Τ	CITY OF NEW YORK
2	2012-2013
3	REDISTRICTING COMMISSION
4	PUBLIC MEETING
5	CITY HALL, COUNCIL CHAMBERS
6	SEPTEMBER 4, 2012
7	1:06 P.M.
8	
9	IN ATTENDANCE:
L O	FRANK PADAVAN
L1	ROXANNE J. PERSAUD
L2	THOMAS V. OGNIBENE
L3	BENITO ROMANO, Chairman
L4	ROBERT W. HART
L5	GLORIA CARVAJAL WOLFE
L6	JUSTIN YU
L7	MADELINE PROVENZANO
L8	OSCAR ODOM, III
L9	JAMILA PONTON BRAGG
20	JOHN ROBERT
21	LINDA LIN
22	SCOTT CERULLO
23	KAMILLAH HANKS
24	MARC WURZEL

1	CHAIRMAN ROMANO: Welcome to our second
2	public meeting of the New York City Districting
3	Commission. My name is Benito Romano and I am
4	the chair of the commission. It appears that a
5	quorum is present, and why not have the
6	commissioner introduce themselves beginning at
7	the left-hand side of the table.
8	MS. PROVENZANO: Good afternoon. I'm
9	Madeline Provenzano from the Bronx.
LO	MR. WURZEL: I'm Marc Wurzel from Manhattan.
L1	MS. PERSAUD: Good afternoon, Roxanne
12	Persaud from Brooklyn.
L3	MR. ODOM: Good afternoon, Oscar Odom III,
14	Brooklyn.
L5	MR. YU: Justin Yu from Manhattan.
16	MR. ROBERT: John Robert from the Bronx.
L7	MS. BRAGG: Jamila Ponton Bragg from
18	Manhattan.
L9	MS. WOLFE: Gloria Carvajal Wolfe,
20	Manhattan.
21	MR. HART: Rob Hart from Staten Island.
22	MS. HANKS: Kamillah Hanks from Staten
23	Island.
24	MR. CERULLO: Scott Cerullo, also from
25	Staten Island.

1	MR. PADAVAN: Frank Padavan from Queens.
2	MS. LIN: Linda Lin from Queens.
3	CHAIRMAN ROMANO: The commissioners have
4	been hard at work since our first and last public
5	meeting on August 24th meeting in subcommittees
6	assigned to each of the boroughs and meeting with
7	staff to review their work. The aim of today's
8	meeting is to publish a preliminary map to start
9	what we hope is a public dialogue of districting
10	the council lines for the next ten years.
11	The emphasis here is on "preliminary."
12	Instructions to the staff was to produce a
13	proposed map which merely adjusts the council
14	lines for population so that they remain within
15	the narrow band permitted by law and to see as a
16	baseline, what that would look like.
17	Before we examine that preliminary map,
18	let's take care of some housekeeping matters,
19	including the adoption of the minutes of our
20	August 24th meeting, and then we will hear from
21	Wayne Hawley of the Conflicts of Interest Board
22	where we will be receiving training on compliance
23	with Chapter 68 of the City charter.
24	The minutes of the October 24th meeting have
25	been distributed and I would like to hear a

1	motion to adopt those minutes.
2	MS. BRAGG: I make a motion to adopt the
3	minutes.
4	CHAIRMAN ROMANO: A motion has been made.
5	MR. ODOM: Second.
6	CHAIRMAN ROMANO: Seconded. All in favor?
7	(A chorus of ayes.)
8	Opposed?
9	(Silence.)
10	Abstentions?
11	(Silence.)
12	The motion carries.
13	Now, let me introduce Wayne Hawley, a former
14	colleague of mine at the Conflicts of Interest
15	Board. Wayne is the deputy executive director
16	and General Counsel of the New York City
17	Conflicts of Interest Board, the small, but
18	important agency of City government that enforces
19	and trains compliance with Chapter 68 of the City
20	charter.
21	Wayne's primary responsibility is providing
22	advice to the City's 350,000 public servants
23	about the City's ethics laws. Prior to joining
24	the City, Mr. Hawley was for 12 years the
25	executive director of MFY Legal Services. He

1	also has served as staff counsel for the American
2	Civil Liberties Union in Cleveland and was in
3	private practice in Los Angeles. He is a
4	graduate of Claremont College and Yale Law
5	School. Welcome, Mr. Hawley.
6	MR. HAWLEY: Thank you, Mr. Chairperson,
7	good afternoon, and members of the commission. I
8	am Wayne Hawley, the general counsel deputy
9	executive director of the Conflicts of Interest
LO	Board. And on behalf of the Board, I first bring
L1	thanks to you members of the commission for this
L2	service to the public.
L3	With that thanks comes a piece of news.
L4	That is the news that as member of the City
L5	commission, you are subject like the other
L6	350,000 public servants of the City of New York,
L7	to the City's Conflicts of Interest Law, and with
L8	that comes certain responsibilities.
L9	I am not going to speak very long this
20	morning this afternoon, rather, about the
21	substance of these responsibilities. I will
22	highlight a few. But what I want to emphasize
23	primarily is process. And that is, that
24	available to the members of this commission to
25	the staff of the commission, just like available

to all other public servants of the City is the
Board's advice about these restrictions.

That is, any time you are in doubt, you are thinking, I want to know if I can do this, is this permissible, might this run afoul of the law, the Board provides free, confidential advice to any public servant who wants to ask the question.

Now, in that regard, we routinely encourage and I certainly encourage it here, for the members of this commission for any City agency to turn internally to their own staff. You will be well-served by counsel, by your executive director here, those sorts of questions. You are also welcome and encouraged to call the Board directly at any time.

For that reason, while we have an attorney hotline, you can call the Board's main number. I also distributed copies of my card and you are welcome to call me directly should you have any questions about any of these restrictions. Is there anything you think may be a restriction, the old saw in this regard is the only dumb question is the one you don't ask. So, please don't hesitate to ever call on us.

1	Now, with that process aside, I am just
2	going to highlight like I routinely do, primarily
3	for part-time members of the City board
4	commissions, two particular kinds of restrictions
5	that are imposed on you by the law, and in
6	particular, and ones that might not be obvious.
7	Some of these, in fact, both of them really
8	on the political activities restrictions I am
9	going to mention, are contained in either of law
10	on your own bylaws, or at least substantially
11	contained. But I want to highlight them because
12	they are requirements of the law. As Mr. Romano
13	indicated, the Board is in charge to enforce this
14	law and the sanctions that come with endorsement
15	can include civil fines.
16	We would view any failure of this Board to
17	comply with those rules as a real failure by us.
18	So, that's why I encourage you to call us. But I
19	do want to give you a highlight a couple of
20	things that might not be obvious.
21	Now, fundraising, your bylaws I think
22	that's the term the bylaws reflect
23	prohibitions on fundraising for candidates for
24	City office, and understandable why that might be
25	a requirement imposed on a commission such as

this. The charter imposes the same restriction,
the City's Conflict of Interest Law. You can't
fundraise for any candidate, a company, a
challenger or for any City race, and you also
cannot fundraise for any City current-elected
official who is running for any other office.

And by way of an example, a considerable number of council members recently who have been running for vacant, typically State and Federal offices -- those candidates are also people for whom you may not fundraise. I am frequently asked the question, "May we give?"

There is no restriction options you giving, no restriction in our law in your working for those candidates, but certain candidates for whom you can't raise funds, any candidate of City office, any current City office holder running for any other office. And again, any questions about that, you are welcome to call us.

Another one, and this mirrors a restriction in the charter regarding the condition, there are certain political party positions that you can't hold, and the charter lists those. They include party leader. They also happen to include a district leader. They include officers in county

committees not members of county committees,
officers in county committees, and members on the
State and national party committees. Any
questions about any of that, don't hesitate to
get to us.

The final topic that I routinely touch on, again, for members of part-time groups and other such high-ranking officials, gifts. And many of you may have heard of the City's \$50 gift rule. It essentially means you take one gift a year from a given source up to a total of \$50 from that single entity. Shouldn't be an issue for this commission and it's not meant to restrict gifts from entities with no relation to this body.

If I could use the chair as an example, with his permission, it wouldn't mean that a client couldn't take Mr. Romano to a nicer lunch than \$50 to thank him for a job well done or a vendor that might be appreciative of the firm's business could not take him to a lunch worth more than \$50.

But any entity that has got any business with this commission, probably covering just about everybody in this room and other people not

1	in the room, people from the good government
2	organizations, candidates, party leaders, those
3	interested people, they would like to go to lunch
4	with you, have a nice lunch. Everybody buys
5	their own lunch.
6	In theory, they can buy you a lunch up to
7	\$50. My editorial would be to buy your own
8	lunch. Any questions at all that come up in that
9	regard, again, don't hesitate to ask us. We are
10	available to answer them.
11	I think I am going to close with that.
12	Those are the highlights. Let me emphasize the
13	process point. We are there to serve you. We
14	thank you for your service and any question you
15	have of us, we are available to answer it.
16	Unless there are any further questions this
17	morning, I am going to say thank you.
18	CHAIRMAN ROMANO: Thank you, Mr. Hawley.
19	That was very helpful. We now turn to the
20	preliminary map. Let me just make some
21	preliminary observations about the preliminary
22	map. When we instructed the staff to produce
23	this map, it was with the purpose of showing
24	adjustments in the existing lines for population
25	in order to ensure the first of a number of

1	criteria that have to be satisfied by the
2	commission under law, the first being one person,
3	one vote, which requires us to make sure that
4	each district is roughly the same population
5	within a narrow band.

And we ask the staff to produce a map that made those adjustments to see what it looked like as a baseline. It does not mean that we are headed to any particular lines. It does not mean that we have adopted the map as the final map. It does not mean that we will not continue to work with the lines and consider the other factors as we are required to. But it's a beginning.

And judging from the number of people who are here, it's a lot easier to have a dialogue about those lines once we have produced something for individuals to see and react to. So, it may help us in getting it right to have this first step taken.

The number of council districts in each of the boroughs has remained the same. That has not changed. And we are starting with lines, the existing council lines which were pre-cleared by the Department of Justice, which gives us at

1	least a logical beginning. It's no longer
2	relevant because the populations have changed in
3	the last ten years and those lines may or may not
4	be clearable now. We will see.

And wherever possible, we instructed the staff to respect the natural boundaries created by our five boroughs, bodies of water and so forth and so on. With that having been said, let's take a look at and have the staff walk us through this preliminary map adjusted for population.

MR. HUM: Thank you very much, Chairman Romano, for the instruction and the opportunity to present to you the staff's work over the last week and a half. Just a quick clarification with regards to the band that Mr. Hawley spoke about with regards to population. Again, the ideal population that we were dealing with is 160,000, instead of 110, adjusted for prison population.

And within the band allowable under the City charter, we were able to go either plus five percent or minus five percent interpreting essentially the City charter that demands -- that allows for the least populous district to be no more than 10 percent below the most populous

1	district.
2	So, given that, I also want to just extend a
3	thank you to all the commissioners for making
4	time out of your busy schedule over the past
5	week. I know that last week was a challenging
6	week and that it was a week before Labor Day
7	Weekend. And to the extent possible, we had made
8	our calendars visible to you. Thank you for
9	accommodating us in this important work.
LO	So, with that said, I am going to go through
L1	the council district lines, 1 through 51. And
12	that requires us starting in the borough of
L3	Manhattan. In the borough of Manhattan, the
L4	least populous council district was the 10th,
L5	indicated by the laser pointer, general Upper
L6	Manhattan, and the least populous I'm sorry,
L7	the most populous, being the 3rd.
L8	This is the 10th, and the most populous
L9	being the 3rd, representing the areas in Chelsea
20	and Greenwich Village. What we did and just in
21	terms of the numbers, the least populous district
22	in number 10, the told population count was
23	137,203, roughly 14.6 percent under the ideal
24	population of 160,710.

What we did was to expand the boundary of

25

1	District 10 to include the entire Northern
2	Manhattan section using generally the George
3	Washington Bridge as the natural boundary. Also
4	extending it southward on the western side. This
5	allowed us to bring the population count up to
6	168,461, or 4.8 percent of the deviation.
7	CHAIRMAN ROMANO: What does the color
8	portion represent?
9	MR. HUM: Ah, yes. The color portion on all
10	these maps represent the old, or rather, the 2003
11	council district lines and where the black marks
12	are, it represents the preliminary draft line.
13	Any other questions just on the map?
14	Let me move to the 3rd District, which is
15	the most populous district. At 173,347, the 3rd
16	District is 7.9 percent over the ideal
17	population. And in order to get it to 168,426 or
18	within 4.8 percent of the deviation, we shedded
19	the neighborhoods of Murray Hill, the Fashion
20	Center and Midtown and reinforced the core of the
21	Third District in Chelsea and Greenwich Village.
22	Let me move on to the Bronx with any
23	question with regards to Manhattan. As I go
24	through the boroughs, I will also highlight some
25	of the major changes as well, in addition to the

L	least populous, most populous. Bronx County,
2	this is the second-fastest growing borough in our
3	city, from 2000 to 2010, with 3.9 percent growth.
1	Total population goes from 1,332,650 to 1,385,108
5	persons in the borough.

If you do the math of having 1.38 million divided by 160,000, you get somewhere between eight and nine. So, the borough can support more than eight districts, but less than nine. So, let me talk about the least populous borough and most populous borough.

The most populous borough in Bronx County is 14, with 159,644. That's less than a percent deviation from the ideal population. In other words, kind of it's a testament to how large, population-wise, the borough is. And again, with the deviation being so small, there is not much more that needs to be done here.

We got the 14th District to be at 164,253 individuals, or 2.2 percent of the deviation.

What we did basically was to extend the district on the southern boarder, again, the pink representing the old, or rather, the 2003 lines and the black representing the preliminary lines for this round.

2.1

For the most populous district, that would
be the 17th in southern end of the Bronx. They
experienced massive growth and their numbers from
2000 to 2010 expands by 12.7 percent to a total
of 173,347. We were able to get the numbers down
to 160,388 or within .2 percent of deviation.
The way we accomplished that was reconcentrating
the area towards the western portion of the
districts, and then also withdrawing the eastern
portion.

As I said before, the county has enough for eight, at least, but not enough for nine. And what happens is that from the eighth district, which is a district that shares territory with Manhattan on the east side of East Harlem, the Eighth District, Manhattan's district, becomes expanding within the Bronx with the 17th District providing much of the population and much of the territory.

Let me move on to Queens. Queens overall from 2000 to 2010 experiences little growth, according to the U.S. census, less than a percentage point, .1 percent to be precise. And interestingly enough, the most populous district is adjacent to the least populous district, the

most populous district being the 21st as I
said, the most populous district being the 21st
District comprising the neighborhoods of East
Elmhurst and Corona, Flushing Meadow, and is
right next to the least populous, which is the
22nd, composing of the neighborhoods of Astoria
and Northwestern Queens.

In terms of the numbers, the least populous district in Queens, in the 2010 census is 146,662, in other words, 8.7 percent off the deviation of the ideal population. We were able to get it within 4.1 percent of the ideal population to 154,111 individuals by extending the boundaries to the southern borders of the 22nd District.

With regards to the 21st District, the most populous is at 172,973, or in other words, seven and a half percent over the ideal population. We were able to reduce the size of the population to 156,903 or within 2.4 percent of deviation by withdrawing the neighborhoods of Elmhurst and rejoining it with the 25th District, and also adding on a bit of the LaGuardia Airport and Rikers.

With regards to Brooklyn, again, this is a

1	borough that experienced growth 1.6 percent
2	overall. The least populous district in Brooklyn
3	is the 45th in Central Brooklyn. And by the way,
4	just in terms of population general, Central
5	Brooklyn loses a portion of population from 2000
6	to 2010, but no other district experienced it to
7	the extent that the 45th did.
8	In 2010, the district was measured at
9	140,820 individuals, or 12.4 percent off the
10	deviation of the ideal population. We were able
11	to get it to 153,200 individuals, or within 5
12	percent band, or 4.7 percent of the deviation by
13	basically expanding the district east as shown
14	here by the black line.
15	With regards to the most populous district,
16	that would be the 33rd District along the
17	Brooklyn waterfront. The population is at
18	170,965, or 6.4 percent over the ideal
19	population. We were able to get it at 161,458 or
20	within less than a percentage point in deviation
21	by withdrawing the areas of Park Slope to the
22	south and rejoining it with the other half of
23	Park Slope in the 39th District and using
24	Flatbush Avenue as a natural boundary between
25	35th and 39th and 33rd Districts.

Finally, we come to Staten Island. Now,
Staten Island is the fastest-growing borough from
2000 to 2010. It experienced a growth rate of
five percent in population going from 443,728
individuals to 468,730. So, with that, for the
first time, the three districts within Staten
Island can be totally included within the
borough.

There is no longer a need to have the 50th district contain a part of Brooklyn, and this piece up here contains that part of Brooklyn. I failed to mention on the Brooklyn map that the 43rd District becomes reunited with the section of Dyker Heights that was formerly in the 50th district. For the first time, we have all three districts fully contained within Staten Island.

And when we talk about the most populous and least populous, it's sort of relative that the most populous is the 49th District up here in the northern part of the borough. It is at 179,906 individuals, or 6.3 percent over the ideal population size. We were able to get it within a percentage point, actually within .1 percent of ideal population at 160,931 by using the Staten Island Expressway as a natural boundary and also

1	reuniting the neighborhoods of Castleton Corners
2	and Westerleigh with the 50th District.
3	And as to the least populous district, it
4	works out well because the least populous
5	district is the 50th District at 153,553. Again,
6	it's within the five percent deviation and a
7	testament as to the growth of the borough as in
8	the Bronx.
9	With the additions that are gained from the
10	49th District, the least populous district, or
11	the 50th, goes to 155,683, or in other words
12	within 3.1 percent of the deviation. That
13	concludes my presentation on the districts. I
14	would be happy to take any questions.
15	CHAIRMAN ROMANO: Questions, anyone?
16	(Silence.)
17	As I said earlier, this is the start of an
18	important public dialogue. There are other
19	groups and individuals who will be submitting
20	maps and ideas for maps that we, of course, look
21	forward to receiving and considering.
22	There is, for example, a unity map that was
23	released by a consortium of AALDEF, PRLDEF Latino
24	Justice, National Institute for Latino Justice
25	and the Center for Law and Social Justice at

1	Medgar Evers College. We look forward to
2	engaging in instructive and fruitful discussion
3	with these and other groups to get ideas.
4	If there are no further questions or
5	questions from commissioners about the
6	preliminary map, I suggest that we consider a
7	motion to publish the map.
8	MR. OGNIBENE: So moved, Mr. Chairperson.
9	CHAIRMAN ROMANO: There's a motion to
10	publish the map. Do I have a second?
11	MR. YU: Second.
12	CHAIRMAN ROMANO: It's been seconded. All
13	in favor?
14	(A chorus of ayes.)
15	All opposed?
16	(Silence.)
17	Abstentions?
18	(Silence.)
19	The motion carries and the map will be
20	published and made available to the public.
21	I also want to mention that this map is
22	preliminary, as I said before. It does not
23	purport to endorse any particular lines. We have
24	not gotten there yet. It is a starting point.
25	We will receive input from the public at our next

1	round of public hearings scheduled to begin
2	October 2nd. The place, the locations for those
3	meetings will be announced shortly.
4	We are also about to go public live, as
5	they say, with our online mapping software, which
6	will give members of the public an opportunity to
7	adjust the lines to see how their map is better
8	than this map.
9	MR. HUM: Mr. Chair, if I could provide a
10	brief update on the online mapping, it's that we
11	should be going live tomorrow morning at 10:00.
12	I am getting a headshake from Brian Flynn, our
13	director of operations, saying that all is a go
14	with regards to the mapping software.
15	So, if you tag into our website at
16	nyc.gov/districting, there will be a link that
17	will provide you access to the online mapping
18	software that we are using as well, backed up
19	with all the data that we are using. That should
20	be available to the public by 10:00 tomorrow
21	morning.
22	CHAIRMAN ROMANO: Am I correct in my
23	description that it allows a user to adjust lines
24	and they can see the effect of that on the
25	population on the district and on the adjoining

Τ	districts?
2	MR. HUM: Yes, and it will be preloaded with
3	the 2003 lines as well as the preliminary lines.
4	You can start from there and sort of play with it
5	and work your way around the boroughs.
6	CHAIRMAN ROMANO: Very well. Thank you very
7	much. If there is no further business for the
8	commission today, do I hear a motion to adjourn?
9	MS. PERSAUD: I move.
10	CHAIRMAN ROMANO: I have a motion. And a
11	second?
12	MR. ODOM: Second.
13	CHAIRMAN ROMANO: All in favor?
14	(A chorus of ayes.)
15	(Continued on the next page.)
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1	CHAIRMAN ROMANO: Opposed?
2	(Silence.)
3	Abstentions?
4	(Silence.)
5	The motion carries. We are adjourned until
6	our next meeting on October 2nd.
7	(Whereupon, at 1:39 p.m., the above matter
8	concluded.)
9	
10	I, JOSHUA B. EDWARDS, RPR, a Notary Public
11	for and within the State of New York, do hereby
12	certify that the above is a correct transcription
13	of my stenographic notes.
14	
15	Joshua B Edwards
16	JOSHUA B. EDWARDS, RPR
17	UOSHUA B. EDWARDS, RPR
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