in his home in
15 front of his grandmother and six-year-old brother by
16 Officer Richards Haste. Eric Garner who was killed
17 by Officer Daniel-Daniel Pantaleo by the use a banned
18 chokehold in Staten Island and Delrawn Small who was
19 killed by an off-duty police-off-duty officer Wayne
20 Isaacs. The CCRB was established in 1993. Twenty-
21 five years is sufficient time to give officials and
22 the public information and data to measure the
23 effectiveness, and just for sake of time we have some
24 data that we cite, but I'll just go directly to some
25 of the recommendations. As an elected official, it

2 is Council Member Barron's opinion that in order for
3 us to receive justice in cases of police misconduct,
4 we must shift—create a shift thereby establishing an
5 Elected Civilian Complaint Review Board. I have met
6 with the advocates of this campaign and welcome
7 legislation and revision of the City Charter. With
8 these recommendations include the boards be elected
9 by New York City voters covering districts in the
10 five boroughs. The board must have powers to
11 investigate police misconduct and make findings as
12 well as all disciplinary decisions must be binding
13 and ECR must be granted subpoena powers. So, she's
14 just saying that we'd like to have an Elected
15 Civilian Review Board.

16 CHAIRPERSON BENJAMIN: Thank you and if
17 you could do your—your own very—

18 M. N'DIGO WASHINGTON: Okay. Good
19 evening members of the Charter Revision, guests and
20 others. My name is M. N'digo Washington, and I offer
21 these remarks as a resident of Harlem and community
22 organizer and activist and graduate with a Degree in
23 Political Science. A few years ago I formed a group
24 called Take Back our City. This group was formed
25 based on my experience of working with small business

2 owners, community residents and artists within Harlem
3 who resided in Harlem. We came together to fight
4 back in 2009 Mayor Bloomberg's Proposal to rezone
5 121st Street river to river. Based on my experience
6 with this campaign as well as my knowledge as working
7 with the—as the Legislative Director for both Charles
8 and Inez Barron, I would like to offer the following
9 suggestions:

10 1. We know we should grant powers to
11 the community boards to approve or disapprove Land
12 Use proposals. Community boards need to be granted
13 this power because we know that they are advisory
14 only. Too often we have witnessed communities who
15 vote to disprove a project only for the projects to
16 move forward with little or no additional input from
17 the community residents.

18 2. Eliminate constituent services in
19 Council offices. While I recognize this may not be a
20 popular position, I want to remind us that
21 constituents services was not something that Council
22 offices did, and while we know that Council Members
23 take pride in the system—the constituents with noise
24 complaints, street lighting, housing, et cetera, I'd
25 like to bring for the following to remind us that (1)

2 I would be helpful if we increased the budget to
3 community boards and hire staff who handle
4 constituents services. They already have
5 relationships with city agencies and relationships
6 with the communities. (2) As for the muscle and the
7 reason why sometimes constituents reach out to
8 Council offices, they can get this muscle from the
9 borough president's offices and the Public Advocates.
10 And also, this would free up the time of Council
11 members to respond to areas outlined in the Charter.
12 Therefore, passing legislation budget and land use
13 contrary, of course, to what media and the public put
14 out, Council Members spend a lot of time trying to
15 juggle between the legislative office and their
16 district offices. Another area I would say is to
17 allocate funds for constituent services. We know
18 that City Council allocates a lot of money for
19 initiatives. So, they should be able to use more of
20 this money for referrals to organizations like Legal
21 Aid services as well as community groups. Lastly,
22 this is the one I really take pride in, putting forth
23 I would say we need to grant recall for elected
24 officials. Give community residents the power to
25 recall their elected. We have seen too many times

2 when elected officials follow the lead of real estate
3 developers, and not the lead of the community.

4 Giving this power to residents would be a true game
5 changer. We know that were bills up in the state
6 legislature by former Assemblymember Tony Avella, and
7 there have been some discussion in 2013. So, I think
8 it's time that we shift the power to the people,
9 eliminate the control that real estate developers and
10 lobbyists have maintained for years. You have the
11 opportunity to do the right thing and make history.
12 Thank you for your time and consideration.

13 CHAIRPERSON BENJAMIN: Thank you, N'Digo.

14 Are there any questions? Sal.

15 COMMISSIONER ALBANESE: Just want to—I
16 just want to point out that on the issue of recall,
17 which is a good concept, we're preempted by the State
18 Legislature. We can't act on that. That's got to be
19 done up in Albany. So, under—under our mandate, we
20 won't be able to do that.

21 M. N'DIGO WASHINGTON: So, we wouldn't be
22 able to put it as a ballot issue at all?

23 COMMISSIONER ALBANESE: No, it's got it—
24 we're preempted by—by Albany. That's why you mention
25 the State Legislators who have introduced--

2 M. N'DIGO WASHINGTON: [interposing] I
3 met them.

4 COMMISSIONER ALBANESE: --bills to that
5 effect.

6 M. N'DIGO WASHINGTON: Thank you.

7 COMMISSIONER ALBANESE: So, that's where--
8 that's where the action is on this issue.

9 M. N'DIGO WASHINGTON: We can take it
10 there. [laughter]

11 CHAIRPERSON BENJAMIN: Thank you, N'Digo
12 and the next speaker is Mr. Pagan.

13 JUAN PAGAN: Hello, everyone. My name is
14 Juan Pagan. I am born and raised and still live in
15 the Lower East Side in public housing. I live in an
16 enclave known Lesida. My topic is on political and
17 electoral reform. I have three subtopics I wish to
18 present: (1) The problem, (2) Concrete evidence and
19 (3) Remedies. Proposals for the referendum.

20 The Problem: A corrupted electoral
21 process in New York City that (1) Discriminates
22 against people of color especially Hispanics. (2)
23 Discriminates against the poor. (3) Discriminates
24 against candidates who were not chosen by the
25 political machine, party bosses or the establishment,

2 which going forward I will—I will refer as—as the
3 machine. (4) Discriminates against all registered
4 voters regardless of socio-economic status, race or
5 ethnicity by the machine's use of tactics and
6 mechanisms that result in the exclusion of the
7 thousands of registered voters in special elections
8 and Democratic primaries while wasting taxpayer
9 dollars and a major form of voter suppression. (5)
10 Allows discriminatory practices by the New York City
11 Board of Elections coupled with the ineptitude of its
12 employees driven by the Administration's patronage to
13 the incumbents as they are political appointees. For
14 this reason, elected officials are not determined by
15 the vote of the people, but by the manipulative,
16 corrupted tactics of the machine in collusion with
17 the New York City Board of Elections. These elected
18 officials and political appointees continue to use
19 these tactics of deception and exclusion in all forms
20 to preserve their incumbencies or appointments.
21 Hence, why the issues pressing our communities get or
22 continue to get worse. I'm going to skip the
23 concrete evidence part. I'm going directly into the
24 remedies. Then to the evidence. [pause] The
25 evidence is based on my years of experience dealing

2 with the New York City Board of Elections as a
3 candidate for public office and assisting other
4 candidates running for public office. I first ran
5 for office in 2006 and about seven or eight times
6 after that. Now, in 2018 this year thanks to the
7 Reform Party, I a Democrat am on the ballot for the
8 upcoming General Election for Assembly against the
9 Democrat chosen and put into place by the machine
10 last April, but by way of a special election in which
11 94.8% of registered voters did not vote. Ethically,
12 morally just by the numbers he cannot be considered
13 an elected official. [bell] Let me go to the
14 remedy.

15 CHAIRPERSON BENJAMIN: If you could start
16 to sum up.

17 JUAN PAGAN: Yes, I'll--Yes, I--I'll--I'll
18 just mention the remedies. It's six of them,
19 actually five. The last one cross off on yours,
20 because I made--I made a very bad typographical error
21 there.

22 CHAIRPERSON BENJAMIN: Okay.

23 JUAN PAGAN: Number 1: Ban special
24 elections. For one it is a waste taxpayer dollars as
25 evidence shows in 2006 and 2018 an average of 95% of

2 registered voters in this non-partisan election did
3 not come out to vote. Extreme low voter turnout in
4 special elections is a historical fact in New York
5 City. Secondly, special elections are solely used
6 and abused by the machine to destine their chosen
7 candidate to become an incumbent a few months prior
8 to the Democratic Primary, which gives the machines
9 chosen candidates with edge against--

10 CHAIRPERSON BENJAMIN: Sir.

11 JUAN PAGAN: --the Democrats nominated by
12 people.

13 CHAIRPERSON BENJAMIN: Sir, we have your--
14 -

15 JUAN PAGAN: That's just fine. Okay.

16 CHAIRPERSON BENJAMIN: We have your
17 testimony here with the six categories. If you would
18 like to just sum up.

19 JUAN PAGAN: Just scratch off the sixth
20 point. I made an error there. I typed this right
21 quickly. I'm going to revise this and submit new
22 one.

23 CHAIRPERSON BENJAMIN: Okay.

24 JUAN PAGAN: May I mention (2) ballot
25 access--

2 CHAIRPERSON BENJAMIN: [interposing] Just
3 mention them.

4 JUAN PAGAN: (3) Avoiding (sic) (4) Open
5 primaries, (5) term limits. The explanation is
6 there. I will revise this. This is three pages
7 long. It's actually a 12-page document, which I will
8 revise and submit to you as a new document.

9 CHAIRPERSON BENJAMIN: Thank you very
10 much, and we will read it and we will have it on our
11 website so that anyone else who is interested can
12 also read the full-full text of the document. Any
13 questions? Thank you very Mr. Pagan. Ms. Chan.

14 ALYSSA CHAN: Hi. Thank you for the
15 opportunity to testify. My name is Alyssa Chan. I'm
16 here on behalf of the Legal Aid Society and I'm here
17 with my colleague Kat Myers. So, I'll try to be
18 brief. We were also in Brooklyn. I think you've
19 heard some of this before, but just in-just to tell
20 you who we are, the Legal Aid Society provides
21 comprehensive legal services in all five boroughs of
22 New York as our clients who can't afford to pay for
23 private counsel. We represent hundreds of people in
24 cases that concern the rights of tenants and
25 regulated and unregulated apartments and so we're

2 very familiar with the pressures experienced by
3 tenants in the current and developing housing market.
4 We're here to talk about the procedure the ULURP
5 procedure, and the way that the New York City Charter
6 gives community boards, borough presidents and the
7 City Council the way that they consider land use
8 decisions. So, as you know, ULURP doesn't contain
9 substantive requirements. Those really come under
10 the city and state Environmental Quality Review Laws,
11 which can—which omit critical considerations that we
12 think should inform elected official's land use
13 decisions. So, recent history has established that
14 rezonings result in accelerated gentrification of
15 communities and the displacement of long time tenants
16 in both regulated and unregulated apartments, but
17 despite that reality the assessment of residential
18 displacement conducted under existing law is based on
19 false assumptions and flawed analyses. So, CEQR
20 Technical Manual lays out a method for evaluating the
21 potential for both direct and indirect residential
22 displacement, but it assumes that rent stabilized
23 apartments are not vulnerable to rising rents that
24 would to indirect displacement. The explicit
25 exclusion of any meaningful mandate to consider the

2 displacement of tenants in rent regulated apartments
3 including those with preferential rents or tenants
4 displaced place through illegal actions of their
5 landlords render the Environmental Impact Study
6 totally void or a real analysis of the impacts on
7 communities. We know that the stock of affordable
8 rent regulated apartments in New York City is on the
9 decline and homelessness is rising. According to the
10 New York City Rent Guidelines Board, in 2016 alone,
11 7,524 apartment were deregulated across the city.
12 And so, we're here to urge—to urge you to amend the
13 City Charter to require an assessment that includes
14 an analysis of the displacement in rent regulated and
15 unregulated apartment that tracks income and race in
16 that analysis and that uses data about prior
17 rezonings to inform future rezonings. Thank you.

18
19 CHAIRPERSON BENJAMIN: Thank you very
20 much Ms. Chan. Are there any questions? Ms. Meyer.

21 MS. MEYER: I have submitted our
22 testimony on our other topic in the interest of time
23 and to allow other people to testify. Thank you.

24 CHAIRPERSON BENJAMIN: Thank you very
25 much. We really appreciate that. [laughter] As to

2 the people they have jazz hands for her everybody.

3 [background comments] The next six speakers will be

4 Roxanne Delgado, Betty Maloney, Birnbaum, Holly

5 Rockoff, Michael Beltzer, and Pamela Monroe.

6 [background comments, pause] Well, they're just

7 moving slowly. [pause] Is Michael Beltzer here?

8 [background comments]

9 FEMALE SPEAKER: He is? He is? Oh,
10 there he is.

11 CHAIRPERSON BENJAMIN: Okay, thank you,
12 Mr. Beltzer. [background comments] We're going to
13 start with Ms. Delgado. Hello. Sorry. [background
14 comments, pause]

15 ROXANNE DELGADO: Thank you. Oh, sorry.
16 Just give me one second, please, sir. Okay. Hello.

17 CHAIRPERSON BENJAMIN: Yes.

18 ROXANNE DELGADO: Hello, Commission.

19 Early this year the City Council Member Andy King
20 hijacked a community board meeting and actively
21 presided over that same meeting. He shut down public
22 testimony and made his opposition quite clear through
23 inflammatory remarks. Afterwards, he took a vote by
24 hand count-hand count. We later found out that same
25 day that lobbyists was in that same room, and had

2 lobbied City Council Andy King for this—for this land
3 site the same site the city proposed for the stated
4 of our animal shelter and clinic. AM New York
5 actually reported the developer was eyeing the same
6 development for a massive development. The Community
7 Board was used to shield themselves from this blatant
8 land grab—land grab by the developer. Now a City
9 Council meeting is scheduled on October 9th on this
10 same issue. Now, we activists are standing not only
11 for the animals but ourselves. In the Bronx we were
12 the poorest but against lobbyists and real estate
13 influence and interferes in our government. The
14 issue isn't City Planning, but the problem is the
15 influence of real estate and lobbyists and money in
16 our government. Are the elected officials here for
17 our best interest or are they here to just maintain
18 their power or expand it. You need to balance the
19 testimony from people like me regular folks against
20 elected officials who many not be here for our own
21 best interest, and actually, now that I have a few
22 seconds I'm actually in support of the animal welfare
23 agency because DOH is for the pest control and public
24 health safety, and actually they have inspected a no-
25 kill boarding facility in the Bronx, and those

2 animals are all sick, dying, hurting, and they didn't
3 care about the conditions of those poor animals, but
4 about the safety of the—of the residents. And they
5 told me just report the animal cruelty to NYPD. So,
6 that's why we need an animal welfare agency so they
7 can care for animal safety just like the Immigration
8 Affairs Unit was developed in the last Charter, which
9 was over 10 years ago. So, and I'm actually—I am
10 very supportive of eliminating the Public Advocate's
11 Office and the BP's office because they're just
12 advisory, and they just tend to settle in the—in the
13 Bronx. BP just sells us to the highest bidder. It's
14 just a shame how Ruben Diaz, Jr. just sold out the
15 Bronx. He's driving us all out. I hope he enjoys
16 the Bronx when most of his original residents are not
17 here, and they may gentrify the neighborhood. They
18 might vote him out finally, thank goodness, but thank
19 you. Bye.

20 CHAIRPERSON BENJAMIN: Thank you very
21 much Ms. Delgado. Are there any questions for Ms.
22 Delgado? Thank you. The next speaker is Betty
23 Maloney.

24 BETTY MALONEY: Good evening,
25 Commissioners. My name is Betty Maloney, and I'm

2 here as a representative of Radical Women. I'm a
3 retired guidance counselor and member of American
4 Federation of teachers and a former rape crisis
5 counselor. Radical Women is a national organization
6 of women engaged in grassroots activism aimed at
7 elimination sexism, racism, homophobia, and labor
8 exploitation. We recognize that women have a strong
9 stake in the creation of an Elected Civilian Review
10 Board because of how our lives are affected by
11 widespread police misconduct and violence. [bell]

12 CHAIRPERSON BENJAMIN: That's not for
13 you. [background comments] Please continue. [bell]

14 BETTY MALONEY: Women especially women of
15 color and gender and sex role non-conforming women
16 are often seen as targets for sexual harassment and
17 assault. We face extortion to perform sexual acts
18 for cops in order to avoid arrest or protect our
19 children from harassment. Our reports when we are
20 victims of crime are not believed or are ignored, and
21 too many of use have lost our children to police
22 violence. It is appalling that the Civilian
23 Complaint Review Board has only in the last few
24 months began to investigate allegations of sexual
25 misconduct. Until then all these complaints were

2 referred to NYPD Internal Affairs. The NYPD has
3 demonstrated complete inability to police itself, a
4 reality only more extreme when dealing with attitudes
5 towards women and the Lesbian, Gay, Bi, Trans, Queer
6 community, which is deeply ingrained in their
7 culture. The New York City Department of
8 Investigation issued a report this year on the Police
9 Department's abysmal failure to deal with sexual
10 crimes against women concluding that documents as
11 well as current informer Special Victims Division
12 Staff sex crime prosecutors, service providers and
13 victim advocates all confirmed to the DOI that
14 Chronic understaffing and inexperience have diluted
15 and shortened investigation, jeopardized prosecution,
16 re-traumatized victims and negatively impacted the
17 reporting of sex crimes, thereby adversely affecting
18 public safety. The NYPD is even less effective, but
19 more likely to drop or whitewash investigations when
20 the perpetrators come from within their own ranks.
21 Others have testified to the enormous impact of
22 police misconduct on young people especially youth of
23 color. Children while in school are also vulnerable
24 to police abuse. That if dealt with at all is
25 referred to Internal Affairs, Presently there are

2 5,300 NYPD School Safety employees in our schools,
3 and not one has to answer to the CCRB. These
4 officers can make warrantless arrests, carry hand
5 cuffs and use physical or deadly force. In an ACLU
6 study in 2017, there were 882 arrests of school
7 children. One in 5 was age 14 or younger and 95% of
8 students were Black or Hispanic. Radical Women
9 believes as do others participating in the eve of the
10 campaign that only an elected board that has
11 disciplinary power, and works in tandem with an
12 independent special prosecutor can effectively
13 improve police accountability. Thank you, and I have
14 testimony here to give you.

15 CHAIRPERSON BENJAMIN: [off mic] [bell]
16 I'm sorry. My microphone is not on. Thank you, Ms.
17 Maloney. The next speaker is Michelle Birnbaum.

18 MICHELLE BIRNBAUM: Yes. My name is
19 Michelle Birnbaum, and I'm Co-Chair of the [bell]
20 Vendor Committee of Community Board 8 in Manhattan--

21 CHAIRPERSON BENJAMIN: [interposing]
22 Somebody--excuse me one minute. Let's set the--okay

23 MICHELLE BIRNBAUM: --and I'm speaking on
24 behalf of the Committee and the Board. This
25 Committee was born of the need to address community

2 concerns as they relate to street vending. We sought
3 solutions to concerns about vendor location, health
4 standards, sanitation, pedestrian flow, penalties and
5 licensing. We are a problem solving committee. We
6 have ten resolutions that if implement would go a
7 long way to satisfying the stakeholders in the
8 vendor, residential, and business communities. Those
9 resolutions are attached to this testimony in each of
10 your packets. It would be a valuable addition to the
11 City Charter to include an agency that specifically
12 deals with street vending. At the moment there are
13 many city agencies that govern that industry, the
14 DCA, the DOH, the DEP, the DOT and the DOS along with
15 the police and Special Fraud squads that all are
16 woefully understaffed to enforce in the way the
17 public demands. The new agency or Commission would
18 be comprised of staff fully conversant in vendor law,
19 including representatives of each of the agencies
20 that govern the industry today along with
21 representatives from Community Boards and
22 neighborhood associations, and an arbitration panel
23 that could address disputes. This agency with the
24 input of all of the above would establish vendor
25 zones and assign vendor locations. Assigning

2 locations would go a long way towards cleaning our
3 streets. In assigning locations, the agency would be
4 mindful of everyone that would be adversely affected
5 by cooking fumes, grease pourers, garbage
6 accumulation and the crowding of the pedestrian way.
7 A separate knowledgeable vendor enforcement squad
8 with a sufficient ratio of the number of vendors to
9 the number of enforcers will be under the
10 jurisdiction of that agency. Such an agency would be
11 mandated to use current technology to track vendors
12 for compliance including their required visits to
13 their commissaries, which are privately owned
14 businesses that vendors use to store and clean their
15 cats, get potable water and obtain inventory. While
16 required to bring their food cart or truck to a
17 commissary for service one in every 24-hour period,
18 there is no enforcement of that full protocol. The
19 newly formed agency under the ne charter would
20 require commissaries to keep a log of in and out time
21 a vendor attending—attendees, and whether or not the
22 vendor returned his garbage to the commissary. Every
23 food truck or general merchandise table and license
24 should have an assigned location and an electronic
25 chip for tracking. All infractions would be easily

2 noted with electronically generated fine, and
3 electronically maintain a compliance history. There
4 are many more suggestions outlined in our resolutions
5 that have been incorporated into the City Charter,
6 and the Administrative Code would significantly help
7 our communities who have been crying out for vendor
8 control and compliance for years. Vendor legislation
9 has been offered, but feel short, but now we have a
10 real chance to do something about street vending that
11 does not favor one group over another, but takes into
12 consideration the very hard work of the street
13 vendors and the position of members of the community
14 who do not want to be overwhelmed [bell] with the
15 quality of life issues that face doing business on
16 the street. Please consider incorporating such an
17 agency as you review the City Charter.

18 CHAIRPERSON BENJAMIN: Thank you very
19 much, Ms. Birnbaum. Are there any questions of Ms.
20 Birnbaum?

21 COMMISSIONER WEISBROD: Yes.

22 CHAIRPERSON BENJAMIN: Carl.

23 COMMISSIONER WEISBROD: Thank you very
24 much. So, I' totally sympathize with the issue and
25 the problem, and the cross-jurisdictional mess that

2 we're now in. But if we were to not establish a new
3 agency, but to give responsibility to one existing
4 agency, do you have a preference?

5 MICHELLE BIRNBAUM: For which agency, it
6 should be the agency in charge?

7 COMMISSIONER WEISBROD: Yes.

8 MICHELLE BIRNBAUM: You know, their
9 jurisdictions are completely different. For example,
10 the Department of Consumer Affairs is strictly a
11 licensing agency. When you have enforcement, you
12 talk of health, you know, the food--

13 COMMISSIONER WEISBROD: [interposing] I-I
14 appreciate what you're saying, but-but what you're
15 asking us to do is amend the Charter to create a new
16 agency that would incorporate all of these issues.
17 Whereas, one alternative is to select an existing
18 agency and give that agency all of the powers that
19 you request or many of the powers that you request.

20 MICHELLE BIRNBAUM: Well, let--yeah, I
21 understand what you're saying. Let say this. Let me
22 also qualify what I said for the purpose of this
23 testimony, and--and because we already have a trained
24 workforce in each of these area. I suggested that
25 perhaps a new agency could be rep--have

2 representatives from each of the existing agencies.

3 However, I have no objection and I actually feel that

4 it might be very worthwhile to have a separate new

5 agency that actually staffs itself so that it's not

6 drawing from these existing agencies, which do other

7 things. They don't just enforce street vending. So,

8 to your point, I see what you're saying, why am I

9 suggesting a new agency if that new agency is going

10 to have a representative from each of the old ones.

11 But because these existing agencies have other things

12 to do, other jurisdictions, and are woefully short in

13 enforcement, staff and protocol, a new agency could

14 actually hire people specific to that agency, but

15 have—who have expertise to monitor license and

16 enforce that's happening on the streets today, and to

17 be—and also to have a protocol for listening to

18 grievances, which used to be in old vendor review

19 panel, which I understand it still exists on the

20 book, but in fact it's defunct. So, there's really

21 no place for vendor or any member of the community or

22 a community group to bring any kind of discussion,

23 control or even to ask for a new existing restricted

24 street. There used to be a protocol that if a

25 community felt that a street should be restricted,

2 and where no vendors should be permitted, we used to
3 have an outlet. There as a place to go for that.
4 That protocol no longer exists. If you look at the
5 ten resolutions that I've attached to your packet,
6 our community board since 2006 has been addressing
7 this issue, and we have resolutions that actually
8 address all of the existing circumstances and can go
9 a long way to mitigate them. To answer your
10 question, I couldn't pick one agency because probably
11 the biggest threat to the community would be headed
12 under the Department of Health, you know, in terms of
13 food and all, but I can't see them necessarily doing
14 licensing for general merchandise vendors. So, I
15 think you—I still think you need a specialized group.

16 COMMISSIONER WEISBROD: Okay, than you
17 very much.

18 MICHELLE BIRNBAUM: Uh-hm.

19 COMMISSIONER ALBANESE: Just a—

20 CHAIRPERSON BENJAMIN: Sal.

21 COMMISSIONER ALBANESE: Your—your
22 community board has a district manager, correct?

23 MICHELLE BIRNBAUM: Correct.

24 COMMISSIONER ALBANESE: Don't they meet
25 with the agencies on a monthly basis? I mean there's

2 a lot of overlap here. Doesn't it--doesn't it make
3 sense to bring all these agencies together
4 representatives of those agencies on a monthly basis
5 and coordinate issues within--within

6 MICHELLE BIRNBAUM: Yeah.

7 COMMISSIONER ALBANESE: --that planning
8 board instead of creating a new agency.

9 MICHELLE BIRNBAUM: Well, let me say
10 this, at our Vendor Committee Meetings that's what we
11 do, but we pick, of course, in the interest of time
12 specific topics to discuss, and members of the
13 appropriate agency are invited and do come and speak
14 with us, and advise us. Part of our responsibility I
15 felt was to become fully conversant as best we could
16 in vendor law, which is very complicated, and
17 actually involves both the state and the city law
18 because you also have a category of veteran vendors
19 who we are very, very sympathetic to, and we try very
20 hard to accommodate them, and they are very concerned
21 about proposals to increase the number of vendors on
22 the street and they are the category of veteran
23 vendor is not really included except in a very, very
24 small way. In the last Intro 1303 there were only--
25 there was a proposal for 100s of more vendors on the

2 street in any given year, and only one proposal for
3 35 new veteran vendors. So, yes we do. The District
4 Manager while he acts as a help to be a liaison, we
5 field the questions, the concerns and the comments of
6 the community, and at our community board meetings,
7 the community has an opportunity to vent and to point
8 out specific problems and locations. But we try not
9 to—we're not a complaint committee. We have tried to
10 address problems and come up with solutions. I don't
11 think the District Manager could do that.

12 COMMISSIONER ALBANESE: Well, I mean I've
13 seen district managers when I was a Council Member
14 mandating agency representatives to come to meetings
15 on a monthly basis and—because there was an
16 overlapping on a host of issues, and work together,
17 and not come in by invitation. It was a, you know,
18 you mandate that they come in, you know, and meet
19 with the District Management and start addressing
20 some other vendor issues.

21 MICHELLE BIRNBAUM: But all of the vendor
22 issues are mitigated by legislation. For example, if
23 you have a problem with a location on a street that
24 is not currently restricted to vending but the-but
25 the complaint is that there is a cooking vendor under

2 somebody's window where or fumes are coming into a
3 local store. The District Manager has no authority
4 to move that vendor and neither does any of the
5 agencies.

6 COMMISSIONER ALBANESE: [interposing] No,
7 but the agency does.

8 MICHELLE BIRNBAUM: No, the agency
9 doesn't because the location might be annoying to
10 somebody, but it's legal, and once it's a legal
11 location—for example, I'll call the Department of
12 Health if I get a complaint say of a food vendor.
13 The complaints come to me. I'll reach out to the
14 Department of Health. The Department of Health will
15 go down and will inspect, and if there's anything
16 wrong, if the vendor didn't go to the commissary, if
17 he doesn't—if it's not clean--you know, the
18 sanitation issues--he can be—that vendor could be
19 issued a violation. However, if that vendor is
20 posing an annoyance to people in the community who
21 are blocking the subway entrance or things like that,
22 which we've had come to us now that the Second Avenue
23 Subway is completed. The Department of Health has
24 absolute no jurisdiction to move that vendor. If—if
25 the vendor were less than 20 feet from the main

2 entrance of a building or even a service entrance,
3 then the police could ticket that vendor, but you
4 cannot remove the vendor where-- For example, we
5 have the Guggenheim Museum. We have vendors in front
6 the Guggenheim Museum that the museum complains about
7 daily. We have no authority, and neither does any
8 agency to make those vendors move if they're legal.

9 COMMISSIONER ALBANESE: Okay. Any other
10 questions? Next is Holly Rocca.

11 HOLLY ROCCA: I want to thank Speaker
12 Johnson and Borough President Brewer for addressing
13 land use, and Council Member talked about setting
14 goals, and my statement addresses those issues. We
15 need local neighborhood plans incorporated with a
16 vision for the city. The current system does not
17 allow local land use decisions to be made by local
18 people. While community and borough presidents can
19 provide recommendations and input, the
20 recommendations are not binding, and while the
21 recommendations must be acknowledged, they don't have
22 to be followed, and they are often disregarded
23 entirely. In my opinion, New York City needs to
24 completely rethink its land use process to bring
25 local people into meaningful decision making, but

2 still allow the City Administration to guide growth
3 and development in the city. In a city of 8.6
4 million people, it's not possible for the
5 Administration to do a good job guiding growth at the
6 local level. Instead, the Administration should be
7 driving an overarching vision of the city. For
8 example, New York City needs a plan for X number of
9 residents and Y number of jobs by 2030 and New York
10 City assigns growth targets to each local district
11 that would help to realize that vision. It would be
12 up to the community boards. Think of them as
13 community boards 2.0 community boards with more
14 resources and staff to adopt land use plans that
15 would protect the community's current assets, but at
16 the same time identify areas where future growth
17 could be accommodated. Any zoning changes made
18 within the community district must be consistent with
19 the local land plan. The Administration would still
20 have the right to reject whole plans if not meeting
21 the obligations that have been assigned to the
22 community district, but couldn't tinker with
23 individual elements of the plan. Ultimately,
24 community boards' plans would guide the form of new
25 development. For example, short squat buildings that

2 are more contextual or a tall narrow building that
3 allowed better light to the street, and where the
4 growth would occur within the community district.

5 The community boards currently have no power in these
6 very local decisions, but the Charter could change to
7 give them that power. Local people know best about
8 these very local issues. City Planning should also
9 take into account projected changes in the economy,
10 employment, housing, transportation demand and seek
11 to maintain its historic environment and improve the
12 quality of life for the city's residents. Further,
13 the city needs to look closely at environmental
14 impacts of current and future developments. The
15 Charter should require site planning and
16 environmental review with local oversight for every
17 development.

18 CHAIRPERSON BENJAMIN: Thank you much.

19 Are there any questions for Miss Rocca? Carl? Thank
20 you very much. Ms. Beltzer. Mr. Beltzer. I have it
21 spelled Michael in one and Michelle in the other.

22 MICHAEL BELTZER: Ah.

23 CHAIRPERSON BENJAMIN: Are you Michael or
24 Michelle?

2 MICHAEL BELTZER: I'm Michael Beltzer.
3 That's like Seltzer with a B. [laughter] So, good
4 evening. Thank you, Chair, thank you Commissioners
5 and thank the City Charter for allowing me to be here
6 tonight. My name is Michael Beltzer. I'm a former
7 City Council candidate, and Culture of the 197-A
8 Planning Committee on my local community board. The
9 New York City Charter especially since New York City
10 moved to a strong-strong mayoral governance in 1989,
11 has large gaps in the amount of power and input
12 average citizens have on how our-how their tax
13 dollars are spent and how the city is run. In our
14 current environment, this is exasperating income and
15 equality by giving developers a leg up on communities
16 not seizing every opportunity for civic and political
17 engagement and gives the Administration too much
18 control on how to allocate our resources. I have the
19 trust of-I trust the members of this commission will
20 seriously examine the following chapters and sections
21 of this charter and change accordingly. Section 197-
22 A, amend to require each community district working
23 with the respective borough president and community
24 board to present a districtwide community plan with
25 the help of a dedicated planner every 10 years. I

2 think that would help some of the calls from our
3 citywide 10-year plan. Section 197-C, amend to
4 mandate a more accountable precertification process.
5 The name of the applicant shall be made public if
6 multiple major revisions have occurred. Plans that
7 are well out-of character even if as-of-right
8 should enter-enter the public realm. Section 102 and
9 211. We are told to take a new development to
10 generate tax revenue, but the formula set in these
11 sections used are pre-set and allocated expenses and
12 capital funds based on population and size not
13 economic activity. I suggest either a percentage of
14 total receipts to the General Fund from each borough
15 be remitted back or a next tax levy charged to go to
16 a dedicated borough fund. Section 1052: Amend to
17 have the Chairperson of the Campaign Finance Board
18 picked by the Speaker in consultation with the
19 Council. Section 2704: Amend to state each borough
20 president *must* present an annual report on the
21 delivery of service by borough. I think a lot of
22 places in the Charter says *shall*. It should say
23 *must*. Section 2705: Amend to add that district
24 service cabinet meetings be held during evening hours
25 where regular people can attend. Section 2800: Make

2 all board meetings transmitted via live stream.

3 Chapter 10: Amend appropriate sections to mandate
4 participatory budgeting of New York City for each
5 community district, and a similar program at the
6 borough or citywide level. Chapter 12: Look at
7 possibly establishing a surface rapid transit sinking
8 fund system—fund. Chapter 18-A: Amend to make
9 members of the CCRB elected by the public. Chapter
10 71: Establish a standard for equitable street
11 allocations for arterial and secondary roadways to be
12 effectuated after any street repaving or
13 reconstruction. Convert all NYCHA land to Community
14 Land Trust. Electoral Reforms: Non-partisan
15 elections, instant runoff voting, elect the
16 proportional representation and we're slipping at it.
17 Lift the cap on public matching funds from 55% to
18 100% of spending limit, adding the democracy
19 vouchers, and just because I heard so much about
20 coterminality, I believe the task that you all have
21 here today is how we can use much of this process.
22 To really get behind the intent in Section 2700, the
23 planning of community life within the city, the
24 participation of its citizens in city government
25 within their communities and the efficient and

2 effective organization to deliver municipal services
3 in multiple communities and boroughs.

4 CHAIRPERSON BENJAMIN: Thank you, Mr.
5 Beltzer. Do you have that testimony? You went
6 through quite a few changes, but it's very hard to--

7 MICHAEL BELTZER: [interposing] Yes.

8 CHAIRPERSON BENJAMIN: --write them all
9 down.

10 MICHAEL BELTZER: Yes, I should have
11 printed it out. I'm so sorry about that.

12 CHAIRPERSON BENJAMIN: [interposing] But
13 if you have it in writing, well, could you send it to
14 us?

15 MICHAEL BELTZER: Yes I can--I can mail it
16 in through the--through the forms that I found on--

17 CHAIRPERSON BENJAMIN: [interposing] Yes.

18 MICHAEL BELTZER: -online.

19 CHAIRPERSON BENJAMIN: That would be very
20 helpful. I was listening, but I wasn't able to get
21 down everything that you were talking about, and I'd
22 like to be able to think about it. Okay. Does anyone
23 have any questions for Mr. Beltzer.

24 COMMISSIONER HIRSH: I do.

2 CHAIRPERSON BENJAMIN: Alison and then
3 Sal and then Steve. I thought your hand was up, but
4 it was writing.

5 COMMISSIONER HIRSH: Sorry. You mentioned
6 the CFB Chair be picked by the Speaker and approved
7 by the Council. I was wondering if you can explain
8 why.

9 MICHAEL BELTZER: You know, I just
10 thought that there's more elected members from the
11 public in the City Council, and they are working with
12 the--the--the Speaker would just open up, you know,
13 more diversity into who would become the--the chair.

14 COMMISSIONER HIRSH: Thank you.

15 CHAIRPERSON BENJAMIN: Sal.

16 COMMISSIONER ALBANESE: You're like a
17 Thomas Jefferson of the Bronx with your--a lot of--a
18 lot of good suggestions. The democracy vouchers--

19 MICHAEL BELTZER: Uh-hm.

20 COMMISSIONER ALBANESE: --are you a
21 strong proponent of it?

22 MICHAEL BELTZER: Yes, I think a lot of
23 people, you know, I--I think the basis of have the
24 Magic Fund Program is to make sure that we can get
25 small contributions in, but we know a lot of people

2 either don't find the time or don't have the
3 resources to actually make-make it online to-to-or
4 have a debit card or credit card to make it easier to
5 get in a contribution. So, just, you know, if we're
6 matching, you know, funds, you know, if-if this goes
7 through, the-the last commission's 8 to 1 match, you
8 know, this is-there's over \$1,200 and something
9 dollars. We should be breaking it down per person in
10 using some of the matching-the public funds just to
11 have everyday people without having, you know, to put
12 in-to-to put in that initial-initial donation. I
13 think it will-it'll-it'll increase the participation
14 of people who are get-to get more people involved in
15 the process.

16 CHAIRPERSON BENJAMIN: Thank you very
17 much and the last speaker in this panel is Pamela
18 Monroe.

19 PAMELA MONROE: Good evening,
20 Commissioners. As you just said, my name is Pamela
21 Monroe, and I am a Steering Committee Member of the
22 Campaign for an Elected Civilian Review Board. We
23 want to thank you for listening to the many voices
24 that have testified for an Elected Civilian Review
25 Board at these hearings. The range of testimonies

2 from mothers to fathers to educators, to elected
3 officials showed the wide impact of unchecked police
4 abuse on our entire city. It also lays bare the
5 desperate need for a solution. We have previously
6 explained in disseminated documents to you that
7 detail our amendment for an elected empowered Review
8 Board. In addition, we will deliver to you our
9 extensive research on state and local law that shows
10 its—that shows strong arguments in favor of and legal
11 basis for establishing an Elected Civilian Review
12 Board. Our campaign is committed to being here to
13 help, and is available for follow-up meetings and
14 hearings. Our Legislative Team stands at the ready
15 to collaborate with you. We know this commission
16 needs to deliberate, and take time to consider
17 everything before you. We respect your process and
18 time line. We ask that when you listen and reflect
19 on testimony from New Yorkers about what changes we
20 need, please also remember the voices you cannot
21 hear. We ask that when you listen and reflect on
22 testimony, remember the voices you cannot hear.
23 Those who have been silent because they were killed
24 by those sworn to protect them, the NYPD. They must
25 be seen and ever forgotten. The era of unchecked

2 police misconduct must end. We have a historic
3 chance to work together to usher in a new era where
4 the police are held to the same standards as you and
5 me and the rest of us. The City Charter Commission
6 can make history, and provide an example to the
7 entire country suffering under police abuse. Not
8 everybody can be famous, but everybody can be great
9 because greatness is determined by service. [bell]
10 Dr. Martin Luther King, Jr. We know you will do the
11 right thing. We thank you for your time.

12 CHAIRPERSON BENJAMIN: Thank you very
13 much, Ms. Monroe. [applause] Jazz hands, please. Any
14 questions? I thank this panel. We have heard from
15 many of the people who have been talking, and we are
16 grateful for your participation. If any of you have
17 written testimony that you haven't already submitted
18 as you have, sir, we would really appreciate your
19 submitting it either through the website or through
20 the mail if that's easier for you, and we will put it
21 into the record so that everyone who wishes to can
22 also read it. [coughs] The next panel is Carolyn
23 Martinez-Class; Joanna Crest--Christie(sp?); Sheila
24 Kendrick; Patricia Okoumou (sp?) I'm not sure and I
25 have probably mispronounced it. If so, I'm sorry and

2 you can correct me. Nancy Del Masbach (sp?) Andrea
3 Goldwyn. [background comments, pause] If I call your
4 name, would you just raise your hand? Several people
5 haven't come up. Carolyn Martinez-Class. Are you
6 here? Joanna Crispe. Okay. Sheila Kendrick. Okay.
7 I know you Andrea. Patricia Okoumou. Okay and Nancy
8 El Masbach is not here. So, I'm going to call two
9 additional names to come up and join the panel.
10 Oksana Mironova from Community Service Society, and
11 Beth Goldman. Is Beth here? Okay. [off mic]

12 FEMALE SPEAKER: [off mic] Is Beth here?

13 CHAIRPERSON BENJAMIN: Yes. Ms.

14 Christie. [background comments]

15 JOANNA CRISPE: Good evening. My name is
16 Joanna Crispe and I'm here to testify on behalf of
17 the Municipal Art Society of New York. Founded in
18 1890—

19 CHAIRPERSON BENJAMIN: [interposing]

20 Could you bring the microphone closer please?

21 JOANNA CRISPE: Yes. My name is Joanna
22 Crispe and I'm here to testify on behalf of the
23 Municipal Art Society of New York or MAS. Founded in
24 1893, four years before the adoption of New York's
25 first charter, MAS has had a long history of

2 advocating for sound land use planning and policy.

3 Since the release of our 2013 Accidental Skyline
4 Report, which examines the proliferation of super
5 tall buildings in the city, MAS has been a strong
6 voice in supporting new rules and regulations to
7 protect our public assets such as light, air, and
8 open space, and preserving the character of the
9 city's neighborhoods from out-of-scale development.

10 Based on our reviews of largescale rezonings and
11 other developments, we find that current public
12 review process do not facilitate effective community
13 input and the long-term community based planning
14 initiatives meet strong resistance from the city. In
15 2018, the city is well on its way to setting a record
16 number of approvals for zoning map amendments. By
17 June, the city had already certified or approved 38
18 amendments and based on recent trends, we expect that
19 they will likely surpass 50 approvals by the end of
20 the year. Most concerning about this record number
21 of approvals is the lack of community engagement in
22 the process. At least four out of this year's 38
23 zoning map amendments have gone through an extended
24 public review. These include the city initiated
25 Inwood and Jerome Avenue Neighborhood Rezoning, the

2 80 Flatbush Avenue Proposal in Downtown Brooklyn and
3 the Bedford Union Armory Project in Crown Heights.
4 MAS supports the creation of an Office of Community
5 based planning with oversight provided by the Public
6 Advocate's Office, and revisions to the Charter that
7 require community boards to present district wide
8 plans on a regular basis. Moreover, Land Use
9 Proposal submitted by private applicants should be
10 required to conform to Local 197-A plans or district
11 wide community plans. MAS also supports the
12 development of the citywide planning framework
13 including a shared set of citywide development
14 priorities, which Local 197-A plans and district wide
15 community plans should both help shape and conform
16 to. The City's Charter should institute a pre-ULURP
17 process, which would allow for public input into
18 development plans before projects are officially
19 certified. Through this process the city would
20 disclose application information and hold public
21 meetings to garner input from communities to ensure
22 that major issues are identified and discussed at the
23 beginning of the planning process. City Charter
24 revisions also need to strengthen mitigation
25 requirements for adverse impacts identified in the

2 CEQR process by making the Office of Community Based
3 Planning responsible for conducting environmental
4 review of plans initiated by community boards or
5 other local organizations. The City could also
6 require follow-up technical memoranda where
7 applicable to resolve issues raised by community
8 boards and borough presidents' offices in their
9 respective project resolutions about findings and
10 conclusion in Environmental Impact Statement. We
11 also believe that there should be penalties for
12 misrepresentations and inaccurate information in
13 projects applications.

14 CHAIRPERSON BENJAMIN: If you could sum
15 up, please.

16 JOANNA CRISPE: Sure. Just a couple of
17 final points we oppose amending the Charter to allow
18 the City Planning Commission to make final
19 determinations on all administrative land use
20 permits. We also oppose the proposal of making the
21 Landmarks Preservation Commission part of the
22 Department of City Planning. We also have some
23 recommendations related to municipal open data, which
24 are in the testimony I've submitted. Thank you.

2 CHAIRPERSON BENJAMIN: Thank you very
3 much, Ms. Crispe. Is there anyone who has any
4 questions? Thank you very much. Shula Kendrick.

5 SHULA KENDRICK: [off mic] Thank you.
6 [on mic] Thank you for incorporating the Land Use
7 Process into this Charter Review session. I am
8 member of Save Central Park NYC, and we are
9 particularly concerned about a tower that was
10 approved by the Department of Buildings as a 25-story
11 building and was changed long into the process to a
12 775-foot tower. At 25 stories mid-block it was
13 contextual. Now, after a significant length of time,
14 it is enormous tower with a shadow that's going to
15 extend from 66th Street on West Side across Central
16 Park to Bethesda Fountain. This tower will be the
17 highest structure on the Upper Westside, and it will
18 eclipse the Time Warner Center. Jackie Kennedy
19 Onassis is not here any more to represent the people
20 in this journey that we're facing right now. The
21 developer used many loopholes to circumvent the
22 letter and intent of the Zoning Resolution. Our
23 Community Board 7 our City Council Member Rosenthal,
24 our Manhattan Borough President, our Speaker Corey
25 Johnson and all the Manhattan City Council

2 representatives have come out strongly against the
3 use of loopholes that are destroying our
4 neighborhoods and allowing towers as this. We at
5 Save Central Park NYC are concerned about the shadows
6 that will be cast for generations to come. Our
7 recommendation is that the land use process including
8 approvals, start with the community boards to include
9 the community and the people in the land use process.
10 Of course, all community boards would have to be
11 staffed with paid land use experts and zoning
12 experts. The system as it exists right now as-of-
13 right is wrong. Thank you.

14 CHAIRPERSON BENJAMIN: Thank you very
15 much, Ms. Kendrick. Are there any questions? There
16 are supporters. The next speaker is Andrea Goldwyn
17 from the Landmarks Conservancy.

18 ANDREA GOLDWYN: Okay. Thank you. Good
19 evening Chair Benjamin and Commission members. I'm
20 Andrea Goldwyn speaking on behalf of the New York
21 Landmarks Conservancy. The land use issues under
22 this commission's review are central to our work in
23 preservation and planning. Over the past several
24 years, and—and my fellow speakers, neighborhoods
25 have—across the city have erupted with alarm over

2 out-of-scale buildings and city policies that enabled
3 them. These structures hover over the edges of
4 landmarks, historic districts and contextual
5 districts threatening their character and their hard
6 won protections. We've heard from constituents who
7 say their voices are not being heard when it comes to
8 new development in their communities, and the
9 Department of City Planning zones, but doesn't plan.
10 Overall, we urge this commission to consider a more
11 comprehensive approach to planning. We should have
12 an agency that considers the community based needs,
13 resources and capacity, and makes decisions based on
14 those factors instead of the current system which
15 relies on uncertain outcomes and negotiations with
16 developers. For now, there's not just the one
17 problem, but multitudes of loopholes and more grounds
18 that should be fixed. We ask this commission to
19 consider setting a trigger for public review when a
20 building's proposed height reaches a certain limit
21 proportionate to a neighborhood or community
22 district. Notification of zoning lot mergers to
23 community boards, borough presidents and Council
24 Members setting a limit on the height and location of
25 voids and mechanical spaces and/or counting them

2 against the building's FAR calculations setting a
3 standard floor height and counting taller floor
4 heights in proportion against total FAR requiring
5 consistent DOB enforcement of FAR interpretations;
6 improving ULURP by establishing a consistent and
7 transparent pre-planning process for community boards
8 to review applications in their early stages;
9 providing community boards funding so they can engage
10 professionals to respond to complicated land use
11 proposals, and improve community board training on
12 land use issues. For too many people, the city's
13 planning system and its 1961 era zoning resolution
14 are broken. We urge you to fix them. On
15 Preservation. The City's Landmarks Preservation
16 Commission is one of the strongest and most effective
17 in the country. Its protection of historic resources
18 with integral and re-invigorating the city's economy
19 after the dark days of the Financial Crisis in the
20 '70s and '80s. In recent years it set the balance
21 working to maintain the dynamic mix of old and new
22 that makes New York unique. This success leads to
23 the conclusion that the LPC should absolutely
24 continue as an independent agency. We believe the
25 agency would be more successful with a few

2 improvements. The commission should re-establish its
3 authority over city owned landmarks and scenic
4 landmarks and we would like to see tweaks to the
5 appointed commission: Compensation for the
6 Commissioners, prompt reappointments and the
7 requirement of a preservationist at least one
8 preservationist on the Commission. Thank you.

9 CHAIRPERSON BENJAMIN: Thank you [bell]
10 Very—thank you very much, Ms. Goldwyn. Are there any
11 questions? Carl.

12 COMMISSIONER WEISBROD: Yes, I have a
13 question about compensation for Commissioners,
14 Landmarks Commissioners, and I know that Borough
15 President Brewer also brought this up. I think one
16 of the issues with compensating Landmarks
17 Commissioners is that they would then be subject to
18 the same conflict requirements that Commissioners in
19 the City Planning Commission or city employees are—
20 are subject to, which would greatly reduce the
21 quality or pool of particularly architects and
22 preservationists who would be eligible to participate
23 in this—on the Landmarks Preservation Commission.
24 And so, I'm wondering how you would balance those two
25 seemingly contradictory objectives.

2 ANDREA GOLDWYN: I-I think that it's
3 something that needs to be explored. Right now I
4 think nine out of the ten commissioners are running
5 on expired terms. So, clearly it's hard to get
6 people to participate. Maybe if there was
7 compensation it would be more attractive, but
8 certainly the conflict of interest issues could
9 become prevalent. I think it's something that the
10 commission should look into, test it out, see if it
11 would be an improvement. It's not clear that it
12 would work, but I would like to see them look at it.
13 I believe that most other city agencies that have
14 commissions do have compensated commissioners.

15 COMMISSIONER WEISBROD: They do, but they
16 are also subject to--

17 ANDREA GOLDWYN: [interposing] Uh-hm.

18 COMMISSIONER WEISBROD: --conflict of
19 interest requirements, which really does limit the-
20 their ability to engage in outside businesses when
21 being on a commission is very much a part-time job.

22 ANDREA GOLDWYN: I think it's something
23 should be explored.

24 COMMISSIONER WEISBROD: Thank you.
25

2 CHAIRPERSON BENJAMIN: Are there further
3 questions? Hearing none, thank you very much, Ms.
4 Goldwyn. Patricia. Excuse me. How do you pronounce
5 your last name just so I don't screw it up again?

6 PATRICIA Oh, no, you did it right.
7 Okoumou.

8 PATRICIA OKOUMOU: Okoumou.

9 CHAIRPERSON BENJAMIN: Okoumou. Okay.

10 PATRICIA OKOUMOU: We, what we stand for
11 we are a coalition of groups and individuals
12 dedicated to replacing New York City's Civilian
13 Complaint Review Board with an Elected Civilian
14 Review Board. Thank you, Charter Commission. My
15 name is Patricia Okoumou. Many of you have seen me
16 on television on the 4th of July when I decided to
17 scale the Statue of Liberty. The reason I did that,
18 as you know, we haven't talked about it tonight. It
19 was about the children. Our government has decided
20 to put them in cages. I was protesting Trump's Zero
21 Tolerance Policy on immigration. This testimony
22 today is to Charter Revision Commission, CRC. The CRC
23 and not any other is our chance to demand change.
24 Just through lack of time I will present a brief
25 summary of my testimony today. I am here to forge

2 solutions in light of the crisis we face daily in our
3 city. The problem is that not enough officers are
4 held accountable for their actions or inactions,
5 which perpetrates injuries to civilians. Their lack
6 of judgment due to systematic racism. Unconscious
7 bias has caused too many deaths among our black
8 communities. After segregation supposed ended most
9 of the laws have remained unchanged. The law is
10 preventing you from doing the right thing. It must
11 be changed now. If this wasn't the case, CRC
12 wouldn't have shown us that you have the real power
13 to defend the people. We're the people. Admit it.
14 You do not have the power to gain justice because of
15 the law you must follow. The over incarceration of
16 marginalized communities and the massacre of black
17 men is evidence of segregation in the United States.
18 Racism is real, an everyday struggle. Segregation
19 never ended. If you want to know about me personally
20 and how this issue affects my life, then look it up.
21 In 2009, I could have been Eric Garner. I have filed
22 a complained with the Civilian Complaint Review Board
23 against the NYPD prior to Eric's death. The brutal
24 incident happened on Bay Street in Staten Island
25 where I reside. Such handling of a female by police

2 wouldn't have happened to a white woman. [bell]
3 Perhaps Eric's death would have been avoided if you
4 hadn't downgraded, downplayed or dismissed my
5 complaint. CRC, do not water down and ignore our
6 complaints. Please create an elected board now, and
7 may I remind you, I do not trust the process
8 unfortunately. As we speak, we are—we have children
9 in cages. Michelle Obama says when they go low, we
10 go high. I went as high as I could because our
11 country went so low, our lows have no morality, and
12 unfortunately, I am saddened by that, and I do not
13 trust these processes. Thank you for your time.

14 CHAIRPERSON BENJAMIN: Thank you very
15 much, Ms. Okoumou—Okoumou.

16 PATRICIA OKOUMOU: That's correct. Thank
17 you.

18 CHAIRPERSON BENJAMIN: Are there any
19 question. Thank you very much. The next speaker is
20 Oksana Miranova. Is that correct?

21 OKSANA MIRANOVA: Miranova. It's close
22 enough. Thank you. My name is Oksana Miranova and
23 I'm Housing Policy Analyst at the Community Service
24 Society. We're an anti-poverty organization here in
25 the city. Thank you for this opportunity to comment

2 on the New York City Charter. Given the diminishing
3 supply of public property and the great need for
4 affordable housing, open space, public facilities,
5 the disposition of public property should serve
6 pressing community needs. Specifically, we recommend
7 requiring the city to prioritize public benefits in
8 the sale or lease of all public property rather than
9 selling or renting it to the—for the highest
10 marketable price or rental. Defining a process for
11 measuring public benefits that prioritizes the most
12 pressing community needs, developing a comprehensive
13 process for the—for the disposition of public
14 property that is connected to a citywide planning
15 framework. The charter devotes multiple pages to the
16 process of land use—land use review, but does not
17 define the metrics or goals for measuring the impacts
18 of land use actions. While the explicit guidance and
19 methodology should be left to the CEQR Technical
20 Manual—nature methobiological gaps have repeatedly
21 under-estimated displacement pressures and socio-
22 economic gaps (sic) resulting from land use actions.
23 We recommend updating the environmental review
24 language within the Charter to be more prescriptive
25 about the goals and methodology of the environmental

2 review process, requiring the Mayor in consultation
3 with community and agency experts to establish a
4 criteria for measuring displacement including
5 potential for direct and indirect chain and
6 exclusionary displacement requiring the City Planning
7 Commission to conduct a citywide analysis of the
8 displacement risk using the said criteria. The
9 criteria should employed with explicit—with an
10 explicit goal of meeting the city's Fair Housing
11 goals, and ensuring a no net loss of affordable
12 units. Employing the criteria in the environmental
13 review process for all future land use actions
14 requiring the tracking and reporting of displacement
15 and socioeconomic neighborhood change after land use
16 actions are approved to measure their impact, and
17 mandating a review of the City Environmental Quality
18 Review Technical Manual by community and the agency
19 experts every five years. In addition to that, we
20 also support the call for a comprehensive—
21 comprehensive community planning framework but I feel
22 like that's been discussed by people on this panel,
23 and in other meetings before this one. So, I'm not
24 going to go into that, but that's also a good idea
25 that should be considered by this board. Thank you.

2 CHAIRPERSON BENJAMIN: First, my—a quick
3 question. Are you speaking on behalf of the
4 Community Service Society also?

5 OKSANA MIRANOVA: Yes.

6 CHAIRPERSON BENJAMIN: Okay. Are there
7 any questions? Thank you very much Ms. Miranova. I
8 can't get it right, but I keep trying, and last on
9 this panel is Beth Goldman.

10 BETH GOLDMAN: Thank you. Thank you to
11 the Chair and to the Commissioners for this
12 opportunity to testify today. My name is Beth
13 Goldman and I'm the President of the New York Legal
14 Assistance Group. NYLAG, as we're known, is a
15 leading provider of comprehensive free civil legal
16 services for low-income New Yorkers. I'm here today
17 to talk about the procurement issues that others have
18 talked about. I've partnered with David Greenfield
19 who appeared before the Brooklyn—

20 CHAIRPERSON BENJAMIN: [interposing] Yes,
21 he did.

22 BETH GOLDMAN: --hearing. We are
23 representing an informal group of other human
24 services organizations, legal service providers who
25 face this problem. Two preliminary points. The

2 first is that this is not to bash government
3 contracts. Government contracts are what allow us to
4 do the vast amount of work that we do. This city has
5 shown a great commitment to legal services for the
6 poor, and the contracts have benefitted the city, the
7 city's poor and the ability to provide legal services
8 for them. It' also not a condemnation of any agency
9 or the Mayor's Office of Contract Services all of
10 whom are staffed by professionals with whom we
11 actually enjoy a very good working relationship. The
12 issue here, though, is that there is a real problem.
13 You've heard about from others, and the Comptroller
14 has done a lot of work, and a lot of research in his
15 report showing that 80% of contracts in Fiscal Year
16 17 were not registered at the time the contract
17 stated, and the reality is that if a city with a
18 budget of over \$88 billion non-profits like ours are
19 doing the work and not being paid 'til long or after
20 the services have been provided. I provide here some
21 statistics just about my organization and what we've
22 faced over the last three years and in FY17 22
23 contracts start July 1, 2016. 19 were not registered
24 until the May through August period. June is the end
25 of the fiscal year. So, that's the point there.

2 FY18 similar. We are still waiting for the last
3 couple of contracts from FY18 to be registered, and
4 for this current year, we're already almost through
5 with the first quarter of the fiscal year, and we
6 have 3% of our contracts have been registered. So,
7 what do we do? What do organizations like ours do?
8 We have a line of credit and we borrow against it,
9 but we pay interest. We can borrow from reserves up
10 to a point, but we're running out of the ability to
11 do that as the contracts grow, and—and as I've now
12 expressed to various city agencies, we're—we may get
13 to a point where we can't take on any more contracts
14 because of the cash flow problems that it causes us
15 by doing it. We can't do the work and not get paid.
16 We can't afford to do it. We're running out of that.
17 So, why do we come to you for a solution? I think
18 it's because there isn't one single [bell] agency
19 that's responsible. There are so many, and nobody
20 knows where the contract is at any given point. So,
21 the point is just have the—the charter set a deadline
22 like it does for the Comptroller to register
23 contracts and we would suggest that any contract get
24 to the Comptroller within 60 days of its start date,
25 and if they don't then there will be a payout that

2 covers us for the cost of borrowing and then
3 transparency in the system so we can know where the
4 contract is at any given time, and then a report at
5 the end by any agency that doesn't comply with those
6 deadlines.

7 CHAIRPERSON BENJAMIN: Thank you very
8 much. Are there any questions? Carl.

9 COMMISSIONER WEISBROD: Yes, I'm going to
10 ask you the same question that I asked Mr.
11 Greenfield, which is and who—who is barred from
12 answering the question. So, I assume you as an
13 attorney will likewise be judicious, but are there
14 certain—I mean you—you have contracts with a variety
15 of city agencies, and do you find the pattern of
16 certain agencies' contracts being registered in a
17 timely fashion and other agencies that you're dealing
18 with fairly regularly, you don't have those contracts
19 registered on a timely basis?

20 BETH GOLDMAN: I would say that if you
21 look at the report from the Comptroller, you see that
22 are agencies that seem diverse. Our—our experience
23 is that they're all delayed, and they don't seem to
24 be delayed necessarily at the agency. We will, we
25 have contacts and people who are trying to help, and

2 they will often say, we've done our part. We don't
3 know where it is now and it does seem to be a
4 standard thing. They—if it does out of the agency or
5 it goes out of the department we're talking to we
6 don't know where it is, and nobody does. There's
7 nobody to call.

8 COMMISSIONER WEISBROD: I mean that—that
9 actually as someone who has initiated a lot of
10 contracts within city government that actually I
11 find—I don't find it surprising that they're delayed,
12 but what I do find surprising is that the agency does
13 not know where they are in the process. I always
14 pretty much knew where they were in the process.

15 BETH GOLDMAN: I—I—my understanding is
16 that because it—it goes from one agency to another,
17 and there isn't one system that follows a particular
18 contract through it, there isn't visibility. I
19 don't—I don't know why, but as someone who used to be
20 in city government I know how complicated the systems
21 are and they often don't speak to one another from
22 agency to agency, but I—I don't know.

23 COMMISSIONER WEISBROD: Okay, thank you.

24 [background comments, pause]

2 CHAIRPERSON BENJAMIN: Commissioner
3 Camilo.

4 COMMISSIONER CAMILO: Thank you so much
5 for your testimony, and as-as the former head of MOCS
6 and a former employee of MOCS, [laughs] this is not
7 the first time I've heard this issue be raised.
8 While there are some challenges absolutely, the
9 analysis really does show that it's a shared burden.
10 You're right that there are five, maybe six agencies
11 that touch the procurement process all for a very
12 good reason. And we've made some strides with the
13 rollout of HHS Accelerator to help gain additional
14 transparency. So, the things that you've mentioned
15 are a management issue and I think the city is
16 working towards addressing that through the rollout
17 and development of Passport, which will provide
18 additional transparency on where things are. So,
19 once we obtain additional transparency, and as you
20 mentioned, you know, pointing at the other-at the
21 other offices as the cause for the delay, and once we
22 have that level of transparency, do-is there -are
23 there solutions that would address that-the issues
24 that you've raised?

2 BETH GOLDMAN: So, I—I think what I would
3 say is twofold. The first is, you know, the—the new
4 systems like Passport and others definitely make it
5 more user-friendly, and allow us to upload our
6 documents all at once and not have to redo it, and—
7 and everyone is quite appreciative of the, but it
8 doesn't tell us anything about the status of a
9 contract. It's either registered or unregistered.
10 So you don't know where it is along the way. It
11 hasn't—it doesn't seem to have sped things up. If
12 anything, if we look at our history, it gets slower.
13 So, the transparency that I'm talking about goes to
14 where is it in the cycle. So that somebody, you
15 know, if it's sitting—I'm making this up so no
16 offense to DOI, but if it's sitting on a pile at DOI,
17 nobody knows that it's there, nobody, you know,
18 there's—there's no accountability. So, transparency
19 in that way might force people to act more quickly.

20 COMMISSIONER CAMILO: So, I—if I—just for
21 a point of clarification, if it's sitting at DOI or
22 at OMB or at MOCS, people know. We do have APT. You—
23 that might be the case, and then there might be
24 communication issues. People know where things get
25 stuck. So, just wanted to clarify that because I

2 think what within the procurement world it is such a
3 complicated multi-faceted process that addressing
4 the-the people problem, you know, in terms of
5 communication is-is one thing, but there is a shared
6 platform. Currently it's not the best one and we're
7 working to change that, but people know where things
8 are, whether or not that's being communicate
9 appropriately to the vendors is another question, and
10 I think that we most certainly have to do better at
11 just putting that out there.

12 BETH GOLDMAN: Okay. So then I would go
13 to my second point, which is even with those systems,
14 a system that doesn't require that contracts start to
15 be paid within the first quarter when the work is
16 being done, I think there's something wrong with that
17 system, right. We are doing the work that the city
18 wants done. Yet we, who, you know, have small
19 margins do have a deep well of cash, are literally
20 going to banks and borrowing money to pay payroll,
21 you we're--

22 COMMISSIONER CAMILO: [interposing]

23 People are--

24

25

2 BETH GOLDMAN: --up all night worrying
3 about payroll on contracts that the city has awarded
4 us, but we're not being paid on.

5 CHAIRPERSON BENJAMIN: A question for you
6 from Dr. Paoli.

7 DR. LILLIAM BARRIOS-PAOLI: I--look, I--I
8 could have been more with your [coughs] and I think
9 part of what we need to do is look at how many levels
10 of approval are there, and do they all make sense,
11 and do they add anything to the process. Because I
12 think that that then the more people have to touch
13 the paper, the longer it will always take, and, you
14 know, we just have figure out where are the necessary
15 approvals that are just really adding to the process,
16 and making it transparent and, you know, well vetted
17 and so on. That's one piece and the other piece is
18 that, you know, we have to learn to give people money
19 ahead of time if they have a contract, and then
20 audited post-audit, and I think, you know, I--I--we've
21 been doing this with the same people for a very long
22 period of time. It's not like we don't know them,
23 and we know they live, we know where their children
24 go to school. [laughter] We brought this stuff. You
25 know, so it--we have to find a--a different process. I

2 also feel that we need to stop treating community
3 based organizations as vendors. They're not vendors.
4 They're our partners, and as partners they should be
5 treated differently.

6 BETH GOLDMAN: Thank you. We'd love to
7 work more with you in the future if there's an
8 opportunity to think this through even further.

9 CHAIRPERSON BENJAMIN: Thank you very
10 much. If there are no further questions, I've been
11 asked to take a five-minute stretch and a bathroom
12 break. So, all of you are welcome, too. Also,
13 there's a men's room in the back of the room, and the
14 lady's room is out the door and to my right. We will
15 return in five minutes, and before you leave, let me
16 just tell you there are 48 speakers left, and the
17 next six speakers when we return will be Ben Kallos,
18 Michael Zimbluskas.

19 MALE SPEAKER: That's wrong.

20 CHAIRPERSON BENJAMIN: Uh-hm.

21 MALE SPEAKER: [off mic] That's wrong.

22 CHAIRPERSON BENJAMIN: Okay. Joy
23 Goldberg, Alida Camp, Nancy Sliwa and Curtis Sliwa.
24 Earlier than the last time, Curtis.

25 CURTIS SLIWA: I see 48 this time. (sic)

2 CHAIRPERSON BENJAMIN: 48?

3 CURTIS SLIWA: 48. [background comments,
4 pause]

5 CHAIRPERSON BENJAMIN: Thank you all for
6 indulging me, and let me—letting me take a little
7 break. We're back now, and the panel, the next
8 speaker is Ben Kallos.

9 COUNCIL MEMBER KALLOS: Good evening.
10 Our city's Charter is in desperate need of an upgrade
11 for the next generation. The last telegram was sent
12 in 2006. So, I don't' thin the Charter should
13 require telegraph to be maintained by the NYPD
14 Commissioner. Minimum wage is about to be \$15 an
15 hour, and I don't think that the Mayor's fourth (sic)
16 enumerated power should be to pay election workers on
17 \$20 a day. We're presented with an opportunity to
18 examine the balance of power with the infrastructure
19 of our government and ultimately who's in power to
20 make decisions on behalf of 8.7 million people who
21 call this city home. Since August, I have carried a
22 copy of the Charter around with me highlighting
23 interesting sections and soliciting input. I must
24 admit that I haven't read all the way through to
25 Section 3103 of the Charter. My testimony, though

2 does represent a best effort through a cursory review
3 identifying challenge—challenges with the proposed
4 solutions as a starting point. I joined hundreds of
5 New Yorkers in participating in the Mayor’s Charter
6 Revision Commission by testifying over several months
7 in favor of items now on the ballot including term
8 limits and urban planners for community boards and a
9 slate of Campaign Finance reforms to reduce large
10 contributions and match more small dollars with more
11 public dollars to finally get big money out of New
12 York City politics. First and foremost, I would ask
13 that if these measures pass, this Commission not
14 weaken then in any way and, in fact, I’m asking you
15 to strengthen them by adding a requirement that any
16 part of the Charter adopted through a vote of the
17 people only be subject to change by those same people
18 at another vote. Along those lines, there are
19 certain reforms that must be protected from future
20 change without a vote of the people such as ethics
21 reforms for a lifetime ban on lobbying and lifetime
22 term limits for elected officials, and enshrine
23 reforms in the City Council to make the job full
24 time, eliminate Lulus for equal compensation and
25 standardized budget allocations for each member. In

2 the face of an attack on our rights from the federal
3 government, New York City is in need of its own bill
4 of rights guaranteeing residents a right to free
5 higher education and childcare, affordable health and
6 mental healthcare, access to parks, libraries and
7 public transit, affordable Internet, freedom from
8 hunger, clean air and water, just to name a few.

9 This commission can create a pathway for all
10 residents with great ideas for laws at these hearings
11 and in the future to submit bills direction to the
12 City Council for a guaranteed hearing and vote.

13 Ultimately, the 1989 Charter Revision Commission gave
14 many of the powers from the Board of Estimate to the
15 Mayor and boards appointed by the Mayor. Regardless
16 of the Mayor, other elected officials and communities
17 have often been without power to stop a wrong. My
18 recommendations hope to democratize many of the
19 city's most powerful boards with appointments from
20 the borough presidents and Council to achieve fair
21 housing and affordable housing bills, borough
22 presidents and community boards must be empowered to
23 veto bad rezonings. The council empowered with a
24 final vote on franchises that have let residents
25 without reliable cable or Internet, and both

2 empowered to initiative land use changes in their own
3 right. I would highlight for this commission three
4 main themes. [bell] My testimony is 30 pages.
5 Please enjoy reading.

6 CHAIRPERSON BENJAMIN: [laughs] Thank
7 you very much Council Member. Commission Fiala has a
8 question for you.

9 COMMISSIONER FIALA: Thank you, Madam
10 Chair. Council Member, I want to thank you for being
11 with us tonight and we look forward to the extensive
12 supplemental material you are providing on behalf of
13 your colleagues. I want to ask you a question about
14 a subject that you took up four, five, six years ago.
15 I don't know the exact date, but I read a report.
16 You provided some oversight hearings and held an
17 extensive series of discussions regarding the
18 community boards. I read that report years back.
19 I've got to pull it out and find it. The question I
20 have is because of the—this is my Third Charter
21 Commission, and I can tell you from 1989 forward
22 community boards, community boards, community boards,
23 the subject comes up every time. What you find when
24 you listen is some community boards operate and seem
25 to have tremendous influence utilizing the existing

2 language in the Charter. So, that supports the
3 notion that there's sufficient language as exists
4 that allows community boards to have a meaningful
5 voice and then a lot of them say I need this, I need
6 this, I need this, which then leads you to conclude
7 there's a deficiency in the language as it presently
8 exists. You did that extensive analysis. Is there
9 any intention to do a follow-up and see what or what
10 percentage of community boards have adopted the
11 measures that came out of that task force effort, and
12 to see whether or not we really need the charter to
13 be beefed up or do we need the community boards to
14 gain a better understanding and insight into the
15 existing language, and utilize the tools that are
16 already available to them in the Charter? And great
17 work on that report, but the way. I read it from
18 cover to cover.

19 COUNCIL MEMBER KALLOS: Thank you. It
20 is—it is very rare for elected officials to hear
21 anyone who actually reads any of the things we write.
22 That report was about 80 pages and I collected a lot
23 of the best practices from every borough including
24 your great borough of Staten Island where your
25 borough president does not appoint people with

2 political affiliations, which I think is a best
3 practice. I like to tell folks that when a community
4 board, a Council Member and their borough president
5 are aligned, there's very little that can stop the.
6 That is likely because in many cases involving land
7 use the Council Member has the final vote. When you
8 have a situation where there is not an alignment
9 between the community board, borough president and
10 the Council Member, one awful—one often sees that the
11 borough president may be misaligned or the Council
12 Member may be misaligned in which case you end up
13 with a situation where the community board—board's
14 voice goes unheard. That's why I'd like to add one
15 more step to the process, which is if you have a
16 community, say I want them to be able to say we have
17 problem with this, and if the borough president says
18 I have a problem with this, they could bring it to
19 the borough board, and if all three of them agree,
20 they might be able to say hold on. And just as
21 negotiations go—and not to tell too much of the
22 secret sauce to some of the people at this table
23 among the commissioners who have actually been
24 involved in more land use actions than I will ever be
25 involved in [laughs] for my entire life. If you're

2 dealing with people at the table who have a vote, the
3 negotiation is going to go much differently, and I
4 believe that if the City Planning Commission, which I
5 would hope to reconstitute with a voice from the
6 Council had-knew that the community board's vote had
7 a binding impact, and if they didn't make the
8 community boards and borough president happy, they
9 risked going before a borough board that might stop
10 their project, then you would have a City Planning
11 Commission that was more responsive to community
12 boards concerns.

13 COMMISSIONER FIALA: So, I assume then
14 that in forthcoming in the material we might find
15 something regarding binding authority relative to the
16 community board's role in our city.

17 COUNCIL MEMBER KALLOS: Page 20.

18 [laughter]

19 COMMISSIONER FIALA: What was that? I'm-

20 CHAIRPERSON BENJAMIN: Page 20.

21 COMMISSIONER FIALA: Page-thanks. Thank
22 you so much Council Member.

23 COUNCIL MEMBER KALLOS: Thank you.

24 CHAIRPERSON BENJAMIN: Paula.

2 COMMISSIONER GAVIN: Being one of the
3 many people who have read the Charter, thank you for
4 that. I wanted to ask a question about whether you
5 thought there would be any value to just streamlining
6 the structure of the Charter so that more residents
7 would get engaged in our city.

8 COUNCIL MEMBER KALLOS: Thank you for
9 reading the Charter. I am very happy with the
10 Commissioners who are—have been selected. That's all
11 the nerds in government have been attracted to the
12 right place. I found many places like the telegraph
13 and the Board of Elections where I feel that we
14 should slim down the Charter so it is not necessarily
15 a 360 pages from the—from the city's website and pull
16 a lot of the things that don't need to be there out
17 and put it into the Administrative Code. I think
18 there's a lot that's in the Administrative Code that
19 could be pulled out and put into Rules and
20 Regulations, and we could have a document that could
21 be a lot more accessible, a lot more like our
22 Constitution. One of the items I was suggesting is a
23 Bill of Rights and that could actually help guide our
24 principles and values, and so instead of somebody
25 having to find Charter Section 435-B, they could say

2 no on-on Section 1 here the Bill of Rights is that
3 says that there's a right to access to my government
4 and-and you're violating right. Please fix it.

5 COMMISSIONER GAVIN: Thank you. I agree.

6 CHAIRPERSON BENJAMIN: Sal.

7 COMMISSIONER ALBANESE: [coughs] Council
8 Member, good evening.

9 COUNCIL MEMBER KALLOS: Good evening.

10 COMMISSIONER ALBANESE: I'd like to
11 commend you first for the work you've done on-on-on
12 the Charter and your suggestions. Very thorough.
13 Good work. A lot of very solid ideas, and in terms
14 of Campaign Finance reform, it's sad to say the
15 proposals that will be-that will be on the ballot, in
16 my opinion won't do much to keep conflicted money out
17 of our politics. It's basically still people running
18 for citywide office will still be reaching out to
19 deep pocketed to sources in the city. People in-in
20 working class communities, some poor communities are
21 going to be unfortunately left out of the process.
22 Lobbyists and developers and their families can still
23 bundle money. So, I know you and I had a discussion
24 about what I consider the gold standard in Campaign
25 Finance, which is the Seattle Democracy Voucher

2 Program. I was wondering why you didn't include that
3 in your proposals.

4 COUNCIL MEMBER KALLOS: Thank you for
5 your advocacy for Democracy Vouchers. It is something
6 that I hope to work with you not in this role, but
7 in a different role as a—a strong advocate and—and
8 former elected yourself to pass legislation on that
9 that could be done outside of the Charter if this
10 Commission chooses to start enshrining certain items
11 like Democracy Vouchers from being changed by elected
12 officials through political process I'd be interested
13 in doing that as well and—and—and you're right, if
14 the current system only give candidates a little more
15 than half of the money they need to run, and right
16 now I believe for the Mayor's Office that is \$2.6
17 million. Under the new system, it would be a little
18 over a million, and—and you're correct, a million
19 dollars is still a God awful amount of money that—
20 that shouldn't be there. We got from 55 to 75%. If
21 we could get to 85% it would mean that you wouldn't
22 actually need to raise any dollars larger than \$250.
23 That being said, I like to say to folks I've never
24 given—you can currently give the Mayor \$5,100 or any
25 citywide official. I've never given anyone something

2 worth that much. I gave one person something with
3 that much, and I expected her to spend the rest of
4 her life with me. She said yes, but money has
5 expectations, and so some of my colleagues from—who
6 represent low-income communities of color said to me,
7 no one—no one is writing me check from my
8 neighborhood for \$250. We need Democracy Vouchers
9 and—and I agree, and the reason it is not in this
10 testimony to be frank and honest it was in my initial
11 testimony to the Mayor's Charter Revision Commission,
12 and based on the direction that they were going
13 between June and July, we ended up dropping it, and
14 focusing on the direction they were going, and we
15 pulled many of the recommendations that we're giving
16 you from that same report. It's an oversight and at
17 the next hearing, I hope to include it.

18 COMMISSIONER ALBANESE: So, you're open,
19 you're open to--

20 COUNCIL MEMBER KALLOS: [interposing] I
21 want to introduce the legislation and get it passed,
22 and I'm interested in making it a—a—an elected
23 official proof item enshrined in the Charter.

24 CHAIRPERSON BENJAMIN: [off mic] Thank
25 you for that. [off mic] Are there other questions?

2 [on mic] Are there other questions? Thank you,
3 Member. The next speaker is Michael Zimbluskas.
4 (sic)

5 MICHAEL ZIMBLUSKAS: Yes. I want to
6 thank you, Commissioners for being here, and I want
7 to commend you on your stamina and patience. I mean
8 it's a long night, and it's probably longer for you
9 than it is for me. My name is Michael Zimbluskas,.
10 I'm the former Chair-Manhattan County Chairman of the
11 Independence Party. I've been active in politics
12 basically since '92. I have helped Democrats,
13 Republicans, third-part candidates if I like them.
14 As a matter of fact, Commissioner Albanese is one of
15 the candidates I helped at one point in time. I
16 wanted-in-right now, our voter turnout is basically
17 25% in citywide elections. That is pathetic,
18 absolutely pathetic when you think about Afghanis and
19 Iraqis that went out and voted in almost an 80%
20 turnout under the threat of death, and they had to
21 basically dye their thumb purple for three days.
22 Since we've had the Campaign Finance Board, term
23 limits, it's actually hurt our democracy. So, I
24 think some of the things we need to do to actually
25 enhance debate is the instant runoff voting for one

2 because that will actually eliminate some of the
3 people that, you know, spoke earlier. I'm not going
4 to get into the cots and everything else, but instant
5 runoff voting will actually save money for the city
6 and we'll have one election. But I also want to talk
7 also on proportional representation. I think that
8 will help tremendously with voter turnout. Being
9 from a third party and I've actually run no the
10 Republican—with the Republican ticket. I've, you
11 know, gotten a decent number of votes in my
12 elections, but one of the things I always hear and
13 especially the more so with third parties, I'm
14 wasting my vote. Even republicans in Upper East Side
15 of Manhattan where I'm from I'm wasting my vote if
16 I'm—in election. Why should I even come out because
17 the Democrats are going to win? We need to establish
18 that hey, if I can vote for—I can vote for you, and
19 then if you lose your vote will roll over, you'll get
20 more people turning out, and ask—asking the
21 commissioner's question from earlier, Fiala? Sorry.

22 CHAIRPERSON BENJAMIN: It's Fiala.

23 MICHAEL ZIMBLUSKAS: Fiala. Sorry. I
24 apologize.

2 CHAIRPERSON BENJAMIN: Fastella (sic) is
3 a different status.

4 MICHAEL ZIMBLUSKAS: Right, okay.

5 CHAIRPERSON BENJAMIN: A former Council
6 Member

7 MICHAEL ZIMBLUSKAS: Same bite—Same bite
8 (sic). Okay. I go back to George Washington's
9 farewell address: Beware of the tyranny of parties.
10 We need—we need to open it up and it's—New York City
11 is a one party rule [bell] and we need more voices
12 heard. Proportional representation will do that.

13 CHAIRPERSON BENJAMIN: Thank you very
14 much. Are there any questions? You're home free.
15 The next speaker—I'm sorry. I think I saw her—is Joy
16 Goldberg.

17 JOY GOLDBERG: [off mic] Thank you.
18 Hello.

19 COMMISSIONER ALBANESE: Press the--

20 CHAIRPERSON BENJAMIN: [interposing] Is
21 your mic on?

22 COMMISSIONER ALBANESE: Press the button.

23 JOY GOLDBERG: Oh. Thank you for the
24 honor, first of all. Honorable Madam Chairperson,
25 Honorable Commissioners. My name is Joy Goldberg and

2 I live in Brooklyn and I'm proud of it. I retired
3 April 1, 2016 as the Distribution and Window Clerk in
4 the United States Post Office in New Lots Station,
5 Brooklyn New York 11208. For around give or take the
6 last two years of my postal career, I waited on an
7 average of two customers per day at my alone who
8 presented the two envelopes with the certificates of
9 mailing. These are replies to eviction notices. One
10 envelope to the marshal, one envelope to the attorney
11 handling the eviction. This included the elderly.
12 Multiply my window—this is everyday now. Multiply my
13 window by 3 or 4 windows open, times every station in
14 Brooklyn times every station in New York City times
15 every station in the United States. That's a serious
16 problem. I have friends in the housing project
17 across the street from the post office a couple years
18 back, their rent increased dramatically and they took
19 a hit in their food stamps. A former co-worker of
20 mine studied hard to get a real estate broker's
21 license, and passed. Congratulations seemed in order.
22 Then I learned that this same person was working for
23 a firm that bought buildings that needed care, fixed
24 them up and resold them. My first gut reaction was
25 after they do this to every building who's playground

2 will the greatest city, the apple become? Who's
3 behind gentrifying every neighborhood? I doubt the
4 people with the two envelopes and the certificates of
5 mailing. It looks as how forces are at work who would
6 make it impossible for anyone except the rich to live
7 in New York City. I also wonder how many of these
8 owners of brand spanking new gentrified buildings
9 live in the community and sustain it? And how are
10 the property taxes off the blood of the now evicted
11 poor sustaining the community? Bettering New York
12 City for whom? The Bible decries "dividing the land
13 for gain" and that's in quotes. It is incongruous,
14 in human, monstrous to take the bread and shelter
15 from those who need it most, and part and parcel it
16 to those who need at least—I'm almost there. In
17 short, it is evil. God is watching closely over the
18 Apple of His eye, over how the measuring lines are
19 drawn, what rezoning takes place and who will
20 benefit. You are authorities anointed with the
21 stewardship with which it is incumbent upon you to do
22 the right thing. For this I implore and exhort you
23 begin with those who need it first, the most. Thank
24 you. [applause]

2 CHAIRPERSON BENJAMIN: Thank you very
3 much. Are there any questions? Thank you, Ms.
4 Goldberg.

5 JOY GOLDBERG: Thank you.

6 CHAIRPERSON BENJAMIN: The next speaker
7 is Alida Camp.

8 ALIDA CAMP: Good evening Commissioners.
9 Thank you for hearing my testimony. My name is Alida
10 Camp. I am the Chair of Community Board 8,
11 Manhattan. The board has not had the opportunity to
12 determine fully which charter provisions this
13 commission should examine. I understand that there
14 will be additional opportunities to testify. I would
15 like to address only Land Use and Landmarks. CB8M
16 supports additional financial and other resources to
17 enable community boards to do their job properly. We
18 support an urban planner for each Community Board.
19 However, we urge this commission to propose that such
20 resources be provided by the borough presidents'
21 offices. CB8 recommends that stronger more robust
22 community based land use planning process. We would
23 like to see greater emphasis on community assessment
24 of social and environmental factors in considering
25 land use plans. Land use affects our communities.

2 We deserve and accordingly recommend that community
3 boards have a greater role in the planning process
4 including policy making to be sure that all community
5 concerns are heard and considered. New York is a
6 large and diverse city. The great diversity of age,
7 religion, culture, race, ethnicity and income are
8 what creates a vitality that attracts businesses,
9 visitors and residents. We are well situated to
10 assess impact of land use decisions on the diversity
11 and quality of life in our communities. REBNY
12 testified before the 2018 Charter Review Commission.
13 We anticipate that it testify to the same or closely
14 related points before this one. We emphatically
15 oppose stronger as-of-right development including
16 allowing the CPC final determination on
17 administrative Land Use permits. We are gravely
18 concerned about the extent of development in our
19 community and across New York. We further reject any
20 attempt to displace the City Council in Land Use
21 Decisions. These decisions are at the heart of New
22 York. Many, if not all issues and problems facing
23 New York such as affordable housing, displacement of
24 long-term residents because of ill-considered
25 gentrification. Sufficient educational resources,

2 over-burdened infrastructure, lack of green space
3 particularly in CB8, loss of small business and
4 environmental deterioration for example flow from the
5 over-development we are seeing. We further believe
6 that the enter ULURP process should be transparent.
7 Transparency would include an evaluation of whether
8 self-certification benefits New Yorkers.

9 Individually, I ask for comprehensive community plans
10 before further building permits are issued. I want
11 to know the impact of these buildings on my community
12 as well as around New York where we are seeing out of
13 context construction. CB8 wants to know that there
14 are provisions to provide for affordable housing for
15 those New Yorkers that cannot afford market rate
16 house. New York Should be a city for everyone at all
17 economic levels. We ask that sufficient resources be
18 provided for affordable housing and that the need for
19 and commitment to affordable housing be a part of the
20 Charter. CBA urges the Commission to include a
21 revision to provide for notification to community
22 boards as soon as any land use applications including
23 as-of-right and commencement of the ULURP process are
24 filed. We further recommend that applications
25 indicate in which Community Board the project is

2 filed enabling prompt-prompt notification to the
3 boards. CB8 exports-supports the expansion of ULURP
4 to land owned by NYCHA and enforcement of deed
5 restrictions on land held through the public benefit.
6 [bell] The Landmarks just-Landmarks-the Landmarks
7 Preservation Commission has the critical task of
8 preserving New York's valuable history and
9 architecture. We strongly urge the Commission to
10 support and enhance the LPC's role and that of
11 Community Boards and Landmarks designation and
12 application reviews, and to recognize the importance
13 of preservation in the dynamic fabric of New York.
14 Thank you so much for your time and your
15 attentiveness is remarkable.

16 CHAIRPERSON BENJAMIN: Thank you very
17 much, Ms. Camp. Is there anyone who would like to ask
18 a question? Thank you, Ms. Camp.

19 ALIDA CAMP: Thank you.

20 CHAIRPERSON BENJAMIN: Nancy Sliwa.

21 NANCY SLIWA: Hi [coughs] Good evening
22 everybody My name is Sliwa, and I'm the Director of
23 Guardian Angels Animal Protection, and I'm also
24 running for Attorney General on the Reform Party Line
25 within all animal rights platform, and I'm here to

2 speak on behalf of having an independent animal--
3 [coughs] sorry--welfare agency in New York. Currently
4 at this point we have the city shelters that are
5 being run as kill shelters, and they're--they're
6 funded over \$20 million per year, and I think the
7 biggest issue as to why they remain kill shelters is
8 because there's no oversight. There's no singular
9 organization that's actually guided with the focus of
10 maintaining the life of the animals. [coughs] So
11 there's more than enough money. There's more than
12 enough agencies working, and right now the Animal
13 Care and Control is about to get a renewed 34-year
14 contract that has been admittedly not even reviewed
15 by any of the members of the Council, and how
16 something like that could go through in my opinion
17 would have to be because there is no singular agency
18 that's overseeing the animal welfare. Right now we
19 have the--one of the biggest issues with why they
20 continue to euthanize healthy animals is
21 overcrowding. So, now again, without having a
22 singular focus without keeping in mind that you need
23 to keep the populations down they've never made that
24 part of their agenda. So, they're not going out. So,
25 as a--a little bit of a visual example here, this is

2 one of the—the rescue cats that I have, and this cat
3 is from an outdoor colony, and this cat is actually
4 part of what—what would go on with—with all the cats
5 that live out doors currently. There are people who
6 are feeding cats, and the law permits you to—to feed
7 the cats and care for the cats, and actually
8 criminalizes those who prevent you from doing that.
9 The problem is the laws are so scattered, and there's
10 no agencies for people to turn to. So, when they're
11 doing this for years on end, and someone comes up to
12 them who happens to have some right over the land or
13 maybe the cats happen to walk somewhere, they have no
14 recourse, and they have no one to go to. The cats
15 being there, another positive of them is that they're
16 useful for rat eradication. Now again, without
17 having a singular animal agency, that's never been
18 put into play as a program, but in Chicago there's a
19 program called Cats at Work, which is exactly what
20 they do with the—the feral cats that are brought in
21 shelters, which otherwise would be euthanized because
22 they're considered unadoptable. They have a six-
23 month waiting list for these cats. That's how much
24 of a demand they are. These cats will go into other
25 residences like back yards or they'll go into

2 businesses. That's another reason why for instance
3 even having the Department of Health, they banned
4 having cats in bodegas. [bell] Those are just so
5 familiar. I mean they're--they're willing to take the
6 fact that they might get a fine because they realize
7 it actually makes more sense than having the rats run
8 around. And just one final point. This is being
9 done in the Javits Center and throughout community
10 gardens. This is, you know, more formalized, but a
11 few years ago, there was a law being passed to save
12 \$200,000. That's one percent of the--the budget going
13 to Animal Care and Control, would work toward
14 actually spaying and neutering the feral cats. It
15 was approved unanimously, and with one veto Cuomo
16 took it off the table, and like that it--it doesn't
17 exist any more. That actually attacks the problem
18 and that's what's needed. Thank you for your time.

19 CHAIRPERSON BENJAMIN: Commissioner
20 Fiala.

21 COMMISSIONER FIALA: Thank you, Mrs.
22 Sliwa, first of all, thank you for wearing the red,
23 and being part of an organization that's helped the
24 city a lot over the years. Secondly, this is our
25 fifth hearing--

2 NANCY SLIWA: [interposing] Sixth.

3 COMMISSIONER FIALA: --in recent weeks,
4 and this is one of the emerging themes that we have
5 heard over and over and over again. So, the passion
6 is to be applauded. The question I have--

7 NANCY SLIWA: [interposing] Uh-hm.

8 COMMISSIONER FIALA: --because what we
9 have to do is start to think about the art of the
10 possible and what is an appropriate charter
11 recommendation--

12 NANCY SLIWA: [interposing] Uh-hm.

13 COMMISSIONER FIALA: --right. So,
14 process wise are you aware of any legislative fix?
15 Is the City Legislature or is it the State
16 Legislature or any bill in the Senate or the
17 Assembly? Any issue being advanced in the City
18 Council that could address a portion of this or all
19 of this?

20 NANCY SLIWA: Well, one thing I know that
21 is--there's one--one thing that's being pushed through
22 to say that every single pet store would have to have
23 shelter animals. So, you can't have any breeder
24 animals. That's one way to sort of start clearing
25 the shelters a little bit. So, that's a particular

2 focus and objective, and like I said, the idea that
3 the Javits Center actually did bring feral cats to
4 actually use it instead of putting down the rat
5 poisons, which currently are being distributed
6 throughout neighborhoods, playgrounds. I mean
7 animals are getting sick, people are getting sick.
8 There's a lot of secondary environmental effects that
9 happens from putting down all these poisons in mass.

10 COMMISSIONER FIALA: Okay. Alright,
11 thank you for this application.

12 NANCY SLIWA: Thank you.

13 CHAIRPERSON BENJAMIN: Any further
14 questions? Thank you very much.

15 COMMISSIONER ALBANESE: I have one, yeah.

16 CHAIRPERSON BENJAMIN: Oh, I'm sorry.
17 Sal.

18 COMMISSIONER ALBANESE: Nancy, great job.

19 NANCY SLIWA: Thank you.

20 COMMISSIONER ALBANESE: Great testimony.

21 NANCY SLIWA: Thank you.

22 COMMISSIONER ALBANESE: Your passion is
23 important on this—on this issue because, you know,
24 for years this has been swept under the rug and
25

2 buried in the Department of Health is the police
3 (sic) of animal welfare--

4 NANCY SLIWA: Uh-hm.

5 COMMISSIONER ALBANESE: --and we've heard
6 from so many people now, and it's becoming etched in
7 our consciousness, but the--the issue you--that you
8 raised regarding feral cats, I mean the city could
9 save a ton of money if they used them instead of
10 spending, you know, millions on rat--rat poison.

11 NANCY SLIWA: [interposing] I mean de
12 Blasio I think has in the past maybe four years has
13 been like close to \$15 million and these are all
14 singular focuses that maybe will eradicate a rat, you
15 know, in a certain area for a moment, but again, the--
16 the--if they keep on populating, it doesn't address.
17 I mean it's too much money, and then it's also just
18 the toxins itself. We already have the cats out
19 there. I mean the fact that it's being done
20 throughout the United States you would think New York
21 would be much more progressive when it comes to
22 animal issues on this.

23 COMMISSIONER ALBANESE: And you just
24 pointed out that the Javits Center--

25 NANCY SLIWA: [interposing] Correct.

2 COMMISSIONER ALBANESE: --has
3 successfully used, you know, cats to--

4 NANCY SLIWA: [interposing] Correct.

5 COMMISSIONER ALBANESE: --to get rid of
6 rats.

7 NANCY SLIWA: And there are community
8 gardens throughout the--the city as well. So, I mean
9 I think it's just the more formalized that this
10 becomes, the easier it will become for people to
11 start implementing it as a plan.

12 COMMISSIONER ALBANESE: How would that
13 program work with the feral cats? If you can just
14 quickly describe it.

15 NANCY SLIWA: Well, I mean, yeah. Like
16 for instance with the--the cats that are in the
17 shelters right now or the ones that are just
18 existing, you know, within a neighborhood, what you
19 need to do is you need to spay and neuter them.
20 They're very territorial. They stay in the area as
21 long as they're being fed on a regular basis. So,
22 you create a little housing unit for them. These are
23 healthy cats. They've all been vaccinated. You
24 know, they're not procreating so they're not adding
25 to the population, and then it also creates the

2 opportunity for keeping the population down in
3 general because when people make the mistake of
4 removing cats from an area because they think they're
5 a nuisance, it creates a vacuum, and now other ones
6 come in then over-populate. So, you never address
7 the problem by just trying to rid the cats.

8 COMMISSIONER ALBANESE: Thank you.

9 NANCY SLIWA: Thank you.

10 CHAIRPERSON BENJAMIN: Thank you very
11 much. Mr. Sliwa.

12 CURTIS SLIWA: Thank you. I come here
13 tonight as the New York State Reform Party Chairman.
14 I want to applaud what happened with charter revision
15 back in the early '90s. You took the wrecking ball
16 to the Board of Estimate that den—the den of
17 corruption. You got rid of it, right? You got rid
18 of the City Council President. You know, that guy
19 Andy Stein thought he was going to be president.

20 [laughter]

21 CHAIRPERSON BENJAMIN: Not then we
22 didn't. That was later.

23 CURTIS SLIWA: [laughs] But anyway, he
24 thought he was going to be president, and then all of
25 a sudden a replacement came about because we had to

2 continue the line of patronage. So, we created the
3 position of Public Advocate. Did we the citizens
4 vote on it? Did anybody vote on that? With a \$3
5 million budget. A Public Advocate makes about
6 \$165,000 a year and has no power. They're impotent.
7 No subpoena power, no investigatory powers. So, if
8 NYCHA is screwing up because we know they are, what
9 does a Public Advocate say to NYCHA? Stop it or I'll
10 issue a press release. They laugh at the Public
11 Advocate. They're powerless, and we know that the
12 Public Advocate position is useful. Ask Marguerite.
13 Ask the present Mayor, ask Tish James. It's a
14 launching pad to run for a higher office at
15 taxpayers' expense. So, we have this position that
16 exists, and then once a year they put out a list of
17 the 100 worst draconian landlords. They have a big
18 press conference, right, and okay they're bad guys.
19 Then all of a sudden they're running for higher
20 office [coughing]. Who is the first one that they're
21 wining and dining and pocket-lining, but these
22 draconian Dracula landlords. The sanctimonious
23 hypocrites that they are. I would suggest that we
24 actually put this up for a vote initiative and
25 referendum. Let the people vote. Do we want to

2 continue the position of Public Advocate, which I
3 call a Fugazi (sp?) position? It's just a launching
4 pad to run for office at taxpayers' expense or do we
5 actually want to give the Public Advocate whoever she
6 or he is, the Wapos (sp?), the Culions the power to
7 do something? Now, if Tish James beats you Nancy and
8 the rest of the folks running to become the next
9 State Attorney General, guess what? There's going to
10 be 40 maybe 50 people trying to get 4,000 signatures
11 to run in a non-partisan election to become
12 temporarily the public advocate. We have a very
13 unique opportunity since the city will be focused on
14 that position to say either give the people the right
15 to do away with it or make it a position of power.
16 So that a Mayor doesn't walk around saying, I don't
17 have to worry about a public advocate. It's a
18 toothless tiger. How about actually giving some
19 teeth to the tigress or the tiger who becomes the
20 next public advocate or let us the people vote it up
21 or down and issue a referendum and get rid of this
22 fake, phony fraudulent Fugazi position the way it
23 exists.

24 CHAIRPERSON BENJAMIN: Thank you, Curtis.

25 Are there any other—Steve.

2 COMMISSIONER FIALA: That's by you. Mr.
3 Sliwa, let me also thank you as a founder for wearing
4 the red. I was up in Albany a few months ago and
5 someone was telling me they are bringing you guys up
6 there. Let's—I've got two questions for you
7 regarding tonight's testimony, and I have a question
8 regarding your testimony. I believe it was in the
9 Bronx if I recall correctly.

10 CHAIRPERSON BENJAMIN: Brooklyn.

11 COMMISSIONER FIALA: Brooklyn. With
12 respect to the Public Advocate, this is a topic we
13 have debated ad nauseam, and the people at one point
14 did determine they wanted the office. Do you think
15 that's sufficient? That was a—I—I grant you that was
16 a while back, but do you think that plebiscite was
17 sufficient where this commission should make a
18 determination as to whether or not the offices of
19 Borough President and Public Advocate should be
20 funded independently of having to go to the Mayor and
21 the City Council? In other words, insulate them from
22 that as they've requested, and was that a sufficient
23 statement on the part of the people. They wanted the
24 office. Therefore, this commission should look at
25 providing teeth, more substantial teeth and providing

2 a more meaningful role for the Public Advocate and
3 the Borough Presidents?

4 CURTIS SLIWA: That—well the key is a
5 public advocate, everyone assumes oh, they have
6 oversight. Well, what oversight do they have? They
7 can't do anything. They can't tell the NYPD hey look
8 you're going to have to answer some certain
9 questions. You know what O'Neill tells the Public
10 Advocate: F you, like all the commissioners do.
11 Have you ever seen any of the commissioners cooperate
12 with any attempt at an investigatory situation that
13 the Public Advocate has launched? So, the key is
14 give the position teeth but explain to the people
15 exactly what a Public Advocate cannot do because all
16 thy do is cut ribbons and they run for higher office
17 on our dime.

18 COMMISSIONER FIALA: Okay, thank you and
19 the second question. I'm going to read you
20 something. I pulled my notes as I—as I—I've—I've
21 done throughout this from my last Charter meeting.
22 The current system of local elections is a disaster,
23 but non-partisan elections make voters less likely to
24 vote and create less competitive local races. That
25 was the Wall Street Journal in 2010. Do you agree

2 with that assessment? And finally, you're the chair
3 of a duly organized party of this state. What makes
4 the Chairman of a party come out and ask for an
5 election reform that at the local level will
6 essentially diminish the role of the Reform Party?

7 CURTIS SLIWA: To me it should put me out
8 of business. I won't be a Chairman. I won't be like
9 Crowley or who's in all that trouble in Brooklyn now?
10 Setteo (sp?) No, we'll have no power, and that's the
11 way it should be and most importantly non-partisan
12 elections will give people an opportunity to run who
13 don't have two nickels to rub together. And the Wall
14 Street Journal, the Journal with the rich, the
15 powerful, the people who have means who are the
16 biggest lobbyists and the biggest purchasers of
17 democracy of anybody. I consider the Wall Street
18 Journal the kind of publication when he talks about
19 true democracy and letting the people's voice be
20 heard. The only people's voices they want to be
21 heard are the very rich and wealthy who already have
22 a stranglehold on New York City. [applause]

23 CHAIRPERSON BENJAMIN: Jazz hands,
24 please.

25 SERGEANT-AT-ARMS: Thank you.

2 CHAIRPERSON BENJAMIN: Jazz hands.

3 COMMISSIONER FIALA: Thank you, Madam.

4 CHAIRPERSON BENJAMIN: You're welcome.

5 Are there any other questions of our Reform Party
6 Chairman?

7 CURTIS SLIWA: Thank you very much.

8 CHAIRPERSON BENJAMIN: Thank you. The
9 next panel is Illia Swartenberg. Are you here?
10 [background comments] Michelle Jackson. Okay.
11 Tousif Asan (sp?) Mary Luke, John Lee Compton. Mr.
12 Compton are you here. Brenda Levin. [background
13 comments] I need—okay, I need three more. Alicia
14 Byer. Is she here? From MTOPP. Excuse me.

15 ALICIA BYER: Yes, that's me.

16 CHAIRPERSON BENJAMIN: Okay. Boyd.

17 [background comments] Okay, Kyle Bragg. Okay, 3,
18 4, 5. We have another chair left, and Ed Hartzog.
19 Ms. Jackson. You mic's not on.

20 MICHELLE JACKSON: There we go, there we
21 go. Good evening. My name is Michelle Jackson. I'm
22 the Deputy Executive Director for the Human Services
23 Council. I'm submitting testimony on behalf of HSC
24 as well as well Lawyer's Alliance. HSC represents
25

2 about 170 Human Services non-profits in New York City
3 as the fight--

4 CHAIRPERSON BENJAMIN: [interposing]
5 Would you pull the mic closer, please?

6 MICHELLE JACKSON: Yes. I have testified
7 in front of many--many of you before, the issues won't
8 be much of a surprise. I want to thank you for
9 staying so late, Commissioners and providing me the
10 opportunity to testify. We're here to talk about
11 Human Services Procurement, which you've heard about
12 already this evening. So, I won't rehash a lot of
13 that except to say we support the recommendations of
14 Council Member Rosenthal, Comptroller Stringer, and
15 then also one of our organization NYLAG testified
16 earlier. The procurement process is an important
17 mechanism for New York City. Human Services
18 contracts are part of that procurement process, and
19 the extreme delays and underfunding that those
20 contracts have create real delays in how non-profits
21 are able to deliver quality services for our
22 community. In addition to recommendations that were
23 already brought up like paying interest, which could
24 be part of the City Charter on like contracts, we
25 also think that the Mayor's Management Report should

2 shed light on the last contracting practices by
3 having to every year show when payments are made and
4 when contracts are registered. That used to be part
5 of the Mayor's Indicator Reports, and that has kind
6 of gone by the wayside. So, we'd like to see that
7 brought up. The PBV should be required to meet four
8 times a year with a public hearing because we think
9 that would allow more changes to be made where they
10 should be, not in the Charter, but in the Procurement
11 Policy Board around some of the nuances, and I also
12 want to bring up some ways to deal with the
13 underfunded as opposed to just the late registration.
14 Right now, Request for Proposals do not—can set rates
15 in some of those Human Services contracts, but
16 there's no justification for those rates so we think
17 Request for Proposals should have to include sample
18 budgets where the city agencies actually have to
19 explain how they arrive at the rates that they're
20 using on Human Services contracts so that there's
21 some sense to that, and we also think that there
22 should be a survey of vendors required before a new
23 RFP—if a new RFP, you know, is being based off an old
24 one they should have to do a survey of the current
25 vendors to see how that contract is going. Are

2 outcomes being met? Are the rates of service priced
3 appropriately so that there's more light shed on how
4 city agencies develop both the program design as well
5 as the rates that are on those contracts. There's
6 much more detail in my testimony where we think
7 language could go and about capital appropriation and
8 some other things, but I-I will stop there. Thank
9 you so much.

10 CHAIRPERSON BENJAMIN: Thank you very
11 much, Ms. Jackson. Are there any questions? Thank
12 you. Tousif Asan. (sp?)

13 TOUSIF FASAN: Hi. It's Tousif.

14 CHAIRPERSON BENJAMIN: Tousif. That's
15 good. Sorry.

16 TOUSIF ASAN: No problem. So, good
17 evening. My name is Tousif Asan. I am the Civic
18 Engagement Coordinator for the New York Public
19 Interest Research Group, NYPIRG and I'm delivering
20 this testimony on behalf of our Program Director
21 Megan Ahern. We appreciate this opportunity to share
22 our thoughts on proposed revisions to the New York
23 City Charter. The federal government has at best
24 demonstrated inaction on some of the most pressing
25 issues facing Americans today, national political

2 leadership is taking away access to healthcare,
3 affordable higher education and environmental and
4 public health protections. Fortunately, the New York
5 City Charter Revision process is an excellent
6 opportunity to strengthen our city and its citizens
7 from some of these attacks. We have submitted a
8 longer written testimony and plan to offer more
9 detail as the process continues. I will now
10 summarize our top recommendations to the Commission.
11 The Mayor's Charter Revision Commission advanced
12 proposals to strengthen New York City's democracy.
13 However, the 2018 Commission did not advance
14 important items that we urge the 2019 Commission to
15 consider. NYPIRG's recommendations to strengthen our
16 democracy and civic empowerment are detailed again in
17 our written testimony. So, please refer to it. As
18 you consider changes to the Charter, there can be no
19 doubt that the single biggest challenge facing the
20 work is climate change. NYPIRG recommends the
21 establishment of a environmental oversight entity
22 modeled on the successful Independent Budget Office.
23 While NYPIRG believes that the city has made laudable
24 pledges and is committed to success, Washington, D.C.
25 has shown how quickly science based policies can be

2 undermined by a determined ideological anti-science
3 agenda. We propose the crated of an independent
4 environmental oversight office, which would be tasked
5 with ensuring that the city is meeting its
6 environmental pledges. On mass transit as New
7 Yorkers well know, MTA service continues to get work
8 costing New Yorkers time and money. Despite its
9 importance, precious little about mass transit is
10 included in the Charter NYPIRG recommends that
11 Chapter 71 of the Charter dramatically strengthen
12 reporting requirements so that New Yorkers have a
13 tool to reliably report and track poor service.
14 NYPIRG also recommends that the Charter require the
15 DOT to grant priority to buses on city streets by
16 expanding transit signal priority and vastly
17 increasing the number of dedicated bus lanes, and
18 transit only corridors beginning with bus routes with
19 the highest ridership. Moving on to financial
20 security, NYPIRG recommends that the Commission
21 explores ways to support a municipal public bank.
22 NYPIRG is a member of Public Bank NYC a broad based
23 coalition fighting for the creation of a public bank
24 chartered to serve the public interest. Public
25 banking is a strategy to advance racial, economic and

2 environmental justice by divesting public deposits
3 from private Wall Street banks and instead investing
4 in a municipally controlled [bell] and publicly
5 accountable bank. And finally, on higher education,
6 the Charter develops wide ranging for education in
7 New York, but says little about education beyond K-
8 12. NYPIRG recommends a new Chapter specifically
9 ensuring that resident students attending the City
10 University of New York have as much financial support
11 as possible. Thank you for the opportunity to
12 testify.

13 CHAIRPERSON BENJAMIN: Thank you very
14 much, Mr. Asan. Oh, Alison.

15 COMMISSIONER HIRSH: Sorry. This is more
16 of a--thank you very much for your testimony. This is
17 more of a request I guess than a question. I think--I
18 find the idea of a public bank, a municipal bank to
19 be pretty intriguing, and I was wondering if you
20 could be sure to submit, if you have any materials or
21 information about why the city can do that, how it
22 would do that, how it creates more--or decreases
23 income inequality in the city and provides more
24 access for low banked communities, that would be
25 great.

2 TOUSIF ASAN: Yes, it's a very exciting
3 idea, and actually we have some coalition members
4 here present tonight, and I'm sure that they'll
5 expand on that, but yes, we will have as many
6 materials as you need to do the research that you
7 want to do.

8 COMMISSIONER HIRSH: Thank you.

9 CHAIRPERSON BENJAMIN: Thank you very
10 much.

11 COMMISSIONER ALBANESE: I—I have a
12 question. Yes.

13 CHAIRPERSON BENJAMIN: Oh, I'm sorry. Go
14 ahead

15 COMMISSIONER ALBANESE: Has NYPIRG given
16 any thought to the city taking over its mass transit
17 system? You know, the Governor says that we own it.
18 He says you own the system and the State Constitution
19 allows—allows the city as a municipality to under the
20 Home Rule Law to pass laws regarding property that—
21 that it owns including transit facilities. Has
22 NYPIRG given any thought to that?

23 TOUSIF ASAN: I would need to speak to my
24 colleagues about that. I know that we have a very
25 robust transit campaign, but I can't give you a

2 definitive answer on my question right now. We will
3 be around for further hearings. So, we look forward
4 to continuing this conversation with you.

5 COMMISSIONER ALBANESE: And I noticed,
6 you know, Chicago runs their own transit system and
7 they—they have invested in that system and 90% of
8 Chicagoans are thrilled with their mass transit
9 system, which is amazing because people they complain
10 about it all the time. Ninety percent according to a
11 recent survey. So, you know how people feel about
12 our transit system in New York City

13 TOUSIF ASAN: Yeah, they don't have the
14 best things to say.

15 COMMISSIONER ALBANESE: I'd love to hear
16 NYPIRG's opinion on that.

17 TOUSIF ASAN: Yeah, we're—I was unaware
18 of that, but like I said, I'd love to continue this
19 discussion.

20 CHAIRPERSON BENJAMIN: Any other
21 questions. Thank you, Mr. Asan. Mary Luke is the
22 next speaker.

23 MARY LUKE: Good evening. Thank you so
24 much for this opportunity to speak before the
25 Commission on the City Charter Revision. My name is

2 Mary Luke, and I am with the New York City CEDAW Act,
3 and the Metropolitan New York Chapter of UN Women.
4 Our mission is to expand the participation of women
5 in government in all sorts of—in all walks of life,
6 and economic development, access to education, and
7 ensure the safety and protection of women. Women's
8 empowerment, equal opportunity for women has been my
9 life's work both in the west and globally, and I have
10 to say I've worked in about 35 countries, and I've
11 seen how women and girls especially suffer because
12 they don't have the same opportunities for education,
13 for healthcare. They are tortured, raped. I mean it
14 is incredible what women go through in different
15 countries. Here I've been in New York for four years
16 and I thought that things were different, but I am so
17 surprised and disheartened. Social Services knows
18 all about it that women in New York also suffer from
19 discrimination and injustices. Here in our own city
20 women heads of households especially remain
21 disproportionately affected by poverty. Black women
22 have children earlier than other women so they're
23 premature and they have higher death rates due to
24 childbirth. Children who live in different parts of
25 New York in different neighborhoods have different

2 access to education, which definitely
3 disproportionately affects girls. Women earn
4 significantly less than men especially Black and
5 Latino women and New York City has higher rates of
6 sexual abuse and violence against women, and women in
7 this case includes trans women, gender non-
8 conforming, LGBT. So, there are major problems that
9 affect women in this city. Women in New York City
10 need equal rights, human rights and protection from
11 discrimination and violence. We so appreciate
12 Councilwoman Helen Rosenthal's earlier suggestion to
13 put CEDAW into the Revised City Charter. What would
14 that do? That would protect women from all forms of
15 discrimination, promote gender equity, defining
16 gender discrimination—Gender discrimination, which
17 really recognizes all women. [bell] Women's lives
18 are affected by the policies and programs in the city
19 and women' voices must be heard. So, I have just
20 three quick recommendations in addition to—

21 CHAIRPERSON BENJAMIN: [interposing]

22 Quickly.

23 MARY LUKE: CEDAW as a bill of rights for
24 women that women's voices need to be included in the
25 planning and evaluation of programs with gender

2 disaggregated data. That gender responsive budgeting
3 must be included as part of the budgeting process and
4 that there must be gender parity in the appointment
5 of commissions and boards. Thank you very much.

6 CHAIRPERSON BENJAMIN: Thank you very
7 much. Are there any questions for Ms. Luke? Thank
8 you very much, Ms. Luke. The next speaker is Alicia
9 Boyd.

10 ALICIA BOYD: Oh, now I see. Okay. Hi.
11 My name is Alicia Boyd, and I represent the Movement
12 to Protect the People, Flower Levels Against
13 Corruption and ban the Anti-Gentrification Network.
14 As you can hear by those acronyms, I'm very much a
15 lawyer in my community, and I am part of a grassroots
16 movement in my community to protect us from real
17 estate developers and rezonings and the ULURP
18 process. However, what I wanted to talk about today
19 is sitting here in Manhattan—I come from Brooklyn.
20 You know, we all are talking about the ULURP process
21 and how a lot of development, people want to go
22 through the process of the ULURP, the ULURP process
23 because then here comes your elected officials and
24 here comes, you know, the voices in the community.
25 But right here in Brooklyn we have a ULURP process,

2 and yet our voices are completely disembowed. Our
3 elected officials do not show up at our meetings.
4 They do not meet with us. We have a community board
5 that does not have a district manager. We haven't
6 had one for three years. We had—for two years we had
7 a real estate lobbyist that was being lobbied by the
8 real estate industry. We filed seven lawsuits
9 against the Community Board. One was just to get the
10 Bylaws. The other one was so that we could be
11 notified of meetings and, you know what? When we
12 went to the courts, the Court counsel said that
13 community boards do not have to abide by the Meetings
14 Law. So, we did some research. In 1989, the City
15 Charter Commission said no, that's not true. There
16 should be sunshine on the committees, and we produced
17 that in a court of law, but then we found out that
18 court counsel actually has an opinion that says that
19 they should abide by the Open Meetings Law. But guess
20 what? My community boards does not abide by the Open
21 Meetings Law. Seven lawsuits. Two are now on
22 appeal, four were upheld, one we let go of. This is
23 my community boards in Brooklyn because you know why?
24 Because we're a community of color. So, we are
25 really at a disadvantage just being a community of

2 color. So, when we talk about community boards, when
3 we talk about white affluent community boards, a lot
4 of them that spoke here today they're all talk about
5 oh, yes, we want the ULURP process. We don't want
6 anything of the ULURP process. We don't want a ULURP
7 process at all. You know why? Because once we give
8 a request to the Department of City Planning, they
9 take any recommendation that we have and they put it
10 in the garbage. Five rezonings and five communities
11 of color. Every community board said no to those
12 rezonings and now there's active displacement. Four
13 years ago, we were supposed to be rezoned. We
14 stopped the rezoning by screaming and hollering and
15 protesting and getting arrested for things that we're
16 supposed to do, but we were supposed to be modeled
17 after East New York. East New York now has the
18 highest rate of development in Brooklyn and a massive
19 amount of displacement. So, when were talking about
20 the ULURP process, we need to be talking about how is
21 ULURP process going to actually empower communities
22 of color? Where does that happen? And one of the
23 ways it can happen is by the enforcement of the City
24 Charter. Maybe the City Charter should have it
25 within their law that community boards have to, must

2 abide by the Open Meetings Law. That one simple
3 sentence. That way when I go to court and I put it
4 up in front of the judge and I put it up in front of
5 Court Counsel, it's right there in the Charter, but
6 you don't have that in the Charter. Put that in the
7 Charter. Let us hold our community boards
8 accountable to the laws that currently exist on the
9 books by enforcing and also possibly penalizing them.
10 Why should my community be without a district manager
11 for three years going on four? Why? Also, we're not
12 getting our services because we don't have a district
13 manager making \$200,000 every year, and they're
14 sending back \$100,000 every year because we don't
15 have a district manager. Who's—who's overseeing
16 that? Who's watching that? Who's making sure that
17 that doesn't happen? No oversight of community
18 boards and community boards in color. So, what we're
19 asking is that there will be something with the City
20 Charter that demands that community boards have to
21 follow the rules and regulations and that there will
22 be a statement. Please put a statement in:

23 *Community boards must abide by the Open Meetings Law.*

24 CHAIRPERSON BENJAMIN: Thank you very
25 much. May I ask you a question?

2 ALICIA BOYD: Thank you.

3 CHAIRPERSON BENJAMIN: May I ask you a
4 question?

5 ALICIA BOYD: Yes.

6 CHAIRPERSON BENJAMIN: Two things
7 actually. One the borough president has the role of—
8 of both appointing people to the community boards,
9 and oversight of the community board, and do you
10 think that role has been appropriate?

11 ALICIA BOYD: Well, we have—we took our
12 borough president Eric Adams to court, and is now on
13 appeals because he violated the City Charter because
14 he wanted to control the community board. So,
15 instead of having his 50% share, he put 75% shares
16 right there in writing. So, yeah, our community
17 board continues to be infiltrated by the real estate
18 industry because it's my borough president's position
19 that we should "Build, baby build." His exact
20 quotes, and so having one person who's responsible
21 for putting people on the board keeps all of that
22 power in his hands. So if it's his—I mean you're—
23 you're very lucky. You have Gale Brewer. We have
24 Borough President, you know, Eric Adams. So depending
25 upon the borough president's position then that then

2 determines who gets onto the board and then that
3 determines how the board then reacts to the
4 community, and I can tell you we are a star model for
5 it.

6 CHAIRPERSON BENJAMIN: The Council
7 Members are also electing or--

8 ALICIA BOYD: [interposing] No, they do
9 not elect. They recommend.

10 CHAIRPERSON BENJAMIN: They propose
11 members to the board--

12 ALICIA BOYD: Uh-hm.

13 CHAIRPERSON BENJAMIN: --and have you had
14 a different experience with those members?

15 ALICIA BOYD: I will give you an example.
16 There was one woman who was on our community board.
17 She was fighting for us. She was a Vice--she was the
18 Vice Chair. She was really trying to eradicate a lot
19 of the corruption that she was seeing. She was
20 recommended by our Eugene Mathieu. Not the best
21 Council Person, but he recommended her and then when
22 she pushing back and demanding that there's some
23 accountability, Eric Adams removed her. Councilman
24 Eugene said no, I want her on there. She got removed
25 because she had the nerve to open up and say this

2 board has to behave correctly. They have to listen
3 to the community. They cannot violate the law. She
4 was gone. This is my board. You got to come visit
5 us sometime.

6 CHAIRPERSON BENJAMIN: How do you know
7 that I haven't?

8 ALICIA BOYD: [laughter] Well, we
9 normally, yes. We are really a notorious board.

10 CHAIRPERSON BENJAMIN: And last, but not
11 least, do you believe that the proposal that is going
12 to be before you on this ballot this year to have
13 term limits for members of the community board would
14 be helpful to your situation or it won't matter?

15 ALICIA BOYD: In our case, it will not
16 matter--

17 CHAIRPERSON BENJAMIN: Okay.

18 ALICIA BOYD: --and-and I just--can I just
19 say just one thing about that. As long as you allow
20 one person to continue to choose the people on the
21 board, you will never get diversity.

22 CHAIRPERSON BENJAMIN: Okay.

23 ALICIA BOYD: By allowing possibly the
24 Council people to appoint not just recommend, at
25 least you're guaranteed to put a little diversity in

2 there, but as long as one person makes that control,
3 whatever that person wants, that person gets.

4 CHAIRPERSON BENJAMIN: Okay. Thank you
5 very much. Are there other questions?

6 ALICIA BOYD: Thank you.

7 CHAIRPERSON BENJAMIN: Thank you, Ms.
8 Boyd. Kyle Bragg.

9 KYLE BRAGG: Oh, okay. Good morning. I
10 mean excuse me, Commissioner. [laughter] Good
11 evening Commissioner Chair Benjamin, and Commission
12 Members. My name is Kyle Bragg. I'm the Secretary-
13 Treasurer of SEIU 32BJ. On behalf of our 85,000
14 members in the city, thank you for holding these
15 hearings and for giving your time and expertise to
16 this important process. Colleagues of mine have
17 appeared at earlier sessions you held in Bronx and
18 Brooklyn to discuss how the City Charter can be
19 amended to ensure the city's Land Use and procurement
20 policies help to create good jobs and strong
21 communities. These issues are further addressed in
22 written testimony submitted to the commission.
23 Rather than expand upon these proposals I instead
24 used my time to emphasize my creation of good jobs
25 should be a key priority of the Commission's work.

2 The city has done much in recent years to combat
3 poverty, successfully lowering the percentage of New
4 Yorkers who experience economic hardship to below
5 pre-financial crisis levels. However, far too many
6 New Yorkers still struggle in the city with one of
7 the nation's highest cost of living and rents that
8 have soared at rates far outpacing wages. The facts
9 show that in New York City neither having an
10 education or a holding down a job are safeguards from
11 experiencing poverty. High school and college
12 graduates in New York are both more likely than it
13 appears nationally to be living in poverty while 1 in
14 3 poor New Yorkers above 16 years of age are
15 employed, alarmingly these figures come at a time
16 when the city's unemployment rate is at its lowest
17 point on record. We simply cannot trust that the
18 jobs that the market creates will be sufficient to
19 support a life of dignity and hope that all New
20 Yorkers deserve. We must look broadly at the forces
21 that drive down wages to poverty levels and ask
22 ourselves whether we are using all the options
23 available to provide a counter balance. The
24 property—the property service industry in which our
25 members work is a prime example of where such forces

2 can persist. When using low-bid contractors for
3 security, janitorial and other building service work
4 encourages a race to the bottom and labor standards
5 that suppresses wages and deters any benefits from
6 being offered. Fortunately, it is also an example as
7 our submissions describes of an industry in which the
8 City can effectively intervene to support quality
9 jobs through fair and more accountable procurement
10 and land use policies. The City Charter—Charter
11 establishes the framework for both of these domains,
12 and should be amended to ensure that quality job
13 standards are required when public dollars are being
14 spent and the city land is being disposed of as well
15 s being central priority in all land use decisions.
16 Thank you again for the opportunity to testify here
17 this evening on behalf of the union members, and I
18 offer the Commissioner our fullest commitment to
19 further engage on these issues. If you have any
20 questions about the specifics I propose, I am happy
21 to take questions or follow up with further details.
22 Thank you very much. [bell]

23 CHAIRPERSON BENJAMIN: Great timing.

24 Thank you, Mr. Bragg. Are there any questions?

2 Thank you very much, and the last speaker on this
3 panel is Ed Hartzog-Hartzog.

4 ED HARTZOG: Thank you, Chairwoman
5 Benjamin and Commissioners for the opportunity to
6 speak tonight. My name is Ed Hartzog. I am the Co-
7 Chair of the Housing Committee on Community Board 8.
8 I am here in my own personal capacity while I do
9 support the previous testimony of my fellow board
10 members and my Chair. I come here tonight as someone
11 who has spent a great deal of time in government. To
12 give away my age, when I was 14 years old, I remember
13 as Senate Paige watching John Tower and Hubert
14 Humphrey walk arm-in-arm off the Senate floor. We
15 are not sadly at that point now, and I'm very
16 concerned for-not to sound Pollyannish because I have
17 a great deal of salt having been in politics and
18 around it for most of my life, but I am very
19 concerned, and I'm very happy to be here in front of
20 the this Commission because as someone with a long
21 background in this area I could tell you right now in
22 listening to my panelists and others before us, the
23 perception in New York City is the fix is in. The
24 fix is in and I-I the place where I also work as an
25 attorney, and I worked as an election attorney, the

2 place where I sometimes work across the street, above
3 the doorway it say: *The true administration of*
4 *justice is the firmest pillar of good government.*

5 And when the fix is in and when people believe that
6 the fix is in, government goes by the way, and people
7 no longer listens to their leaders, and they take
8 matters into their own hands and that is not a good
9 idea. So the suggestions I have for you tonight, and
10 I'll go very quickly and allow you to question me
11 about them are in that vain. One, in terms of
12 selection of community boards Gale Brewer, Scott
13 Stringer, who initially put me on this board and
14 continue to put me on Community Board 8, have, I
15 believe, the gold standard for selection of community
16 board members. It is a double blind process. I also
17 believe that all community board members should not
18 be subjected to, as I hear recently, litmus tests by
19 their Council Members. I.e. will you vote this way?
20 Will you vote that way? We don't do that for Supreme
21 Court nominees. We shouldn't do it for community
22 board members. Second, I also believe that we
23 should no longer have the idea of term limits. We
24 should not have limits in any way, shape or form.
25 However, and I can tell you the turnover on Community

2 Board 8 within the last eight years is 56%. So,
3 it's—the idea of term limits is a solution, a
4 searchable problem. It's not a problem in my
5 personal opinion. I do believe, though, that we
6 might institute that we have, which is term limits
7 for our officers. That kind of turnover at the top I
8 think is a good idea. Third, as Co-Chair of the
9 Housing Committee, I would like—it's a wish list of
10 mine—the subpoena power for us to get lawyers back in
11 front of us for affordable housing applications. I
12 hear it all the time. We cannot get lawyers to come
13 back in front of us. They do not adhere to Rule 3.3
14 of Part 1200 of the Rules of Professional
15 Responsibility. There is nothing that makes them
16 come back, and they change their applications all the
17 time. As you heard the previous panel talk about,
18 the 275-foot building that turned into 775 feet, it's
19 all the time. [bell] If you allow me to just finish,
20 I'll go very quickly. Second, the BSA, I would
21 suggest that the BSA be allowed to have additional
22 members appointed by the borough president, and those
23 would be community board chairs. Okay. Fifth, I
24 also think that in terms of campaign we should have
25 resources for our locations. It is a conflict of

2 interest in our community board. I only speak
3 personally. We have large institutions. We are
4 walking around begging for space. We then hear
5 applications from the very same institutions and
6 players who we then decide on. So, they could say
7 theoretically, Hey, you didn't rule so great on us.
8 We're not going to give you any space. It sets up an
9 inherent conflict. We should be given the kinds of
10 resources and places for community to go and have
11 these hearings. A central location in the community
12 district so people can come on a regular basis. I
13 also would suggest in terms of campaign finance that
14 City Council members be precluded from soliciting
15 donations from community board members. On its face
16 it just looks terrible, and I have heard from many
17 people all around the city that there is just a sense
18 that if I do not give to the City Council member that
19 I might not get appointed, and I'm sure—and I'm not
20 saying anybody is doing that. All I'm saying is the
21 appearance and the thought is there and it does not
22 look good, and it only seems to perpetuate the idea
23 that the fix is in. I know I'm done.

24 CHAIRPERSON BENJAMIN: Thank you, Mr.
25 Hertzog—Hartzog.

2 ED HARTZOG: Thank you.

3 CHAIRPERSON BENJAMIN: Are there any
4 questions. Mr. Fiala.

5 COMMISSIONER FIALA: Mr. Hartzog, thank
6 you very much for your testimony and your service. I
7 thank all of the panelists. I'm in-I'm interested-
8 did I hear you right, you know, I'm-one of my issues
9 is trying to find a way to enhance the role of the
10 borough president, which was eviscerated, but not
11 undermine the checks and balances that the '89
12 Charter put in place by making Mayoral Council, you
13 know, check and balance system. You-you suggested
14 adding and increasing the membership of the Board of
15 Standards and Appeals-

16 ED HARTZOG: [interposing] Well.

17 COMMISSIONER FIALA: --or did I hear it
18 right? Did you say that they're appoint-that-that-
19 (a) did I hear that right and (b) was your vision
20 that they would appoint from among the ranks of
21 community board chairs? So, they would one
22 appointment each, but they would have to pick someone
23 from the community board chairs in their borough?

24 ED HARTZOG: Yes, Commissioner.

25 COMMISSIONER FIALA: Okay.

2 ED HARTZOG: In however the Commission
3 would view treating the BSA. I don't want to impose
4 an idea on that, but if I may just if you would
5 indulge me, we had a case when I first got on the
6 board of an application from a large institution.
7 They win all the time in our neighborhood and for
8 once, they lost. It was an enormous fight. We
9 created a separate task force just for this notion
10 because 300 people showed up at a community board
11 member from and affected building. I happen to take
12 notice when 300 people show up at a community member-
13 a community board meeting. We voted down the
14 proposal at the community board. The institution
15 lost. I can't remember them ever losing ever. I
16 think it was the first time ever they lost. We voted
17 to disapprove the application. Someone then raised
18 the issue of well, let's now-we didn't disapprove it,
19 but we didn't vote for it I should say. So, the
20 motion was to approve. We voted it down. Someone
21 then said well let's have a motion now to disapprove
22 and then people said, well, we've been fighting over
23 this and there's no need for that, et cetera, et
24 cetera. I was new and didn't realize that we
25 actually needed that because when I got down to the

2 BSA, Counsel for the BSA looked me in the eye and
3 said, well, counselor, you know, you didn't
4 disapprove it. You just didn't approve it. So, it's
5 approved. [laughter] Now, the thing is the Mayor
6 appoints all those members. So, whether you want to
7 take some of those people off and put two members on,
8 that's something else, but yes my idea was that the
9 borough president each of them would pick from among
10 the chairs of the particular boroughs—community
11 board. So in Manhattan we have 12. So, of the 12
12 chairs that currently exist Borough President Brewer
13 would pick one of those 12 to serve, and I haven't
14 thought this through in terms of how long, but she
15 would pick one of the 12 as would each of the borough
16 presidents, pick one of the chairs to serve for a
17 period of time that you many deem appropriate, but I
18 think it at least gives people the idea that their
19 voices will be heard.

20 COMMISSIONER FIALA: Thank you.

21 CHAIRPERSON BENJAMIN: Are there other
22 questions? I thank you—this panel, and the next
23 panel, Hal Phillips. Is Mr. Phillips here? Eleanor
24 T. Fine. [background comments, pause] Julia Durante
25 Martinez, Andy Morrison. Are you here Mr. Morrison?

2 Is that you? Okay. Emily Goldstein, Paula Crespo
3 (sp?). Matt. No last name, Matt. Melissa Iacan
4 (sp?) Are you here Melissa? Derek Miles. Judith
5 Lustgarten. You're here, Judith. [background
6 comments] Is Julian Durante Martinez here? Okay.
7 Andy Morrison is here. Emily Goldstein is here,
8 Paula Crespo.

9 PAULA CRESPO: Here.

10 CHAIRPERSON BENJAMIN: And Judith
11 Lustgarten. We have one more seat and the lucky
12 winner is Grace Ramsey. [background comments, pause]
13 Michelle Campo. Martha Calber. Martha from the
14 YWCA. Howard Katzman. Great. [background comments,
15 pause] And we will start with Ms. Durante Martinez

16 JULIA DURANTE-MARTINEZ: Good evening
17 Chair Benjamin, and Commissioners and thank you for
18 the opportunity to testify. My is-

19 CHAIRPERSON BENJAMIN: [interposing] You
20 need to pull the microphone closer.

21 JULIA DURANTE-MARTINEZ: My name is Julia
22 Durante-Martinez and I work at New Economy Project.
23 I'm here tonight testifying on behalf of the New York
24 City Community Land Initiative, NYCLI, which is an
25 alliance of community base building affordable

2 housing and economic justice groups as well as
3 longstanding and emerging community land trusts
4 across New York City. Our recommendation for
5 revisions to the City Charter are as follows: The
6 first one is to include a right to housing in the
7 City Charter and the second is to prioritize public
8 benefit and community control and disposing of
9 property, which we heard a bit about earlier. To the
10 first point, New York City's residents urgently need
11 a right to housing provision in the City Charter.
12 The city is currently subject to a right to shelter
13 mandate deriving from the New York State
14 Constitution's mandate for the aid, care and support
15 of the needy are public concerns and shall be
16 provided by the state. In response, the city has
17 created one of the most extensive emergency shelter
18 programs in the nation, which is an essential safety
19 net for thousands of vulnerable New Yorkers. But
20 without an accompanying right to housing, the right
21 to shelter mandate has resulted in a shelter system
22 that has grown at an unprecedented rate. As housing
23 costs have risen faster than incomes and as
24 gentrification citywide has led to the displacement
25 of thousand of New York City households. A parallel

2 right to housing mandate in the City Charter would
3 help to reverse this dynamic by requiring the city to
4 produce new and preserve existing housing that
5 adequately meets the needs of our existing
6 population. Universal access to housing guaranteed
7 by the city must also include allotting a significant
8 share of new housing on the market for those most at
9 risk of displacement and homelessness. And on a
10 practical level, the current state of affairs has led
11 the city to allocate more than \$1.8 billion to its
12 growing shelter system, with about \$1 billion of that
13 coming directly from the City's Expense Funds. This
14 amounts to just over half of the city's total capital
15 spending on housing this year, and many times more
16 than what is invested in housing for those of
17 extremely low income, i.e., those most at risk of
18 displacement and homelessness. So our right to
19 housing framework, would also enable the city to
20 fulfill the New York State Constitution's requirement
21 to provide aid, care and support of the needy.
22 Whether or not someone has housing determines many
23 other issues including house outcome—health outcomes,
24 educational attainment, the ability to secure and
25 maintain employment and the ability to live in safety

2 and free from violence. By failing to provide a
3 right to housing we ensure the perpetuation of a
4 shelter system that destabilizes families, disrupts
5 jobs and education, exacerbates medical and mental
6 health issues, and otherwise increases New Yorkers'
7 precarity. And then to the second point of
8 prioritizing public benefit and community control in
9 disposing of property, presently this should be—
10 [bell] the City Charter requires that the city-owned
11 property be leased or sold to the highest bidder with
12 key exceptions, and NYCLI believes that public
13 benefits should prevail over profit when it comes to
14 disposition of public assets and that the city should
15 be required to consider housing needs and the needs
16 for other public facilities and all property
17 disposition, and I'll end it there since we already
18 heard about that. Thank you again.

19 CHAIRPERSON BENJAMIN: Thank you very
20 much, Ms. Durante-Martinez. Are there questions?

21 COMMISSIONER NORI: I have a question.

22 CHAIRPERSON BENJAMIN: Yes. I have a
23 question from Mr. Nori.

24 COMMISSIONER NORI: I have a six-part
25 question. [laughter]

2 JULIA DURANTE-MARTINEZ: Okay. I'll see
3 what I can do.

4 COMMISSIONER NORI: So, can you describe
5 what a right to housing would look like from a kind
6 of policy perspective. Does that mean more public
7 housing? Does it mean banning evictions as they've
8 done in certain cities around the world? What would
9 it look like?

10 JULIA DURANTE-MARTINEZ: I think it looks
11 like all of the possible tools that we have to
12 address the housing crisis. NYCLI in particular is
13 especially focused on community land trusts as a
14 promising tool to address the housing crisis, and
15 that are currently underutilized in New York
16 especially given that they do enshrine long-term
17 community control of our housing, and a participatory
18 governance structure. So, I think that is one way to
19 think about our right to housing, but NYCLI has done
20 a lot of work on—work on, but it's definitely a
21 conversation that we look forward to continuing as
22 this charter provision—the revision process advances.

23 COMMISSIONER NORI: Thank you.

24 CHAIRPERSON BENJAMIN: Reverend Miller.
25

2 COMMISSIONER MILLER: Thanks again for
3 your testimony. It seems like well factually the
4 city has gotten out of the housing business, and it
5 seems like the city has depended on the developers to
6 provide affordable housing, which again is not always
7 affordable, and these mixtures: 80% at market rate,
8 20% affordable, do you think your proposal submits
9 the possibility of the city actually getting back in
10 the housing business?

11 JULIA DURANTE-MARTINEZ: I believe that
12 deep-deep affordability is what NYCLI and I think our
13 members are looking for, and I think that is hard to
14 do without robust public support.

15 CHAIRPERSON BENJAMIN: Thank you very
16 much. The next speaker is Andy Morrison.

17 ANDY MORRISON: Whoops, uh-oh. Good
18 evening, Chair Benjamin and members of the
19 Commission. Thanks for holding this hearing. I'm
20 Andy Morrison. I'm Campaigns Director also at the
21 New Economy Project. We're an organization that
22 works with community groups across the city to build
23 a just economy based on cooperation, equity, racial
24 justice and ecological sustainability, and I'm
25 pleased to be here on behalf of Public Bank NYC,

2 which is a broad based coalition of community, civil
3 rights, racial and economic justice groups that are
4 fighting for the creation of a public bank, chartered
5 to serve the public interest, accountable to New
6 Yorkers and rooted in principles of racial and
7 economic justice. We all know that ten years ago
8 Wall Street banks brought down our economy wiping out
9 trillions in household wealth and millions of jobs
10 and the losses were disproportionately devastating
11 for people in communities of color and those
12 reverberations are still being felt in communities
13 throughout our city and yet today the big banks are
14 bigger than ever and more profitable than every.
15 Meanwhile countless low-income New Yorkers, New
16 Yorkers of color, immigrants, seniors, women across
17 the city are struggling to get by and with the Trump
18 Administration's dangerous gutting of regulations and
19 corporate tax giveaways, we need bold local action to
20 strengthen our local economy and advance truly—a
21 truly progressive New York. Municipal banking, a
22 people's bank for New York City is a way to pursue
23 that together. There's a wave of support for public
24 banking across the country, and New York should lead
25 the way. Now, every year the city moves tens of

2 billions of public dollars through Wall Street banks
3 that are routinely extracting wealth from communities
4 and exploiting people in our city. Through the
5 public bank we can divest from those banks, that by
6 the way are also financing fossil fuel extractions,
7 speculative real estate, private prisons and so much
8 more, and we also leverage our own money to support
9 critical needs in communities. We can make equitable
10 investments that support low and extremely low income
11 housing, union and living wage job, democratically
12 controlled clean energy. We can foster community
13 wealth building and neighborhood led development
14 including community land trust, worker co-ops, we can
15 expand high quality affordable financial services by
16 having the bank partner with community development
17 credit unions that are in the business of serving
18 communities at the Wall Street banks are redlining in
19 our—in our city and we can also promote transparency
20 and accountability and municipal finance by providing
21 comprehensive non-extracted banking services to the
22 city and also affordable municipal financing options.
23 So, our coalition urges the Commission to consider
24 amendments to the Charter that will increase the
25 transparency and public accountability we need in our

2 municipal finance system to strengthen standards for
3 the financial institutions with which the city does
4 business, and to remove any barriers that you find
5 that would prevent the city from creating a bank.
6 [bell] And so, we've identified a lot of those areas
7 within the Charter, which we're happy to discuss with
8 the Commission as the process goes forward, and we
9 really hope we can work together with you to realize
10 this together. Thank you.

11 CHAIRPERSON BENJAMIN: Thank you, Mr.
12 Morrison. Can you tell me what would prevent a
13 public bank from bidding for the city's financial
14 business?

15 ANDY MORRISON: Well, I mean presumably
16 the city would create the bank. So, it would be owned
17 and controlled by the city. So there--there wouldn't
18 be anything to prevent the city from creating a bank
19 that would be like baked into its mission. It would--
20 -

21 CHAIRPERSON BENJAMIN: [interposing]
22 Right, but wouldn't it have to be licensed under the
23 State Banking Law--

24 ANDY MORRISON: [interposing] Yes.

25 CHAIRPERSON BENJAMIN: --et cetera.

2 ANDY MORRISON: Yes.

3 CHAIRPERSON BENJAMIN: So, it wouldn't be
4 part of the city corporation. It would be a separate
5 corporation that one would have in the city. (sic)

6 ANDY MORRISON: [interposing] It could be
7 a local development corporation, for example, but the
8 city would through—whether it's through legislation
9 or through the Charter Revision process would—would
10 establish the bank.

11 CHAIRPERSON BENJAMIN: Carl.

12 COMMISSIONER WEISBROD: Yes, I have two
13 questions. First, I know that the notion of a public
14 bank, a municipal bank is being explored many places.
15 Is there any major municipalities that's actually
16 established one?

17 ANDY MORRISON: There this bank of North
18 Dakota, which has actually been around for 99 years,
19 and it's been very successful. In fact, it withstood
20 the financial crash better than the Wall Street banks
21 did. So that's—there is a precedent for it.

22 COMMISSIONER WEISBROD: But-but the
23 current movement to create municipal public banks,
24 which many cities I know are looking at but no major
25 city has yet established one?

2 ANDY MORRISON: No, none of the cities
3 that have--

4 COMMISSIONER WEISBROD: [interposing] And
5 then--

6 ANDY MORRISON: Most of the campaigns are
7 nascent, though.

8 COMMISSIONER WEISBROD: I'm sorry.

9 ANDY MORRISON: A lot of the campaigns
10 are nascent campaigns.

11 COMMISSIONER WEISBROD: And just to
12 follow up on the Chair's question, what--what would--it
13 would have to go through the standard practice of
14 getting licensed and the like, but what--what would--
15 what in the Charter currently would prevent the city
16 from doing this? Since it establishes local
17 development corporations all the time. EDC is a
18 local development corporation.

19 ANDY MORRISON: Right. We don't--we don't
20 think there's anything incompatible with creating a
21 public bank in the Charter and state law or the State
22 Constitution.

23 COMMISSIONER WEISBROD: So, in order to
24 establish a public bank we wouldn't have to amend the
25 Charter in any way.

2 ANDY MORRISON: Well-well, you could
3 create the—I mean you could actually create a bank in
4 the Charter, but you could also—like there's—there—
5 there are some provisions within Section 1523 and
6 Section 1524, which we could talk about in more
7 detail if you'd like, but there are some provision
8 that could be amended to reduce some of the potential
9 impediments. There's nothing—there's nothing that we
10 couldn't overcome. Like for example there's a
11 provision that says that no amount shall—this gets
12 really technical. If you thought procurement was
13 technical--

14 COMMISSIONER WEISBROD: [interposing]
15 Well, I mean.

16 ANDY MORRISON: --it's very technical,
17 but I'll tell you no amount shall be on deposit at
18 any one time in any one bank exceeding one-half the
19 amount of the capital and that surplus of the bank at
20 Section 1523, and so that's one example of something
21 that could be amended to make—make the Charter more
22 amenable to a public bank.

23 CHAIRPERSON BENJAMIN: Well—do you mind,
24 Carl?

25 COMMISSIONER WEISBROD: No, go ahead.

2 CHAIRPERSON BENJAMIN: Would it have to
3 be all or nothing?

4 ANDY MORRISON: It does not have to be
5 all or nothing.

6 CHAIRPERSON BENJAMIN: Thank you. Back
7 to you Carl.

8 COMMISSIONER WEISBROD: No, I—I thank
9 you--

10 CHAIRPERSON BENJAMIN: [interposing]
11 Anyone else?

12 COMMISSIONER WEISBROD: --answered my
13 question.

14 CHAIRPERSON BENJAMIN: Thank you, Mr.
15 Morrison. Next we have Ms. Goldstein, Emily
16 Goldstein.

17 EMILY GOLDSTEIN: Hi. Thank you. Good
18 evening. Thanks for the opportunity to testify
19 tonight. It's really tonight—for the opportunity to
20 testify. My name is Emily Goldstein, and I'm the
21 Director of Organizing and Advocacy at the
22 Association for Neighborhood and Housing Development
23 or ANHD. ANHD is a coalition of community
24 organizations throughout New York City working to
25 ensure the right to affordable housing and thriving

2 equitable neighborhoods for all New Yorkers. We and
3 our members are excited about the opportunity this
4 commission provides to fundamentally reassess aspects
5 of how our city is operating particularly with
6 regards to both land use and the equitable
7 distribution of resources as well as burdens in
8 neighborhoods throughout the city. I'll be submitting
9 fully longer testimony through your online mechanism.
10 So, I'll just briefly highlight five principles that
11 we hope the Commission will consider as it reviews
12 the various recommendations its hearing. The first
13 is fair distribution of resources and development.
14 One of the dynamics that often plays out in the
15 context of rezoning sites we've seen recently is not
16 actually about zoning itself or about the use of
17 land, but about investment and resources that have in
18 many cases been not seen in low-income neighborhood
19 for decades, actually having a process that required
20 that communities—sorry. Requiring that resources be
21 distributed more equitably and that low-income
22 communities' needs were met outside of any form of
23 the land use process would mean that all communities
24 are bargain from—or are addressing land use needs
25 that are actually about land use, and from a more

2 equal playing field. The reality is as it stands now
3 added density is often happening in areas where
4 vulnerable residents are concerned rightfully so
5 about displacement, and they're accepting that
6 density because it seems like the only way to
7 negotiate for other needs that have been left unmet.
8 It's not the dynamic that should be happening in our
9 planning and land use—in our land use processes.
10 I'll go quicker. The second principle is enforceable
11 commitments. This again relates to the fact that a
12 lot of what community residents are thinking about
13 and concerned about with relation to rezoning
14 processes is not actual zoning, but everything else
15 that comes with it. Unfortunately, many of the rest
16 of the package, as it were that often happens in
17 rezoning agreements is not as binding or as
18 enforceable as the land use changes themselves. If
19 you change from R6 to R7 it's R7. If a community is
20 promised park upgrades they may or may not get those
21 park upgrades and communities and local community
22 organizations are pouring enormous amounts of effort
23 and resources into trying to make sure that these
24 commitments that were supposed to be part of a
25 package actually get met. So, looking at ways to

2 make the entire package genuinely binding, and have
3 it happen sort of upfront and in a fair way, I think
4 would go a long way to changing the dynamics of the
5 [bell] of these arguments. Ten seconds.

6 CHAIRPERSON BENJAMIN: Ten seconds.

7 EMILY GOLDSTEIN: I won't speak as much
8 about the other issues because my co-worker spoke
9 about them, but our three other principles are
10 integration without displacement, really looking at
11 where density is being added, where affordability is
12 being addressed, where residents are at risk of
13 displacement and where additional affordable housing
14 could be created in higher income neighborhoods.
15 Transparency and accountability in the land use
16 process and finally, real community power and
17 ownership. Thank you.

18 CHAIRPERSON BENJAMIN: Thank you very
19 much Ms. Goldstein. Are there any questions? Thank
20 you. Our next speaker is Paula Crespo from Pratt.

21 PAULA CRESPO: Good night. Thank you for
22 the opportunity to testify. For decades the Pratt
23 Center for Community Development has worked with
24 community based organizations and low-income
25 communities of color to plan for and realize their

2 futures. One of the key ways that cities adapt to
3 the array of changes and challenges that they face is
4 through their processes, and that's why this
5 commission's charge is so important. Our currently
6 disconnected planning and land use review systems are
7 not meeting the need to overcome the legacy of racist
8 planning policy and to create affordable housing,
9 quality jobs, equitable access to parks and schools,
10 and infrastructure for sustainability. The land use
11 review process has become one of the few places where
12 unaddressed planning needs can be publicly debated,
13 but if and when communities are equipped to engage,
14 their concerns are often dismissed as out of scope.
15 Other meaningful avenues for addressing these
16 concerns don't currently exist frustrating those
17 trying to make positive neighborhood change and
18 address the underlying causes of inequality. At the
19 same time, more powerful reactionary actors stymie
20 progress towards citywide goals and increase
21 neighborhood inequity. In particular, as Emily just
22 alluded to the city's long-term infrastructure needs
23 cannot be met with neighborhood investments that are
24 tied to new housing density, but not tied to pre-
25 existing neighborhood needs many of which are result

2 of history disinvestment in low-income communities of
3 color. A comprehensive planning framework can play
4 an essential role to address these challenges and
5 these failings. Lessons that have been critical to
6 other city's successful use of comprehensive planning
7 include merging environmental concerns with land use
8 recommendations, using community plans as building
9 blocks for a larger citywide framework and using the
10 plan to build accountability and transparency into
11 every decision and expend-expenditure made during
12 implementation. There are two issues that I'll
13 provide as examples that comprehensive could help
14 address. The first one is residential displacement,
15 which is rampant, but there's no official measure of
16 risk across the city and the current methods for
17 projecting risk in the context of new development are
18 egregiously flawed. We discussed this and the need
19 for corresponding policies in our recent report
20 called *Flawed Findings*, and I'm submitting this to
21 the commission as an attachment to this testimony.
22 The other issue that comprehensive planning could
23 make a lot of progress on is Fair Share. The promise
24 of Fair Share is falling far short of protecting
25 disproportionately burdened communities from new

2 threats to health and safety. Modern data tools and
3 transparent reporting are necessary as are updated
4 criteria. The City Planning Commission should use
5 heightened review to prevent unfair siting in over
6 concentrated neighborhoods. These are just two ways
7 that comprehensive planning could integrate our
8 systems and set goals towards a more equitable city.
9 Meaningful public participation should be at the
10 heart of any planning process and we need to advance
11 the participation of low-income communities of color.
12 Pratt Center looks forward to working with the
13 members and staff of the commission and with
14 community members. We're available for follow-up to
15 elaborate and collaborate on the themes I've touched
16 on. Thanks.

17 CHAIRPERSON BENJAMIN: Thank you very
18 much, Ms. Crespo. Are there any questions?

19 COMMISSIONER ALBANESE: Yep.

20 CHAIRPERSON BENJAMIN: Sal.

21 COMMISSIONER ALBANESE: It's just that
22 you're connected to Pratt Institute I would assume,
23 right?

24 PAULA CRESPO: Yeah, we are a non-profit
25 located at Pratt Institute, but we're not the same.

2 COMMISSIONER ALBANESE: You're connected?

3 PAULA CRESPO: We're connected.

4 COMMISSIONER ALBANESE: Okay. Well, you
5 know, there's a lot of expertise there. So, you said
6 you're willing to help the commission with more in-
7 depth ideas on these proposals?

8 PAULA CRESPO: Uh-hm.

9 COMMISSIONER ALBANESE: Drill down on
10 them?

11 PAULA CRESPO: Yes.

12 COMMISSIONER ALBANESE: Staff take note
13 and certainly it's a great—we can use that resource.
14 Thank you.

15 CHAIRPERSON BENJAMIN: Any other
16 questions or comments? Thank you very much, Ms.
17 Crespo. Judith Lustgarten.

18 JUDITH LUSTGARTEN: Yes. Hello, I thought
19 that it was past my bedtime when I was the last to
20 speak in Brooklyn, but oh, my God. [laughs] I could
21 barely think straight right now, but I've got my
22 notes this time. DOH, Department of Health, ACC.
23 Accountability, transparency there is none. There
24 are agencies for everything, and I just—I think there
25 should be an agency for animals. There—why not?

2 It'—it's a business, an enormous business, but it's a
3 business like every other business. Yet it's never
4 been acknowledged as such with blind eyes and deaf
5 ears to this business as well as to the advocates for
6 decades. The DOH the business needs to be spun out
7 of the DOH, and an animal welfare department created
8 with the proper qualified professionals in place
9 because it's like the wild, wild west. No
10 regulations. The DOH is not the property department.
11 They're not qualified to oversee these animals. They
12 have not know-how to be involved with the animal
13 care. Here it's run by the Department of Health yet
14 the place is riddled with disease and it's never been
15 dealt with for decades. The only thing the DOH has
16 concerns on is—are human concerns. If an animal
17 catches something that's contagious to humans well
18 then they'll take action, but they're not focused on
19 any real concern for animal welfare. Please let's
20 crated a department that cares about them with the
21 right people. They're just not a disposable
22 commodity. They give us such great pleasure, and yet
23 we just don't think about them and these animals come
24 in looking so wonderful. They're healthy. They get
25 so very sick within—if I could show—I'll show you

2 pictures. I'll send them to you. One look will be
3 worth a thousand of my words and the adopters and
4 rescuers, of course, are spending thousands of
5 dollars because the animals are so sick and they
6 don't want to pull any more because they can't afford
7 it. Their—the bills are enormous. You've got the
8 ASPCA whose got a reserve fund of \$225 million.
9 They're doing spay/neuter surgery subsidized with
10 subsidized money. They're ending these poor things
11 back to ACC where their immune system is down, and
12 they're just getting sick and they are killed within
13 days. Sometimes the following day. I know I
14 mentioned that before. DOH does not enforcement.
15 They have a contractual agreement to oversee the
16 health conditions, but they don't enforce it. They
17 kill an animal for kennel cough. So, easily
18 treatable with some antibiotics. It goes untreated.
19 It turns into pneumonia and worse. It's bad. It's
20 very, very bad. [bell] Oh, God. Let's see. There is
21 legislation. I gave that to you. It's passing one by
22 one across the country. It's called the CAPA Bill the
23 Companion Animal Protection Act. It's terrific, and
24 bring in the professionals because they're willing to
25 come and they would like to speak all of us in New

2 York. You know, there's just no reason in the world
3 that it should continue as it is. It can be great if
4 it's run responsibly and ethically with integrity to
5 these animals. The whole set up here in New York
6 needs to be changed, and it's already been proven, and
7 if we know it can be better and it's proven it can be
8 better then it must be better. There's just no other
9 correct and moral choice. We can--

10 CHAIRPERSON BENJAMIN: [interposing] Ms.
11 Lustgarten.

12 JUDITH LUSTGARTEN: We can implement
13 wonderful systems. I remembered that last time.

14 CHAIRPERSON BENJAMIN: Yeah, sorry.

15 JUDITH LUSTGARTEN: Implement wonderful
16 systems and programs and eliminate those that are
17 working there now. It's going to be the biggest
18 social movement of our times. I have absolutely no
19 doubt, and it's growing in droves and it's time for a
20 new regime of wisdom, moral and ethical integrity,
21 responsibility, humanity, compassion and justice for
22 every animal who is unfortunate enough to have to
23 walk shelter doors.

24 CHAIRPERSON BENJAMIN: Thank you very
25 much.

2 JUDITH LUSTGARTEN: You're welcome.

3 CHAIRPERSON BENJAMIN: Are there any
4 questions?

5 JUDITH LUSTGARTEN: You know I could say
6 a whole bunch more. [laughs]

7 CHAIRPERSON BENJAMIN: Thank you very
8 much, and the last speaker in this panel is Howards
9 Katzman.

10 HOWARD KATZMAN: Good evening. I wish
11 to—it's almost morning I guess, but I wish to thank
12 the distinguished Chair and Commissioners for
13 overseeing a process that allows citizens and
14 residents of New York City to have a say in the
15 governance of our city and for the appreciated
16 persistence. My name is Howard Katzman. I represent
17 Policy and Strategy on the Steering Committee for New
18 York City for CEDAW Act. New York City For CEDAW Act
19 is a grassroots coalition of over 300 organizations
20 working for Women's Bill of Rights in New York City.
21 I'm here to speak about our effort to embed a human
22 rights approach to gender and to New York City's
23 charter. I've spend the day riveted to the drama
24 coming out of Washington, and I can only conclude
25 that we did not listen or consider the needs of women

2 in the same ways we consider the needs of men. In
3 January 2017, over 400,000 people marched in New York
4 City protesting for women's rights. The next year
5 over 200,000 marched again. There's the Me, Too
6 Movement and then there's---there are the convictions
7 of prominent men. The ongoing theme is that women
8 also need to be considered. New York City for CEDAW
9 Act's proposal is that the New York City government
10 must consider the effects of women when seed programs
11 are formulated and assessed, when city funding is
12 appropriated and disbursed. With the New York City
13 as an employer treats women equally as men, we often
14 assume the impacts on women unconsciously playing on
15 our biases as to the roles of women. The name of our
16 coalition incorporated CEDAW. CEDAW is the
17 Convention on the Elimination of All Forms of
18 Discrimination Against Women, and international human
19 rights treaty ratified by 189 countries. CEDAW is an
20 international consensus on discrimination against
21 women. Its 16 articles and optional protocols offer
22 a means of creating a comprehensive framework to
23 assess discrimination against women. CEDAW is a
24 document negotiated in the 1970s when there was
25 understanding of gender as a binary of men and women.

2 We now have a fuller understanding of gender, and
3 wish to ensure that a CEDAW framework incorporates
4 gender as defined in New York City law. Women and
5 girls, transgender and non-conforming gender
6 individuals. We have been asked how this relates to
7 racial and other forms of discrimination. Gender
8 discrimination is different from other forms of
9 discrimination. Women represent over half the New
10 York City population, but even more importantly,
11 women are represented in virtually every household of
12 New York City. Discrimination against women affects
13 each of us New Yorkers. The most important people in
14 my life are my wife, my daughter and my mother. I
15 actively rebel against anything that stands in the
16 way of my daughter [bell] fulfilling her completed
17 potential. Race discrimination is different from
18 gender discrimination. Identifying it is different,
19 the solutions are different but race is recognized in
20 this proposal. We recognize that gender
21 discrimination does not occur alone. Other forms of
22 discrimination layer upon gender discrimination.
23 Members of our coalition can better explore this
24 issue. I wish to thank the commissioners for
25 considering this proposal and incorporating a human

2 rights framework in New York City's Charter guided by
3 the principles of CEDAW to identify gender
4 discrimination and correct the structural problems
5 that are identified. Thank you.

6 CHAIRPERSON BENJAMIN: Thank you very
7 much, Mr. Katzman. Are there questions? Thank you
8 very much, panel. The next panel Yung Bal Gao,
9 Darlene Jackson. Darlene are you here?

10 DARLENE JACKSON: [off mic] Yes.

11 CHAIRPERSON BENJAMIN: Okay. Terry Kудay
12 or Kude. [background comment] Okay, Paul Epstein.
13 Anirudh Dinesh, and David Eisenbach. You won the
14 lottery Mr. Eisenbach. [background comments, pause]
15 Sir, you were first.

16 YUNG GAO: Thank you for the [coughs] for
17 the opportunity--

18 CHAIRPERSON BENJAMIN: [interposing]
19 Somebody do the clock.

20 YUNG GAO: --Chairman and all the
21 commissioners. I just learned of this meeting
22 yesterday--

23 CHAIRPERSON BENJAMIN: [interposing]
24 Could you speak up, please?

2 YUNG GAO: --and I said, oh, well this is
3 a public hearing. So, I can probably participate,
4 and I attend the meeting and then I thought I learned
5 that I could speak, too. So, I-I'm here, and
6 [coughs] I also hear that, you know, a lot of people
7 here talk about the-the abuses. For example, these
8 abuses, and I think abuses of power exists in all
9 those different branches. For example in-in the
10 court [coughs] and also in the Executive Branch. The
11 best way to prevent such abuse occur I think is to
12 hold those leaders, the head of those agencies of the
13 agencies accountable. The best way to hold them
14 accountable is to lock the power into the island cage
15 of data. When I say island cage, it means really
16 need to be sorted. [coughs] That data should not be-
17 cannot be deleted except. It definitely needs an
18 island. (sic) All those-for example if the court of
19 if the Police Department or police officer, those
20 data should be permanent especially with those
21 important document information. If you can keep
22 those documents permanent, then you hold them
23 accountable. Another one is transparency. Those
24 documents should be transparent, people could see it.
25 When people make decisions that will affect other

2 people's lives, those decisions should be transparent
3 and should be permanent, and then we can keep people
4 accountable. [coughs] And nowadays, technology, you
5 know, really can empower, you know, other people. I
6 just make some simple example. For example, I had my
7 parting words and my Fair Share for those exposed to
8 those abuses. "The position to such gross abuses, for
9 example, a position that was a written position made
10 on—last year on March 14—March 14, that we have a
11 snowstorm. The court was closed. How could there be
12 a written position made on March 14? Well, that was
13 certainly made before the hearing. Without a
14 hearing, the decision was already made. How could
15 that happen, a more than that? Then there's that the
16 courts, you know, the judge changed the date of the—
17 of the order—lieu in order four times. That's crazy,
18 [bell] and [coughs] I think those things—those things
19 should be put up permanently and those judges that
20 made such decisions willfully make those wrong—wrong
21 decisions should be put up permanent, and the people
22 can see it, and they should be punished.

23 CHAIRPERSON BENJAMIN: Thank you very
24 much. Are there any questions? Thank you, Mr. Gao.
25 Ms. Jackson.

2 ARLENE JACKSON: Okay, sorry. So, good
3 evening. My name is Darlene Jackson, and I'm a part-
4 time city employee at Manhattan Community Board 11 in
5 East Harlem. I am here today as a strong believer
6 that local community boards can be the acting force
7 to empower civic engagement throughout the five
8 boroughs in New York City. That would take a serious
9 overhaul and investment starting with increasing the
10 budget sufficient enough to address and meet the
11 needs of the board and the community at large. All
12 59 community boards need an independent consultant to
13 provide oversight as board members are community
14 volunteers with other obligations also to be a two-
15 year commitment and do not have the capacity to
16 provide-to provide day-to-day support. An
17 independent consultant can establish the following
18 that does not currently exist at Community Board 11
19 in Manhattan: A healthy and productive work
20 environment; communication among employed staff;
21 employee supervision; inclusive staff meetings to
22 plan interspectively; (sic) employee performance
23 evaluations to promote professional growth; and
24 compensation to-I'm sorry-and compensation increases
25 to guarantee a living wage; professional development,

2 training and workshops. One thing I added was an
3 employee handbook, organizational structure, and
4 evaluations with—so there's mission statements and
5 goals; procedures for grievances, and to hold them
6 with integrity and urgency and to hold the Equal
7 Employment Opportunity Unit at the borough
8 president's offices accountable. This basic
9 improvement would create accountability,
10 transparency, and serve as non-partisan liaison
11 between community boards and the borough president's
12 offices with agreements through the idea of term
13 limits. During an interview with the New York City
14 Council for the Outreach Liaison position for the
15 2019–2019 Charter Revision, I was asked about my
16 thoughts on term limits as a staff member working at
17 a local community board, and my response was that
18 there are pros and cons. Not all 59 community
19 boards' vacancies are filled, but with adequate
20 investments towards robust outreach efforts for
21 recruitment and advertisement can resolve that. Our
22 board members attendance is not audited not only at
23 the full board meetings, but not at the community
24 level as well. In addition, it has not affected any—
25 doing re-appointment process, and not all staff

2 members need—which is liaisons committees are
3 included. Nor does it provide an in-depth analysis
4 for board members active participation and our
5 contributions to the Community Board. All community
6 board meetings are open to the public and should
7 encourage community members from all levels of
8 expertise to have a voice and seat at the table, and
9 part of the decision making process, and board
10 membership should not be determined or dictate
11 participation. Our borough president's extreme (sic)
12 offer should be mandatory for all board members, and
13 offered in the—in the fall and in the spring.
14 Attendance needs to be tracked via a database. [bell]
15 Board members should be required to take a refresher
16 every six months to provide them with the necessary
17 tools and skills to advocate on the behalf of the
18 communities regarding land use, districting, and
19 budget priorities. I'm almost done. Term limits
20 would eliminate a conflict of interest, corruption
21 and biased politics. For example, I have yet to
22 receive feedback and/or decision regarding my
23 application for my—at my local Community Board 9 in
24 the Bronx from the BP's office and my Council Member
25 Representative in District 18 and not all these—all

2 these seats are filled. Elected officials of gender
3 need to solely operate around constituents' needs,
4 and establish a working coalition task force that
5 meets regularly, and holds public meetings. It needs
6 to be mandatory that all the Council members have
7 participatory budgeting in their community district,
8 and work collaboratively with local community boards.

9 CHAIRPERSON BENJAMIN: Thank you.

10 ARLENE JACKSON: Thank you.

11 CHAIRPERSON BENJAMIN: [laughs] Are
12 there any questions of Ms. Jackson? Thank you, Ms.
13 Jackson. The next speaker is Terri Cude.

14 TERRI CUDE: It's still today. Thank you
15 for the opportunity-

16 CHAIRPERSON BENJAMIN: [interposing] You
17 need to move the mic closer than you think you want
18 it.

19 TERRI CUDE: Thank you for the
20 opportunity to testify today. I am Terri Cude. I am
21 Chair of Community Board 2, Manhattan. The testimony
22 I'm presenting today was not voted on at our full
23 board. Since these are initial suggestions, they
24 were determined during our Charter Revision Task
25 Force meeting. So, they are preliminary to any

2 official position. I'm going to just go through the
3 overarching concepts that—that relate to community
4 boards that we felt were very important. One,
5 Community Board written resolution shall be—should be
6 respected as the official voice of the community and
7 should be given full weight and consideration as
8 such. Community Board recommendation should be
9 presumed as authoritative and shift the burden of
10 proof to the opponent rather than always being on us.
11 All agencies should include community boards in the
12 review processes and should be mandated to seek input
13 from any and all affected boards. Agencies should be
14 required to improve coordination between and amongst
15 themselves as well. We believe term limits for board
16 members should be opposed as they are contrary to the
17 best interests of the community. We have a lot very
18 complicated issues that we deal with, and it and it
19 takes years for us to learn our jobs, and then do it
20 well, and then onto more specifics, land use review.
21 Community board input is advisory, but it should be
22 recognized as an official voice of the neighborhood
23 in which the land use action is contemplated. We
24 have the meetings that happen in the community.
25 People can access us. People can reach us. They

2 can't always get down here. They can't—I'm—once the
3 train is—is leaving the station, right, once—once at
4 every step, the process becomes harder to change or
5 divert. So, what happens early on in the community
6 board process is very important to get and to be—to
7 be utilized as not just oh, well, it's going to be,
8 yeah, they don't want a building, they don't want a
9 school outside their door. That's actually not the
10 case. We are very thoughtful and very careful. In
11 addition and for the Charter City Environment Quality
12 Review. CEQR is flawed. Each of the defined
13 categories should be considered in the context of the
14 aggregation of buildings and structures in the
15 impacted area, and not just in isolation each one.
16 Categories most often cited by communities that were
17 discussed in our deliberations are schools. The C
18 calculations are just—they're just not accurate for
19 the city. People are staying. Park requirements,
20 sewer, waste, infrastructure, emergency preparedness
21 and [bell] and public transportation. There's more
22 I'll email.

23 CHAIRPERSON BENJAMIN: Okay, thank you
24 very much. Are there questions?

2 COMMISSIONER: Just Terri, are you going
3 to submit that? It's—I know you spoke a little
4 extemporaneously, but can you submit that as well.

5 CHAIRPERSON BENJAMIN: Yes, she said she
6 was going to email.

7 COMMISSIONER: Good. Okay.

8 TERRI CUDE: Or—or—or use the website.

9 COMMISSIONER: Thank you.

10 CHAIRPERSON BENJAMIN: Are there other
11 questions. Thank you, Ms. Cude. Our next speaker is
12 Paul Epstein.

13 PAUL EPSTEIN: Thank you. I've worked
14 for two mayors offices and consulted around the
15 world. Well, you see my printed testimony with more
16 of my bio, and additional topics that I have
17 addressed after the one I will talk about now. The
18 city's land use process is broken, heavily tilted in
19 favor of whatever City Hall wants, and against local
20 community interests. When a Mayoral agency wants to—
21 wants a project for neighborhood rezoning they fully
22 control the process and content. Once ULURP starts,
23 mayoral agencies run out the clock, and leave
24 community drive alternatives sidelined to activists
25 who try to get Council Members to negotiate bits of

2 their plan into the final plan, and even when Council
3 or really the local Council Member wants to include
4 part of a community alternative, another barrier can
5 arise. Some or all of the changes maybe ruled out of
6 scope and not allowed. Just one example: Last year
7 the City Council produced an excellent report:

8 Planning for Retail Diversity. With recommendations
9 include store size restrictions to preserve space for
10 small businesses. Forget about that during the de
11 Blasio Administration, which hates the idea because
12 if in the rezoning process the lead agency doesn't
13 include those restrictions, any attempt to add them
14 through City Planning or Council changes will be
15 ruled out of scope. No matter how much there is
16 community support, those restrictions will always be
17 out of scope if the lead agency does not proposed
18 them first. That's just one example. The land use
19 process needs many fixes. I offer one to help level
20 the playing field for the community. This would
21 apply to any city proposed land use action, and any
22 privately proposed plan that covers more than say a
23 minimum area of a square block perhaps. The Charter
24 should enable alternative plans that garner enough
25 community signatures to be recognized in the land use

2 process for consideration by City Planning in the
3 Council. A signature deadline before the borough
4 president's hearing will allow interested parties
5 enough opportunity to review and comment on
6 alternatives in the rest of the process. A number of
7 signatures, and I'll suggest 200, it could be higher,
8 should be set high enough to require significant
9 volunteer effort, but not so high as to be very
10 difficult without paying petitioners. Signatures
11 should be acceptable from voting age people who
12 reside in owned businesses and/or employed within a
13 half a mile of the initially proposed action. Many
14 at City Planning and Council say these modifications
15 to the agency are the sponsors' plan to include any
16 component from a recognized alternative plan and not
17 be considered out of scope due to being more
18 restrictive in existing zoning for our initial
19 proposal. I have more things that I will be
20 addressing in written comments and in some comments
21 that I submitted in the written testimony that I've
22 given you now. If you want to ask questions about
23 any of them I'm here. [coughs]

24 CHAIRPERSON BENJAMIN: Thank you for
25 condensing your testimony [bell] and we appreciate

2 that you'll be sending it to us either by email,
3 which would be the best or on our website. Are there
4 any questions? Of Mr. Epstein? Seeing none, I think
5 you and look forward to seeing the rest of your
6 testimony. Mr. Dinesh.

7 ANIRUDH DINESH: Thank you Chair
8 Benjamin, and thank you to everyone on this
9 commission for your service and for giving me the
10 opportunity to testify tonight. My name is Anirudh
11 Dinesh and I'm an Associate Research Fellow at that
12 Governance Lab. We're an action research
13 organization based at NYU and we focus our work on
14 studying hard to leverage new technologies as well as
15 the collective wisdom of our communities to improve
16 governance and make people's lives better. I'm here
17 to testify in support of participating law and policy
18 making that we call Crowd Law, and urge this
19 commission to include such innovative and
20 participation practices for law making in its Charter
21 recommendations. Crowd Law is a simple, but powerful
22 idea that parliaments, governments and public
23 institutions work better when they boost-boast a
24 citizen engagement leveraging new technologies to tap
25 into the diverse sources of information, judgement

2 and expertise at each stage of the law and policy
3 making cycle. Doing so improves the quality of as
4 well as the legitimacy of the resulting laws and
5 policies. The Gov Lab's current Crowd Law documents
6 over 100 examples of initiatives from around the
7 world across the various stages of lawmaking starting
8 from identifying problems and suggesting solutions to
9 co-drafting laws and evaluating policy outcomes. The
10 city in Barcelona, for example, is a platform that
11 allows city residents to make proposals and comment
12 and vote on other proposals for Barcelona's Municipal
13 Action Plan. Another example is Promise Tracker, a
14 platform that will update NYC's media lab, which is
15 being used by the Comptroller General of the State of
16 Pari in Brazil to engage school students in the
17 process of tracking the outcomes of the school lunch
18 policy. To further promote the value of
19 participating law and policy making, the Gov Lab has
20 led the movement to draft the Crowd Lab Manifesto, a
21 statement of 12 principals, which articulates the
22 importance of developing new ways to include more
23 diverse opinions and expertise at every stage of the
24 decision making process, at the local, regional,
25 national and international level. The manifesto has

2 been signed by 136 individuals and with 16
3 institutions since its public launch just a week ago.
4 On a final note, I also want to take a brief a brief
5 moment to thank Council Member Ben Kallos for his
6 advocacy for the advancement of Crowd Law and giving
7 New York City residents more voice in the legislative
8 process. Thank you again for this opportunity.

9 CHAIRPERSON BENJAMIN: Thank you, Mr.
10 Dinesh. I know you have that. Would you be sending
11 what you're reading to us?

12 ANIRUDH DINESH: Yes, I can send it to
13 you by email. I also have copies of the Manifesto
14 for you all.

15 CHAIRPERSON BENJAMIN: Oh, that would be
16 great. Are there any questions of Mr. Dinesh?
17 Thank you very much. We will certainly read that.
18 Last but not least, I have David Eisenbach.

19 DAVID EISENBACH: I appreciate that.
20 David Eisenbach. I teach history at Columbia and I
21 ran for Public Advocate in the last year's Democratic
22 Primary. It struck me tonight that so many of our
23 problems as a city get back to the fact that our
24 democracy is broken. The founding fathers never
25 intended for there to be a professional class of

2 politicians whose main focus is keeping their job or
3 moving up the chain. Not defending their districts
4 from bad rezoning plans and the boroughs from the
5 same, right, but perpetuating their political power.
6 And so, I'm urging you to make reforms that open up
7 the process and enable citizens to enter into the
8 political process in New York City. Now, the—the
9 mayor's plans to—to reform the Campaign Finance
10 Charter Revision actually will inhibit non-
11 politicians from entering the process. Lowering the
12 campaign donations actually when you're collecting
13 money from friends and family, you need those \$4,000
14 checks just to get started. My campaign spent
15 \$57,000. Half of the money I raised came literally
16 from my father, my mother, my sister, my wife, my
17 brother-in-law. You know, that's how you have to get
18 started in this process. You also need to lower the
19 threshold for the matching funds. The Mayor's Plan
20 doesn't lower those thresholds, but it increases the
21 amount of money you get if you hit the—the threshold.
22 So that will actually make the rich politicians even
23 richer. So, if you really want to reform the
24 process, also require that any candidate that's on
25 the ballot be included in the debate. We can't have

2 the situation, which we have right now where New York
3 One gets to decide who gets to debate and who
4 doesn't, and it's often based on how much money
5 they've raised, right? When you have a system where
6 it's all about the money, how can you expect that
7 they won't sell out the communities or that they
8 won't allow towers to be built that cast shadows over
9 gardens, and that you won't communities like Inwood
10 that are being rezoned and are losing their
11 character. We're losing our city because we've lost
12 our democracy, and so please in your reforms figure
13 out a way to take our democracy back, open it up and
14 take it away from the money. Thank you.

15 CHAIRPERSON BENJAMIN: Thank you very
16 much. Are there questions? Thank you very much. And
17 the next panel [background comments] Susan Lerner,
18 Jerry Goldfedder.

19 FEMALE SPEAKER: Is Jerry here.

20 CHAIRPERSON BENJAMIN: I didn't see
21 Jerry. Okay, whoops, I dropped Susan. Mr. Poppa.
22 Thomas Burton, Guy Guider, Mr. Guider. Liz Barry.
23 Step right up into the winners' circle. Liandra
24 Requena, Liandra. Yeah, I think she's right there.
25 [background comments, pause] One, two, three, four,

2 five. Do we have five people? And Lowell Van Der
3 Valk [background comments, pause] Okay, Ms. Lerner.

4 SUSAN LERNER: Yes, thank you and thanks
5 to the Commission for your patience, and I want to
6 commend you on doing something unusual, which is that
7 you are taking people in the order in which they
8 signed up. Normally, I would have been on the first
9 panel as, you know, and advocate, and I think it's
10 absolutely appropriate that the public is intermixed.
11 So, thank you for that. I'd like to summarize and
12 get right to the chase. I'm going to say something,
13 which I think a lot of the Good Government community
14 would disagree with. I urge you to be ruthless in
15 committing triage, and to focus on a very few
16 essential issues primarily land use because I
17 believe, and at Common Cause we believe that a
18 charter revision commission especially one that has a
19 limited time and actually a year is frankly not a
20 huge amount of time when you are dealing with a
21 document as complicated as the Charter, but you need
22 to make some choices. There have been some
23 intriguing ideas, which have been suggested just here
24 in Manhattan, and I'm sure many other—others in the
25 other boroughs. But I would suggest to you that the

2 most pressing issue that is facing the city that is
3 the thorniest, the most difficult, which needs the
4 most concern, hard work and consent to this building
5 is land use. And I would suggest to you that that
6 should be the primary charge of this commission. I
7 think it's going to take all of your energy, all of
8 your patience and all of your wisdom, and through a
9 difficult process in the year to come up with a
10 workable reform for our land use process. So, that
11 is my primary suggestion to you and another area
12 which really we've heard testimony about, which I
13 think also is one that would be appropriate for the
14 Charter Commission is dealing with the problem of the
15 Civilian Review Board. It's not in my written
16 testimony, but I have been impressed with the
17 testimony. We make some suggestions along the lines
18 of voting issues, which might be appropriate for the
19 Charter, and lastly, in my written comments I talk
20 about two areas, which the earlier Mayor's Charter
21 Revision Commission identified as unfinished
22 business. I frankly believe that those issues could
23 be dealt with by the Council, but we did draft
24 proposed revisions to the Charter, actual language
25 for setting up an independent districting process,

2 and we drafted proposed changes to the Charter that
3 would set up a rank choice voting system, and I will
4 file those with you through the website so that you
5 see what we have suggested previously. But on the
6 other good ideas that have been introduced by other
7 organizations, and members of the public, I suggest
8 you identify the ones that you think are intriguing
9 and send them down to the Council. Thank you.

10 CHAIRPERSON BENJAMIN: Thank you very
11 much. Are there any questions? Council Member—no,
12 you're not a Council Member any more. Commissioner
13 Fiala.

14 COMMISSIONER FIALA: Thank you. Ms.
15 Lerner, thank you for your submission. I—I think—
16 there are two things. One, I'd appreciate it if
17 Common Cause could provide in supplemental material
18 their thoughts on how to improve service delivery in
19 the Outer Boroughs and whether or not there is an
20 opportunity to strengthen the borough voice through
21 the Office of the borough president, right, without
22 greatly diminishing the checks and balances of that
23 system that we have in place. I think that is
24 probably one of the most important things that could
25 come out of this body's work is to address we're

2 going on 30 years almost. Next year it will be 30
3 years, and quite frankly, there's a disconnect
4 between the ability of the city to deliver adequate
5 services to the people of this city, and what the
6 Charter suggests the city should be able to do
7 through its office holders. So, any insight that you
8 could provide this Charter Revision Commission in
9 that area would be greatly appreciate because this is
10 at the heart of what local government does:

11 Delivering municipal services. So, I realize you
12 want us to focus on those kind of big three areas,
13 but it's kind of a—I've been dealing with this, too,
14 now. I started this in the late '80s. I voted
15 against the '89 Charter precisely because we would be
16 fearful as were the Board of Alderman in 1901 from
17 Brooklyn fearful that in a consolidated city you
18 would have a centralized government that over time
19 would lose sight of the localities outside of the
20 central area. So, any guidance you all can provide
21 because I know you've all done great work in the
22 past, and have lots of thoughts on detailed
23 proposals. That would be welcomed.

24 SUSAN LERNER: Thank you for that
25 suggestion, and we will—we will do our best to

2 provide you with some suggestions. It may take a
3 little time, but we will take it up.

4 CHAIRPERSON BENJAMIN: Thank you very
5 much, Ms. Lerner. Are there any other questions.
6 Now, we'll hear from Nikolai Popa.

7 NIKOLAI POPA: Good evening, ladies and
8 gentlemen. My name is Nikolai Popa, and I want to
9 apologize to you guys for my terrible accent and
10 possible grammatical mistakes in my testimony. I'm a
11 civic activist and immigrant New Yorker. I am
12 speaking here to support the proposal made in
13 previous hearings, and not only from myself, but
14 from—on behalf of the civic organizations and groups
15 that are organizing and advocating for at least
16 20,000 people from future for certain counties
17 according to the census. As an immigrant who escaped
18 a terrorist regime in my own country, I want to focus
19 my testimony on one of the most important elements of
20 democrat's representation. Recommend to amend
21 Section 18 of Chapter 1 of the Charter by replacing
22 the bureaucratic Office of Immigrant Affairs with
23 representative commissions of immigrant community
24 leaders under the Mayor. This concerns immigrants of
25 every ethnicity, race, sex and background. Our city

2 is nowadays 37% foreign born. It's in official
3 numbers, and I'm sure everyone who is in the city can
4 say those numbers are much higher. Let's not forget
5 about those who was born here, and by all-by
6 officially an American by other mans or still
7 immigrant. We need to have a voice in the city
8 government. The current Office of Immigrant Affairs
9 does not provide you with representation and social
10 or police prospects, or new economic opportunities
11 and it's not rare or responsive what's happening
12 through and among communities. Immigrant organizers
13 and leaders are excluded from participation in the
14 government, and it's bad for the city, for such city
15 as New York is. The city which has always been known
16 for its diversity and liberal spirit, many
17 communities possess important information the city
18 needs. For example, immigrants for Russia know quite
19 a bit about some of the super rich as a sage-as
20 safest of the currently regime. But they speak-
21 spreading their inclusion in the city buy up real
22 estate, lending money, and trying to bribe some
23 position as well. Our community and our organization
24 know and understand a lot about those people, and can
25 provide some insights and useful information to the

2 city for such commission we propose. Especially,
3 it's important in our—in our days. Such commission
4 already exists in San Francisco, Portland and Houston
5 and they include immigrants. For example, San
6 Francisco has an immigrant rights commission, which
7 by law must ensure and provide that half of its
8 members are immigrants. We urge you to make sure
9 that our city follows best practice. A member of
10 such commission should be appointed from among the
11 candidates submitted by immigrant and enforcement
12 organization. Its composition should be
13 approximately proportional to the size of major
14 immigrant communities, but no less than the community
15 of 200 or 300 people or more. To be effective and
16 independent, and fully committed these commissioners
17 must be a set of public employers. Also, we
18 recommend they should have a local office in every
19 borough [bell] going by their own immigrant
20 leadership councils. Thank you very much for your
21 attention, and it's an honor for me to speak here to
22 you this night. Thank you.

23 CHAIRPERSON BENJAMIN: Thank you very
24 much for speaking. We've had other representatives
25 who are from other borough hearings that we've had

2 who have spoken about the same issue about the Office
3 of Immigrant Affairs, and particularly the
4 proportionality. So, that is something we'll be
5 looking at, and if you can send us a copy of your
6 notes, we would appreciate it. Are there any
7 questions from Mr. Poppa.

8 COMMISSIONER FIALA: I'd just say your
9 English is perfect.

10 NIKOLAI POPA: [Laughs] Thank you.

11 CHAIRPERSON BENJAMIN: Okay, hearing no
12 questions, the next speaker is Thomas Burton.

13 THOMAS BURTON: Good morning. My name is
14 Thomas Burton and I am—I'm here as—I'm both a
15 community board member of Community Board 1, but I'm
16 speaking personally, individually, but I will talk a
17 little bit about my experiences as community board
18 member. But I'd like to first start with letting you
19 know that I'm a small businessman. I've had a
20 sailing business for the last 18 years in Lower
21 Manhattan. I operate large iconic and historic
22 sailboats and I'm here to tell you that I've had a lot
23 of problems, and I'm 18 years going, and I still
24 don't have a dock, and I think I'm still season to
25 season. I employ over 50 people. I have a payroll

2 of over million dollars, and I don't have a dock, and
3 I think the reason for that is--is something that I
4 was told is a charter reform issue years ago, and--and
5 so I'm--I'm here, and it's--one is the RFP process. It
6 penalizes small businesses because there's a
7 financial task on every RFP that I've responded to,
8 and where your balance sheet determines you could be
9 perfectly a viable candidate. You could have--you
10 could be able or competent at the--for the task or in
11 your--in your response in every category. But if you
12 have a balance sheet of \$1 million dollars or \$3
13 million, you know you can afford the contract or
14 whatever you're going for, is somebody who shows up
15 with a \$30 million balance sheet or a \$50 million
16 balance sheet, you lose and that's that, and I've
17 been told that. So, if you would in your review of
18 the City Charter look at how to maybe not advantage,
19 but at least not disadvantage smaller businesses that
20 provide local unique services that I would say my
21 first recommendation would be a financial task, which
22 isn't a yes or no, not how big. And I, it sounded
23 like the highest and best use of public lands. In
24 fact, you know, you have to take the highest bid.
25 Those seem like two--two absolute and--and that

2 adhering to those really disadvantages a lot of the
3 local flavor and color of it could, you know, make
4 New York or keep New York as very diverse, you know,
5 exciting place for small little pop-up, you know,
6 businesses. I have other—I think I'm about to run
7 out of time. So—oh, so, as a small business on the
8 waterfront you have 500 miles of coastline. Perhaps
9 there's some way to [bell] have an ombudsman where a
10 waterfront district or something like this could—has
11 been proposed, and because they're unifying all the
12 jurisdictions there's EDC. There's the Port
13 Authority, there's Select Bus Service, HRPT, the
14 EPCA, and New York City Parks, which all have
15 waterfront properties. And on top of that,
16 insurance. The city self-insures, but a lot of
17 businesses have trouble with certain insurance plans
18 especially when they run into city and—and other, you
19 know, property, and/or public properties, and so if
20 there are an insurance—if—if you would consider a—a
21 way for the city to consider New York City Bank a
22 municipal bank, consider New York City municipal
23 insurance company that would look at that. There are
24 commodified things now that could certainly be taken
25 up by a city like ours, banking and insurance. It's—

2 it's-it's just extractive and very hard for small
3 businesses. As a Community Board member--

4 CHAIRPERSON BENJAMIN: [interposing] Um--

5 THOMAS BURTON: --I-I will waive. I
6 can't do anything more, but I'm support of a lot of
7 what all these really smart people have said on land
8 use, and the ULURP has been awful for a community
9 board member [bell] to be able to respond. [bell] I
10 suggest-I'll put it in writing, but that--

11 CHAIRPERSON BENJAMIN: [interposing] Yes,
12 that would be good.

13 THOMAS BURTON: --that the community
14 boards come up with the ability to advocate with a
15 budget for climate change and other forward looking
16 things that are-may be global and national, but
17 really are local, and could have a lot of--

18 CHAIRPERSON BENJAMIN: [interposing]

19 Thank you.

20 THOMAS BURTON: --moments--

21 CHAIRPERSON BENJAMIN: [interposing]

22 Thank you.

23 THOMAS BURTON: --of course, from
24 smaller.

2 CHAIRPERSON BENJAMIN: Thank you. I just
3 want to make sure I understood what you were saying.
4 Are you saying that in the process the RFP process
5 for lease of use of city piers, docks and other
6 things that you're suggesting this reform?

7 THOMAS BURTON: I've responded to EDC
8 RFPs. I've responded to Parks.

9 CHAIRPERSON BENJAMIN: [interposing] But
10 the RFP was like lease or other use of city--

11 THOMAS BURTON: [interposing]
12 [interposing] Yes.

13 CHAIRPERSON BENJAMIN: --or other uses of
14 city--

15 THOMAS BURTON: [interposing] Yes. In
16 response to--as a respondent, I have lost each time
17 I--occasionally, I've been pulled aside and said,
18 "Your balance sheet. You had every other category
19 perfect."

20 CHAIRPERSON BENJAMIN: Just--just wanted
21 to make sure, and are they saying your balance sheet
22 or the amount you can offer to the city for the
23 lease?

24 THOMAS BURTON: They were both actually.

25 CHAIRPERSON BENJAMIN: Okay.

2 THOMAS BURTON: It depends on which RFP
3 we're talking about, but I've been at this for 18
4 years--

5 CHAIRPERSON BENJAMIN: [interposing]
6 Okay.

7 THOMAS BURTON: --and it's a constant
8 struggle.

9 COMMISSIONER FIALA: Where--where--where
10 are you operating from there? Battery Park City?

11 CHAIRPERSON BENJAMIN:

12 THOMAS BURTON: I'm--I have to locations.
13 One of my landlords is--is New York City Parks, and
14 another of my landlords is actually it's not Parks,
15 but I'm--I've been--I've been given a sublicense to
16 operate from Statue Cruises who has been generous
17 with me because they've been very generous with me.
18 [laughs] Otherwise, I wouldn't have a place to
19 operate. I'm sorry and the other location is Battery
20 Park City Authority is my other one there.

21 COUNCIL MEMBER FIALA: And is that
22 pursuant to a lease with Battery Park City Authority
23 or is that just--

24 THOMAS BURTON: I don't have any direct
25 relationship with a city agency or a state agency. I

2 am a sub—I'm a—I'm a month or a season to season
3 tenant or sublicensee of somebody who had more money
4 than me and a bigger balance sheet.

5 COUNCIL MEMBER FIALA: Okay, thank you.

6 CHAIRPERSON BENJAMIN: Are there other
7 questions. Thank you Mr. Burton.

8 THOMAS BURTON: Thank you.

9 CHAIRPERSON BENJAMIN: The next speaker
10 is Ms. Barry.

11 LIZ BARRY: [off mic] Hello.

12 CHAIRPERSON BENJAMIN: You're not on the
13 mic. It should be red.

14 LIZ BARRY: [on mic] Okay. Hi, I really
15 appreciate this opportunity to listen and speak, and
16 I'm actually interested in how we speak and listen at
17 scale. My name is Liz Barry. I'm nobody in
18 particular, but I collaborate on collaboration.

19 [coughs] I got really interested in Chapter 47 the
20 Public Access to Meetings and Information. There's a
21 real opportunity there for supporting our public
22 conversation. When we talk to each other in settings
23 like this, our word come out in a mix. There's
24 gripes, there's questions, there's data. There is
25 perspectives, demands, visions and the crowd sits.

2 We go one at a time. No way to signal except jazz
3 hands, and [coughs] generally and in a democracy
4 people get apathetic and people get turned off. When
5 they're not being heard. So, I suggest that by using
6 some well known facilitation methods that are used in
7 settings locally and at larger scales around the
8 world, we could better organize our public
9 conversations. We separate out, facts, feelings,
10 ideas, action. There are fancier names for those but
11 I'll email them, and some tools to help those phases
12 scale we can as a public send clearer signals to
13 government. These steps can happen in an ordered
14 series or they can happen simultaneously with someone
15 who can dynamically facilitate and organize a public
16 conversation. Documenting this participation at each
17 step with the sophisticated surveillance we all have
18 in our pockets, much less on the tripods will make it
19 easier to track if the ultimate decision points match
20 what people said. So, facts include data, studies
21 and identifying what's not known. Feelings also
22 includes perspectives, conflicts, attitudes, and only
23 after we go through those do we put some ideas out.
24 Thank you different this is from the way city
25 agencies land a proposal in the public, and all the

2 feedback comes out at once in cacophony. With some
3 adjustments, what's described in Chapter 47 might
4 actually be able to help other city agencies align
5 their public engagement processes, and make it
6 clearer how participation relates to power thank you.
7 [bell]

8 CHAIRPERSON BENJAMIN: Could you give us
9 a little more? You don't have to stop right, at the
10 second.

11 LIZ BARRY: Well, it's 12:15.

12 CHAIRPERSON BENJAMIN: I know that.

13 LIZ BARRY: There's a working—I can say
14 this: On another island an island that happens to be
15 its own country, 23 million people in Taiwan there's
16 a working model. They've taken what we describe in
17 our Chapter 47 and turn it into a public digital
18 innovation space. That space supports each agency in
19 doing public engagement, because each agency is busy
20 doing its agency mandates. [coughs] They may not
21 also be very good a public facilitation. They may
22 not be good at working with each other as we've heard
23 this evening. [background comments, pause]

24 COMMISSIONER HIRSH: What is the change
25 exactly that you think is necessary I Chapter 47 to

2 make sort of better facilitation of public discourse
3 occur.

4 LIZ BARRY: The chapter could specify a
5 facilitation mode called ORID. If you want to look
6 it up, that's-it's-it's most well named-well known
7 technical name for objective reflective interpretive
8 and decisional phase, but I prefer the emojis for
9 facts, feelings, ideals and actions. So, by
10 recommending this structured conversation technique
11 or it's called focused conversation technique for
12 use. Any time a complex issue is being talked about
13 in well the way that people talk, when ideas and
14 complaints are coming all at once, these facilitation
15 practices are very well tested and not too hard to
16 train, but they've been locked up in a profession
17 called-a profession of professional facilitators.
18 And, I'm active in the civic tech world I suppose
19 generally that's fair to say, and one of the spaces
20 where we're breaking out techniques that have been
21 locked in professional silos is in facilitation and
22 building open source technology to help it scale.
23 I'm happy to write this up and explain it. It's
24 actually doable, and it's helping an island nation

2 make Crowd Law with tens of thousands of people
3 participating in the time.

4 CHAIRPERSON BENJAMIN: We would
5 appreciate it if you wrote it out and sent it to us.
6 I'm—I'm interested.

7 LIZ BARRY: Thanks for having me.

8 CHAIRPERSON BENJAMIN: Thank you.

9 Leandra Requena.

10 LEANDRA REQUENA: Good morning.

11 CHAIRPERSON BENJAMIN: Good morning.

12 LEANDRA REQUENA : Good morning, Mr.

13 Chairman and Commissioners. My name is Leandra

14 Requena. I'm an activist and also a junior member of

15 SEIU 32 BJ, and leader of Committee Orasca of Make

16 the Road New York. I would like you to consider a

17 proposal of suggestions of petitions that I'm calling

18 because it's something that was concerning for a long

19 time. It's we are pet lovers, and—and I'm asking for

20 why the pet lovers we don't have that tax deductions

21 because it's so important. Pets are an important

22 just for the human people. I man for humans for

23 everybody, and it's important because they are

24 companions. They are therapy for kids, for seniors,

25 for senior citizens. They are our bodyguards in our

2 homes. They can—they are so significant in our
3 lives, and based on that, we have the right to ask
4 for tax deductions. First of all, pet lovers we have
5 supported that commercial industry: Clothes, food,
6 and also the—the college and when the high school or
7 junior high—I mean the high school young people is
8 starting a new career, most of them there is a high
9 percentage they—they—they have that goes for—to be
10 better in areas. And that does cost a lot of money,
11 and if we are—if we won't—we-we create jobs with
12 that. We create jobs, we create economy. We are a
13 taxpayer. That's increased in the city the taxes for
14 people who was invested, but those taxes doesn't
15 affect us. The pet lovers instead that they heard the
16 people who was saying about the animal cruelty.

17 CHAIRPERSON BENJAMIN: Yes.

18 LEANDRA REQUENA? We can't have it. I
19 believe that—I have—just have one—one week to know
20 about this Charter of the City, but I'm going to
21 submit because I am going to get the signatures
22 because I talk with them people. I can give
23 testimony for people who saved their lives just
24 because they adopt a cat, but they—they care [bell]
25 and they safe their lives. There's—a friend told me,

2 you know, I was ten years with this cat, but some day
3 she never did. She was in—she would approach me, she
4 was as—I mean meowing over her when she said, What
5 did you bother me? And it was the kitten almost save
6 her life. Just this one. I can give many testimony.
7 I can submit on all those things, but please we need—
8 we pet—as pet lovers we need a tax deduction.

9 CHAIRPERSON BENJAMIN: Okay, thank you
10 very much, Ms. Requena. Are there any questions?
11 Thank you and now Mr. Van Der Valk.

12 LOWELL VAN DER VALK: Thank you. My name
13 is Lowell Van Der Valk. I'm President of Carnegie
14 Hill Neighbors. We're located in the Upper East Side
15 on the north end towards Central Park. I would like
16 to speak to the issues of land use. My colleague is
17 sitting right next to me mentioned that you might
18 apply triage because change a charter is so huge. I
19 can't even imagine what you are coping with, but I
20 will speak to the issues of land use and—and let you
21 make the decisions. We think that—that some of the
22 loopholes should be changed in he zoning laws, those
23 loopholes are gerrymandered lots, which can—which can
24 be used to avoid certain requirements of zoning or
25 they can be used to increase the amount of floor area

2 that you have available. Also, we—we hope that the
3 idea of voids and stilts to increase the height of a
4 building can be eliminated, and third the—the height of
5 floors should be regulated. I know in the old days
6 they didn't. A floor was a floor, and that's because
7 churches and schools needed bigger floors and there
8 was—I think there was a sympathy to those
9 organizations, but it's being abused now in tall
10 buildings. The second thing is I very much am
11 sympathetic to the broader approach that was outlined
12 by Borough President Gale Brewer, and—and Council
13 Member Keith Powers early on this evening that we
14 cannot just limit our view of zoning to just the
15 districts. The block becomes the basic ingredient
16 for assessing what a zoning district is, and we have
17 to look more broadly and this—this will affect how we
18 might view tall—taller buildings in different areas
19 of the city so it's not just one size for one roof
20 fits all. Third, just as a practical thing, when—
21 when we have a 45-day period in which we can comment
22 on a new building, it's on the Internet. The plans
23 are on the Internet. However, it's very hard to know
24 when that 45-day period starts and when it ends.
25 It's hard to know when it starts because there might

2 be certain things happening in the lot, and you look
3 at the website and then, you know, you have to track
4 it every week, but not everybody is capable. It
5 would be nice if there was a bigger warning like if
6 there was some kind of a sign with a certain color
7 and a certain size that had to go up and the 45-day
8 period starts. Also--

9 CHAIRPERSON BENJAMIN: [interposing] Are
10 you talking about the Building Department 45 days?

11 LOWELL VAN DER VALK: Yes.

12 CHAIRPERSON BENJAMIN: Okay.

13 LOWELL VAN DER VALK: Yes, for new
14 buildings, and--and--and it's the comment period. It's
15 when you're allowed to make comments.

16 CHAIRPERSON BENJAMIN: Right.

17 LOWELL VAN DER VALK: And the ending of
18 that 45-day period is also tricky because they often
19 don't put up the real plans. It's--it's a--it's a--it's
20 a provisional plan, which then is revised during the
21 45-day period and you really should be extending the
22 45-day period and then also [bell] Holy cow, I--I--I
23 hope you'll let me go a little further.

24 CHAIRPERSON BENJAMIN: Just a little
25 because I others--

2 LOWELL VAN DER VALK: [interposing] Also
3 the--the need for--for a timely response for challenges
4 to the Building Department because if they drag it
5 out three or four months then the--the building goes
6 up and the issue is moot. Also in ULURP I just want
7 to say I think what's in ULURP that is so important
8 is the scoping period. Again, if the scoping period
9 could be stretched or if it could be done in a way
10 that alternatives have to be presented, that there's
11 more community feedback that the experts and the
12 developers have to appear before--before a public body
13 so that before this--the clock starts ticking, you
14 have a chance to influence matters. Then, finally
15 on--and the Environmental Impact Statement needs to be
16 made accessible to the public. You must take into
17 account a greater allowance for neighborhood
18 character and not--on the LPC I just want to say don't
19 place it under the City Planning Commission. Keep it
20 an independent agency, and give the LPC staff a
21 break. Let the August period be one where there is
22 no hearing. They can keep that apparently. REBNY
23 wants--

24 CHAIRPERSON BENJAMIN: [interposing]
25 Okay,

2 LOWELL VAN DER VALK: --a hearing in
3 August. Okay.

4 CHAIRPERSON BENJAMIN: Thank you.

5 LOWELL VAN DER VALK: Thank you.

6 CHAIRPERSON BENJAMIN: Yes, could you
7 send us your testimony?

8 LOWELL VAN DER VALK: Yes, I will. Thank
9 you.

10 CHAIRPERSON BENJAMIN: Thank you.

11 LOWELL VAN DER VALK: I will. Yes.

12 CHAIRPERSON BENJAMIN: Are there any
13 other questions of Mr. Van Der Valk? I thank this
14 panel very much.

15 LOWELL VAN DER VALK: Thank you.

16 CHAIRPERSON BENJAMIN: And for those of
17 you who are sending us your testimony--

18 LOWELL VAN DER VALK: [interposing] I
19 appreciate it.

20 CHAIRPERSON BENJAMIN: -- We appreciate
21 it very much. Our last panel Kelly Grace Price,
22 Michelle Boyson, James Trecus, Scott Kaplan, and
23 those are all the slips I have. Is there anyone here
24 who submitted a slip, and whose name has not been
25 called? Okay then.

2 SERGEANT-AT-ARMS: [off mic] Folks, if
3 your name was called, please come to the table, and
4 the folks who have patient, we appreciate your
5 introduction. (sic) [background comments, pause]
6 If anybody has copies of statements please leave them
7 here.

8 CHAIRPERSON BENJAMIN: Ms. Price. Is Ms.
9 Price—are you Ms. Price?

10 KELLY GRACE PRICE: I am Ms. Price.
11 Thank you.

12 CHAIRPERSON BENJAMIN: Okay.

13 KELLY GRACE PRICE: Thank you Chair
14 Benjamin and the members of this distinguished
15 Council for listening and continuing to move on late
16 into this new day. But, you think you know what I'm
17 going to talk about today, [laughter] but I'm not
18 going to talk about a citywide pet production agency.
19 Ms. Benjamin, I believe that you have the only
20 physical copy of my testimony. One was printed out
21 for you specifically and—and it was emailed to the
22 rest of you. I'm Kelly Grace Price from the Jails
23 Action Coalition/Close Rosie's. I'm a member of the
24 ID and the Four Freedoms. I'm really just nobody.
25 Everyone else here, Susan Lerner, and everyone has an

2 important title. I'm just someone that really shows
3 up at hearings [coughs] specifically around women's
4 rights issues and Department of Correction issues.

5 I've been rallying at the Board of Correction
6 specifically to end the rape crisis for the last five
7 or six years, and my comments today specifically are
8 around three different periods, three different areas
9 in the Charter that I believe could significantly
10 increase safety for girls and women in New York City.

11 I've emailed them and I don't want to bore you by
12 reading off, but I'll just sort of give the

13 highlights of my ideas. And I am a member of the
14 Downstate Coalition Against Sexual Violence, which
15 you may or may not know includes everyone that works

16 in this area. People from the DA's offices, people
17 that work in advocacy groups. Everyone sort of gets
18 together, and really what we're having right now is a

19 crisis of investigatory management in all of our city
20 agencies and all of our departments. In the NYPD, in
21 the CCRB in the Department of Correction, the City
22 Council and the Department of Education and NYCHA.

23 We have a crisis of great proportions regarding
24 sexual assault, rape and sexual harassment. As

25 someone who has lobbied carefully and meticulously,

2 specifically one of these agencies, the Department of
3 Correction vis-à-vis the Board of Correction, we've
4 hit no small amount of enormous problems just trying
5 to implement a sexual assault prevention and-and
6 investigative plan. The Prison Rape Elimination Act
7 has literally been ignored by the Department of
8 Correction even though it was briefly embraced back
9 in 2016, and the Department's Charter was revised
10 with a PRIA Rule, but you'll see in my testimony I
11 included links. Helen Rosenthal and Keith Powers and
12 Rory Lancman held a hearing a couple of weeks ago
13 about this issue, but really we-we-we-the department
14 doesn't follow direction. The department does its
15 own thing, and I don't want to make my testimony,
16 which is very short at this point, the remainder of
17 it about rallying at the Department of Correction.
18 The most important thing that I believe that you can
19 do for women and girls [bell] is in New York City is
20 to create a new oversight agency for rape and sexual
21 assault and sexual harassment. Specifically, again
22 city agents or employees against the population, I
23 would love to see that agency spread so that it is-it
24 is an oversight board for all sexual assaults and-and
25 rape and sexual harassments. There is a precedence.

2 The—the federal government the Department of Defense
3 spent a long time creating SAPRA, SAPRO and so there
4 is a precedence for blocking a lot of different
5 agencies together to create such a complex board.
6 Now this particular agency, of course, would step on
7 the feet of a lot of other agencies, and it would be
8 very complicated, but there is a lot of backing that
9 you wouldn't know from the low turnout of—of women
10 here screaming about their—their rape or their sexual
11 assault not being investigated thoroughly, but
12 believe me, there—there are a lot of people working
13 on this issue and thinking about this issue, and—and
14 even though I'm a lone voice, please consider it
15 heartily. I know it wouldn't make one of Susan
16 Lerner's top lists, but please consider it heartily.
17 I also ask you in my testimony to consider revising
18 the Board of Correction Charter because currently the
19 Board of Correction is the only oversight board over
20 the Department of Correction, but they are very
21 unevenly compromised. It would be—I—I made some
22 specific suggestions about how to revise that, and
23 then finally, the one last thing that I have personal
24 experience with that no one is talking about is this
25 money that's flowing into—into different city

2 agencies from venues outside of the City Council.

3 For instance the NYPD is making tens of millions of
4 dollars a year off of its Royalty Share Agreements
5 with technology corporations such as Microsoft and
6 Palantir and the same with the Manhattan District
7 Attorney's Office I believe. These things need to be
8 looked at, and I appreciate you letting me go over a
9 little bit, and my testimony is detailed. Thank you
10 so much for listening to me, and for your service to
11 the City of New York, and Frank Sinatra thanks you
12 for letting him appear at the door as well.

13 CHAIRPERSON BENJAMIN: [laughter] Thank
14 you so much.

15 KELLY GRACE PRICE: Thank you so much.

16 CHAIRPERSON BENJAMIN: Thank you, Frank.
17 [laughter] Are there any questions? Thank you very
18 much. The next speaker is Michelle Boyson. Is that
19 person here?

20 FEMALE SPEAKER: Oh, no she isn't.

21 CHAIRPERSON BENJAMIN: James Trecus.

22 JAMES TRECUS: Yes, I am. Yes. I'm a
23 community leader for several decades, and a member of
24 both major political parties. I'm very involved in
25 the community. I've helped get elected Democrats,

2 Republicans, third-party candidates. I'm here on
3 several issues and they're valid questions that
4 should be done as a referendum. Regarding campaign
5 for-campaign reform, our City Charter should only
6 allow local donations, and prevent out-of-state and
7 out-of-the country donations to influence our local
8 elections. So, the question should read: Do you
9 want out-of-state and out-of-the-country campaign
10 donations for local New York City elections to be
11 allowed in New York and the surrounding boroughs?
12 Yes or no? In going to gerrymandering districts,
13 redistricting all areas should-the should be made to
14 be fair as possible with a cross-section of all
15 residents not to shift the majority of one
16 nationality into one area that only elects that
17 nationality. So, all districts need to be-be done
18 fairly-as fair as possible. And that question also
19 should-if-it you want me to spell it out as a
20 referendum I can, but I think you're smart enough to
21 understand. The other thing I want to address is
22 low-low voter turnout. It is clear as being involved
23 in the community that I know far more than most of
24 you. I go door-to-door. I speak to people. I'm a
25 member of both parties. A lot of voters are fed up

2 with what is going on. It is political bashing of
3 one party against the other, and as long as you have
4 that, you're never going to solve issues. It's
5 always Democrats attacking Republicans, Republicans
6 attacking Democrats. It's the party gain. The real
7 solution, which you probably will not do, but is that
8 there is no major party. The party should be
9 removed. There shouldn't be any association with
10 parties. Let anybody run. Whoever gets the majority
11 of votes should win and that is clear if you watch TV
12 and how bad it's gotten. In Flushing what has
13 happened with our local town hall meeting where the
14 Governor, the Public Advocate and another member, and
15 which I wasn't even allowed in as a community leader.
16 They kept me out, and—and as a registered Democrat I
17 wasn't allowed to attend. They didn't want me to
18 know that they're doing. The whole message, and if
19 you watch TV it's elect me. I will oppose the
20 president. They're not talking about issues. They're
21 not solving anything. They're not saying what they
22 want to do. They want to be elected to bash the
23 other party. They made that known. As long as you
24 have that, nothing is going to get solved. If you
25 want local issues to be solved, remove the party from

2 the equation, let anybody run, and you will be able
3 to solve issues because they're forced to deal with
4 the issues and not bash the party. So, I would like
5 a referendum on the voting machine and let the voters
6 decide. There's a lot of questions even Sanctuary
7 Cities. It's not up to them, Mayor or the Governor
8 or anybody else to decide. Put it on the voting
9 machine. Let the people decide and it's suppose to

10 CHAIRPERSON BENJAMIN: [interposing]

11 Thank you Mr. Trecus.

12 JAMES TRECUS: It's supposed to—it's
13 supposed to work for us.

14 CHAIRPERSON BENJAMIN: Thank you, Mr.
15 Trecus.

16 JAMES TRECUS: If you let the people
17 decide, whatever happens, happens.

18 CHAIRPERSON BENJAMIN: Thank you, Mr.
19 Trecus.

20 JAMES TRECUS: Thank you.

21 CHAIRPERSON BENJAMIN: Are there any
22 questions? Thank you and our last speaker Mr.
23 Kaplan.

24

25

2 SCOTT KAPLAN: Yes. First of all, thank
3 you for your service. It's an honor to be last I
4 guess.

5 CHAIRPERSON BENJAMIN: [laughs]

6 SCOTT KAPLAN: So, just for--

7 CHAIRPERSON BENJAMIN: [interposing] The
8 last shall be first.

9 SCOTT KAPLAN: --identification--thank you.
10 For identification purposes, I'm an Officer in the
11 Jim Owles Liberal Democratic Club and Gramercy-
12 Stuyvesant Independent Democrats. The last time I
13 did this, Mayor Bloomberg and Speaker Quinn were
14 seeking the extension of term limits. So, tonight I
15 have three-three requests, which I don't think you've
16 heard of it in prior-from prior speaker. (1) Make
17 the office of Corporation Counsel independent of the
18 Mayor. Too often the Corporation Counsel, which is
19 supposed to be the attorney for the City of New York
20 acts as if it's the attorney for the Mayor who
21 already has their--his or her own counsel.
22 Particularly in issues of conflicts between the Mayor
23 and the City Council, it's vital that we have
24 independence and you could do that either by having
25 fixed terms, which don't have to correspond with the

2 city officials or make it elective. Just like the
3 Attorney General, City Council Members who have term
4 limits re always looking for other positions. So,
5 let's give them this. Number 2--

6 CHAIRPERSON BENJAMIN: [interposing] I
7 think they'd have to go to law school first so--
8 [laughs]

9 SCOTT KAPLAN: Well, I'm talking about
10 the lawyers, but--but Number 2, let's make the
11 Commissioner of the New York City Department of
12 Investigation more independent. Right now, the Mayor
13 has outside counsel trying to come up with reasons to
14 justify terminating the services of the DOI
15 Commissioner, which can only be done if--if reasons
16 are enunciated. I suggest making it stronger. Only
17 allow the DOI Commissioner to be terminated on cause
18 with consent of the City Council. This is a vital
19 agency that must be independent of whoever is mayor
20 and Number 3, probably the most popular topic tonight
21 was Civilian Control and election of the CCRB. I
22 would urge regardless of whether you decide to place
23 that on the ballot that the authority in police
24 discipline cases be taken away from the Commissioner
25 of the NYPD. Commissioner have been unwilling to

2 discipline police officers, and there's been no
3 transparency. [bell] So, vest in either this CCRB
4 or the Department of Investigations or the Inspector
5 General, but some other entity other than the NYPD
6 Commissioner.

7 CHAIRPERSON BENJAMIN: Thank you very
8 much, Mr. Kaplan. Are there any questions. I thank
9 the panel, and would just say is there anyone here
10 who wishes to speak who has not been heard? That
11 being the case, I want to thank everyone for
12 attending and sharing your thoughts and ideas with
13 us, and I encourage you to do so throughout the
14 process, and to the extent you have written comments
15 or you may write them in the future, please send them
16 us. Remember to visit our website at
17 charter2019.nyc. Follow us on Twitter and Facebook.
18 Commissioners, while you're more than welcome than to
19 take your written materials with you, please remember
20 to leave you folders and name cards behind so that we
21 may use them again, and if everyone would take a
22 minute, it is Commissioner's Nori's birthday today.
23 [laughter] [applause] So we would all like to wish
24 him happy birthday.

25 COMMISSIONER NORI: Thank you.

2 [commissioners singing happy birthday/
3 applause]

4 CHAIRPERSON BENJAMIN: Do I hear a motion
5 to adjourn, motion to adjourn?

6 COMMISSIONER: Motion to adjourn.

7 COMMISSIONER: Seconded.

8 CHAIRPERSON BENJAMIN: Seconded. All in
9 favor.

10 COMMISSIONERS: [in unison] Aye.

11 CHAIRPERSON BENJAMIN: Any opposed?

12 [gavel] Thank you so much everyone.

13

14

15

16

17

18

19

20

21

22

23

24

25

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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 22, 2018