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CITY OF NEW YORK
2012-2013 DISTRICTING COMMISSION

THIRD ROUND
PUBLIC MEETING

John Jay College of Criminal Justice
860 11th Avenue
New York, New York 10019

January 23, 2013
6:12 P.M.

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9 IN ATTENDANCE:

10 FRANK PADAVAN

11 ROXANNE J. PERSAUD

12 THOMAS V. OGNIBENE

13 BENITO ROMANO, Chairman

14 THADDEUS HACKWORTH

15 GLORIA CARVAJAL WOLFE

16 JUSTIN YU

17 CARL HUM

18 OSCAR ODOM, III

19 JAMILA PONTON BRAGG

20 JOHN ROBERT

21 LINDA LIN

22 SCOTT CERULLO

23 MARC WURZEL

24 KAMILLAH HANKS

25

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1 CHAIRMAN ROMANO: Good evening. Welcome to
2 the City Districting Commission public meeting.
3 My name is Benito Romano and I am the chair of
4 the New York City Districting Commission. On
5 behalf of the Commission, I want to thank Jeremy
6 Travis, president of John Jay College of Criminal
7 Justice, for the use of these facilities.

8 While this meeting is open to the public,
9 the Commission will not be taking testimony or
10 comments from the public today. Rather, the
11 purpose of this meeting is for the Commission to
12 discuss, in an open forum, our findings from the
13 public hearings that were just completed, last
14 week, in our five boroughs.

15 Over 540 people attended the last rounds of
16 public hearings and more than 270 individuals
17 testified. The Commission also received
18 testimony from 100 individuals, who chose to
19 submit their testimony online. We have received
20 six alternative maps, that were submitted online,
21 or created in our resource room, with the
22 assistance of the Commission staff.

23 At the conclusion of this round of hearings,
24 the Commission must submit a district plan to the
25 City Council for its consideration, so that a

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1 final district plan may be filed with the City
2 Clerk, and submitted to the U.S. Department of
3 Justice, for preclearance of Section V of the
4 Voting Rights Act. Through these successive
5 rounds, we have seen the issues narrow, and I
6 believe we have the information necessary to
7 produce a district plan that is faithful to the
8 City Charter and reflects the City's diversity.

9 Turning to process for a moment, the
10 Commission heard the calls for increased
11 transparency and improved processes. To that
12 end, the Commission staff will make the revised
13 district plan, that will be considered by the
14 Commission, publically available ahead of the
15 Commission's next meeting, on February 6th, at
16 New York Law School.

17 We anticipate the revised district plan will
18 be accompanied with a staff memorandum detailing
19 each district. Our goal, today, is to discuss
20 the issues that were presented during the last
21 round of testimony, and give direction to the
22 staff as to how to revise the district plan. To
23 that end, I have asked the staff to provide a
24 borough-by-borough synopsis of the public
25 testimony.

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1 Before we do that, I am going to ask the
2 Commissioners, as is customary before our
3 meetings, to introduce themselves, starting on my
4 right with Frank Padavan (indicating).

5 MR. PADAVAN: Frank Padavan, Queens.

6 MR. OGNIBENE: Thomas Ognibene, Queens
7 County.

8 MR. WURZEL: Marc Wurzel, Manhattan.

9 MR. ROBERT: John Robert, the Bronx.

10 MS. WOLFE: Gloria Carvajal Wolfe,
11 Manhattan.

12 MS. LIN: Linda Lin, Queens.

13 MR. HACKWORTH: Thaddeus Hackworth, general
14 counsel to the Commission.

15 CHAIRMAN ROMANO: Benito Romano, Manhattan.

16 MS. BRAGG: Jamila Ponton Bragg, Manhattan.

17 MR. ODOM: Oscar Odom, III, Brooklyn.

18 MS. PERSAUD: Roxanne Persaud, Brooklyn.

19 MR. YU: Justin Yu, Manhattan.

20 MS. HANKS: Kamillah Hanks, Staten Island.

21 MR. CERULLO: Scott Cerullo, Staten Island.

22 MR. HUM: Carl Hum, executive director of
23 the Commission.

24 CHAIRMAN ROMANO: Before we start with the
25 summary of our testimony, from the last round of

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1 hearings, do I have a motion to approve the
2 minutes of our last public meeting?

3 MR. PADAVAN: So moved.

4 CHAIRMAN ROMANO: I have a motion.

5 Seconded.

6 MR. ODOM: Seconded.

7 CHAIRMAN ROMANO: Seconded. All in favor,
8 say "aye."

9 (A chorus of ayes.)

10 Opposed?

11 Abstentions?

12 The motion carries.

13 Carl, will you start by presenting the
14 summary of the testimony?

15 MR. HUM: Certainly. Thank you,
16 Chairman Romano. What I want to do is, I am
17 going to go over each of the boroughs' testimony
18 and give a synopsis of the concerns that were
19 raised. Before I do that, what I want to do is,
20 give an overall summary of the general concerns
21 that were conveyed, during all five hearings,
22 that we had throughout the City.

23 Some of them have already been addressed in
24 your opening remarks, Mr. Chair, that there is a
25 need for greater transparency, and, particularly,

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1 a request for a written explanation of how
2 districts were created. The second general
3 concern was that the NYCHA housing developments
4 were kept within a single district. The third is
5 the request to publish the revised district plan
6 in advance of the Commission's next public
7 meeting on February 6th. And, lastly, is the
8 provision of additional opportunity to comment on
9 the revised district plan.

10 Well, as you stated in your opening remarks,
11 Mr. Chair, the plan is to have the district plan
12 published a few days ahead of the next public
13 meeting, with the Commission, and that will be
14 accompanied with a written memorandum, from the
15 staff to the Commission, explaining the shapes of
16 the districts and what influences those shapes.

17 We take as a model, and I would like to
18 thank Rachel Fauss, from Citizens Union, for
19 providing models from California and from Ohio,
20 with regard to how those legislatures and those
21 commissions have created a written explanation of
22 how those districts were created. So we look
23 forward to creating that model for you, and,
24 also, creating a written record, at least from
25 the staff's perspective, of how these districts

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1 are created.

2 And, lastly, with regard to additional
3 opportunity to comment on the revised plan, we
4 will keep our website live, with regard to
5 uploading public testimony, well after our next
6 public meeting, and, also, make sure that those
7 comments are kept on the record, and, also, kept
8 in your Dropbox, as well as we proceed with the
9 public's online submissions, because those
10 submissions, that are made over the Internet,
11 will be included in the Department of Justice
12 submission as well.

13 CHAIRMAN ROMANO: Carl, if it turns out that
14 there are changes to the map, to the plan that we
15 could not implement because of concerns about
16 violations of the Voting Rights Act, will that be
17 noted in the memorandum that accompanies the
18 plan?

19 MR. HUM: Yes. Yes. The way that we are
20 looking to structure the memorandum is really a
21 description of the district by neighborhoods,
22 neighborhoods that include the internal factors
23 that influence it, such as keeping certain
24 communities together, the external factors that
25 affect it, such as, let's say, a neighboring

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1 district, with regard to making sure that a
2 district forms a majority/minority district, that
3 may have an influence on that district, and,
4 lastly, the principles, whether it be Charter
5 principles or voting rights principles, that are
6 affecting that shape of the district.

7 MS. BRAGG: Dr. Handley had previously
8 consulted with you about some of the
9 voting-rights issues.

10 Will she have a chance to review this?

11 MR. HUM: Yes. It is, certainly, our plan
12 to have Dr. Handley take a look at the district
13 map, the revised district map. We compiled the
14 election results, in each of the districts, to
15 ensure that they meet the benchmark.

16 CHAIRMAN ROMANO: In fact, we will have
17 Dr. Handley available at our next public meeting,
18 in case there are questions about how the Voting
19 Rights Act applies to a particular neighborhood,
20 or particular district, or a particular borough?

21 MR. HUM: Yes. That's right. She will be
22 available to explain her analyses, and,
23 certainly, she will be available for any
24 questions with regard to individual districts as
25 well. Some of my presentation, tonight, with

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1 regard to the public testimony that was given,
2 some of those issues can best be answered by
3 Dr. Handley, particularly with her analyses on
4 majority/minority districts.

5 In addition, for the next public meeting, we
6 will have available Dr. Mollenkopf, from the
7 Center for Urban Research, to give the final
8 report, that we have, to the Commission with
9 regard to the communities of interest.

10 CHAIRMAN ROMANO: In what order are you
11 going to take the councils?

12 MR. HUM: We are going to go 1 through 51,
13 so we are going to start with New York County.
14 With that said, let me start with New York
15 County. The general comment was the comment that
16 the districts are overly populated. I am going
17 to save the staff's response to that until we get
18 to Bronx County, because it's relative to Bronx
19 County. So let's sort of shelve that, for the
20 time being, until we get to the Bronx.

21 I will go, specifically, into the districts.
22 With regard to Districts 1 and 2, the request to
23 unite Chinatown and the Lower East Side, as a
24 community of interest, was repeated in this last
25 round. As stated in our meeting, on

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1 November 15th, and reflected in Dr. Handley's
2 analysis, she regards Districts 1 and 2 as
3 opportunity districts. And her concern was that
4 if there was any combination of Chinatown and the
5 Lower East Side, that it could jeopardize the
6 performance of either Districts 1 or 2 as
7 opportunity districts. They perform well
8 electing the minority-preferred candidate.

9 CHAIRMAN ROMANO: For everyone's benefit,
10 what is an opportunity district?

11 MR. HUM: An opportunity district is a
12 district where a minority-preferred candidate has
13 an opportunity to be elected, in such a way that
14 a minority-preferred candidate has that ability.

15 MS. WOLFE: But it's different from the
16 ability-to-elect district, isn't it?

17 What is the difference?

18 MR. HUM: The difference is that the
19 minority-preferred candidate has the ability to
20 be elected. And, I guess, in terms of numerical
21 -- we are going to go by the numerical
22 statistics, or election results, and, again, I
23 would also say that this question should also be
24 asked of Dr. Handley, because I am going to
25 paraphrase what she would say. She can do better

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1 than I can.

2 But, basically, an opportunity district is a
3 district of such concentration that it is able to
4 form in such a way that the minority-preferred
5 candidate prevails.

6 MS. WOLFE: But it is a fine line between
7 the ability to elect and the opportunity?

8 MR. HUM: Yes. There is. I feel that I may
9 be overstepping my bounds in terms of my
10 expertise.

11 MS. WOLFE: I will ask the question to
12 Dr. Handley.

13 MR. HUM: Pardon?

14 MS. WOLFE: I will save my question for
15 Dr. Handley on February 6th.

16 MR. HUM: Yes. But in general, there is a
17 fine line between opportunity and a district --

18 MR. HACKWORTH: If I could just jump in?

19 One of the differences is an
20 ability-to-elect district has historically shown
21 an ability to elect a minority-preferred
22 candidate, whereas an opportunity district mainly
23 has not actually been able to, but because of
24 changes, will have that opportunity. So we can't
25 say "ability," because it is not actually

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1 demonstrated an ability yet.

2 MS. WOLFE: Okay. Thank you.

3 MR. HUM: Thanks, Thaddeus. So with regard
4 to 1 and 2, in response to the request to have
5 Chinatown and the Lower East Side united, again,
6 from a staff perspective, we are considering
7 Dr. Handley's concerns with regard to 1 and 2 as
8 opportunity districts.

9 Moving on to District 2, there were very
10 specific recommendations with regard to
11 District 2 and I will sort of list them all for
12 you. The blocks between 35th and 34th Street,
13 between Lexington and Second Avenue, restoring
14 some of the lines from 1990, between 1 and 2,
15 specifically the area between Pitt and Norfolk
16 Street, between Houston and Stanton.

17 There was also a request that the Baruch
18 Houses be put into one district or the other,
19 either 1 or 2, and also that the Gouverneur
20 Houses and Vladeck Houses be united in either 1
21 or 2. And, finally, there was a request that
22 Bellevue Hospital be in 2 as it was reflected
23 during the preliminary draft plan.

24 Again, these revisions or suggestions,
25 comments, certainly could be entertained, and I

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1 think that I know, from a staff perspective, I
2 don't see any violations of the Charter
3 principles or of the Voting Rights Act.

4 MS. BRAGG: Given the Bronx people, with
5 high populations in Manhattan, are there any
6 population concerns bringing -- filling some of
7 the those requests?

8 MR. HUM: The challenge is that, again, they
9 are all the districts within Manhattan, and sort
10 of edge up to the maximum deviation of 5 percent.
11 We, let's say, if we were to include the Pitt,
12 Norfolk, Stanton and Houston Street into 2, there
13 has got to be a trade-off somewhere. Otherwise,
14 we are going over deviation.

15 I think within the puzzle that was offered
16 us, with regard to having one house complex in
17 one district or the other, I think that sort of
18 our preliminary analysis shows that we can
19 accomplish those.

20 I will move on to District 5, which, that
21 was the next that had comments on it. The
22 comments were fairly simple, that the blocks
23 between 79th Street and 81st Street, between
24 Lexington Avenue and Second Avenue, is really
25 three blocks, be restored to where it was in the

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1 2003 lines. That was expressed by a number of
2 community groups, block associations and local
3 community groups.

4 And, again, I don't think that this violates
5 any principles and, certainly, it was part of the
6 2003 lines, and I think that to accede to the
7 public testimony, public request, I think that
8 that could be accommodated.

9 I will move on to District 6. That was the
10 next district that had comments on it. Again,
11 the comments were fairly discrete. The first was
12 making sure that the Harborview Terrace housing
13 complex -- it's a NYCHA complex on West 55th
14 Street -- be united with the Amsterdam Houses,
15 which is on West 66th Street, not too far from
16 the pier.

17 The rationale for this is that these two
18 complexes, apparently, share the same
19 maintenance, and, also, share the same
20 administrative crew beyond NYCHA, of course. And
21 it was requested that it be kept in one council
22 district, so that the single council member could
23 address those concerns with the two housing
24 complexes.

25 The second request was to include 10 West

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1 End Avenue, a specific building along West End
2 Avenue, on 57th Street, that is now the
3 3rd District, but requested to be in the
4 6th District. The basis of their request was
5 really feeling more of a community of interest
6 within District 6 versus District 3. And, again,
7 from a mapping perspective, I don't think there
8 is anything that would prevent us from doing
9 that.

10 If there are any other questions, I will
11 move on to the next area of testimony, and that
12 is District 7. District 7, the comments, in
13 District 7, were multifaceted. I guess that the
14 most credible comment, made about it, was how
15 Manhattan Valley is divided up. If you take a
16 look here, from the pink section, that represents
17 from 96th Street to 110th Street, you see the
18 various lines that dissect Manhattan Valley.

19 And there was a lot of comment of how
20 Manhattan Valley is now divided by three
21 districts. The other comments also included
22 making sure that Hamilton Heights and Sugar Hill
23 be retained within 7.

24 Again, taking a look at, sort of, the
25 preliminary analysis, I think that we could unite

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1 Manhattan Valley into one district. And
2 certainly taking a look at some of the
3 alternative maps, that were submitted, namely
4 Common Cause's map, how they draw 7, they offer a
5 very interesting solution of how to bring all of
6 Manhattan Valley into one district and unite that
7 area.

8 So, again, I don't think that there is any
9 Charter principle or voting rights principle that
10 would prevent us from doing such.

11 MS. BRAGG: I know, at the last meeting, we
12 talked about Dr. Handley's analysis, District 7
13 being a minority district?

14 MR. HUM: She considered it a multiethnic
15 district.

16 MS. BRAGG: If we do unite Manhattan Valley
17 together into 7, what does that do to that
18 analysis?

19 MR. HUM: Again, we haven't asked
20 Dr. Handley to do the final analysis on it. Just
21 from our eyeballing of the numbers, and, also,
22 some e-mails we have traded with Dr. Handley, we
23 don't think it's going to impact the status as a
24 multiethnic district.

25 MR. HACKWORTH: Just to be specific, we did

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1 recompile the election results for District 7
2 with Manhattan Valley 7, and the result was no
3 different.

4 CHAIRMAN ROMANO: What does recompiling
5 election results mean?

6 MR. HACKWORTH: Recompiling elections
7 results means looking at a benchmark election.
8 So there are different elections to choose from,
9 depending on which groups you want to analyze.
10 In this case, I believe we looked at the 2009
11 presidential primary -- the Obama election,
12 presidential primary -- to see whether the
13 candidate, of the minority's choice in that
14 district, carried the district.

15 We, obviously, can easily calculate that
16 using the old district lines. Under the new
17 district lines, essentially, we take data at the
18 election district level and disaggregate it to
19 the census blocks, and then add it back up to see
20 if this district had been shaped the way it is
21 under the revised lines, or in this case, adding
22 Manhattan Valley, would the people, that
23 constituted that district, still have elected the
24 same candidate? And as I said, there was no
25 difference in the results of the election.

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1 There was something I wanted to clarify.

2 MS. WOLFE: Did you look inside the Mayor's
3 election?

4 MR. HACKWORTH: Yes. Dr. Handley actually
5 was the one to select the races, the election to
6 use for the analysis. So, as Carl said, we did
7 not give her the election results yet, because
8 this was just something we were looking into.
9 But we looked at them and saw that they were no
10 different from what she had said previously was a
11 fine result. So we don't anticipate that she
12 would change her mind.

13 MS. WOLFE: Okay. Thank you.

14 CHAIRMAN ROMANO: In any event, she will
15 have an opportunity to comment one way or the
16 other?

17 MR. HUM: She will explain, to you, how she
18 picks the election results and how she composites
19 the election results as well.

20 MS. BRAGG: Again, to population concerns,
21 if Manhattan Valley is united, what does that do,
22 and the concerns you mentioned about Hamilton
23 Heights in those lines as well, what, if any, are
24 the staff's concerns about the population issues
25 that that could create?

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1 MR. HUM: Again, because all of the
2 districts, within Manhattan, sort of are edging
3 up to the deviation, it is really a matter of
4 making sure that we are within deviation, and
5 making sure that if there are certain blocks,
6 that aren't too populous, there would be a
7 trade-off at some point. The end goal is
8 Thaddeus's point, is to make sure that 7 performs
9 as a multiethnic district, as it has done the
10 past eight years.

11 Are there any other questions on 7?

12 I will move on to District 8. District 8,
13 there was testimony, and, again, District 8 is
14 the district that shares lines in the Bronx, and,
15 also, in Manhattan. There was testimony with
16 regard to quite a long list, so bear with me.
17 For one, keep Central Park in 8. The first is
18 keeping Central Park within 8.

19 The second comment, that was made, was to
20 have Randall's Island back into 8. As you
21 recall, in our last map, we have Randall's Island
22 in District 22, which is making it a
23 Queens/Manhattan district. Also, there were
24 certain landmarks, within East Harlem, that they
25 felt should be reintroduced into the district,

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1 specifically Mount Sinai Hospital, right off of
2 Fifth Avenue, and, also, keeping the Carver
3 Houses, Lexington Houses and Taft Houses within
4 the district.

5 Mind you, Taft Houses is in two districts.
6 It's in 9, and, also, within 8. Taft Houses is a
7 series of buildings and the buildings lie on
8 either side of the district line. Finally, the
9 last comment, made about 8, is maintaining 96th
10 Street as a southern border, as public testimony
11 said it was the gateway to East Harlem. With
12 regard to Randall's Island and the housing
13 complex, keeping them together, and would also
14 have Mount Sinai within the district.

15 I think that from our perspective, in
16 looking at the map, and, also, trying to make
17 sure that 8 performs as a majority/minority
18 district, because remember, in Dr. Handley's memo
19 to the Commission, back in November, the main
20 concern about 8, was that, as it was drawn in the
21 2003 lines, it loses a large swath of the Spanish
22 population or rather a decline of Spanish
23 population to the tune of 43.7 percent,
24 threatening its ability to perform as a
25 majority/minority district.

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1 So one of the options and one of the
2 directives, that we had from Dr. Handley, was
3 trying to make sure that 8 performs as a
4 majority/minority district and meets the
5 benchmark. The way to do that is really by going
6 into the Bronx and picking up more Hispanic
7 population. Considering these requests from the
8 public and, particularly, Randall's Island, Mount
9 Sinai, and Central Park, and the Lexington
10 Houses, from a staff perspective, again, we are
11 able to do 90 percent of this.

12 With regard to Randall's Island, Central
13 Park, and, also, Mount Sinai. We are still sort
14 of jittering around with this, because, again,
15 this affects not only the borough of Manhattan,
16 but it also affects the Bronx side as well. But
17 if charged, the staff will certainly be more than
18 happy to report back to you, on February 6th,
19 with regard to how to resolve this.

20 CHAIRMAN ROMANO: Based upon the record
21 before the Commission, as just summarized by our
22 executive director, Carl Hum --

23 MR. HUM: Mr. Chair, I do have one other
24 district to go over, District 10. There was
25 comment on District 10 to have a discussion on.

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1 CHAIRMAN ROMANO: All right.

2 MR. HUM: There were comments from 10. And,
3 again, District 10, if you recall, as a result of
4 the 2010 census, is one of the districts that
5 loses population, by the tune of 20,000, below
6 ideal population. And because of that loss of
7 population, the district has to go westward,
8 picking up population, over to the river, on the
9 top part of Manhattan.

10 The comments, that were made with regard to
11 District 10, were two. One, was Washington
12 Heights, redefining Washington Heights as 155th
13 Street, it is divided within the district. And
14 the second was, could District 10 be joined with
15 an area, in the Bronx, creating another Bronx
16 district that could supersede 8?

17 Two comments on that. District 10, if we
18 were to go from the top of, and, again,
19 District 10 does include a little piece of this
20 territory in the Bronx, which is considered part
21 of Manhattan. If we were to go to the very top,
22 all the way to 155th Street, we would be well
23 over 160,710.

24 In fact, we would be well over 168,000 and
25 changes -- which is the maximum deviation of

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1 5 percent. So, therefore, it would not be
2 feasible to put all of Washington Heights as
3 defined by 155th Street. Again, there was
4 varying testimony of how to define Washington
5 Heights. If you use that definition, of 155th
6 Street, it becomes clear. Moreover, using that
7 definition, of 155th Street, also could possibly
8 jeopardize the ability or status of 7 to perform
9 as a multiethnic district.

10 So from the staff's perspective, I don't
11 think that we would be able to accommodate those
12 public requests. That concludes my presentation
13 on Manhattan.

14 CHAIRMAN ROMANO: So based on the record,
15 that you just outlined for us, I would like to
16 offer a motion for each of the five counties,
17 directing the staff regarding the changes they
18 should attempt to make, or recommendations they
19 should provide to us, to be reflected in the plan
20 to be presented to us on February 6th. I am
21 going to start with New York County, since we
22 have just heard the summary, and this will be in
23 the form of a motion.

24 With respect to New York County, I offer the
25 following motion: The Commission staff is

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1 charged with addressing the following items in a
2 plan to be presented to us at our next meeting.
3 The staff should not significantly alter the
4 boundaries between Chinatown and the Lower East
5 Side, in Districts 1 and 2, consistent with the
6 advice given to the Commission provided by
7 counsel.

8 The staff should attempt to restore the
9 blocks between 34th Street and 35th Street and
10 Lexington Avenue and Third Avenue into District
11 2. The staff should attempt to restore the
12 blocks between Pitt to Norfolk and Houston to
13 Stanton, which moved from District 2, during the
14 2003 process, back into District 2. The staff
15 should attempt to unite the Baruch Houses into
16 District 2.

17 The staff should attempt to unite the
18 Gouverneur and Vladeck Houses which are currently
19 divided between Districts 1 and 2. The staff
20 should attempt to include the three blocks,
21 between Lexington Avenue and Second Avenue and
22 79th Street and 81st Street, into District 5.
23 The staff should attempt to include Harborview
24 Terrace and 10 West End Avenue into District 6.
25 The staff should attempt to include all of the

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1 areas of Hamilton Heights, Sugar Hill into
2 District 7.

3 The staff should attempt to include all of
4 Manhattan Valley into a single district. The
5 staff should attempt to include Randall's Island,
6 Mount Sinai Hospital and other identified
7 landmarks within District 8 whenever possible.
8 The staff should attempt to keeping housing
9 developments together whenever possible. In
10 addition, the staff should make a recommendation
11 concerning the placement of Bellevue Hospital
12 between Districts 2 and 4.

13 That is my motion.

14 Do I hear a second?

15 MR. WURZEL: Mr. Chairman, before I second
16 that motion, may I add an amendment to the
17 motion?

18 And that would be something that I discussed
19 back in November. I thought including Central
20 Park, in District 8, was a bad idea then, and
21 it's an idea that hasn't grown on me at all. So
22 I still think it's a bad idea.

23 And really on the basis of a review of legal
24 counsel, in regard to the Charter mandate about
25 the size of districts, I think the staff should

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1 report back to us with a recommendation of moving
2 Central Park to another district in Manhattan,
3 and I would recommend that it be District 6.

4 CHAIRMAN ROMANO: District 6?

5 MR. WURZEL: Yes. If my amendment is
6 accepted by you, I would second your motion.

7 CHAIRMAN ROMANO: Any discussion on the
8 amendment?

9 You are asking for the staff to come back
10 with a recommendation as to whether, and, if so,
11 where to move Central Park?

12 MR. WURZEL: Yes.

13 CHAIRMAN ROMANO: I accept your amendment.

14 MS. PERSAUD: You want it to be moved to
15 District 6?

16 No. No. That's what he is saying that is
17 his recommendation.

18 CHAIRMAN ROMANO: That is his
19 recommendation. He is asking the staff -- yes,
20 6. I accept your amendment.

21 Any further discussion on my motion?

22 I have a second.

23 All in favor?

24 (A chorus of ayes.)

25 Opposed?

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1 Abstentions?

2 The motion carries.

3 MR. HUM: Thank you. I will move on to
4 Bronx County. And as I mentioned, the issue of
5 Manhattan being overpopulated, really, the answer
6 to that, or rather the explanation to that, sort
7 of, is within Bronx County. You heard, and,
8 again, I will start off my comments by giving
9 some of the general comments that were made on
10 the county in its entirety.

11 This was made by the Bronx delegation, along
12 with other citizens that testified during this
13 last round, and, indeed, in the first and second
14 rounds in August and in October. And that is the
15 request that Bronx County, due to its growth to
16 3.9 percent, from 2000 to 2010, to a point where
17 Bronx County now encompasses 1.385 million
18 residents, is justified in having nine districts
19 versus eight within the county.

20 As the Bronx delegation also expressed, at
21 the very least, there should be 8.7 districts in
22 the county. Back in October, at the end of the
23 second round, both Thaddeus and I had e-mailed
24 you with regard to some of the explanations as to
25 why, in Bronx County, we couldn't do nine. We

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1 could do more than eight, just to reiterate that
2 e-mail that we had sent to you back in October.

3 MS. BRAGG: Just a comment from the
4 Commission, that there were a number of us that
5 were concerned about the overpopulation of the
6 Bronx, and that we did request, of the staff, at
7 that time, to really lay out the reasoning
8 whether if it is possible to go to nine, and
9 understanding the impact that would have on the
10 entire map, given that we still were confined,
11 due to the City Charter, and we were still
12 confined to eight districts.

13 So we did have that -- we understand the
14 overpopulation in the Bronx, and we did consider
15 it and go through it. The staff gave us a very
16 detailed memo about that, I think, in October.
17 We do understand that it needed to stay at the
18 8.7 to have the eight straddle the Bronx and
19 Manhattan.

20 MR. HUM: I will just summarize that for
21 those who are interested in regard to what is the
22 rationale behind it. It is based upon two
23 things. I will say that, number one, is the
24 growth in the Bronx, and number two, is how the
25 map sort of comes out.

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1 You will also recall, and sort of the
2 subtext as well, in both of the Bronx hearings,
3 and, also, in both of the Manhattan hearings,
4 with regard to the division of districts within
5 each respective borough, there was always this
6 worry that they are not shortchanged, a request
7 for representation and making sure they are
8 represented.

9 MS. BRAGG: The Bronx?

10 MR. HUM: Right. Right. On both sides. If
11 you do the math, of the Bronx, and, again, the
12 Bronx grows -- is the second-fastest growing
13 borough, from 2000 to 2010, at a clip of
14 3.2 percent, to a point that it has 1.385 million
15 citizens in the borough. If we take that number,
16 of 1.385, and divide that by 160,710, you get
17 rounded off to the nearest decimal, 8.6. 8.6
18 districts is what, ideally, the borough should
19 contain.

20 Well, there are only eight districts in the
21 borough. Just mark that, sort of, as challenge,
22 number one. On the Manhattan side, if you do the
23 math with regard to how many citizens we have and
24 how many residents it has -- and, again,
25 Manhattan doesn't grow as fast as the Bronx. It

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1 is the forth fastest-growing borough, of our
2 city, and it grows at a clip of 1.6 percent, to a
3 total of 1.85, a shade under 1.85.

4 If you do the math, of 1.85 million divided
5 by 160,710, you are going to get 9.9, again,
6 rounded off to the nearest decimal. And if you
7 look at how many districts are allocated within
8 Manhattan, there are only ten districts allocated
9 within Manhattan. So, in a way, it has a little
10 more to give.

11 In looking at how we are going to allocate
12 that district, between Manhattan and the Bronx,
13 after hearing testimony from both sides saying
14 that we want to make sure we are represented,
15 surely, the fairest way to do it would be on a
16 50/50 split. That's two ends. One end is,
17 obviously -- the fairest representation is that,
18 on a 50 percent side in the Bronx, it will
19 reflect the growth of the borough over the past
20 ten years.

21 And on the Manhattan side, it will reflect
22 sort of the gap between that 9.9 to ten
23 districts. And it's the fairest way that we can
24 allocate the district between the two boroughs.
25 It also serves a second purpose, and I alluded to

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1 it when I was talking about 8 earlier on, and
2 that was really the need for 8 to perform as a
3 majority/minority district.

4 As I stated earlier, population losses in
5 that district had created a dearth of population
6 that would enable it to perform as a
7 majority/minority district. The only place that
8 it can go, specifically, to pick up that
9 population, would be in the Bronx, up in Mott
10 Haven in the Bronx. Certainly, 8, on the
11 Manhattan side, certainly couldn't grow
12 southward, because there really is a dearth of
13 minority population.

14 And, certainly, if it was to go to the west,
15 it would impede on 8's ability to perform as a
16 majority/minority district. So that's really the
17 basis of having the district of 8 in Manhattan
18 and the Bronx.

19 CHAIRMAN ROMANO: It is a fact, is it not,
20 that as long as we are limited to 51 districts,
21 if we were to create another district in the
22 Bronx, we would have to take a district away from
23 some other borough, yes?

24 MR. HUM: Yes. Yes. I mean we are
25 restricted to 51 districts, at this point, unless

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1 the Charter was changed to allocate another
2 district. That could, potentially, solve this
3 problem. If we were to go nine districts within
4 the Bronx, then we would have to takes one away
5 from one of the other boroughs.

6 CHAIRMAN ROMANO: And the current line,
7 proposed line, is, roughly, a 50/50 split between
8 the Bronx and Manhattan?

9 MR. HUM: Correct.

10 CHAIRMAN ROMANO: So it is a Bronx district
11 as much as it is Manhattan?

12 MR. HUM: Correct.

13 MS. BRAGG: We heard a lot of public
14 testimony, about the impact of the population, on
15 the elected officials being able to serve their
16 constituents.

17 So I do hope as the staff is thinking
18 through the mapping changes, that you think about
19 what the impact, of the population, will have on
20 those elected officials, and being able to keep
21 them together, working together as much as
22 possible, but that is part of your process, you
23 are thinking about the lines.

24 MR. HUM: Certainly. Certainly. And that
25 goes not only to the Bronx, but throughout all of

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1 the five boroughs. Certainly, we try to keep,
2 although we are allowed, by the Charter, to go to
3 5 percent above and 5 percent below, our folks
4 have tried to keep it to a manageable amount.
5 And while we have the tools to go to 5 percent,
6 we don't want to exploit that tool, either.

7 So let me talk, specifically, about some of
8 the districts within Bronx County, and, also, the
9 testimony that we heard during the third round.
10 Again, I will start with District 8 and, pretty
11 much, the concerns that were voiced on the
12 Manhattan side, are the same on the Bronx side.
13 And that is, specifically, making sure that
14 Randall's Island is within the district, and,
15 also, keeping the landmarks of Mount Sinai, and,
16 also, El Barrio within the district.

17 Then there were some specific requests with
18 regard to 8 in the Bronx. One of them had to do
19 with ensuring that the Bronx landmark, such as
20 Yankee Stadium, is not included in 8. There were
21 some requests that Yankee Stadium be in a
22 fully-Bronx district, such as 16. Also, there
23 was testimony stating that the Hub, defined by
24 Third Avenue and 149th Street, be within 8,
25 additionally, seeking or suggesting that,

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1 perhaps, 161st Street, as a business-improvement
2 district, also, be included within 8.

3 From a staff perspective, again, some of our
4 observations, with regard to Randall's Island and
5 Mount Sinai, can, certainly, be entertained
6 within 8.

7 And with regard to Yankee Stadium, and some
8 of the other requests, we can -- certainly, we
9 don't see anything that would prevent us from
10 honoring those requests. But, again, it is sort
11 of a matter of mapping this out and making sure
12 that other districts are not violated.

13 Further questions on 8?

14 I will move on to Districts 11, 12, 13 and
15 15. I sort of group this together to one
16 concern, and it really has to do with the
17 Parkside Houses, which is indicated right by the
18 border of 12 and 11. We had some residents, from
19 that development, stating that they really don't
20 share a community of interest with 11, but they
21 don't share a community of interest, much more,
22 with 15.

23 In addition, we also heard testimony from
24 residents of Pelham Parkway North, its
25 intersection of 13, 12, 11 and 15, it divides the

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1 community up into three different districts.
2 There was a request to see if there was a way to
3 unite that community into one district, or at the
4 very least, not be split within three districts.

5 The same request was also made with regard
6 to the Van Nest area of the Bronx, which is
7 indicated by sort of the junction of the three
8 colors of pink, representing the 13th District,
9 the blue representing the 15th District, to,
10 finally, the 18th District represented by the
11 green.

12 As you can see, it's divided into three
13 different districts, and there was public
14 testimony stating that they wanted to be united
15 into one, or at the very least, into two
16 districts, as is currently drawn in the 2003
17 lines.

18 Again, from a staff's mapping perspective,
19 we think that we can attempt to do that, in
20 addition to addressing the Parkside Houses
21 suggestion and Yankee Stadium. That concludes
22 the testimony on the Bronx.

23 CHAIRMAN ROMANO: All right. With respect
24 to Bronx County, therefore, I offer the following
25 motion: The Commission staff is directed to

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1 address the following items in the plan to be
2 presented to us at our next meeting. The staff
3 should continue to maintain District 8 at an,
4 approximately, 50/50 population split, so that
5 the number of districts, in New York County, is,
6 approximately, 9.5, and the number of districts,
7 in the Bronx County, is, approximately, 8.5.

8 The staff should attempt to include Parkside
9 Houses into District 15. The staff should
10 attempt to keep Pelham Parkway North within a
11 single district. The staff should attempt to
12 minimize the split of the Van Nest neighborhood.
13 In addition, the staff should make a
14 recommendation, to us, concerning the placement
15 of the area in the Bronx known as the Hub, and
16 make a recommendation concerning the placement of
17 Yankee Stadium.

18 That's my motion.

19 Any discussion or an amendment on the
20 motion?

21 MR. ROBERT: I would like to second it.

22 CHAIRMAN ROMANO: The motion is seconded.

23 Any further discussion?

24 All in favor?

25 (A chorus of ayes.)

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1 Opposed?

2 Abstentions?

3 The motion carries.

4 MR. HUM: Thank you. I will move on to
5 Queens County. Let me start off with
6 District 19. There was testimony with regard to
7 Broadway-Flushing, as indicated by the black line
8 over here (indicating), and making sure that the
9 Broadway-Flushing area is returned to District
10 19. There was also testimony with regard to the
11 areas around the Mitchell-Linden Housing
12 complexes.

13 As you recall, in the December 4th meeting
14 of the Commission, there were two adjustments
15 that we made to ensure that District 20 included
16 the Mitchell Gardens and Linden Houses. There
17 was testimony with regard to the blocks around
18 those complexes that shared the same zoning
19 characteristic. Specifically, I believe it's
20 R3A.

21 There was specific testimony as to what
22 those blocks included. That was Parsons
23 Boulevard, Willis Point Boulevard, 146th Drive
24 and 25th Drive, to be included within 20, because
25 of the common characteristic of the zoning within

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1 that district. There was also testimony with
2 regard to 19 and 23. And this is sort of a
3 repeat of the testimony that we heard during the
4 first round, and, also, during the second round,
5 with regard to Oakland Gardens, Bayside Hills
6 being united into Bayside.

7 As you recall, during the November 15th
8 meeting of the Commission, we had placed the
9 border, between 19 and the 23rd, along 46th
10 Avenue, effectively placing Oakland Gardens, and,
11 also, Bayside Hills within District 23.

12 Some of the testimony was testimony given by
13 ACCORD, AALDEF, and the voting-rights groups
14 expressed some dissatisfaction with regard to
15 this area, and, again, repeated their request
16 that the community of Oakland Gardens, Bayside
17 Hills be united with Bayside, in 19, and at the
18 very least, Bayside Hills, as defined by the Long
19 Island Expressway, going north, be united within
20 19.

21 Again, from a staffing mapping perspective,
22 certainly, we could look at that. I look to the
23 Commission, for your guidance, regarding how to
24 address this particular issue. I will move on to
25 District 21 with regard to LeFrak City. There

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1 was testimony, with regard to LeFrak City, not
2 sharing a community of interest within, where it
3 is currently, in 24.

4 There was specific testimony that LeFrak
5 City should be reunited or rather should be in
6 the same district as its neighborhood, Corona,
7 and there was also very specific testimony as to
8 LeFrak City being in 21.

9 And, again, from a staffing perspective,
10 this is possible. There has to be some changes
11 with regard to population deviation. But as I go
12 into my further explanation, some of the
13 solutions may offer some of the changes that are
14 suggested.

15 With regard to 21 and 25, there was a very
16 specific request that the Brulene Cooperatives be
17 placed in 25, in the Jackson Heights district.
18 It's really a block or two along Junction
19 Boulevard. From a population-deviation
20 perspective, and, also, a communities-of-interest
21 perspective, we don't see any challenges to that
22 being accomplished.

23 As to District 23, there was also a specific
24 request that District 23's eastern boundary be
25 extended to Utopia Parkway. This is one request

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1 that, from a staff perspective, I don't think
2 that could be honored without significantly
3 altering the entire map. It would make 24 too
4 small. It would, possibly, make 23 a little too
5 big.

6 CHAIRMAN ROMANO: Did you say "eastern
7 boundary"?

8 MR. HUM: I'm sorry. Western boundary. The
9 western boundary as Utopia Parkway. And, again,
10 I think that was without significantly altering
11 the map, but, particularly, trying to maintain
12 some of the good work the Commission has done
13 with regard to uniting the South-Asian community,
14 the Asian community in Jackson Heights and
15 Elmhurst, and, also, ensuring that the
16 communities of interest, of Woodside and Maspeth,
17 are respected.

18 I am not sure that would be accomplished
19 having that eastern boundary -- I'm sorry. The
20 western boundary, excuse me, as Utopia Parkway,
21 moved to 23.

22 There was also testimony with regard to
23 Districts 29 and 24. Specifically that Briarwood
24 and Jamaica Hills were split. Briarwood, on the
25 December 4th map, is now in 29, and Jamaica Hills

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1 is now in 24. It was revealed, during the last
2 public testimony, that there was a community of
3 interest, and, specifically, a Bengali population
4 among those two communities, a shared community
5 of interest, and are interested in being kept
6 together within one singular district.

7 Again, I think that this was also revealed
8 during the third round of testimony, that a very
9 easy solution is to have LeFrak City in 21, by,
10 basically, joining Briarwood and Jamaica Hills,
11 because the population in Briarwood and Jamaica
12 Hills is almost equal to the population in LeFrak
13 City. From a staffing perspective, from a
14 mapping perspective, that is something that could
15 be accomplished.

16 With regard to District 27, there was a
17 request that certain houses, on the other side of
18 121st Avenue, were not included in District 27.
19 They expressed that they shared a community of
20 interest and, obviously, consider themselves
21 being Cambria Heights, with that border being
22 121st Street. Again, from a mapping perspective,
23 I think that could be accomplished without
24 violating any Charter principles or voting rights
25 principles. You may have to address the

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1 population deviation, but that could be
2 accomplished.

3 On District 28, there was a lot of testimony
4 with regard to the South-Asian community. Again,
5 the Commission did great work in uniting the
6 South-Asian community, which under the 2003
7 lines, was spread into four different council
8 districts. We were successful in capturing the
9 majority of that community within District 28.

10 The request, now made by the South-Asian
11 community, and, particularly, some of the
12 voting-rights groups, such as ACCORD, and, also,
13 Taking Our Seat and AALDEF, expressed that more
14 or additional landmarks, of the South-Asian
15 community, be included within 28. While they are
16 very appreciative of the Commission's good work
17 in bringing the South-Asian community together in
18 one district, they want to see if specific
19 landmarks could be included.

20 And, specifically, those landmarks are John
21 Adams High School, Jama Masjid, Thirumuti Temple
22 and United Hindu Cultural Council Senior Center.
23 They also requested that the western boundary be
24 Woodhaven Boulevard. I should also point out
25 that this testimony was also tempered by

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1 testimony from other residents, within District
2 28, that there was concern with regard to the
3 dilution of the black population and black vote
4 within 28.

5 From a staff perspective, again, with regard
6 to how the population statistics break down,
7 there is still no majority of any one particular
8 population here, meaning there is no population
9 that has 50 percent or more. If anything, the
10 black population enjoys a majority in 28, as
11 drawn at, I believe, at 40 percent.

12 MS. BRAGG: Do you know, offhand, the
13 changes in the percentage from the 2003 maps to
14 these proposed maps of the African-American
15 population?

16 MR. HUM: Yes. I do. Just give me a moment
17 so I can pull it out. Under the 2003 map, the
18 black voting population is 49.2 percent. And
19 under these current lines, as the proposed lines,
20 it would be 45.42 percent. With the Asian
21 population, under the 2003 lines, it is
22 15.4 percent, and under the revised lines, on
23 December 4th, it becomes 17.69 percent.

24 MS. BRAGG: "17.69"?

25 MR. HUM: 17.69.

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1 MR. OGNIBENE: Commissioners, if you could,
2 pull the microphones a little closer.

3 MS. BRAGG: Sorry.

4 MR. OGNIBENE: It is difficult, with the air
5 conditioning, to hear over here.

6 MS. BRAGG: My apologies.

7 MS. WOLFE: Are those voting-age population
8 figures?

9 MR. HUM: That is voting-age population,
10 correct.

11 MR. OGNIBENE: Are the microphones working?
12 Do they have to be turned on?

13 MS. WOLFE: Does it work?

14 I don't think so. They are not working.

15 MS. BRAGG: I'm sorry. It's me. I
16 specifically asked about the percentage for
17 African-Americans, and I asked if it was
18 17 percent, you said, for the Asian population?

19 It went up to 17 percent from 15.6, I think
20 you said?

21 MR. HUM: 15.47 goes up to 17.69, and then
22 the black population -- I'm sorry. The black,
23 voting-age population, to be very, very clear
24 about that voting age, because there is a
25 difference between total population and

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1 voting-age population, it would be 49.26 percent,
2 for the black, voting-age population, and it
3 would be the December 4th lines, it would be
4 45.42, the black, voting-age population.

5 MS. BRAGG: The changes, that were
6 requested, would that significantly change from
7 the December 4th map?

8 Would any of those numbers significantly
9 change?

10 MR. HUM: It depends on your definition of
11 "significant." I think what we have taken a look
12 at, in our initial drafts, that we sort of played
13 around with our mapping software, that the change
14 would, probably, be no more than a percent and a
15 half on either side. If there are no more
16 questions, I will move on to 32.

17 MR. HACKWORTH: Carl, if I may, can you also
18 remind the Commissioners as to the citizen,
19 voting-age population in that area?

20 MR. HUM: That's right. Thank you,
21 Thaddeus. Let me first explain, just in terms of
22 what we talk about in terms of population, there
23 is voting-age population and there is citizen,
24 voting-age population. It's significant because
25 of Dr. Handley's analysis as well.

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1 Total population is what total population
2 is. You are counting all the noses within a
3 certain geographic region. Voting-age population
4 are all of those individuals, that are 18 years
5 or over. And, also, when we add additional
6 qualifiers, such as Asian, voting-age population
7 or black, voting-age population, we are counting
8 everyone who is 18 and over, plus identify
9 themselves as either black, Hispanic, Asian,
10 other. Whatever it may be on the Census.

11 So it's self-identified. Remember, it's
12 always self-identified, because the statistics we
13 are using, are all census-based and the
14 census-based data is self-identified.

15 The third category of population is citizen,
16 voting-age population. That is everyone, sort
17 of, there's two qualifiers here, everyone over 18
18 and everyone who's a citizen. The third
19 qualifier, on top of that, is black, again, how
20 people have self-identified their race, either as
21 black, Asian or Hispanic.

22 So with regard to Thaddeus's statement about
23 citizen, voting-age population, there is usually
24 a deviation from voting-age population to
25 citizen, voting-age population, because the

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1 communities, such as in 28, there is a mass
2 concentration of immigrants, not all of them will
3 be citizens. They may be citizens, but at the
4 time that they are counted, they may not be
5 citizens. Let me just share that statistic with
6 you.

7 For 28, the black-citizen, voting-age
8 population, under the 2003 lines, is
9 56.85 percent, and under the December 4th lines,
10 it is 53.79 percent, as opposed to the Asian
11 population, or rather, Asian-citizen, voting-age
12 population, it is 17.36, under the 2003 lines,
13 and 19.91 under the December 4th lines.

14 If there are no further questions, I will
15 move on to Districts 30 and 32, and,
16 specifically, as it pertains to Woodhaven. We
17 heard a lot of testimony, with regard to
18 Woodhaven, about how the community is split.
19 They were appreciative of how the preliminary
20 draft map had the communities within one
21 district, but expressed concern that they are now
22 being divided.

23 Finally, on District 32, there was testimony
24 in regard to the Dayton Co-ops, which, under the
25 2003 lines, has them within the 32nd District.

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1 However, on the December 4th lines, the Dayton
2 Houses are split into Districts 31 versus 32, and
3 they expressed a community of interest with this
4 part of the Rockaways versus, sort of, I guess,
5 the eastern side of the Rockaways.

6 Don't forget, from a staff perspective, it
7 has implications with regard to Dayton Towers
8 being reintroduced into District 32, because
9 District 31 is already a very, very small
10 district, and depending on the population, it may
11 decrease beyond the 5 percent deviation. If we
12 were to attain this, we would have to do some
13 refiguring with regard to the effects on other
14 districts with regard to population.

15 If there are no further questions -- yes?

16 MR. OGNIBENE: I just have some questions
17 about -- I think there was some talk about
18 Woodhaven and the issues that were raised. As
19 you know, years ago, it seems more than I know, I
20 represented Council District 30, and Woodhaven
21 was entirely, or primarily entirely, within that
22 district, and there was no problem in
23 representing it. I had other districts, that
24 were split in half, like Maspeth, and I know that
25 people like to complain that they want to be

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1 wholly within a district. I understand that.

2 But from the council's point of view, if you
3 look at it from the inside, I always thought it
4 was better being represented by two council
5 members, because I know, from the inside, it's
6 available for two sets of resources, both,
7 financial and with the voice of the council
8 member.

9 What I am concerned about this, because I
10 think we have a decision, if we are going to put
11 Woodhaven wholly within a district. One of the
12 things, that concerns me, is that I am familiar,
13 now, with District 32, very well. I know the
14 council member very well. And they are already
15 overburdened, because the highest impact of
16 Sandy, on the districts, and the 32nd Council
17 District, that is Breezy Point, Belle Harbor, the
18 Rockaways, Broad Channel, Howard Beach, and the
19 office is completely inundated.

20 I even volunteer. And I don't know who is
21 going to be the next council member, in 2013,
22 when we have the election, but, certainly, that
23 person is going to be overwhelmed with demands
24 from constituents, particularly with reference to
25 City services, sanitation, police, fire, DEP.

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1 And I think that adding population to that
2 district, particularly population that is not
3 adversely affected by Sandy, is going to put a
4 tremendous burden on it. And so, the people in
5 the lower part of the district are entitled to
6 representation, the best that they can get and
7 they are going to need it.

8 And I think it would be a disservice to,
9 both, the people in Woodhaven and the people in
10 the southern part of the district, to include an
11 additional population in the 32nd District,
12 particularly when the new council member is going
13 to be faced with overwhelming constituent needs.

14 And, previously, I've been in Council
15 District 30. I looked at the population. I
16 think Council District 30 has a population of 154
17 and 32 already has a population of 157. So I
18 think, when we look towards in which district, if
19 we want to make Woodhaven whole, which, again, I
20 understand people feel they have been divided,
21 but we know that council lines are kind of
22 imaginary lines on maps. And even though I had
23 partial communities in my district, I never
24 neglected them.

25 But if people feel more comfortable and

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1 believe that's the direction we are taking, I
2 think it would be more appropriate to put it back
3 in 30. Now I understand in doing so, we create
4 some population issues.

5 But there are areas in 30, particularly with
6 reference to 29, which was Karen Koslowitz, when
7 I was there, and it's Karen Koslowitz now, and
8 Mr. Van Bramer's district, which is District 26,
9 that there is room to maneuver population in
10 those two areas and comply -- have District 30
11 comply with the population requirements that are
12 mandated.

13 But I think from a good-government point of
14 view, and out respect for the people that
15 suffered with Sandy, that by burdening more
16 population into 32, the council members are going
17 to be overwhelmed and are not going to give the
18 proper service to either of those communities.

19 I think it's important, from my point of
20 view, and it would be very difficult for me to
21 support taking away services from the people that
22 suffered with Sandy. And it's going to be very
23 overwhelming, when it was previously in 30, and I
24 think would fit well in District 30. Thank you
25 for allowing me to make that statement.

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1 CHAIRMAN ROMANO: All right.

2 MR. PADAVAN: Excuse me, Mr. Chairman. I
3 would like to go back to 19 and 23, if I may.
4 First with regard to Oakland Gardens, in my
5 lifetime, Oakland Gardens has always been Oakland
6 Gardens. It has its own post office and ZIP
7 code. The City Councilman, who represents the
8 23rd, it's addressed 7303 Bell Boulevard, Oakland
9 Gardens. So this notion, that somehow or
10 another, it's not Oakland Gardens, but it's
11 Bayside, which testimony from groups has
12 indicated, is just not the case.

13 You have it up there entirely in the 23rd,
14 right now, on that map, in any event, and that is
15 the way it should stay. Now with regard to
16 Bayside Hills, there was testimony, that despite
17 that currently it has two City Councilmen, it
18 should have one. I think we can agree with that.
19 It is a very homogenous community, civic
20 association-wise, all one-family homes and so on.

21 However, I think it should remain as you
22 have it up there currently, in the 23rd, and not
23 in the 19th. So those are my only two
24 suggestions, or recommendations, or observations
25 with regard to your testimony, and I thank you

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1 very much.

2 CHAIRMAN ROMANO: Commissioner Padavan,
3 could I just ask a question?

4 You are, obviously, more familiar with
5 Queens than I am.

6 What you just described, is that,
7 essentially, to rule out the possibility of using
8 the LIE as the a boundary?

9 MR. PADAVAN: The LIE, if you look at it up
10 there, the LIE is a boundary in some places and
11 it is not in others. In some cases, the boundary
12 is Northern Boulevard. We can use that too. It
13 is a major thoroughfare.

14 CHAIRMAN ROMANO: It is a boundary in the
15 eastern part of 23 and then --

16 MR. PADAVAN: Also, if you look at 19, you
17 will see, that in some cases, the boundary is
18 Northern Boulevard and not the LIE. It's not
19 consistently the LIE. Keep in mind, the LIE
20 going back a number of years, was the Horace
21 Harding Expressway, when I was a kid growing up
22 out there.

23 CHAIRMAN ROMANO: Right, but we are, after
24 all, drawing lines for the next ten years.

25 MR. PADAVAN: I realize that. Just to

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1 answer your question, the boundary between the
2 19th and the 20th, the 19th and the 23rd has not
3 consistently, historically, been the LIE.

4 CHAIRMAN ROMANO: It may be not consistent
5 throughout the borough, but if you look at 23, it
6 has, as northern boundaries, the LIE, in one
7 section, and the LIE in another section, then it
8 drips up.

9 MR. PADAVAN: In other sections, it's
10 Northern Boulevard.

11 CHAIRMAN ROMANO: Not in 23.

12 MR. PADAVAN: No. Between 19 and 20.

13 CHAIRMAN ROMANO: Right. But then the LIE
14 is also a boundary that separates 20 and 24.

15 What I am trying to understand is your
16 comment, does that rule out use of the LIE?

17 MR. PADAVAN: Yes, because it changes it
18 dramatically -- not dramatically, from what it
19 has been in the last decade.

20 MS. BRAGG: To your first comment, that
21 Oakland Gardens has always been Oakland Gardens,
22 again, I am not familiar with Queens enough. But
23 we heard a lot of testimony that the two
24 communities, I think Bayside and Oakland Gardens,
25 considered themselves --

DISTRICTING COMMISSION

1 MR. PADAVAN: I heard that testimony, too,
2 and I am going to tell you it's not so.

3 MS. BRAGG: Okay.

4 MR. PADAVAN: The City Councilman, whose
5 district office is in Oakland Gardens, if you
6 look it up in the Green Book, or any other place,
7 it has his address. It says Oakland Gardens.
8 It's a post office that says Oakland Gardens.
9 The federal government has called it Oakland
10 Gardens.

11 MS. BRAGG: Right. But I am just trying to
12 remember the testimony. We heard a number of
13 people say that they consider themselves Bayside,
14 and they shop in Bayside, and live in Bayside,
15 and call themselves Bayside, and all of that.

16 MR. PADAVAN: The people I know, and I do
17 know a number of people call themselves residents
18 of Oakland Gardens, because that's the way it's
19 been.

20 MS. BRAGG: And the concern that if we keep
21 it as it is, is it splitting the community if the
22 line stays as it is?

23 MR. PADAVAN: No. The way it's up there,
24 and the community stays intact, Oakland Gardens.
25 You are not splitting Oakland Gardens.

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1 MS. BRAGG: Okay. But the testimony was to
2 bring Oakland Gardens and Bayside together,
3 because they consider themselves a community.

4 MR. PADAVAN: You know, you keep saying
5 "bring them together."

6 MS. BRAGG: And you disagree with the
7 testimony?

8 MR. PADAVAN: Exactly. The premise is
9 wrong.

10 MS. BRAGG: The premise is wrong from the
11 testimony?

12 MR. PADAVAN: They live in Oakland Gardens.
13 I lived in Queens, for 60 years, and it has
14 always been Oakland Gardens, to my memory.

15 MS. BRAGG: So you disagree with the public
16 testimony that they, Oakland Gardens and Bayside,
17 together, are a community of interest, and you
18 disagree with that, and they should be considered
19 separate communities?

20 MR. PADAVAN: They are separate communities.

21 CHAIRMAN ROMANO: Let me ask you a question,
22 Frank.

23 I am trying to understand, the area north of
24 the LIE, that still is in 23, north of the LIE in
25 23, what is that called?

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1 What do people, who live in that
2 neighborhood, consider themselves?

3 What neighborhood is that?

4 MR. PADAVAN: Isn't that part of it?

5 If you look at their mailing address, the
6 post office, it is Oakland Gardens.

7 CHAIRMAN ROMANO: And does it extend south
8 of the LIE, Oakland Gardens?

9 MR. PADAVAN: Yes.

10 CHAIRMAN ROMANO: And above the line, as it
11 is drawn now, is that Bayside?

12 MR. PADAVAN: Yes. As I said before, if you
13 look up the address, and my colleague just handed
14 to me of the district office of the councilman,
15 who represents the 23rd, he had it as 7303 Bell
16 Boulevard, Oakland Gardens 11364.

17 MS. LIN: If I could just clarify, I
18 actually grew up in what is known as Oakland
19 Gardens, and I am respectfully disagreeing with
20 my Co-Commissioner, Mr. Padavan, in that Oakland
21 Gardens is, as I have known it growing up there,
22 part of Bayside. And whenever we refer to
23 Bayside, a resident of Oakland Gardens is
24 commonly known as a resident of Bayside.

25 That being said, the section, that is known

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1 as Oakland Gardens, is actually south of the LIE,
2 and the north portion that currently, with the
3 December 4th lines, that is north of the LIE, is
4 Bayside Hills, and then what is north of that, in
5 the 19th, is known as Bayside.

6 And I wanted to note, also, that we have
7 heard testimony, not just about Oakland Gardens,
8 but, also, about Bayside Hills, in which the
9 Queens Civic Congress had indicated that they,
10 Bayside Hills, has been separated and should be
11 combined into one district, and that district
12 being in District 19 and not 23.

13 And as Carl had summarized, many
14 Asian-American interest groups have testified
15 that Oakland Gardens is commonly known as Bayside
16 now, as opposed to, perhaps, when
17 Commissioner Padavan -- I don't know if you
18 reside there or while you were growing up.

19 CHAIRMAN ROMANO: Right now, Oakland
20 Gardens, on this map, is south of Bayside Hills?

21 MS. LIN: Correct. And I also recall, from
22 the October testimony, that Councilman Halloran
23 was in favor of combining Bayside Hills, which
24 had been divided into two separate districts, 19
25 and 23, during the 2003 lines.

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1 MR. PADAVAN: If I may, there is general
2 agreement, Commissioner, that we should combine
3 them, that it should not be two councilmen. The
4 issue here is which way.

5 MS. LIN: Right.

6 MR. PADAVAN: And I would suggest that we
7 strongly consider it being in the 23rd, where the
8 significant portion is currently under the
9 existing City Council lines, not the 19th.

10 We are combining it, but the question is do
11 you go north?

12 Do you go south?

13 Which way do you go?

14 I am simply asking the staff and the
15 Commission to consider having it in 19 -- 23,
16 excuse me, rather than 19.

17 MS. LIN: I mean I would also suggest,
18 perhaps, that the staff advise the Commission on
19 the legal implications of doing that and/or
20 having Bayside Hills in 19 versus 23 or Bayside
21 Hills and Oakland Gardens in 19 or 23.

22 CHAIRMAN ROMANO: I don't want to cut short
23 any further debate on this, but I suspect we are
24 going to have to hear from the staff and have
25 further discussion about this issue. We have

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1 spent a lot of time on this particular issue.
2 It's, particularly, complicated and difficult,
3 and there may be some legal implications, which
4 we should take proper advice.

5 Commissioner Padavan, would it be
6 acceptable, to you, if I left it at that, for
7 now, and ask the staff to come back to us?

8 MR. PADAVAN: I have no problem with that.

9 As a matter of fact, I have already
10 discussed this with our executive director, and,
11 certainly, we would hope that they would look at
12 it very carefully. I don't want to debate it any
13 further with Commissioner Lin. But the fact
14 remains that the federal government says it's
15 Oakland Gardens. That's what it is.

16 MS. BRAGG: I was going to say, specific to
17 this particular population, something we have had
18 come up other times, overall, for affecting the
19 51 districts, there was a 30 percent increase in
20 the Asian population across the City, and that we
21 know, from the analysis and the numbers, that we
22 have been given, is that there is no significant
23 concentration of population of the Asian
24 population.

25 And so, there have been the AALDEF or the

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1 ACCORD and Common Cause maps, that even their
2 maps, there was no significant Asian district
3 created. So I know this particular neighborhood
4 has asked the staff to consider that, so they
5 come back to us about that increase, and giving
6 that neighborhood the opportunity to elect a
7 representative of their choice as well, given
8 that increase.

9 CHAIRMAN ROMANO: Let me see if I can
10 fashion a motion through all of this. With
11 respect to Queens County, let me offer the
12 following directives: The Commission staff is
13 directed to address the following items in a plan
14 to be presented to us in our next meeting.

15 The staff should attempt to come back with a
16 recommendation that unifies the Broadway-Flushing
17 neighborhood, and the area surrounding
18 Mitchell-Linden Housing, into District 19. They
19 should attempt, also, to include LeFrak City into
20 District 21. The staff should attempt to unite
21 the Brulene Cooperatives into a single district.
22 The staff should attempt to unite the
23 neighborhoods, of Briarwood and Jamaica Hills,
24 into a single district.

25 The staff should attempt to unite the homes,

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1 on the south side of Francis Lewis Boulevard, on
2 121st Avenue, into District 27, with the rest of
3 Cambria Heights. In addition, the staff should
4 come back to us with a recommendation concerning
5 the boundary between Districts 19 and 23. They
6 should come back to us with a recommendation
7 concerning including additional landmarks,
8 identified by the South-Asian community,
9 landmarks within District 28, including John
10 Adams High School, Jama Masjid, Thirumuti Temple,
11 United Hindu Cultural Council Senior Center.

12 The staff should request that our expert,
13 Dr. Lisa Handley, be available at our next
14 meeting, to discuss the impact, if any, of the
15 changes in District 28, and the minority groups'
16 ability to elect candidates of their choice.

17 The staff should come back to us with
18 recommendations concerning the request to unify
19 Woodhaven into one district, taking into account
20 Commissioner Ognibene's remarks about which
21 district that should be. And the staff should
22 make a recommendation, to us, concerning the
23 requested unification of Dayton Tower Co-ops, in
24 the Rockaways, spanning from Beach 81st Street to
25 Beach 74th Street.

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1 That is the motion.

2 Do I have a second?

3 MR. OGNIBENE: Second.

4 CHAIRMAN ROMANO: It has been seconded.

5 Any further discussion on the motion?

6 All in favor, indicate by saying "aye."

7 (A chorus of ayes.)

8 Opposed?

9 Abstentions?

10 The motion carries.

11 MR. HUM: Thank you, Chairman Romano. I
12 will move on to Kings County. Kings County,
13 there was a number of remarks with regard to
14 District 33, and, particularly, the inclusion of
15 the area south of Flushing Avenue that was
16 previously in Districts 35 and 36.

17 The concern articulated is the concern, that
18 included in this area, would create a
19 quote/unquote "Jewish ghetto," by uniting some of
20 Williamsburg south with places which are heavily,
21 predominantly Hassidic Jewish areas.

22 Another concern, that was expressed by some
23 of the public testimony, was that by adding this
24 area, below Flushing Avenue, would seriously
25 hinder the 33rd District's ability to elect a

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1 woman or a member of the LGBT community, because
2 of the monolithic, as they say, the monolithic
3 behavior of voting of this area below Flushing
4 Avenue.

5 That said, when staff took a look at this,
6 the reason why the area, south of Flushing
7 Avenue, is now in 33, is really because of trying
8 to maintain Districts 35 and 36 as
9 majority/minority districts.

10 The phenomenon, that happened in Brooklyn,
11 in the past ten years, is that while Brooklyn
12 increases in population, and I think the increase
13 in population is between 3.2 percent, black
14 population, actually, decreases, in Brooklyn, at
15 a faster rate than the entire city.

16 If you recall, black population decreased,
17 in the entire city, by 5.1 percent. In Brooklyn,
18 it is 5.8 percent. The strongholds of black
19 districts, within Brooklyn, have decreased in
20 population. So it becomes a challenge, on our
21 side, with regard to maintaining certain
22 majority/minority districts, to meet the
23 benchmark that we are required to meet under
24 Section V of the Voting Rights Act.

25 So our intent and our motivation, in placing

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1 the area south of Flushing Avenue, was not to
2 create a Jewish ghetto, it wasn't to deny the
3 ability of the 33rd voters to elect a woman or a
4 member of the LGBT community, but rather to
5 preserving the integrity of 35 and 36 as
6 majority/minority districts. So from a staff
7 perspective, I don't think that, unless we are
8 willing to jeopardize our ability to meet the
9 benchmark, I don't think we will be able to honor
10 that particular request.

11 Let me move on to District 34. The sole
12 comment, with regard to District 34, was trying
13 to bring back Hope Gardens, a housing
14 development, split between 34 and 37. Again, in
15 being consistent with your overall goal of trying
16 to keep that housing development, we will try to
17 explore how we can bring that in without
18 violating any population deviations.

19 Next, on 36, there was comment on moving the
20 eastern boundary -- hold on -- yes. The eastern
21 boundary of 36 to Saratoga Avenue, which would be
22 right about here (indicating). As you can see,
23 that is three long blocks. And as I stated
24 earlier, the growth of the black population, as a
25 stronghold of majority/minority districts, would

DISTRICTING COMMISSION

1 create population challenges. In addition, it
2 would create challenges for our ability to meet
3 the benchmark of the Voting Rights Act. So that
4 is another request that I don't think, just from
5 a staff perspective, we will be able to honor.

6 The next comment focused on Bay Ridge
7 Towers, with a repeated request from our first
8 and second rounds. Particularly, the Bay Ridge
9 Towers, currently, are in 38, and they would like
10 to be in 43. On first look, the population
11 deviations of 43, in particular, are very, very
12 high. It is, currently, at 4.99 percent. That's
13 about as high as you can get without tipping the
14 balance. With your permission, the staff can,
15 sort of, take a look at it to try to make it
16 happen, but I don't want to guarantee anything.

17 MS. BRAGG: Historically, in the public
18 testimony, they requested this ten years ago as
19 well?

20 MR. HUM: Apparently, if you look at the
21 testimony ten years ago, or rather than 20 years
22 ago, they were in -- Bay Ridge Towers was in 43,
23 but with the last redistricting process, they
24 were put in 38. So it's a request to be put back
25 into 43.

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1 I will move on to Districts 43, 44 and 47.
2 This concerns Bensonhurst, and, particularly, as
3 expressed by the AALDEF, OCA, and also members of
4 the unity group supporting the unity map. In our
5 last discussion about Bensonhurst, and this still
6 remains true, is that even on the unity map,
7 their best draw, of this area, would only have a
8 34 percent Asian population, which doesn't compel
9 us to draw a district under the Voting Rights
10 Act, Section II or Section V, for that matter.

11 However, though, I do think that with regard
12 to Bensonhurst and communities of interest, and
13 just in regard to abiding by the Charter's
14 request that racial and language minority groups
15 be kept together, I think that we can attempt to
16 try to unite Bensonhurst within one particular
17 district.

18 Again, we are guided, not only by the unity
19 map, but we are also guided by another map, that
20 was submitted by OCA, the Organization of Chinese
21 Americans, the New York City chapter, which, if
22 you take a look at it from a staff perspective, I
23 think we could entertain.

24 Let me move on to District 44. On the flip
25 side of it, is that when you see testimony from

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1 numerous individuals, about 44, keep the lines
2 exactly as they are. Well, if we are going to
3 explore the possibility of trying to unite
4 Bensonhurst into one district, we are going to
5 have to break some eggs, if you will, to make
6 that omelette, creating a united Bensonhurst, and
7 that is going to affect 44's lines.

8 So I don't think, from a staff perspective,
9 we are going to be able to honor the request of
10 keeping 44 wholly intact.

11 MS. BRAGG: If we honor the Bensonhurst
12 request, does that break up any communities of
13 interest in 44?

14 MR. HUM: As defined by OCA, the Brooklyn
15 maps, I think that, particularly looking at the
16 area bounded by 52nd Street and 21st Avenue going
17 north -- not north, but northwest and southwest,
18 over here (indicating), I don't think that it
19 would impact Borough Park or any of the areas
20 around 44. I think that, if anything, it would
21 probably create a more united Bensonhurst in 47.

22 Let me move on to Districts 45, 46 and 48.
23 And this really was the bulk, if you will, of our
24 testimony, at Saint Francis College, with regard
25 to the shape of 48. There was a lot of testimony

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1 with regard from the orthodox Jewish community as
2 being split up from 48.

3 In consultation, in my private meetings with
4 some of the orthodox Jewish groups, they defined
5 their community as Flatbush Avenue and East 30th,
6 going west and going south. The request was to
7 be included within the 48th District. As you
8 might recall, there was some sort of back and
9 forth between the Russian community, who had
10 expressed great gratitude to the Commission for
11 creating 48, and then there was also a lot of
12 testimony from the orthodox Jewish community, who
13 expressed a lot of displeasure with regard to how
14 48 was shaped.

15 The request was to have Flatbush, again,
16 going south and going westward, be included all
17 within 48. Just from where you could see where
18 my hand is (indicating), that is a significant
19 amount of territory. As we get into the Midwood
20 areas, and this area of Brooklyn, it becomes
21 very, very, very dense. So it's almost
22 impossible to include this area within 48.

23 And, also, 45 is a majority/minority
24 district protected by the Voting Rights Act. We
25 have to be mindful of being sure to meet the

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1 benchmark. If we do that, we will seriously
2 jeopardize the ability of 45 to perform as a
3 majority/minority district or be considered as a
4 majority/minority district, by Dr. Handley and
5 the Department of Justice.

6 What we could do is see if there are any
7 additional blocks of orthodox Jewish community we
8 could, possibly, include in 48, because 48 is on
9 the lower end of the deviation, at 1.5 percent,
10 which means it gains in population. So,
11 certainly, with your permission, the staff will
12 take a look at, possibly, adding in some blocks
13 into the 48th district.

14 Finally, the last comment, that was made
15 with regard to Brooklyn, was District 46. And
16 that really is a comment about the Commission's
17 creation of 46 as an opportunity district. And,
18 again, an opportunity district is the district's
19 opportunity to elect a minority candidate of
20 their choice.

21 The comment, that was made was made by
22 Center for Law and Social Justice, is that we
23 could have created a better opportunity district,
24 by having a greater presence of black population
25 within this district. After consulting with our

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1 attorneys and our consultants, we feel or are
2 confident that this can perform as an opportunity
3 district, and could be considered an opportunity
4 district, by the Department of Justice. However,
5 again, Dr. Handley will be available, on
6 February 6th, to answer any questions with regard
7 to her analysis of 46.

8 If there are no further questions, that
9 concludes my presentation of Brooklyn.

10 CHAIRMAN ROMANO: Any questions?

11 With respect to Kings County, let me see if
12 I can fashion a motion that gives the staff some
13 direction. The Commission staff is directed to
14 address the following items in a plan to be
15 presented to us at our next meeting. The staff
16 should attempt to bring the Hope Gardens building
17 back into District 34 from District 37. The
18 staff should attempt to include more of the
19 neighborhood of Bensonhurst within District 47.

20 The staff should attempt to include more of
21 the orthodox Jewish population into District 48,
22 without comprising the ability to elect
23 minority-preferred candidates in either Districts
24 45 or 46. In addition, the staff should make a
25 recommendation, to us, concerning the placement

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1 of Bay Ridge Towers into District 43, from
2 District 38, if the other changes to the plan
3 allow for such inclusion, and come to us with a
4 request, that Dr. Handley be prepared at our next
5 meeting, to discuss minorities' opportunity to
6 elect candidates of their choice in District 46.

7 That is the motion.

8 Any discussion on the motion?

9 Is the motion seconded?

10 MR. ODOM: Seconded.

11 CHAIRMAN ROMANO: The motion has been
12 seconded.

13 All in favor?

14 (A chorus of ayes.)

15 Opposed?

16 Abstentions?

17 The motion carries.

18 MR. HUM: Thank you, Chairman Romano. I
19 will move on to Staten Island. Staten Island,
20 there was one comment. That comment has to do
21 with the area around Saint Teresa's Parish. It
22 is, currently, within the 49th District. It,
23 sort of, straddles along the Staten Island
24 Expressway, and the desire is for it to be within
25 the 50th District.

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1 From a mapping perspective, it could be
2 done. We would have to trade the blocks,
3 because, frankly, in order to bring Saint
4 Teresa's Parish into the 50th District, we are
5 left alone with the Staten Island Expressway
6 connecting this peninsula in District 49.

7 So with the Commission's permission, we
8 could explore mapping opportunities or mapping
9 possibilities with regard to bringing Saint
10 Teresa's Parish into 50.

11 MS. HANKS: I would like to commend the
12 staff of the Commission for the great job they do
13 in Staten Island. It's our opinion that Staten
14 Island is very good the way it is, and to deviate
15 from the public map, December 4th map, is
16 unnecessary.

17 I think that the recommendation is that
18 Staten Island is fine and everyone involved is
19 very satisfied with the results of what the staff
20 and the Commission have been able to accomplish.
21 Thank you.

22 CHAIRMAN ROMANO: Let me try our final
23 motion for the evening, except for the motion to
24 adjourn. With respect to Richmond County, I
25 offer the following motion: The Commission's

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1 staff is directed to make a recommendation, to be
2 presented to us at our next meeting, concerning
3 the request to unite Saint Teresa's Church and
4 its parish into District 50.

5 Do I hear a second?

6 MR. OGNIBENE: Second.

7 CHAIRMAN ROMANO: Thank you.

8 Any further discussion?

9 MS. HANKS: No. That's not -- I understand
10 that that was a recommendation, but we were to
11 move Saint Teresa's to -- yeah. It's fine as it
12 is.

13 CHAIRMAN ROMANO: "As it is"?

14 MS. HANKS: As it is.

15 CHAIRMAN ROMANO: I will withdraw the
16 motion.

17 MS. HANKS: Withdraw the motion. Thank you.

18 CHAIRMAN ROMANO: Staten Island is spared
19 even a motion. Well, then, I do go to my final
20 motion, which is a motion to adjourn.

21 If there is any other business to discuss?

22 We stand adjourned until our next public
23 meeting.

24 (Hearing continued on next page to include
25 Stenographer's certification.)

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1 MR. HACKWORTH: On February 6th.

2 CHAIRMAN ROMANO: On February 6th.

3 (Whereupon, at 7:54 p.m., the above matter
4 was concluded.)

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I, JOSHUA B. EDWARDS, a Notary Public for
and within the State of New York, do hereby
certify that the above is a correct transcription
of my stenographic notes.



JOSHUA B. EDWARDS, RPR

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