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CITY OF NEW YORK  
2012-2013 DISTRICTING COMMISSION

FINAL VOTE  
PUBLIC MEETING

New York Law School  
185 West Broadway  
New York, New York 10013

February 6, 2013  
6:13 P.M.

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9 IN ATTENDANCE:

10 BENITO ROMANO, Chairman

11 JAMILA PONTON BRAGG

12 SCOTT CERULLO

13 KAMILLAH HANKS

14 ROBERT W. HART

15 LINDA LIN

16 OSCAR ODOM, III

17 THOMAS V. OGNIBENE

18 MADELINE PROVENZANO (via videoconference)

19 FRANK PADAVAN

20 ROXANNE J. PERSAUD

21 JOHN ROBERT (via videoconference)

22 GLORIA CARVAJAL WOLFE

23 MARC WURZEL

24 JUSTIN YU

25

## DISTRICTING COMMISSION

1           CHAIRMAN ROMANO: Good evening and welcome  
2           to this evening's public meeting of the New York  
3           City Districting Commission. My name is Benito  
4           Romano. I am the Chair of the Commission. On  
5           behalf of the Commission, I want to thank Dean  
6           Anthony Crowell and the staff of New York Law  
7           School for their hospitality in hosting the  
8           Commission for its public meeting tonight.

9           I also would like to acknowledge the  
10          presence of a special guest, Dr. Bernard Grofman,  
11          professor of political science at the University  
12          of California, Irvine, who is with us in the  
13          audience tonight. Dr. Grofman is a redistricting  
14          scholar, a practitioner, and a theoretician, and  
15          we are very pleased to have him with us tonight.

16          While this meeting is open to the public, we  
17          will not be taking any comments or testimony from  
18          public tonight. During our last meeting, the  
19          Commission gave specific instructions to the  
20          staff to revise the district plan to reflect the  
21          testimony and commentary we heard during the  
22          public-comment period and in the 15 public  
23          hearings held, by the Commission, from last  
24          August through January of this year.

25          All in all, over 1,750 people attended the

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1           hearings and the Commission heard from over 500  
2           participants. Tonight's meeting will begin with  
3           a report from our executive director, Carl Hum,  
4           regarding the revisions that you requested. But  
5           before we begin, I would like, as we did before,  
6           at the beginning of all of our meetings, have the  
7           Commissioners introduce themselves. We will  
8           start with Tom Ognibene at the end, to my right.

9           MR. OGNIBENE: Thomas Ognibene, Queens  
10          County.

11          MS. HANKS: Kamillah Hanks, Staten Island.

12          MR. YU: Justin Yu, Manhattan.

13          MR. CERULLO: Scott Cerullo, Staten Island.

14          MS. LIN: Linda Lin, Queens.

15          MS. BRAGG: Jamila Ponton Bragg, Manhattan.

16          CHAIRMAN ROMANO: Benito Romano, Manhattan.

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

18          MS. PERSAUD: Roxanne Persaud, Brooklyn.

19          MS. WOLFE: Gloria Carvajal Wolfe,  
20          Manhattan.

21          MR. PADAVAN: Frank Padavan, Queens.

22          MR. HART: Rob Hart, Staten Island.

23          MR. WURZEL: Marc Wurzel, Manhattan.

24          MR. HACKWORTH: Mr. Chair, we also have  
25          Madeline Provenzano, who is appearing on

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1 videoconference, and we are expected to also have  
2 John Robert, shortly.

3 CHAIRMAN ROMANO: Very good. Thank you very  
4 much.

5 Before we have the staff walk us through the  
6 revised map, we need to consider the adoption of  
7 the minutes of our last meeting. These minutes,  
8 along with other materials for this meeting, were  
9 previously e-mailed to the Commission members and  
10 you have copies before you today.

11 May I have a motion to adopt the minutes  
12 from our January 23rd meeting?

13 MS. PERSAUD: So Moved.

14 CHAIRMAN ROMANO: I have a motion.  
15 Is it seconded?

16 MR. ODOM: Seconded.

17 CHAIRMAN ROMANO: The motion has been  
18 seconded.

19 Any discussion on the motion?

20 All in favor?

21 (A chorus of ayes.)

22 Opposed?

23 Abstentions?

24 The motion carries.

25 Now we will have the presentation of the

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1 revised the map, for which I am going to ask the  
2 Commissioners to leave their seats and take seats  
3 in the first row, of the audience, so that we can  
4 look at the big map behind us.

5 MR. HUM: Hello. Thank you,  
6 Chairman Romano, and good evening to the  
7 Commission. It is my pleasure to walk you  
8 through the changes from the last round. Before  
9 I do that, though, I just want to go over, with  
10 you, once again, the foundation, and the sources,  
11 and references that we used to not only create  
12 this revised map, but the previous map before it.

13 Again, it is worth noting that during our  
14 three rounds of public hearings, since August, we  
15 have had over 1,700 people attend those 15  
16 hearings that we conducted around the city. 500  
17 people testified and more than 1,500 individuals  
18 submitted testimony, online, to our submission  
19 portal on our website.

20 Additionally, it's worth noting that,  
21 through our online, free-mapping software, on our  
22 website, there were 23 submissions that were  
23 received, from individuals and groups, in  
24 addition to the map that was submitted by the  
25 Unity group.

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1           I would also like to point out that over the  
2           past six months, my staff and I have conducted  
3           over 35 meetings with community groups,  
4           voting-rights advocates and other groups during  
5           this process. And of course, it is your  
6           viewpoints and your expertise as Commissioners,  
7           all 15 of you, that have helped create this map.  
8           So I want to thank you for your patience and,  
9           also, for your time throughout this process.

10           I also want to point out, that in addition  
11           to these references, our community-outreach team  
12           has spoken to over 50 community groups, political  
13           clubs and other groups to inform them of the  
14           districting process and to garner further input.

15           The thinking and rationale behind the staff  
16           recommendations, that we are about to see, are  
17           fully detailed in the memorandum, that is from  
18           the staff, that is in your packets and, also,  
19           available online on our website. Now, while the  
20           staff memorandum fully outlines the rationale of  
21           the Commission's thoughts throughout these three  
22           rounds, I will focus my comments, tonight, solely  
23           on the charges that the Commission had given the  
24           staff in our public meeting back on January 23rd.

25           I read the transcript, from the record, from

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1 January 23rd, with regard to other public  
2 requests that were made, but were not made as  
3 part of the charge to the staff and the  
4 Commission.

5 MR. HACKWORTH: Mr. Hum, if I could  
6 interrupt for a moment, I wanted to note that  
7 Commissioner John Robert has also joined us by  
8 videoconference. Thank you.

9 MR. HUM: Thank you, Thaddeus.

10 So I would like to focus everyone's  
11 attention to the screen. Let me start off with  
12 our first borough, which will take from 1 to 15,  
13 Manhattan. Just to give you a little bit of an  
14 orientation, just look at the borough. If you  
15 could go to just 1 and 2, that's better. I just  
16 want to orient you as to what you are looking at.  
17 Focus your attention on the black lines. Those  
18 represent the staff recommendations during this  
19 revised district plan.

20 The colors represent 2003, or the current  
21 City Council lines. So just for clarification, I  
22 am going to start off with Districts 1 and 2.  
23 Just to comment, with the way that Districts 1  
24 and 2 are shaped, it, pretty much, retains its  
25 shape from the 2003 lines. Because, as you

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1 recall from Dr. Handley's report, who we will be  
2 hearing from later on during this meeting,  
3 District 1 is deemed an opportunity-to-elect  
4 district. This district has been able to elect  
5 the minority-preferred candidate during the last  
6 election.

7 To that effect and to maintain it as an  
8 opportunity-to-elect district, we keep the shape,  
9 generally, of 1, as it is, and currently keep the  
10 demographics of 1 as they are. Let me go to the  
11 specific charges that the Commission asked.

12 If you could zoom in, David?

13 Perfect. Okay.

14 The first charge was to ensure that the  
15 Gouverneur Gardens Houses was kept in 1, and the  
16 Vladeck Houses were kept in 2. As you can see,  
17 that dark line separates those two housing units,  
18 with Gouverneur Gardens being in 1 and Vladeck  
19 Houses being in 2.

20 The second charge, I was asked, was to  
21 restore the area from Pitt to Norfolk Street,  
22 from Stanton to East Houston back into 2. As you  
23 can see, this is the area that was previously  
24 under the 2003 lines, was in 1, but now they are  
25 returned to 2. As you recall from the testimony

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1 and from the public comments, that was in  
2 District 2 during the 1993 lines.

3 To accommodate this move, as you can see, we  
4 had to bring in additional population. And we do  
5 that by bringing in this area bounded by Bowery  
6 and Jones. As you recall from the last public  
7 hearing in Manhattan, there was a group of  
8 residents, in the NoHo part of Manhattan, that  
9 identified with the SoHo part of Manhattan, so we  
10 restored those boundaries.

11 Additionally, for District 2, we brought  
12 back, as the Commission charged, this block,  
13 between 34th Street and 35th, bounded by First  
14 Avenue and Second Avenue, into District 2.

15 I will move on to District 3. District 3,  
16 the shape has changed a little bit from the  
17 December 4th lines, which is not on this map.  
18 But what we did do was use Broadway as the  
19 natural boundary. We got that suggestion from  
20 the Common Cause map that was submitted to the  
21 Commission.

22 As to District 4, there was a  
23 recommendation, from the Commission, to  
24 investigate or to give a recommendation as to the  
25 placement of Bellevue Hospital, as defined by the

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1 FDR Drive, between 26th and 28th Streets,  
2 approximately, right over here (indicating). Our  
3 recommendation is to keep it within 4. Carving  
4 that piece out, in District 2, would just,  
5 basically, have the FDR Drive connecting Peter  
6 Cooper Village and Stuyvesant Town to the rest of  
7 4, which would make it have an irregular shape.  
8 So our suggestion is to keep it as before. Those  
9 are the changes to District 4.

10 I will move on to the West Side to  
11 District 6. The request, made by the Commission,  
12 was to include both the Harborview Terrace Houses  
13 and to unite it with the Amsterdam Houses.  
14 Harborview Terrace is, approximately, here  
15 (indicating), and Amsterdam is right here  
16 (indicating) in the 60s.

17 We were able to do that by bringing the line  
18 southwards, to 57th Street, and joggling it back  
19 up. By doing that, we also included 10 West End  
20 Avenue, which was a focus of the public testimony  
21 during the last round.

22 Additionally, another feature here, and this  
23 is, again, from the Commission's charge, is to  
24 bring a recommendation as to Central Park. One  
25 of the concerns, throughout the public hearing,

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1 was that Central Park, if attached to 8, violated  
2 one of the Charter specifications of not having a  
3 district that is twice as long as it is wide.

4 And this recommendation, from Commissioner  
5 Wurzel, to be specific, actually works out very  
6 well with District 6. It is our recommendation  
7 to have Central Park now a part of District 6.

8 I will move to the Upper West Side, a little  
9 further up, District 7. District 7, the request  
10 here, that was made from the Commission, was to  
11 investigate how we can bring Hamilton Heights and  
12 Sugar Hill, as defined by the areas west of St.  
13 Nicholas Avenue, into the district.

14 After consulting with some of the -- well,  
15 before I get to who we consulted with, the  
16 district, as it is, is a district that is already  
17 at its upper limit in terms of population  
18 deviation. Furthermore, as Dr. Handley will  
19 explain in her analysis, it's a multiethnic  
20 district, where you have to be careful to keep  
21 certain population deviations within a certain  
22 range.

23 So the way that District 7 is shaped right  
24 now, pretty much, conforms to the Community Board  
25 9 boundaries. In fact, Community Board 9 is

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1 fully ensconced within District 7, except for  
2 this little piece (indicating) west of St.  
3 Nicholas Avenue. Members of the community board  
4 and some other community representatives, the  
5 area they felt strongly about bringing in was  
6 Hamilton Terrace, which is this area here,  
7 denoted by the laser pointer (indicating).

8 The other feature of District 7 is that it  
9 captures all of Manhattan Valley as the  
10 Commission had requested. No longer was  
11 Manhattan Valley in three different districts,  
12 but now it is within one, within 7. And the  
13 other feature of District 7 is that we took a  
14 page from Common Cause's alternative map, in  
15 terms of how District 7 should be shaped, and  
16 specifically how we can solve Manhattan Valley.  
17 It was constructive and we, certainly,  
18 appreciated Common Cause's map.

19 I will move on to District 8. District 8,  
20 again, this is our Manhattan/Bronx district.  
21 Again, it is worth noting that District 8 spans  
22 to the South Bronx to ensure representational  
23 proportionality. As we all know, the Bronx's  
24 growth is larger than the city's rate at,  
25 approximately, six percent. And as directed by

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1 the Commission, the staff recommendation has it  
2 split 50/50, between the Bronx and Manhattan, to  
3 ensure the representational proportionality  
4 between the Bronx and Manhattan.

5 Another feature of expanding into the Bronx,  
6 is that the district is all preserved as an  
7 ability-to-elect district in the Voting Rights  
8 Act. Dr. Handley can expand further on that  
9 during her presentation.

10 With regard to specific requests on 8, from  
11 the Commission, Randall's Island is brought back  
12 into the district. In addition, Mount Sinai is  
13 brought back into the district. This is united  
14 with the other icons of El Barrio, El Museo del  
15 Barrio, and Harlem Hospital, and, also, La  
16 Marqueta along Park Avenue.

17 Other than that, there were no other charges  
18 in reference to New York County from the  
19 Commission. I will take any questions from the  
20 Commissioners. If there are none, then I will  
21 move on to the Bronx then. Again, I will start  
22 with District 8.

23 Can I zoom into District 8?

24 The requests, that were made here, was a  
25 recommendation as to whether The Hub, which is

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1 defined as 149th Street and Third Avenue, to be  
2 placed within District 8. One of the rationales  
3 was that this is the economic engine of the South  
4 Bronx and to see if we can create a South Bronx  
5 district.

6 Additionally, the second request, that was  
7 made, was to see whether the 161st Street BID  
8 could be included within the district. The BID  
9 is defined as 161st Street going towards Morris  
10 Avenue. As you can see, it traverses two  
11 districts. The staff recommendation is that it  
12 is going to be difficult to do that, to bring the  
13 West 161st Street BID and to bring in The Hub  
14 into District 8 without disrupting the population  
15 deviations in 8.

16 And more importantly, it would be difficult  
17 to do without disrupting 16, 8's neighbor to the  
18 north, configuration as a multiethnic district.  
19 So our recommendation is to leave the lines as  
20 they are. The Hub will remain in District 17 and  
21 the BID will traverse between 16, 8 and then back  
22 to 16 in its four- or five-block span.

23 Moving to Districts 13 and 15, the specific  
24 charge here -- move it up a little bit. Perfect.  
25 Okay. The charge here was to see how we can

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1 unite the Van Nest neighborhood more cohesively.  
2 And the December 4th plan, we had Van Nest,  
3 basically, broken up into three different  
4 districts, 15, 13 and 17.

5 We found trying to include Van Nest in  
6 another district, whether 13 or 15, was going to  
7 cause proportionality and population deviation  
8 challenges. As we thought, maybe, the best route  
9 was actually to go back to the 2003 lines, how it  
10 is currently configured right now, and use the  
11 lines for the next ten years. So there really is  
12 no change in having Van Nest in the two  
13 districts.

14 The next charge, from the Commission, was  
15 the Parkside Houses in 15. Now, the Parkside  
16 Houses is, approximately, this area right off of  
17 Bronx Park East (indicating). And their desire,  
18 as you recall, was to be taken out of 11, which  
19 is represented by the shaded area, and to be put  
20 into 15, and they expressed a common community of  
21 interest with 15.

22 When we took a look at how we could  
23 configure bringing the Parkside Houses back in,  
24 if you recall, back on the preliminary draft map,  
25 we actually had the houses in. But the

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1 preliminary draft map had this very odd  
2 configuration of kind of a horseshoe.

3 So we thought about, well, gee, maybe we can  
4 also solve the other problem that was presented  
5 to the staff by the Commission, and that was on  
6 the Pelham Park North neighborhood, and trying to  
7 figure out how do you clean up this area, where  
8 you are going to three different districts within  
9 a quarter mile of each other?

10 And we thought that, perhaps, the best way  
11 to do it is to actually include the Botanical  
12 Gardens within 15, and having a much more compact  
13 district as defined by the current lines right  
14 now. I think that you will agree, with me, that  
15 it makes for a much more compact district and a  
16 cleaner district.

17 The other added advantage is that the  
18 Botanical Gardens is now united with the Bronx  
19 Zoo. So you have significant parkland and  
20 cultural icons, in the Bronx, united in one  
21 district, versus having this cutout of the  
22 Gardens in 11 and the zoo in 15. Also included  
23 within 15, now, is Fordham University, which was  
24 previously in 11 and is now in 15. By doing  
25 that, again, we create a more compact district

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1 within 15.

2 The next request, made by the Commission,  
3 concerns District 16. District 16, specifically,  
4 the request was that Yankee Stadium, represented  
5 by 161st Street and River Avenue, be taken out of  
6 8. As you recall, the former borderline of 8 ran  
7 along right here (indicating). Zoom in a little  
8 bit, David. Great. Right along over here  
9 (indicating).

10 Now, in taking the stadium out of 8, due to  
11 public testimony, that they want to make sure  
12 that a Bronx icon, such as Yankee Stadium,  
13 remains in a Bronx district, we also have the  
14 opportunity to take the ball fields, that was  
15 formerly the old Yankee Stadium -- it is Legends  
16 Field now.

17 And this is the old Yankee Stadium, because  
18 the old Yankee Stadium, and ball fields, and  
19 recreational facilities are maintained by the  
20 Yankee Organization. We thought that, perhaps,  
21 it's best to have both the stadium and, also, the  
22 ball fields in 16 in terms of population. There  
23 is no effect in population, so we might as well  
24 include both assets in one district.

25 And finally, I just want to talk a little

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1 bit about 17. This was not a specific charge  
2 from this Commission, but I do want to point out  
3 that, as a result of 8's expansion into the South  
4 Bronx, 17 now moves northward into Tremont and,  
5 also, into the West Farms area, Cross Bronx  
6 Expressway.

7 That concludes my discussion of the Bronx.  
8 I will take any questions if there are any. If  
9 not, I will move on to Queens. Starting with  
10 District 19, in accord with the Commission's  
11 request and charge, we were able to bring in  
12 North Flushing, Broadway-Flushing and, also,  
13 Auburndale fully into 19.

14 The Commission noted the boundaries conform  
15 to the alternative plan proposed by the Queens  
16 Civic Congress. Also, the added benefit of  
17 bringing these communities in 19 and retaining  
18 the borders, particularly the borders along 123rd  
19 and 48th Avenue, that preserves 19 as a  
20 fair-fight district.

21 Let me talk about 23, as it is 19's most  
22 southerly neighbor. The boundaries expand to  
23 include Bayside Hills, which we heard a lot about  
24 with regard to Oakland Gardens and Bayside Hills  
25 expressing a desire to be united with Bayside,

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1 specifically within 19.

2 As stated in our memo, the addition of these  
3 communities, within 19, in conjunction with the  
4 other requests to Broadway-Flushing, North  
5 Flushing and Auburndale would create a much,  
6 much, much bigger 19 that would be deviated  
7 beyond the allowable population size.

8 Even going to the Long Island Expressway,  
9 there still would have been challenges with  
10 regard to population size and further ripple  
11 effects in the surrounding neighbors. So we keep  
12 the border at 48th Avenue as presented during the  
13 December 4th plan.

14 I'll move on to District 21. The request,  
15 here, was to bring LeFrak City, as indicated by  
16 Junction Boulevard and the LIE -- can you zoom in  
17 a little bit, David?

18 57th Avenue and 99th Street, this is LeFrak  
19 City. We were able to bring this back into 21,  
20 uniting it with the larger Corona neighbor.  
21 Previously, it was in 24, and as you recall,  
22 there was a lot of testimony, from the public,  
23 stating that LeFrak City didn't have much common  
24 interest with District 24.

25 Speaking of 24, the request, here, was to

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1 reunite Briarwood and Jamaica Hills back within  
2 the district. You may recall that Briarwood was  
3 previously in 29. And in following one of the  
4 suggestions made at the hearings, that, gee, you  
5 can do a switch with Briarwood and LeFrak City.  
6 Well, it turns out that the population is  
7 somewhat similar. So that change, from that  
8 suggestion, rather from the hearings, was  
9 actually a very good suggestion. I am glad you  
10 made it, because we were able to do that.

11 I will move on to 25. There is one change  
12 here, and that is the inclusion of this block  
13 (indicating) by Junction Boulevard, 34th Avenue  
14 and Northern Boulevard. This represents the  
15 entirety of the Brulene Cooperatives. We heard  
16 from them in two rounds of hearings that we had  
17 split the North Towers, which is represented by  
18 Junction Boulevard.

19 I believe that's here (indicating) in the --  
20 can you zoom in a little bit, David?

21 Yeah. 94th Street. I was off by a block.  
22 This area is the North Towers or the north  
23 buildings of Brulene. This is the rest of the  
24 Brulene Cooperatives. This map indicates that we  
25 were able to bring that community into 25.

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1           In 27, there were a lot of requests made  
2           concerning Cambria Heights. The specific request  
3           was to include the homes along Francis Lewis  
4           Boulevard and 121st Avenue, and the effect is  
5           subtle. We are going to zoom in here. Zoom in a  
6           little more. This is the area I am talking about  
7           (indicating). It's almost imperceivable on the  
8           larger map. We have to zoom in to bring those  
9           houses in, but now they are fully within Cambria  
10          Heights.

11           I will move to 28. Now, 28, if you recall,  
12          that the challenge of Queens is that Queens, as a  
13          borough, only grows by .1 percent, whereas the  
14          city grows by a little over two percent, and  
15          ideal population size also grows from 2003 to the  
16          present. So for the most part, Queens districts  
17          are on the small side, below deviation.

18           28 is an exception to that. That is one of  
19          the larger districts in Queens. There was a  
20          specific request, made by the Commission, to see  
21          if we can include more South-Asian, community  
22          landmarks, and those included John Adams High  
23          School, which is Broadway, 100th Street, the Jama  
24          Masjid Mosque, which is 95th Avenue and 102nd  
25          Street, which is around here (indicating). Thank

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1           you, David. The Shri Trimurti Temple, which is  
2           102nd Street and 97th Avenue, and finally, the  
3           United Hindu Cultural Council Senior Center on  
4           Sutter Avenue and 119th Street.

5           Out of those four landmarks, we were able to  
6           accommodate three of them. And that's the Jama  
7           Masjid Mosque, the Shri Trimurti Temple and the  
8           United Hindu Cultural Council Senior Center into  
9           the district. To bring in John Adams would have  
10          pushed 28 over the limit because of population  
11          deviation. And even bringing in these three  
12          landmarks, we still had to do some adjustments,  
13          particularly to the lower portion of 28, below  
14          Sutter Avenue, at 119th and 123rd Streets, and  
15          bringing them back into District 32.

16          Speaking of District 32, I will go to 32.  
17          The staff heard one charge, from the Commission,  
18          was to see if we could bring all of Woodhaven  
19          within the district. Without disturbing  
20          population deviations for 30 and for 32, it would  
21          be difficult to accommodate that request, in  
22          bringing Woodhaven from 30 into 32. However, we  
23          were able to bring in Dayton Towers, in the  
24          Rockaways, back into 32. That concludes Queens.

25          If there are any questions from the

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1 Commission?

2 I will move on to Brooklyn then. Again, for  
3 tonight, I will stop the presentation at  
4 Brooklyn, because there were no requests with  
5 regard to Staten Island.

6 So starting with District 34, the request  
7 was to see if we could bring in Hope Gardens,  
8 NYCHA housing, back into 34. Unfortunately,  
9 again, this is a population deviation,  
10 particularly for 37, not so much for 34, but 37  
11 becomes too small when you take out Hope Gardens.  
12 So our recommendation is to leave it where it is  
13 in 37.

14 The next request, made by the Commission to  
15 the staff, was Bay Ridge Towers in District 43.  
16 This is from the focus of each round of hearings  
17 and figuring out whether we can bring in Bay  
18 Ridge Towers within 43. 43 is one of the larger  
19 districts. In fact, in all of Brooklyn, because  
20 Brooklyn grows faster, than the rest of the city,  
21 at 3.22 percent. Again, the city's growth rate  
22 is 2.1 percent. Brooklyn is 3.2 percent. All of  
23 the districts are going to be on the large size  
24 because of that.

25 43 is no exception. 43 is actually one of

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1 the larger districts. To bring in Bay Ridge  
2 Towers, which is about 6,000 people, would have  
3 tipped over the balance of population deviation.  
4 Our recommendation is -- this is Bay Ridge Towers  
5 up here (indicating). Bringing these towers into  
6 the district would have tipped it over with  
7 regard to population deviation.

8 The next request was Bensonhurst, and  
9 specifically, bringing more of Bensonhurst into  
10 47.

11 Can you zoom in, David?

12 Give me one more zoom-in. We were able to  
13 bring in, approximately, 28 blocks of  
14 Bensonhurst, into 47, as defined by Bay Parkway,  
15 61st Avenue, 18th Avenue and --

16 MR. HACKWORTH: 70th Street.

17 MR. HUM: 70th Street. Thank you, Thaddeus.

18 We were able to bring in, approximately,  
19 28 blocks into 47, uniting this area of  
20 Bensonhurst with the parts of Bensonhurst. Even,  
21 you can see from the black line, here  
22 (indicating), which represents the proposed  
23 district, all of these different colors with what  
24 Bensonhurst was in, basically, four different  
25 districts. We were able to bring it in one, a

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1 good portion of Bensonhurst.

2 Again, it is also worth noting that this  
3 configuration, we took a lot from the maps  
4 submitted by OCA, the Organization of  
5 Chinese-Americans of New York. Just a comment on  
6 the Unity map and how it configured Bensonhurst,  
7 is that it was quite large in terms of going  
8 beyond 16th Avenue all the way down to  
9 Bath Beach.

10 In this drawing of 47 -- can I get a smaller  
11 shot of 47?

12 Okay. Great. Thank you. We are still able  
13 to bring in Bensonhurst along into the Bath Beach  
14 area and into the Gravesend area. You recall  
15 that some of the testimony was trying to follow  
16 the train lines with regard to bringing the Asian  
17 community together. I think that, to the extent  
18 possible, we followed the train lines in bringing  
19 the Asian community together.

20 But in order to bring this new population  
21 in, this additional population, which is around  
22 9,000, I believe, we had to shed in 47, because  
23 47, again, is one of our bigger districts. What  
24 we shed is an area right off of Coney Island  
25 Avenue, Ocean Parkway. This little niche

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1 (indicating), again, off of Coney Island Avenue,  
2 these smaller niches (indicating) off of  
3 Stillwell and, also, off of West 3rd to  
4 accommodate this additional population.

5 Additionally, we also bring Trump Village  
6 into Brighton Beach. As you may recall, there  
7 was a little bit of a kind of a carve-out here,  
8 that made a shape of a pipe, if you will, that  
9 represented a park going into 48. We now made it  
10 a much more compact and cohesive cut with regard  
11 to bringing the population into 48. That is how  
12 we configured for 47.

13 The last charge, from the Commission, had to  
14 do with District 48, and the specific charge was  
15 to see if we could bring in more of the orthodox  
16 Jewish community, into the district, without  
17 compromising the ability to elect  
18 minority-preferred candidates. In 45, which is  
19 48's northerly neighbor, and 46, which is the  
20 newly-drawn, opportunity-to-elect district, which  
21 is its easterly neighbor.

22 Again, it is worth noting that District 48's  
23 shape is largely influenced by the immediate  
24 surrounding districts, specifically 45's need to  
25 pick up population by extending southwesterly.

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1 Again, 45 is one of the districts that lost  
2 significant population in the last ten years.  
3 47's need to unite the communities of Gravesend,  
4 Bath Beach and Bensonhurst and, also, the new  
5 shape of 46 as an opportunity district.

6 So 48's shape is much more a result of the  
7 surrounding communities' influence than any  
8 external factor. What it does do in terms of  
9 creating that district, is that it has the effect  
10 of bringing in the Asian community, along  
11 Brighton Beach and Manhattan Beach, and, also,  
12 the housing complexes west of Coney Island  
13 Avenue.

14 We were, in this process, able to bring in  
15 more blocks, that are identified by the community  
16 as orthodox Jewish, by bringing in parts that  
17 were formerly in 45. As a result, 45 becomes one  
18 of the smallest districts in Brooklyn, virtually  
19 touching upon the 4.9 negative deviation in terms  
20 of population size.

21 We were able to bring in blocks out of East  
22 19th Street, East 27th Street, between L and M,  
23 and, also, we were able to bring in East 30th  
24 Street to Nostrand Avenue, between Avenues P and  
25 Q, a total of 11 blocks. Again, not necessarily

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1 near the size of what the community wanted,  
2 because in their definition, they wanted -- can I  
3 get it zoomed out, David?

4 What they had requested was bringing in  
5 everything west of Flatbush Avenue into the  
6 district.

7 As you can see just from the visual here  
8 (indicating), that that is a lot of blocks, a lot  
9 of population and it is a lot to stuff into 48,  
10 which is already extending to the coast.

11 That concludes Brooklyn.

12 Are there any questions?

13 Are there any questions on any of the other  
14 boroughs?

15 Again, thank you, very much, for your time,  
16 and your participation, and your support  
17 throughout this process.

18 MS. BRAGG: Thank you. Well done.

19 CHAIRMAN ROMANO: At some point during this  
20 meeting, we are going to have a motion to  
21 consider the map. And if there are questions, at  
22 that point, about comments that require the  
23 staff's participation with regard to a particular  
24 borough, the staff can be called upon to comment  
25 on its presentation at that time.

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1           Now, we should move on to the next item on  
2           the agenda, the presentation regarding the  
3           revised map's compliance with applicable law.  
4           Our General Counsel, Thaddeus Hackworth, will,  
5           briefly, review the legal requirements and  
6           provide us his view as to whether the revised  
7           plan, before us, complies with the legal  
8           requirements.

9           We will also introduce Dr. Lisa Handley, one  
10          of the experts retained by the Commission to  
11          advise and consult the staff on the requirements  
12          of the Federal Voting Rights Act, and in  
13          particular, to provide her expertise in ensuring  
14          that the district plan, that we, ultimately,  
15          adopt, will not violate Section V of the Voting  
16          Rights Act by creating fewer protected districts  
17          or by retrogressing.

18          And as we did at our last meeting,  
19          Dr. Handley will also be able to address any  
20          questions you have regarding the Section V  
21          compliance. And note that Dr. Handley's memo, on  
22          this, is included in your packets.

23          Thaddeus, will you now proceed?

24          MR. HACKWORTH: Thank you, Chairman Romano.

25          Commission members, as you know, if the

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1 present proposed plan is adopted, it will be sent  
2 to the New York City Council for its review. In  
3 the event the Council does not explicitly object  
4 to the districting plan, it will be filed with  
5 the City Clerk.

6 The next step, of the process, would be the  
7 submission of the plan to the United States  
8 Department of Justice for preclearance. And that  
9 is because three counties, in New York City, are  
10 covered by Section V of the Federal Voting Rights  
11 Act, specifically, New York County, Kings County  
12 and Bronx County. The Department of Justice  
13 must, therefore, approve the plan before it can  
14 go into effect.

15 Districting plans are approved by the  
16 Department of Justice, when the creating body, in  
17 this case, the Districting Commission, can show  
18 that, first, it was not drafted with a  
19 discriminatory purpose, and second, that it does  
20 not have a discriminatory effect on racial and  
21 language minority groups covered by the Act.

22 As for the first prong, discriminatory  
23 purpose, the Department of Justice will look to  
24 the totality of the circumstances surrounding the  
25 districting effort to see whether there are

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1           indications of some invidious purpose. As you  
2           know, in this case, the Commission has not acted  
3           with a discriminatory purpose.

4                       Indeed, the Charter, itself, requires the  
5           Commission to draft district lines that ensure  
6           the fair and effective representation of racial  
7           and language minority groups in the city. The  
8           Commission has gone to great lengths to honor  
9           that criterion, through its outreach efforts and  
10          by keeping the communities of these and other  
11          groups intact when drawing lines.

12                      As a result of this process, the plan being  
13          considered by the Commission, today, has a total  
14          of 35 council districts, in which protected  
15          racial and language minority groups represent an  
16          overall majority of the total population in the  
17          council district, over two-thirds of the 51 total  
18          council districts in the city.

19                      By comparison, this is five more of such  
20          districts than the previous 2003 districting  
21          plan, which had 30 majority-minority districts at  
22          the time of its adoption.

23                      As for the second prong, discriminatory  
24          effect, the United States Department of Justice  
25          will look at whether the plan causes

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1 retrogression. In other words, would the  
2 situation, of minority voters in the city, be  
3 worse under the proposed district plan as  
4 compared to the current district plan, which is  
5 called the benchmark.

6 Specifically, the Department of Justice will  
7 look at the current council district plan, and  
8 count the number of districts in the three  
9 covered counties, where minority voters have the  
10 ability to elect candidates of their choice.  
11 These are known as ability-to-elect districts.  
12 They will then look at the plan that the  
13 Commission submits for preclearance.

14 And if it has fewer ability-to-elect  
15 districts, the Department of Justice may object  
16 to it and it could not go into effect. At that  
17 point, the Districting Commission could ask the  
18 D.C. court to approve the plan or the Commission  
19 could revise the plan after reviewing the  
20 objection.

21 Whether or not minority voters have the  
22 ability to elect a candidate of their choice in a  
23 district is a complicated question, and is based  
24 on a functional analysis of how a particular  
25 district has performed in past elections, and how

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1 it is likely to perform in the future election.

2 To help analyze the current and proposed  
3 districts, and determine how they fit into the  
4 DOJ's retrogression analysis, the Commission  
5 retained Dr. Lisa Handley, a  
6 nationally-recognized expert in the field of  
7 redistricting and voting rights. Dr. Handley has  
8 been, tremendously, helpful in this regard.  
9 Based on her analysis, we can report, to the  
10 Commission, the number of ability-to-elect  
11 districts, in the covered counties under the  
12 benchmark plan, the current plan, as well as the  
13 number of ability-to-elect districts in the  
14 revised plan.

15 Dr. Handley is here with me this evening and  
16 will report the results of her analysis to you.  
17 In addition, Dr. Handley, as the Chair mentioned,  
18 has drafted a short memo discussing her analysis  
19 and her conclusions, which you have for your  
20 review.

21 Based on Dr. Handley's analysis, which she  
22 will describe in a moment, as well as the input  
23 from our legal consultants, including the  
24 renowned Voting Rights Act experts Jerry Huber  
25 and Jeff Weiss, the staff can advise the

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1 Commission that we believe that the proposed plan  
2 complies with the Federal Voting Rights Act, and  
3 would be entitled to preclearance, by the United  
4 States Department of Justice, if adopted by the  
5 Commission.

6 As for the requirements of the New York City  
7 Charter, in my capacity as General Counsel to the  
8 Commission, I am pleased to report, to the  
9 Commission, that it is my opinion that the  
10 proposed plan fully complies with the relevant  
11 portions of the Charter.

12 The proposed plan reflects the Commission's  
13 fulfillment of its legal duty to implement the  
14 criteria, outlined in the Charter, to the maximum  
15 practicable and in the priorities they have  
16 listed. From a legal perspective, I am aware of  
17 no reason that this plan should not be adopted by  
18 the Commission.

19 And with that, let me turn the floor over to  
20 Dr. Handley. Following her presentation, we will  
21 both be able to answer any questions you have  
22 about Dr. Handley's voting-rights analysis or the  
23 plan's legal compliance in other respects.

24 CHAIRMAN ROMANO: Thank you.

25 DR. HANDLEY: Good evening, as Thaddeus

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1 says, the Department of Justice will only  
2 preclear a plan if it will not result in a  
3 decline in minority voting strength, that is as  
4 long as it does not retrogress.

5 An analysis is required to determine if a  
6 proposed plan is retrogressive or not. And what  
7 I have been tasked to do is to describe to you,  
8 very simply and quickly, the analysis that I  
9 undertook to determine that this plan was not, in  
10 fact, retrogressive.

11 There are three components to this analysis.  
12 The first component is called a racial block  
13 voting analysis. This is done to determine if  
14 voting is racially or ethnically polarized.

15 That is: Are whites, and blacks, and  
16 Hispanics voting for different candidates or are  
17 they voting for the same candidates?

18 It also helps to determine who the  
19 minority-preferred candidate is and if that  
20 candidate is successful or not.

21 The second component of the analysis is an  
22 analysis of the current or benchmark plan, to  
23 determine how the districts, in that plan,  
24 provide minorities with the ability to elect  
25 their preferred candidates.

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1           And the third and last component is an  
2           analysis of any proposed plan, to determine how  
3           many districts it offers, that will give minority  
4           voters the ability to elect candidates of choice.

5           I am going to jump to the first phase, the  
6           racial block voting analysis. As you know, we  
7           don't know how people vote. We have to do a  
8           statistical analysis to determine how groups vote  
9           for specific candidates in specific elections.

10          There are three statistical techniques for  
11          doing this. One is called homogeneous precinct  
12          analysis and the other is called bivariate  
13          ecological regression and another is ecological  
14          inference. All three of these techniques used  
15          information that we do have. That is election  
16          precinct information.

17          We know the demographics, from the  
18          precincts, and we know how these precincts have  
19          voted. We look for patterns across the precincts  
20          in different ways. The three different  
21          techniques look for patterns, in different ways,  
22          and produces estimates of voting percentages in  
23          different methods.

24          All three of these techniques have  
25          advantages and disadvantages associated with

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1           them. All of them produce percentages of white,  
2           black, Hispanic and Asian voters, who supported  
3           each of these candidates. I, because they each  
4           have advantages and disadvantages, in fact,  
5           employed all three of those to reach my  
6           determinations about voting for candidates.

7           But to give you a quick example, let's posit  
8           an election with two candidates and two groups of  
9           voters, white and blacks. We have Candidate A,  
10          Candidate B. White voters and black voters. My  
11          estimations indicate that whites voted for  
12          Candidate A, at 85 percent, and 15 percent of  
13          white voters voted for Candidate B.

14          Black voters, on the other hand, divided  
15          their votes, as 90 percent Candidate A -- I'm  
16          sorry. Ten percent Candidate A and 90 percent  
17          Candidate B.

18          What do I conclude based on that?

19          Number one, that the contest is polarized.  
20          It is polarized, because whites would have  
21          elected Candidate A, overwhelmingly, but blacks  
22          would have elected Candidate B.

23          Furthermore, I know, from this analysis,  
24          that the minority-preferred candidate is B. So  
25          voting is polarized, and whether the

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1 minority-preferred candidate won or not, would  
2 also figure into this particular case. If you  
3 have a majority-minority district, chances are  
4 Candidate B won. But if you have a white  
5 district, Candidate B lost and Candidate A won.

6 As I said, I used all three of these  
7 techniques, and when they all pointed in the same  
8 direction, I was certain that I had a very good  
9 indication of how the voters actually voted. And  
10 on the basis of that, I determined that voting in  
11 New York City is, in fact, quite frequently  
12 polarized. Whites, blacks, Hispanics and Asians  
13 all prefer different candidates, in most  
14 contests, in New York City.

15 Because these groups all prefer different  
16 candidates, I have to go on to the second stage  
17 of the process. If they all voted the same, then  
18 the Justice Department will say minority  
19 candidates have a chance to be elected, no matter  
20 what the district configurations are. But  
21 because voting is polarized, we have to determine  
22 how many districts there are, in the current  
23 plan, that allow minorities the ability to elect  
24 candidates of choice.

25 For that phase, I relied on three pieces of

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1 information. Let me back up. I relied upon two  
2 pieces of information, and I will come back to  
3 the third in a second, but the two pieces of  
4 information: Number one, the racial-demographic  
5 composition of the district, and number two, more  
6 importantly, whether, in fact, on the basis of  
7 the racial block voting analysis, the  
8 minority-preferred candidate usually won in that  
9 district.

10 If the district was a plurality or  
11 majority-minority, district and the  
12 minority-preferred candidate usually won, I  
13 deemed this an ability-to-elect district. I did  
14 this for the benchmark and I determined that  
15 there were 19 effective minority districts. When  
16 I say "effective," I mean 19 districts that  
17 offered minorities the ability to elect  
18 candidates of choice.

19 If you look at my memo, tables 1 and 2 list  
20 those districts. There are eight majority or  
21 plurality black districts that consistently  
22 elected the black-preferred, candidate caucus.  
23 In all cases, this was an African-American voted  
24 to office. These are Districts 9, 12, 35, 36,  
25 40, 41, 42 and 45.

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1           In addition, there are 11 Hispanic plurality  
2           or majority districts, nine of which consistently  
3           elected the Hispanic-preferred candidate, and two  
4           of which had substantial black populations and  
5           actually elected African-Americans to the City  
6           Council.

7           There are 19 districts total. In addition  
8           to these 19 districts, there is one other  
9           district that was mentioned and that is  
10          District 1. District 1 was able to elect an  
11          Asian-preferred candidate to the City Council, in  
12          the last election, in 2011.

13          Although the demographics of this district,  
14          that is the district is not an evenly plurality  
15          of Asian -- it is a plurality of white -- as well  
16          as the voting patterns indicate that it is not  
17          solid enough to classify as a clearly  
18          ability-to-elect district. I have termed it an  
19          opportunity-to-elect district, because there is  
20          an opportunity, because Asians did, in fact,  
21          manage to elect a candidate of choice in the last  
22          election.

23          Because there are 19 effective minority  
24          districts in the benchmark, any plan that hopes  
25          to get passed, by the Department of Justice,

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1 would have to have at least 19 effective  
2 districts in the proposed plan. My analysis of  
3 the revised plan indicates, in fact, you have 19  
4 ability-to-elect districts.

5 I based this on three things. I based this  
6 on the demographics of the district, I based it  
7 on the knowledge about the turnout, and voting  
8 patterns in the area around that district, and I  
9 based it on recompiled election results.

10 My racial block voting analysis, not only  
11 told me about whether the minority-preferred  
12 candidates won a particular City Council  
13 election, but I looked at a number of citywide  
14 elections. Elections that included  
15 minority-preferred candidates, to see if I could  
16 determine if I had any bellwether, so to speak,  
17 contests. Contests that would help me to  
18 determine and compare the current benchmark  
19 district, to the proposed district, to see if the  
20 minority-preferred candidate carried both of  
21 those districts and by comparable percentages.

22 I did find three bellwether elections. One  
23 election I chose, because black voters, and only  
24 black voters, supported that candidate. Another  
25 election I chose, because Hispanic voters, and

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1           only Hispanic voters supported that candidate.  
2           And the third election, that I chose, was an  
3           election in which blacks and Hispanics were, in  
4           fact, cohesive in their support of a particular  
5           candidate.

6           This would tell me, when I compared my  
7           districts, if I knew the district was, in fact, a  
8           district in which blacks and Hispanics were  
9           cohesive. This would tell me if the district was  
10          still such in the proposed plan that the -- it  
11          was the election in 2009, with the general  
12          election for mayor in 2009, Bill Thomas --  
13          Thompson, that blacks and Hispanics were  
14          cohesive.

15          If I had a majority-minority district in  
16          which I knew blacks and Hispanics were cohesive,  
17          I looked to see how Bill Thompson did in the  
18          benchmark district, and I compared it to the  
19          proposed plan.

20          Finally, I was in an area where blacks and  
21          Hispanics were not cohesive, and I had a black  
22          district, and I made sure the black candidate, in  
23          the bellwether, was this contest, was the 2008  
24          presidential primary, where Obama had black  
25          support, but not his Hispanic, Asian and white

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1 support. If Obama was able to carry both the  
2 benchmark and the proposed plan at comparable  
3 numbers, comparable percentages, then I deem that  
4 to still be an effective district.

5 And for Hispanics, we have the 2005  
6 democratic primary for mayor, that included  
7 Fernando Ferrer, and Hispanics supported Ferrer  
8 very heavily, but other groups did not. So I  
9 would be able to determine if that particular  
10 Hispanic-preferred candidate carried the  
11 benchmark, and carried the proposed district in  
12 comparable amounts, that the two districts would,  
13 in fact, give minority voters a comparable  
14 ability to elect candidates of choice.

15 So I use these three techniques and  
16 determined that, in fact, the revised plan did  
17 have 19 effective minority districts, just like  
18 the benchmark plan. In addition, the revised  
19 plan kept the Asian-opportunity district,  
20 District 1, intact.

21 Moreover, the proposed plan, revised plan,  
22 included a new opportunity district for blacks  
23 that is not in the current plan. That is  
24 District 46. Based on these three components or  
25 the three-pronged approach, I concluded that the

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1 revised plan does satisfy the requirements of  
2 Section V of the Voting Rights Act and will be  
3 cleared by the Department of Justice.

4 CHAIRMAN ROMANO: Thank you, Dr. Handley.

5 Are there any questions?

6 Clear as mud?

7 MS. WOLFE: I just have a question.

8 How do you consider District 7 an  
9 ability-to-elect district?

10 The lines are very different from the  
11 benchmark, because, like half of the district  
12 went to District 10, and 7 gave parts to 8 and  
13 parts to 6. So it is a new district. So because  
14 if, actually, somebody was elected in that  
15 district, as a minority --

16 CHAIRMAN ROMANO: Can I piggyback on that  
17 question?

18 When you recompile election results, since  
19 no one has ever voted for the hypothetical  
20 candidate, that you are using, you are creating a  
21 hypothetical election, and then trying to predict  
22 how people are going to vote, because those  
23 elections, as recompiled, never occurred?

24 MS. WOLFE: That's part of the question.

25 CHAIRMAN ROMANO: Yes. That's right.

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1 MS. WOLFE: District 7, that was  
2 Mr. Jackson's district. He was elected in  
3 District 7, is very different now, because it's  
4 only 50 percent of what used to be District 7.  
5 So it hasn't been proven that somebody has been  
6 elected. So it's much more like an opportunity  
7 district and not an ability-to-elect district.

8 DR. HANDLEY: No. That is, in fact,  
9 precisely why I used recompiled elections for  
10 elections that actually occurred. So Obama ran  
11 citywide. So I know for each and every precinct  
12 and, in fact, each and every line, how Obama ran.  
13 So I can recompile those election results.

14 I look at it in how it actually occurred in  
15 District 7, the benchmark, but then I can  
16 recompile those real election results up to the  
17 new configuration of 7 and compare it to the old  
18 7 and the new 7. That is an election that  
19 actually occurred. It's not a proposed,  
20 hypothetical election. It's a real election.  
21 It's real election results.

22 MS. WOLFE: So you went precinct by  
23 precinct?

24 CHAIRMAN ROMANO: A hypothetical election  
25 district?

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1 DR. HANDLEY: Proposed election district,  
2 but that is a real election.

3 VOICE FROM AUDIENCE: Using historical  
4 voting patterns.

5 CHAIRMAN ROMANO: Okay. That answered my  
6 question.

7 MS. BRAGG: I have two questions.  
8 Specifically to 7, the current plan adds  
9 Manhattan Valley, which is significant in white  
10 population.

11 Even with that, it didn't diminish the  
12 ability of that district to elect a minority  
13 candidate?

14 DR. HANDLEY: That's correct.

15 MS. BRAGG: Okay.

16 Were you able to look at -- I know Queens is  
17 not considered one of the protected counties --  
18 but were you able to take a look at any of the  
19 Queens districts, specifically 28?

20 MS. PERSAUD: 28?

21 MS. BRAGG: And their ability to elect, and  
22 specifically because there were concerns, in the  
23 public testimony, about concerns to be able to  
24 elect an African-American candidate again, even  
25 with the increase in the Asian population?

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1 DR. HANDLEY: Yes. Although I didn't, as a  
2 general rule, look at Queens or Staten Island at  
3 all, I was specifically asked to look at  
4 District 28. I looked at the recompiled election  
5 results, for Obama, for that district. Obama did  
6 carry that district at a comparable percentage,  
7 55 percent.

8 So, in fact, again, that is my bellwether  
9 election. In that election, only blacks  
10 supported Obama and he would have carried that  
11 district. He does carry that district.

12 MS. BRAGG: Were you asked to look at 19 as  
13 well or not?

14 DR. HANDLEY: I was not.

15 MS. BRAGG: I'm sorry. Another question  
16 about 46. 46 was created as an opportunity  
17 district, opportunity-to-elect district.

18 Did you have a chance to look at that?

19 DR. HANDLEY: Yes. I did.

20 MS. BRAGG: Great.

21 In Brooklyn, and you looked at that, and the  
22 new lines?

23 Can you talk a little bit about your  
24 analysis of 46?

25 DR. HANDLEY: Yes. If you look at -- I

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1 think I addressed that on page 4.

2 MS. BRAGG: I see. Sorry.

3 DR. HANDLEY: It is there. It looks at --  
4 it describes -- it compares 46 and the benchmark  
5 to 46 now. You can see that 46 now produces a  
6 win for Thompson. It doesn't produce a win for  
7 Obama, which is why I called it an  
8 opportunity-to-elect and not an ability-to-elect.

9 But, in fact, there was another plan on the  
10 table, the Unity plan, that had a higher  
11 percentage, but still did not produce a win for  
12 Obama. In fact, the percentages are in  
13 Footnote 8, I think.

14 MS. BRAGG: Right.

15 MR. HACKWORTH: And Dr. Handley, did you  
16 also look at the effect of the Unity plan's  
17 draw-up, in District 46, in the results in  
18 District 45 and the neighboring district?

19 DR. HANDLEY: That's right. Not only did  
20 the Unity plan produce District 46, which still  
21 didn't elect Obama, but it actually decreased the  
22 percentage of votes Obama got in District 45, the  
23 neighboring district, to the point where Obama,  
24 it could go either way for Obama. So it didn't  
25 hurt District 45, while still not creating an

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1 ability-to-elect district in 46.

2 MS. BRAGG: Did you have a bellwether  
3 election for an Asian candidate, specifically  
4 speaking to the Bensonhurst neighborhoods in  
5 Brooklyn?

6 DR. HANDLEY: I looked at the comptroller  
7 election in 2009. But I looked specifically at  
8 District 1, to ensure that District 1 remained an  
9 opportunity district.

10 MS. BRAGG: So you weren't able to look  
11 at the district for Bensonhurst?

12 MR. YU: 47.

13 MS. BRAGG: 47?

14 DR. HANDLEY: I could, but I didn't.

15 MS. BRAGG: Okay.

16 MR. YU: Can you give us an analysis about  
17 District 1?

18 Can we have some numbers?

19 DR. HANDLEY: Okay. In my memo, if you look  
20 at Footnote 2, it talks about District 1.  
21 District 1 is not even plurality Asian. It is  
22 plurality white. But it was able to elect the  
23 Asian-preferred candidate without any white vote  
24 to speak of. It is currently 35.7 percent Asian  
25 and DAP, and in the revised plan, it's

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1 35.6 percent. So it is, essentially, the same.

2 And then you can see that the recompiled  
3 election results from the comptroller contest, we  
4 won with 47.7 percent, in the primary, and 63.5  
5 in the runoff. That is comparable to what  
6 happens in the proposed district, 47.6 and  
7 63.7 percent. So it is, essentially, the same  
8 district.

9 CHAIRMAN ROMANO: Any further questions for  
10 Dr. Handley?

11 Thank you, Dr. Handley.

12 Now comes the time for us to consider the  
13 adoption of the revised district plan. And  
14 before we do that, I want to be clear as to what  
15 the motion will entail. The motion to adopt the  
16 plan, the revised district plan, will mean that  
17 you are endorsing the revised plan in its  
18 entirety.

19 I am aware that some of us may not be  
20 particularly pleased with one district or  
21 another, but are content with the rest of them.  
22 We cannot move to adopt only certain districts of  
23 the plan and not others. Nor can we make an  
24 endorsement contingent upon a revision of one or  
25 more districts. We must choose whether to adopt

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1 the plan in its entirety. There are no  
2 alternative maps for your consideration tonight.

3 I want to make explicit what happens should  
4 we decide to adopt the revised district plan.  
5 According to the New York City Charter,  
6 Section 51(c), the revised district plan will be  
7 submitted to the City Council for its  
8 consideration.

9 Within three weeks of the revised plan's  
10 delivery to the City Council, the City Council  
11 must either adopt the revised district plan, at  
12 which point the plan will then be filed with the  
13 City Clerk, or the Council, by majority vote of  
14 all its members, can object to the revised  
15 district plan. At which point, the plan will  
16 return to the Commission with the Council's  
17 comments and concerns.

18 If the Council takes neither action within  
19 three weeks, the revised district plan will be  
20 deemed adopted, and will be filed with the City  
21 Clerk. If the Council adopts the resolution  
22 objecting to the revised district plan, the  
23 Commission will then be required to revise the  
24 plan after considering the Council's objections.

25 This would then trigger a final set of

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1 public hearings to receive feedback and comments  
2 on that revised plan. Following those hearings,  
3 the Commission will publish its final plan, and  
4 submit it to the City Council, without seeking  
5 approval from the Council, in accordance with the  
6 Charter's provisions.

7 Do we still have Commissioners Provenzano  
8 and Robert on the line?

9 MR. HACKWORTH: We do. Yes.

10 CHAIRMAN ROMANO: With that said, may I have  
11 a motion -- let me just review the ground rules.  
12 I will make a motion. If it is seconded, we will  
13 have a discussion on the motion. If you raise  
14 your hands -- I can't see you all, because we are  
15 sitting next to each other abreast -- I will  
16 recognize you. Whoever wants to speak, I  
17 encourage you to speak.

18 After we have had our discussion, I will  
19 call the motion. We will take a voice vote, at  
20 which point, it will be followed with a polling  
21 that will be done by our counsel, Thaddeus  
22 Hackworth. The vote will be recorded and then we  
23 are to execute a certification if we adopt the  
24 plan.

25 Having said that, may I have a motion to

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1 adopt the proposed plan, to instruct the staff to  
2 submit it to the City Council, for its review, to  
3 take any further steps that are necessary for the  
4 plan to be implemented?

5 Is there a motion?

6 MR. OGNIBENE: So moved.

7 CHAIRMAN ROMANO: I have a motion.

8 Is it seconded?

9 MR. ODOM: Seconded.

10 CHAIRMAN ROMANO: I have a motion and it is  
11 seconded. Let's have a discussion on the motion.

12 Who would like to be heard?

13 MS. LIN: Good evening, everyone. I just  
14 want to say, before I actually get into the  
15 motion, itself, that we all worked very hard and  
16 it's a difficult task. I want to say it was a  
17 pleasure working with each and every one of you.  
18 I think it's a job well done, for a great  
19 majority of the maps, that are drawn today.

20 But as our chairperson has indicated, votes  
21 are either to approve or not to approve. And I  
22 would be hard-pressed to approve, based on the  
23 lines as they are drawn for Districts 19 and 23.  
24 I have four reasons for that. The first being,  
25 as our general counsel has advised, the second

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1 factor, under the City Charter, requires that  
2 there be fair and effective representation of  
3 ethic minority groups.

4 We heard testimony, at all three hearings,  
5 particularly on the third set of hearings, that  
6 there has been a growing and significant  
7 Asian-American population in the area known as  
8 Bayside, Bayside Hills and Oakland Gardens. We  
9 also heard testimony about unfair treatment, as  
10 to Asian-American voters, during the last City  
11 Council race in that area as well. And so, that  
12 is something that we should -- that I believe  
13 should have been considered, and those areas  
14 having been placed in District 19, to have a more  
15 fair and effective representation of the  
16 Asian-American vote.

17 The second reason is actually the third  
18 priority under the City Charter, which is  
19 communities of interest. As I had indicated  
20 previously, I grew up in what is known as Oakland  
21 Gardens, which is commonly referred to as  
22 Bayside, as well as Bayside Hills, which is  
23 commonly known as Bayside. And many of the  
24 residents attend school, parishes and other  
25 community events in what is known as broader

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1 Bayside.

2 The third reason or factor, that was raised  
3 in terms of the current lines for 19, or at least  
4 the bordering lines between 19 and 23, is that  
5 there is a desire to maintain a fair-fight  
6 district in 19. But the staff has reviewed much  
7 of the voting data, in terms of voter  
8 registration and, also, the voting patterns,  
9 which revealed that any difference is  
10 inconsequential and not significant.

11 And finally, I just wanted to make a point,  
12 that as we know from the last Census, the  
13 Asian-American population has increased to over  
14 one million Asian-Americans in New York City, and  
15 that's an increase, in the city, of 32 percent.  
16 Queens, alone, had a 31 percent increase in the  
17 Asian-American population.

18 And that Queens area included areas of  
19 Bayside Hills and Oakland Gardens, spilling over  
20 into what is known as Bayside. And by my  
21 analysis and my opinion, that District 19 should  
22 reflect that. Thank you.

23 CHAIRMAN ROMANO: Thank you,  
24 Commissioner Lin.

25 Anyone else?

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1           MR. YU: My name is Justin Yu. I think we  
2           just heard the Commissioner's statement regarding  
3           Districts 19 and 23. In my opinion, I support  
4           her statement totally. We have heard numerous  
5           testimony regarding Oakland Gardens and Bayside  
6           and Bayside Hills into one district.

7           I, sincerely, think it should be in District  
8           19 or District 23, due to the distinct shared  
9           community of interest expressed by the public  
10          hearings. I am disappointed Bayside, Bayside  
11          Hills and Oakland Gardens cannot be adjusted.  
12          This is very unfortunate. This is my strong  
13          concern. That's my statement.

14          MS. BRAGG: I would also like to echo  
15          Commissioner Lin's statements, first, to say  
16          thank you, all, for your participation. It has  
17          been a great honor to work with all of you on  
18          this task, and it has been the putting the pieces  
19          of the puzzle together. For the most part, we  
20          were able to come to a consensus or agreement as  
21          to how to draw the lines.

22          I was a little disappointed we were not  
23          able, overall, on the maps, find a way to reflect  
24          the 30 percent increase in the Asian population  
25          across the city. There were numerous public

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1 testimonies, that addressed the increase, and  
2 asked for specific neighborhoods in the city  
3 where there were places where we could draw the  
4 lines to reflect that increase.

5 I do understand the way the population  
6 increase happened. That it was across areas, so  
7 there wasn't, necessarily, a strong concentration  
8 to have the majority-minority districts we have  
9 heard so much about. But I think we missed some  
10 opportunities to reflect the increase in the  
11 Asian population. I wish that we would have  
12 spent -- gone into this with that, starting with  
13 that instead of some of the other priorities that  
14 did happen. That's a little frustrating.

15 But I believe, overall, we have represented  
16 the city very well, and represented the very  
17 diverse populations, in the city, very well.  
18 And, hopefully, the next ten years, in the next  
19 election, will reflect some of those changes. So  
20 thank you all very much.

21 CHAIRMAN ROMANO: Thank you, Commissioners.  
22 Anyone else?

23 MR. WURZEL: Thank you, Mr. Chair. I,  
24 first, would like to thank the staff. We did  
25 that in November and we will do that again today.

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1           They did an incredible job dealing with the  
2           Commissioners, and the advocates, and everyone  
3           who had their own ideas about how this map should  
4           look.

5           I think this map represents the input of a  
6           significant amount of people and a lot of effort.  
7           So we appreciate the staff putting up with us and  
8           putting up with everyone else over the last six  
9           or seven months.

10          I wanted to address some of the comments, I  
11          just heard from my fellow Commissioners, who I  
12          want to acknowledge their participation in this  
13          process. Just as I said in November, I will say  
14          this again: We are all volunteers. And so I  
15          have learned a lot from the comments and the  
16          feedback I have gotten from my fellow  
17          Commissioners.

18          I certainly appreciate their input into this  
19          process. I have learned a lot from them and I  
20          appreciate the fact that they have listened to  
21          the arguments and the issues that I have brought  
22          to the table, in this process, as well.

23          One thing I do want to point out, because it  
24          has bared out in the documents, that we received  
25          in the last 48 hours, about this new proposed

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1 plan, and it's something that, you know, I want  
2 to focus on. I think it's very important.

3 Some of my colleagues and some of the public  
4 may be disappointed about what is proposed in  
5 terms of District 19, District 23. I think it is  
6 very important to acknowledge the fact that the  
7 staff, and this Commission, may be on the verge  
8 of creating an opportunity district out of  
9 District 23.

10 According to the census data, the  
11 Asian-American population in District 23 will  
12 actually exceed the white population in District  
13 23. The Census numbers show the Asian-American  
14 population, in District 23, will now be  
15 36.5 percent of the total population of that  
16 district. The white population will be  
17 31.6 percent.

18 And I bring this to your attention, because,  
19 as Dr. Handley just discussed before, in terms of  
20 District 1, and she highlights this in her memo,  
21 just in saying that the Asian-American  
22 population, in District 23, is 36.5 percent,  
23 District 1's Asian-American population is  
24 35.7 percent.

25 And then focusing in on the voting-age

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1 population, the Asian-American population, in  
2 District 23, is 34.7 percent. The white  
3 voting-age population, in proposed District 23,  
4 is 34.8. And, again, just looking at District 1  
5 for comparison, District 1's voting-age  
6 population is 35.6.

7 So while I know there is a sense of  
8 disappointment, on the other hand, we have done  
9 something very special here. I think that we  
10 should, you know, put the focus on the positive  
11 and not the negative in this process.

12 But having said that, I do want to point out  
13 one sort of issue of concern that I have. And in  
14 raising that, it's not sufficient for me not to  
15 support this plan in its totality, but it is  
16 something I have raised with the staff, and I  
17 have raised with some of my colleagues,  
18 particularly my colleagues from Manhattan. And  
19 that is something that we did with District 5,  
20 District 4 and District 8, on the Upper East Side  
21 and in East Harlem.

22 In order to address a request that the  
23 Commission received to restore, as has been  
24 described as a community icon, Mount Sinai to  
25 District 8, we did so at the expense of the

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1 residents of the Lexington Houses. Because of  
2 the shifts in population, we are now including  
3 the residents, of the Lexington Houses, which is  
4 located in East Harlem.

5 We are now excluding them from the East  
6 Harlem community and we are now including them in  
7 Council District 5. I am very concerned about  
8 this. I solicited feedback. I contacted NYCHA  
9 and I tried to reach the head of the tenants'  
10 association to see whether or not she might opine  
11 on this issue. I never heard back from her.

12 So I just bring that up. It's an issue of  
13 concern, because, in my view, if it's an issue of  
14 icons versus people, I tend to side with the  
15 people rather than the icons and community  
16 institutions. But I, certainly, understand the  
17 interest in wanting to have community  
18 institutions as part of a council district.

19 But having said that, I intend to support  
20 this plan. Thank you, Mr. Chair. I just also  
21 want to acknowledge the work of the Chair, in  
22 sort of keeping these meetings running  
23 efficiently, and in order, and we appreciate his  
24 efforts as well. Thank you, Mr. Chair.

25 MR. YU: What Commissioner Marc Wurzel just

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1 said raises a very interesting question.

2 Is it possible, can I request an analysis,  
3 regarding District 23, based on Marc's --

4 CHAIRMAN ROMANO: I don't know that she is  
5 able to give an analysis on the spot. If there  
6 is a question, maybe she can answer it.

7 Is there a question?

8 MS. LIN: The question I would like to pose  
9 to Dr. Handley is: With respect to District 1,  
10 is it an opportunity district, because,  
11 currently, there is an Asian-American elected  
12 official?

13 DR. HANDLEY: Yes. An Asian-elected  
14 official is the Asian-preferred candidate and not  
15 preferred by other people in that district.

16 MS. LIN: And how does the Asian-American  
17 population, in District 1, affect your analysis  
18 in terms of District 1 being an opportunity  
19 district?

20 DR. HANDLEY: Again, it's an opportunity and  
21 not an ability-to-elect, because in terms of the  
22 decade, the entire decade, Asians were successful  
23 only in 2009 and not in prior elections.

24 MR. YU: My question is District 23.

25 Commissioner Marc Wurzel mentioned regarding the

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1 Asian population in that district.

2 DR. HANDLEY: I'm sorry. I haven't looked  
3 at any Queens districts. I don't have the data  
4 in front of me. I only have the data from the  
5 covered districts.

6 MR. HACKWORTH: Dr. Handley was to look at  
7 the covered districts. We asked her to look at  
8 28, in Queens, specifically based on the request  
9 from the Commission at the last meeting. So that  
10 is why she's not familiar with the other Queens  
11 districts.

12 MS. BRAGG: Just to echo  
13 Commissioner Wurzel's remarks on the staff, I do  
14 want to commend them on their work. This was  
15 putting together 15 different people's opinions,  
16 and soliciting, and working with the public, and  
17 working with the elected officials. This is  
18 yeoman's work and I want to thank them for their  
19 time.

20 And specifically, one of the things that  
21 they worked out for us was the issue of the  
22 requests for nine council districts in the Bronx.  
23 Given the population increases, the staff did  
24 weigh out what would happen if we could do nine  
25 districts, in the Bronx, and the impact that

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1 would have on other districts across the city.

2 And given that we were still, by the City  
3 Charter, required to create 51 districts, we  
4 agreed with the staff to create the 8.6, I  
5 believe is the number of districts in the Bronx,  
6 and have the eight go cross the Bronx and  
7 Manhattan.

8 But we want to thank the staff for their  
9 work specific to that issue, about explaining  
10 that issue, and doing an analysis of what would  
11 happen creating nine districts. The overall  
12 work, we want to thank the staff for their work.

13 MS. LIN: If I could just seek clarification  
14 on my question. I think what my co-Commissioner  
15 Yu is trying to glean, from your response, is  
16 whether District 1, your analysis, as determining  
17 that District 1 is an opportunity district, is  
18 because of the Asian-American population or  
19 because of the currently existing elected  
20 official is an Asian-American?

21 DR. HANDLEY: It's the latter.

22 MS. LIN: "The latter"?

23 So then Commissioner Wurzel's analysis, as  
24 to the Asian-American population of 23, which I  
25 believe was 34 percent, 36 percent?

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1 MR. OGNIBENE: 36.7.

2 MS. LIN: And currently in District 23,  
3 there is not an Asian-American in the City  
4 Council office.

5 Would you be able to determine, based on  
6 those two statistics, whether or not District 23  
7 is an opportunity district?

8 DR. HANDLEY: I could take a guess, but  
9 without doing the racial block voting analysis, I  
10 couldn't tell you. It would depend if the Asians  
11 had run and were supported by Asian voters.  
12 Without doing an analysis, it's not possible to  
13 answer the question.

14 MR. HACKWORTH: Dr. Handley, can I ask if  
15 there is anything, in particular, you can comment  
16 on, in the 2009 Council race, in District 1, with  
17 respect to the white vote, were there multiple  
18 candidates?

19 DR. HANDLEY: There were multiple  
20 candidates. Whites did not support the Asian.  
21 The incumbent was white and the white people  
22 voted. Turnout, among Asians, was very high in  
23 that particular contest, more so than whites, and  
24 that is what actually allowed the Asian-preferred  
25 candidate to win.

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1           MR. HACKWORTH: So it may depend on the  
2           dynamics of a particular election and whether the  
3           white vote was fractured, possibly.

4           CHAIRMAN ROMANO: Are there any further  
5           questions, or comments, or remarks that anyone  
6           would like to make?

7           Let me, before we move on to the motion, let  
8           me just add my voice to the commendations that  
9           have been handed out to the staff. They are  
10          completely deserved.

11          The staff has been extraordinary in their  
12          perseverance and patience with the process, which  
13          is herding 15 volunteers, who are, none of them  
14          are election specialists or experts, and finding  
15          the right resources, in the form of Dr. Handley  
16          and our legal experts, and getting us to the  
17          point where we can intelligently make, hopefully,  
18          intelligently make choices among the seemingly  
19          inconsistent, sometimes, factors that we are  
20          required to consider.

21          Factors that are often intentioned, and  
22          challenges to balance them one against the other,  
23          and the pinball effect that every new idea has,  
24          because you change a district line and develop a  
25          new appreciation for the law of unintended

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1 consequences, where something else is affected  
2 that you didn't expect.

3 It was the staff that, basically, got us  
4 through that process, and if, on the whole, we  
5 should be proud of the work we have done on the  
6 map, that we are proposing tonight, if that is  
7 the case, and I believe it is, a lot of the  
8 credit should actually go to the staff.

9 If there is no other discussion, then the  
10 question is on the approval of the motion, that  
11 the Commission adopt the proposed plan before us.  
12 I instruct the staff to submit it to the City  
13 Council, for its review, and to take any further  
14 steps that are necessary for the plan to be  
15 implemented.

16 I would like to proceed with a vote on that  
17 motion. All in favor, indicate by saying "aye"  
18 or opposed by "nay," and abstentions, identify  
19 yourselves.

20 All in favor?

21 (A chorus of ayes.)

22 CHAIRMAN ROMANO: Opposed?

23 MS. LIN: Nay.

24 CHAIRMAN ROMANO: One.

25 Abstentions?

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1           The motion carries. Now we can proceed to  
2           the roll-call vote. Thaddeus, please.

3           MR. HACKWORTH: So as you hear your name,  
4           please answer if you are in favor of the motion,  
5           "yea," in opposition to the motion, "nay," and if  
6           you wish to abstain, "abstain."

7           Linda Lin?

8           MS. LIN: Nay.

9           MR. HACKWORTH: Commissioner Justin Yu?

10          MR. YU: Although I have tremendous concern  
11          about Districts 19 and 23, however, the vast  
12          majority of this map is consistent with the goal  
13          of the Commission and the legal framework we had  
14          to follow. I commend the other Commissioners and  
15          the staff, with your response to the  
16          Asian-American community's request, very  
17          positively, especially creating the  
18          38th District, including both sides of 8th  
19          Avenue, and the 47th District, which has  
20          Bensonhurst almost all in one district. So I  
21          would like to vote yes.

22          MR. HACKWORTH: Commissioner Scott Cerullo?

23          MR. CERULLO: Yea.

24          MR. HACKWORTH: Commissioner Kamillah Hanks?

25          MS. HANKS: Yea.

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1 MR. HACKWORTH: Commissioner Jamila Ponton  
2 Bragg?

3 MS. BRAGG: Yea.

4 MR. HACKWORTH: Commissioner Thomas  
5 Ognibene?

6 MR. OGNIBENE: Yes.

7 MR. HACKWORTH: Commissioner Oscar Odom,  
8 III?

9 MR. ODOM: Yea.

10 MR. HACKWORTH: Commissioner Roxanne  
11 Persaud?

12 MS. PERSAUD: Yea.

13 MR. HACKWORTH: Commissioner Gloria Carvajal  
14 Wolfe?

15 MS. WOLFE: Yes.

16 MR. HACKWORTH: Commissioner Frank Padavan?

17 MR. PADAVAN: Yes.

18 MR. HACKWORTH: Commissioner Marc Wurzel?

19 MR. WURZEL: Yes.

20 MR. HACKWORTH: Commissioner Robert Hart?

21 MR. HART: Yes.

22 MR. HACKWORTH: Commissioner John Robert?

23 Sorry. He has a sign and it said "yes." He  
24 is holding a sign that says "yes."

25 And finally, Commissioner Madeline

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1 Provenzano?

2 Commissioner Madeline Provenzano, "yea,"  
3 "nay" or "abstain"?

4 MS. PROVENZANO (Via videoconference). Yea.

5 MR. HACKWORTH: And, finally, our Chair,  
6 Benito Romano?

7 CHAIRMAN ROMANO: Yea.

8 Can you announce the vote?

9 MR. HACKWORTH: Yes. There are 14 in favor,  
10 one opposed with no abstentions.

11 CHAIRMAN ROMANO: Thank you, everyone. We  
12 have one additional item. In order for the plan,  
13 that we have adopted to be effective, we must  
14 sign a certification that would accompany the  
15 plan. I am going to ask Thaddeus to proceed with  
16 seeing that the certification is circulated and  
17 signed.

18 MR. HACKWORTH: Just to explain the  
19 certification, again, you saw one last time. The  
20 New York City Charter requires, that before any  
21 plan can be adopted and filed, at least nine  
22 Commissioners, of the Commission, have to certify  
23 that the criteria set forth, in Section 52 of the  
24 Charter, have been applied to the maximum extent  
25 practicable, and in the order that they are

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1 listed.

2 I know you are all aware those criteria are  
3 the one-person, one-vote proportionality  
4 requirement, the fair and effective  
5 representation of racial and language minority  
6 groups, keeping intact neighborhoods and  
7 communities with established ties of common  
8 interest, district compactness, the minimization  
9 of crossing county lines, no purposeful  
10 separation of areas based on political party and  
11 the minimization of district perimeters.

12 The Charter also requires that the  
13 certification contain a statement as to how the  
14 Commission implemented the criteria, calling for  
15 fair and effective representation of racial and  
16 language minorities. The certification  
17 statement, that has been prepared for your  
18 signatures, reflects these requirements.

19 By signing it, you are certifying that the  
20 Commission complied with the Charter criteria as  
21 required by law. The certification also  
22 summarizes the Commission's efforts to draw a  
23 plan that fairly represents the racial and  
24 language minority groups in the city.

25 These efforts have included determining the

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1 geographic location of such groups, holding  
2 numerous public hearings, at which a number of  
3 members testified, or members of such groups, and  
4 conducting targeted outreach, including mailings,  
5 community meetings, advertising in minority and  
6 non-English media, reviewing minority voting  
7 behaviors, through the work done by Dr. Handley,  
8 reviewing and considering alternative districting  
9 plans, submitted by representatives of racial and  
10 language minority groups, among others, and  
11 finally, drawing council district lines that  
12 enhance the opportunities of members of these  
13 groups to elect candidates of their choice, as  
14 evidenced by the record 35 council districts in  
15 which racial and language minority group  
16 residents form an overall majority of the  
17 district.

18 There can be no doubt, that over the course  
19 of the now 15 public hearings and eight public  
20 meetings since July of last year, this Commission  
21 has taken its responsibilities, under the  
22 Charter, seriously. And by signing the  
23 certification, you will be attesting to that  
24 fact. Mr. Chair, I can bring up a copy of that  
25 certification.

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1           CHAIRMAN ROMANO: The Commission stands  
2           adjourned until called upon again, if ever. If  
3           we are directed, by the City Council, to continue  
4           our work, I will call for another meeting set  
5           forth by our bylaws. Good evening and thank you,  
6           all, very much.

7           (Whereupon, at 7:55 p.m., the above matter  
8           concluded.)

9  
10  
11           I, JOSHUA B. EDWARDS, a Notary Public for  
12           and within the State of New York, do hereby  
13           certify that the above is a correct transcription  
14           of my stenographic notes.

15  
16           

17           \_\_\_\_\_  
18           JOSHUA B. EDWARDS, RPR

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