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CITY OF NEW YORK
2012-2013
REDISTRICTING COMMISSION
PUBLIC MEETING
NEW YORK LAW SCHOOL
185 West Broadway
New York, New York 10013
NOVEMBER 15, 2012
7:28 P.M.

- IN ATTENDANCE:
- FRANK PADAVAN
 - ROXANNE J. PERSAUD
 - BENITO ROMANO, Chairman
 - ROBERT W. HART
 - GLORIA CARVAJAL WOLFE
 - OSCAR ODOM, III
 - JAMILA PONTON BRAGG
 - JOHN ROBERT
 - LINDA LIN (via videoconference)
 - SCOTT CERULLO
 - KAMILLAH HANKS
 - THOMAS OGNIBENE
 - MARC WURZEL

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1 CHAIRMAN ROMANO: Welcome to tonight's
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. On behalf of the
5 Commission, I want to thank Anthony Crowell, and
6 the staff of the New York City Law School, for
7 their hospitality in hosting the Commission for
8 its public meeting tonight.

9 While this meeting is open to the public, we
10 will not be taking any comments or testimony from
11 the public tonight. As you know, this meeting
12 was originally scheduled to occur on
13 October 30th. However, on October 26th, as
14 Hurricane Sandy made its way up north from the
15 Caribbean, the Commission decided to postpone the
16 meeting until November 5th. Due to the extensive
17 damage that Sandy visited upon New York City, our
18 offices, at 253 Broadway, were without power and
19 heat until November 7th. The meeting, on
20 November 5th, was postponed until today.

21 I hope that everybody has recovered safely.
22 During our last meeting, the Commission gave
23 specific direction, to the staff, to revise the
24 district map to reflect the thoughts and opinions
25 we heard during the period of public comment from

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1 August through October.

2 Tonight's meeting will begin with a report
3 from our executive director, Carl Hum, regarding
4 the revisions we requested. But before we begin
5 that portion, I would like the Commissioners to
6 introduce themselves, as has become customary
7 during our meetings. At this time, I would like
8 to start there, on my right, at the end
9 (indicating).

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

11 MR. WURZEL: Marc Wurzel, Manhattan.

12 MR. ROBERT: John Robert from the Bronx.

13 CHAIRMAN ROMANO: Benito Romano, Manhattan.

14 MR. HART: Rob Hart from Staten Island.

15 MS. PERSAUD: Roxanne Persaud, Brooklyn.

16 MS. WOLFE: Gloria Carvajal Wolfe,
17 Manhattan.

18 MS. BRAGG: Jamila Ponton Bragg, Manhattan.

19 MR. CERULLO: Scott Cerullo, Staten Island.

20 MS. HANKS: Kamillah Hanks, Staten Island.

21 MR. OGNIBENE: Thomas Ognibene, Queens.

22 MR. PADAVAN: Frank Padavan, Queens.

23 CHAIRMAN ROMANO: Linda Lin will be
24 attending this meeting, via videoconference
25 hookup, and, I guess, she can introduce herself.

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1 MR. HACKWORTH: Linda?

2 Well, she's there.

3 CHAIRMAN ROMANO: Before we have the staff
4 move us through the revised map, may I have a
5 motion to adopt the minutes from our October 18th
6 meeting?

7 These minutes, along with other materials
8 from this meeting, have been previously e-mailed
9 to the Commission and you have copied before you
10 today.

11 Do I have a motion?

12 MS. PERSAUD: Motion.

13 CHAIRMAN ROMANO: The motion has been made.

14 Is it seconded?

15 MR. ODOM: Seconded.

16 CHAIRMAN ROMANO: Any corrections or
17 modifications?

18 MR. ROBERT: Yes. I would like to note that
19 I was not present at the meeting, John Robert.

20 CHAIRMAN ROMANO: The minutes, so corrected,
21 show that. All in favor of the motion, signify
22 by saying aye.

23 (A chorus of ayes.)

24 Opposed?

25 Abstentions?

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1 The motion carries.

2 Now let's turn to the presentation of the
3 revised map. At this point, I am going to ask
4 the Commission members to change their seats, so
5 that they're facing the screen behind us, so they
6 can follow along as Carl goes through the revised
7 map.

8 MR. HUM: Thank you, so much, for your
9 support during these past couple of weeks, and,
10 also, your input. I am pleased to present the
11 revised map, per your recommendations and per
12 your directives, as to how the staff should
13 revise the map you are about to see.

14 Just a little bit of orientation, and I am
15 going to start just with, as you look at the
16 City -- zoom in a little bit, the lines, the
17 black lines are going to represent the boundaries
18 that are proposed districts in this revised map,
19 and the shaded areas represent the 2003 or
20 current lines as they are.

21 Let's start with New York County. The first
22 directive, that the Commission gave the staff,
23 was to take a look, specifically, at the
24 Districts 1 and 2, and to consider the
25 unification of the Lower East Side, as indicated

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1 by this area here (indicating), and, also,
2 Chinatown, into one district. The Commission
3 specifically asked for a staff recommendation as
4 to how this could be done and, perhaps, whether
5 it should be done.

6 As indicated by this map before you, and I
7 will zoom in a little bit, is that the same
8 recommendation, that we keep Districts 1 and 2 as
9 they are, distinctly Chinatown in 1 and the Lower
10 East Side in 2. And the reasons for this are --
11 there are a few.

12 The first being that the representatives,
13 from both Districts 1 and 2, had testified during
14 the Manhattan hearing in October, expressing
15 their desire that the districts stay as they are.

16 And, indeed, in your packets, there is a
17 report, by Dr. Lisa Handley, who was retained by
18 the Commission to do an analysis of all of the
19 districts, that we proposed for the Section V
20 Voting Rights analysis. And it is one of her
21 conclusions, in the report, that District 1 has
22 performed reliably in producing a minority
23 candidate, as does District 2.

24 While she doesn't -- and Thaddeus will go
25 into the memo a little later on -- she didn't,

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1 necessarily, say that no one particular district
2 is not reformable, she does note that the way
3 that the districts are shaped and bounded, that
4 they do produce a minority candidate. For those
5 reasons, the staff recommendation is to keep
6 Districts 1 and 2 as they are, with the
7 exception, of course, of including Gouverneur
8 Gardens, as indicated by my pointer (indicating),
9 in District 1.

10 In terms of other recommendations that the
11 Commission had made in District 2, the
12 recommendation was, well, the directive was to
13 see if we could make 2 a little more compact and
14 specifically more concentrated on the east side.
15 As you recall, during the preliminary draft map,
16 District 2 extended out into the Garment Center,
17 the Garment District, and, also, into the Theatre
18 District as well.

19 We cut that back, made the district end at
20 35th Street and all along Fifth Avenue, making it
21 a little more compact and the shape a little more
22 usual. Additionally, we were asked to take a
23 look at Districts 4 and 5. I will zoom out a
24 little bit. Per Commissioner Wurzel's
25 recommendation and request, that we take a look

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1 at 4 and 5, as having these districts run
2 east/west instead of north/south, as they do now.

3 The staff's recommendation is to keep the
4 districts as they are in trying to keep an
5 east/west boundary. There were difficulties
6 proposed by Roosevelt Island, and, particularly,
7 some of the deviation problems that we fixed.
8 For some of those reasons, we suggest that 4 and
9 5 retain their shape.

10 District number 6, there was a request, by
11 the Commission, to include Columbus Circle within
12 the district. As you can see again, the black
13 lines represent the proposed district. A request
14 was also made to take a look at -- I am going to
15 zoom back into New York County -- to see if we
16 can unify Manhattan Valley, as defined by 96th
17 Street to 110th or 125th Street, depending on
18 which read of the testimony or which person you
19 were listening to during the testimony.

20 There was a challenge in keeping this
21 particular part of the county together into one
22 district. As you can see, here is 96th Street
23 (indicating), here is 110th (indicating), and you
24 go a little further up, and this is 125th Street
25 (indicating). As it stands right now, again, the

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1 lines being the districts as proposed, and the
2 colors representing the three lines, there was a
3 challenge trying to keep Manhattan Valley
4 together into one specific district.

5 While we tried to put it into two districts,
6 it really became difficult, because, again, as
7 Thaddeus will go into in his memo, Districts 7
8 and 10, which -- 7, 10 and 9, which, pretty much,
9 share areas within Manhattan Valley, are all
10 protected districts.

11 And when you are creating protected
12 districts, you are trying to ensure a protected
13 district stays protected, and population
14 concentrations have to be achieved and
15 maintained.

16 The only way to guarantee that performance,
17 after redistricting it, unfortunately, there has
18 to be a little bit of dividing up of Manhattan
19 Valley. We tried, but, unfortunately, the way
20 that the geography works and the population
21 concentration, won't allow us to have Manhattan
22 Valley in a single district.

23 Let me move to District 7. There was a
24 request, by the Commission, to keep the areas of
25 Morningside Heights into 7, and more importantly,

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1 keeping Upper Harlem and West Harlem into one
2 district. I think, as you can see, bounded by
3 the dark lines here (indicating), that was
4 achieved, by bringing those communities into one
5 district.

6 Additionally, there was a request to keep
7 Grant Houses in the district, and Grant Houses is
8 a little above 125th Street, just around here
9 (indicating). We were able to bring that into
10 the district. District 8, as you know, is one of
11 our interborough districts, extending into both
12 Manhattan and the Bronx. The request here was
13 manifold. Let's focus on the Manhattan side for
14 the time being.

15 The first request was to try to maintain the
16 traditional boundaries in the district, and
17 specifically, keeping certain landmarks in. The
18 first one being La Montesa, which is defined by
19 111th Street to 116th Street along Park Avenue,
20 and I think we were successful in doing that,
21 keeping both sides of Park Avenue, from 111th to
22 116th, in the district.

23 Another icon, of El Barrio, was also El
24 Museo del Barrio, which is on Fifth Avenue
25 between 105th Street and 104th Street. As I zoom

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1 in, you see that we were able to do that, the
2 black line being the boundaries of 8. We were
3 able to do that, bringing them into 8. I will
4 talk about the Bronx side when we get to the
5 Bronx consideration.

6 Let me move on to 9. The directive here was
7 to consider the application or the viability of
8 the unity plan for District 9. I think that,
9 and, again, I had made mention that District 9 is
10 a protected district, and we had to be very
11 careful in terms of maintaining certain
12 population concentrations. I think that the
13 shape of District 9, as it stands right now,
14 fairly comports with what unity had drawn, with
15 the exception of unity sort of going away to the
16 west side, particularly below 96th Street. One
17 thing, that we were able to do, was also to keep
18 Park West Co-ops fully within one council
19 district, and that being District 9.

20 I will move on to District 10. The request
21 here was to try to keep Washington Heights and
22 Inwood communities together. As you recall,
23 District 10 was one of the more challenging
24 districts in that, over the years from 2000 to
25 2010, it lost considerable population. Again,

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1 the shaded area is the 2003 or current lines.

2 In fact, within the shaded area, as of the
3 2010 census count, there were only 132,000
4 individuals, per the census, in this area. As we
5 all know, the ideal size for a district is
6 160,710. Therefore, there was a shortfall of no
7 less than 30,000 people to make it an ideal
8 district or a viable district for our
9 consideration.

10 So, to pick a population, we moved west,
11 pretty much picking up the entire west side of
12 Upper Manhattan. You will also note that in
13 terms of shape, District 10, pretty much, retains
14 its former shape or includes a lot of its old
15 district in the new district, with the exemption
16 of a few blocks below 115th Street.

17 I think in terms of keeping Washington
18 Heights, and, also, the Inwood area into one
19 district, we were fairly successful in that
20 attempt. Furthermore, I think if we take the
21 unity map, it fairly comports with what the unity
22 map had.

23 That concludes New York County. I will take
24 question from the Commissioners with regard to
25 New York County. If not, I will move on to the

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1 Bronx.

2 Let me start with District 8, because it's
3 the Bronx side of it. Now, some of the
4 Commissioners have also raised the question, and
5 this is reflected in the testimony from the
6 public, of how come the Bronx cannot have nine
7 districts? How come there can't be nine
8 districts, wholly within the Bronx given, its
9 growth?

10 It's true, in the last ten years, from 2000
11 to 2010, the Bronx grew significantly. In fact,
12 the second-fastest-growing borough, that
13 experienced the most growth of all of the
14 boroughs. It is second place, of course. It
15 experienced a growth of 3.9 percent.

16 So the total population, in 2010, is
17 1,385,000 individuals. Now, if you take that
18 figure of 1.385 and divide it by our ideal
19 population size of the district, it's 160,710.
20 Remember, that is our ideal population size.

21 The number you get when you divide the total
22 population, in the Bronx, divided by the ideal
23 population size is 8.6, right in the middle of
24 between 8 and 9. So in terms of trying to have
25 nine districts in the Bronx, it becomes a

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1 challenge in terms of trying to draw nine
2 districts of ideal population size.

3 Now, you could, theoretically, have nine
4 districts in the Bronx, but they all had to be at
5 the lowest end of the deviation. Again, we were
6 allowed a deviation of either plus five percent
7 or negative five percent. If we would put all
8 nine districts in the Bronx, they would be on the
9 low end, causing challenges with regard to other
10 districts, of creating too large districts, in
11 the other 42 across the City.

12 Moreover, if you have nine districts in the
13 Bronx, unless there is a charter change or a
14 charter amendment somewhere along the line, one
15 other borough has to give up a district. So I
16 hope I addressed the question of why there are
17 nine districts in the Bronx or why couldn't we
18 attempt nine districts within the Bronx.

19 Let me focus on District 8, because I think
20 what District 8 represents really is the growth
21 of the borough from 2000 to 2010. I think there
22 have been a lot of remarks about how District 8,
23 its proportion within the Bronx, grew
24 significantly. From some of the testimony I
25 counted, it was 12 percent of District 8 to now

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1 is 50 percent. Truly, in terms of proportion, it
2 is 50 percent of District 8.

3 But again, I think that really speaks to the
4 growth of the borough in and of itself. The
5 request, that was made by the Commission, was to
6 try to figure out if we could make it a little
7 more compact. If you recall, during the
8 preliminary draft map, the district actually
9 reached up all of the way to the Cross Bronx
10 Expressway and actually went a little further
11 beyond the Cross Bronx Expressway, again,
12 depicted by the black lines here (indicating)
13 along the south Bronx.

14 I think that we did a better job in terms of
15 making it a little more compact and a little more
16 shapely in comparison to what we had during the
17 preliminary draft map. The other request, that
18 was made in Bronx County, had to do with
19 District 14, and that is specifically bringing in
20 this area, that used to be in 15, within
21 District 14.

22 There was testimony that we heard from
23 Commissioners, who live in this area bounded by
24 Jerome Avenue and Grand Concourse (indicating),
25 who live in this area (indicating), who live in

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1 this area (indicating), and, also, worship in
2 District 14. We were able to honor that request,
3 and the Commissioners' request, by drawing that
4 into District 14.

5 The final request, that was made by the
6 Commission, was the inclusion of, or the entire
7 inclusion of Grand Concourse Village, Concourse
8 Village, rather, within the district. We heard a
9 lot, during our Bronx public hearing, about how
10 we had split the development. It used to be
11 where my pointer is (indicating). It used to be
12 this line (indicating), and we extended it out to
13 include the shopping plaza (indicating), the
14 entire development of Grand Concourse, including
15 the shopping, and, also, its presence is now
16 entirely within District 16.

17 If there aren't any questions, I will move
18 on to Queens County. We will go to Queens County
19 then. I will start with District 19, by going in
20 numerical order. There were numerous requests
21 regarding District 19, and there were some
22 requests, also, that had to deal with District
23 23, and I will get to them as well. Again, the
24 district bounded by the dark lines and the color
25 represent the old or rather the current 2003

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1 lines.

2 The first request, that was made, was trying
3 to get Flushing as defined, this area right here
4 (indicating), into District 19, by Union Street
5 going along 33rd Avenue. We were successful in
6 bringing that into District 19. The second
7 request was also bringing in Auburndale into the
8 district. We were unifying all of Auburndale
9 into a district. Auburndale used to be split
10 into 23, 19 and 20.

11 We were able to bring that in as depicted by
12 the dark line here (indicating). Let me move on
13 to 20. There's an issue with 20, 23 and 19, but
14 I will get to that when we get to 23. The
15 request was made, by the Commission, to ensure
16 that the Mitchell-Linden Houses were in. In the
17 preliminary draft, the development was excluded
18 out of the -- again, depicted by where my pointer
19 is (indicating), excluded out of District 20. It
20 is now back in District 20.

21 With regard to Districts 21 and 25, there
22 was a request, by the Commission, and this was
23 spurred on by some of the testimony we heard from
24 ACCORD and from the AALDEF, with regard to
25 keeping communities of interest together.

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1 Specifically the Elmhurst neighborhood and
2 Jackson Heights neighborhood into one.

3 Previously, it was split, as you can see
4 from the colored lines here (indicating), into
5 various communities. Particularly Elmhurst on
6 the southern border over here (indicating). In
7 25, we were able to put both of those communities
8 within 25. For the most part, using the
9 neighborhood boundaries as defined by the AALDEF,
10 as you can see here (indicating), by Junction
11 Boulevard, and the LIE, and finally 278 on the
12 western border.

13 Additionally, we were able to bring both of
14 these communities within one district. Also,
15 within 25, there was a request to bring
16 Northridge, Southridge and Brulene Co-ops into
17 25. We were able to do that. I believe they are
18 along 90th Street on 34th Avenue. We were able
19 to bring them into that district.

20 Let me move to 23. There was a lot of
21 discussion, a lot of public testimony with regard
22 to including Oakland Gardens into 19. Let me
23 zoom in here. You will get a little better
24 picture here (indicating). Now, the testimony,
25 that was reflected, was that there were

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1 communities of interest in Oakland Gardens and
2 Bayside. Oakland Gardens is, pretty much,
3 defined by 73rd Avenue to the LIE, this community
4 over here (indicating), bounded by Alley Pond
5 Park, and, also, by 210th Street.

6 There was also testimony requesting that
7 Bayside Hills be included in the district.
8 Unfortunately, the changes that we had made with
9 19, by including North Flushing, including
10 Auburndale into the district, including Bayside
11 Hills in its entirety and Oakland Gardens would
12 have created too large of a 19, going over the
13 deviation.

14 What we suggested, and, again, the
15 Commission had asked for a staff recommendation,
16 is to create a border, of 48th Avenue, as
17 depicted by the black line here (indicating),
18 that will have Bayside Hills and Oakland Gardens
19 all within 23. Additionally, we felt from the
20 staff perspective, that these were communities
21 that had, at least in the testimony, had shared a
22 common interest. We felt that if we were going
23 to move one of them, we might as well move both
24 of those communities into 23.

25 Let me move on to 26. Concerning Woodside,

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1 there was request, by the Commission, to try to
2 include the entirety of Woodside. As you recall
3 from the preliminary draft map, Woodside is
4 bounded by Broadway and 32nd Avenue. It was
5 excluded out of the district. We were able to
6 bring it back into the district. So that request
7 was honored.

8 As to 27, there was request, by the
9 Commission, to see if we can bring back the
10 border of Cambria Heights back to 121st Street.
11 As you recall, we had it a little further south
12 to 27th Avenue. We were able to bring that back
13 in light of the community input with regard to
14 27.

15 28, we heard a lot from, again, from the
16 AALDEF, from ACCORD, from a lot of the advocacy
17 groups, with regard to the South-Asian community,
18 particularly defined by the communities of
19 Richmond Hill, South Richmond Hill, South Ozone
20 Park and Ozone Park. There were a couple of
21 interpretations or rather a couple of boundaries
22 that were offered, as you recall.

23 The widest boundary that was offered, that
24 defined the South-Asian community, was the Van
25 Wyck Expressway to the east, Woodhaven Boulevard

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1 to the west, Conduit Avenue to the south and
2 Jamaica Avenue to the north. But then, in the
3 second round of public hearings, Taking Our Seat
4 had defined a much-more defined area with regard
5 to the South-Asian community. What they had
6 said, in their testimony, well, you can define
7 the community as being really 103rd Street,
8 Atlantic Avenue, the Van Wyck Expressway and
9 finally going down to the Conduit.

10 Again, as represented by the dark lines
11 (indicating), I think we did a pretty good job in
12 terms of capturing that community as defined by
13 Taking Our Seat. Of course, just having this
14 community here alone would have been too small
15 for deviation purposes, and we decided to include
16 that community within the 28th District. So in
17 terms of responding to that request, we were able
18 to bring it into 28th District.

19 Also in creating these boundaries, we did
20 heavily rely on the AALDEF community boundaries
21 that were submitted to us during previous
22 testimony. Another request, the last request was
23 made with regard to Maspeth and trying to include
24 it within one community. As you see from the
25 shaded area (indicating), Maspeth was, pretty

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1 much, divided from the 2003 boundaries. Well, we
2 were able to bring the entirety of Maspeth, as
3 defined by Newtown Creek, the BQE and Queens
4 Boulevard, into 30, thereby uniting the entire
5 community within one district.

6 We were also asked about Springfield Gardens
7 and making sure the community stayed within one
8 district. As you can see from the map here
9 (indicating), we were able to do that, by going
10 along the Belt Parkway and making sure that this
11 community was in one district.

12 And, also, we were asked to look at Jamaica
13 Hills and making sure that Jamaica Hills was in
14 one community. Again, it's in 24, and it's
15 safely ensconced within the confines of the 24th
16 district. That concludes the presentation on
17 Queens. I will take any questions if there are
18 any.

19 AUDIENCE MEMBER: I have a question.

20 MR. HUM: I will take questions from the
21 Commission.

22 AUDIENCE MEMBER: No questions from the
23 public?

24 MR. HUM: No. If there are no questions
25 from the Commission, I will move on to Brooklyn.

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1 Again, there were a number of requests made with
2 regard to Brooklyn. I will start with 35 and 40.
3 The request, made by the Commission, was to see
4 if we can restore its original southern boundary
5 to Empire Boulevard. As you recall, we had it up
6 to Lincoln Place, which is right where my pointer
7 is at (indicating).

8 I believe we were successful in restoring
9 that boundary to Empire Boulevard. So that took
10 care of 35 and 40. As to 38, the next request,
11 that came from the Commission, was ensuring that
12 both sides of 8th Avenue -- this was a request
13 made by Commissioner Yu -- was included within
14 the district. As you can see, both sides are
15 within the district.

16 There was a little piece here that was
17 excluded or currently excluded in the 2003 lines,
18 we were able to bring both sides of 8th Avenue,
19 pretty much from the cemetery all of the way to
20 75th Street, into the district. Additionally,
21 there was a request, by Commissioner Yu, to take
22 a look into the possibility of bringing Bay Ridge
23 Towers into 43, which it's currently in 38.

24 However, because of the deviations that 43
25 has right now, it would create too large of a

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1 district. We have included the towers into 43.
2 So the recommendation, again, from the staff, is
3 to keep Bay Ridge Towers where they are currently
4 in 38.

5 The next request, made by the Commission,
6 was testimony by the Sephardic Jewish community
7 in District 44. They wanted to be united,
8 totally, within District 44. They define their
9 community as the areas of East 19th Street to
10 Coney Island, from Avenue I all of the way down
11 to M. We were able to do that successfully as,
12 again, indicated by the dark lines.

13 The next request, from the Commission,
14 involves District number 45 and bringing
15 Victorian Flatbush into the district. We were
16 able to do that successfully, without upsetting
17 any population concentrations, because, again, as
18 Thaddeus will go into, in his presentation, 45 is
19 one of the protected districts.

20 The next request, from the Commission, had
21 to do with District 46, and specifically figuring
22 whether we can bring in all of Canarsie into the
23 district, and, also, bringing in Bay View Towers
24 into the district. Well, after careful
25 consideration, we were able to bring in all of

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1 Canarsie, as depicted, again, by the black lines,
2 into the district, and, also, Bay View Towers.

3 Bay View Towers are right over here
4 (indicating) and all of Canarsie is bounded
5 within 46 (indicating). By doing this, we,
6 pretty much, mimic what the unity lines -- the
7 unity map had suggested for District 46, and,
8 thereby, creating an opportunity to redistrict.
9 Thaddeus will go into what "opportunity to
10 redistrict" means. But what it, basically, does
11 is it matches unity lines, which had called for
12 an opportunity district, to be created within 46.

13 The only slight difference was that in the
14 unity lines, they had actually gone into the
15 Brooklyn Houses, a little north, right here
16 (indicating), and split them. Rather than doing
17 that, we decided to include a little more
18 population here (indicating), and, also, include
19 the Sheepshead Bay Houses on the eastern part of
20 the district, which is right here (indicating).

21 The next request, from the Commission, had
22 to do with District 48, and that was trying to
23 create a district that would keep the Russian
24 community together, because, after all, we heard
25 a lot of testimony from that community and the

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1 desire to be in one district. Reshaping 48, we
2 were able to bring that community together by
3 piecing Manhattan Beach and Brighton Beach back
4 together.

5 As you recall from the last draft map,
6 Manhattan Beach was actually in 46. We bring
7 Manhattan Beach, back into 48, with Brighton
8 Beach, uniting the Russian community, and, also,
9 bringing housing that has traditionally included
10 a lot of Russian descent, that is Warbath Houses
11 and the park, as indicated by where my pointer is
12 (indicating).

13 As indicated by the black lines, we feel
14 that this is a district that would unite the
15 Russian community. The Commission was also
16 asked, rather, the staff was also asked by the
17 Commission, to take a look at the proposal by the
18 unity map, to create an Asian district as defined
19 by 38, 44, 43 and 47. I am going to zoom in a
20 little bit.

21 Pretty much, where unity had created this
22 district, what it did, this general vicinity of
23 Bay Ridge and Bath Beach, encompassing parts of
24 47, 44, 48 and 43 (indicating). A staff
25 recommendation is to keep the lines, as we

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1 suggest in here (indicating), maybe just with the
2 lines being distinctly 48, 43, 44 and 47. There
3 are a couple of reasons for this. Number one,
4 first and foremost, we feel that by creating a
5 district out of what is right now four different
6 districts, would have a negative impact,
7 particularly with the protected districts that
8 are in Central Brooklyn. It would have a ripple
9 effect, that would have made it much more
10 challenging to ensure that they are protected
11 districts from voters' rights analyses.

12 Additionally, ten, 20 years ago, "incumbency
13 protection" was a bad word. It was a no-no word.
14 But I think, under current Supreme Court case law
15 and precedent, the relationships that legislators
16 had, and the continuation that a legislator may
17 have with his or her district, is a legitimate
18 concern and a legitimate consideration by any
19 districting Commission.

20 Given that this district had to be carved
21 out of four existing districts, possibly putting
22 three incumbents out, would have created what we
23 feel would have been a great challenge with
24 regard to ensuring that there is continuation and
25 maintaining legislative relationships. So given

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1 that, we recommended not adopting the unity plan
2 with regard to creating an Asian district.

3 Moreover, there isn't a reason to draw it,
4 at least from the Voting Rights Act's
5 consideration, at least for the time being, that
6 is. In the unity map, and the best drawing that
7 they have with regard to the Asian community or
8 the Asian population, was only 35 percent. With
9 those figures, it was not, at this point, time to
10 create a new district in Brooklyn.

11 We were also asked to provide a
12 recommendation to the Bangladesh community in
13 District 37. We heard from residents, on Cypress
14 Hill, that they shared a common bond with some of
15 the Bangladesh community in Ozone Park. As we
16 all know, the charter only allows one pairing of
17 an interborough district.

18 And if we were to bring Ozone Park into 37,
19 that would be bringing Queens into a Brooklyn
20 district. We already have a Brooklyn/Queens
21 district and that's within 34. So without
22 violating that rule, we couldn't bring it in.
23 So, therefore, we recommend the district line is
24 at the county border (indicating).

25 Finally, the staff was asked to consider

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1 Borough Park. We heard a lot of testimony with
2 regard to Borough Park, and the fact that the
3 residents of Borough Park like the fact that they
4 are sort the divided into different districts,
5 specifically 39, 40 and 44. So to the extent
6 possible, we were able to respect their concerns
7 and create a map that would have the Borough Park
8 community have the ability to have a few
9 representatives represent their community. That
10 concludes my presentation on Brooklyn. If there
11 aren't any questions from the Commission, I will
12 move on to Staten Island.

13 Okay. In Staten Island, there were,
14 basically, two requests here, and that's making
15 sure that we had included the Westerly community
16 and the Sunnyside community within one district.
17 I will zoom in a little bit. I think that we
18 were able to do that, again, with the black lines
19 representing the proposed districts.

20 We were able to bring Westerly in, which as
21 I zoom in, is a little north of the district line
22 (indicating), a little south of the district
23 line, over here (indicating), and, also,
24 Sunnyside, within one district. I think we were
25 fairly successful in that attempt. That

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1 concludes my presentation on Staten Island and it
2 concludes my presentation on the five boroughs
3 and the City in its entirety. If there aren't
4 any questions, I just want to thank the
5 Commission for your support, and, also, thank the
6 staff for their long hours and their hard
7 thinking throughout this process.

8 CHAIRMAN ROMANO: Thank you. Thank you,
9 Carl. The next item, on our agenda, is to hear a
10 report of the work of Dr. Handley, our expert.
11 Thaddeus Hackworth, our counsel, will give it.

12 Thank you.

13 MR. HACKWORTH: Thank you, Chairman Romano.
14 Commission members, as the Chair will explain
15 shortly, if the present proposed plan is adopted,
16 it will then be sent to the New York City Council
17 for its review. In the event the Council does
18 not explicitly object to the districting plan,
19 the next major step, of the process, would be the
20 submission of the plan to the United States
21 Department of Justice for preclearance.

22 Because three counties, of New York City,
23 are covered by Section V of the Federal Voting
24 Rights Act, specifically, New York County, Kings
25 County and Bronx County, the Department of

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1 Justice or the D.C. Court must approve the plan
2 before it can go into effect. Districting plans
3 are approved by the Department of Justice, when
4 the creating body, in this case, this districting
5 Commission, can show that, one, it was not
6 drafted with a discriminatory purpose, and two,
7 it does not have a discriminatory effect on
8 racial and language minority groups covered by
9 the act.

10 As for the first problem, the discriminatory
11 problem, the Department of Justice will look at
12 the totality of the circumstances surrounding the
13 districting effort, to see whether there are
14 indications of some invidious purpose.

15 In this case, the Commission has not acted
16 with a discriminatory purpose. Indeed, the
17 Charter, itself, requires the Commission to draft
18 district lines that ensure the fair and effective
19 representation of racial and language minority
20 groups in the City.

21 And the Commission has gone to great lengths
22 to honor that criterion, through its outreach
23 efforts and by keeping these communities intact
24 when drawing lines. As a result of this process,
25 the plan being considered, by the Commission

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1 today, has a total of three council districts in
2 which protected groups represent an overall
3 majority of the total population in the council
4 district, over two-thirds of the 51 total council
5 districts in the City.

6 By comparison, this is five more of such
7 districts than the previous 2003 districting
8 plan, which had 30 minority districts at the time
9 of its adoption.

10 As for the second problem, the
11 discriminatory effect, the United States
12 Department of Justice will look at whether the
13 plan causes retrogression.

14 In other words, would the situation of
15 minority voters, in the City, be worse under the
16 submitted district plan as compared to the
17 current district plan, which is called the
18 benchmark?

19 Specifically, the Department of Justice will
20 look at the current Council plan and count the
21 number of districts in the three covered
22 counties, where minority voters have historically
23 demonstrated the ability to elect candidates of
24 their choice. These are known as
25 ability-to-elect districts.

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1 They will then look at the plan that the
2 Commission has submitted for preclearance. And
3 if it has fewer ability-to-elect districts, the
4 Department of Justice may object to it and it
5 cannot go into effect. At that point, the
6 Districting Commission could ask the D.C. Court
7 to approve the plan or the Commission could
8 revise the districting plan after reviewing the
9 objection.

10 Whether or not minority voters have the
11 ability to elect a candidate of their choice in a
12 district, is a complicated question, and is based
13 on the functional analysis of how a particular
14 district has performed in past elections, and is
15 likely to perform in a future election.

16 To help analyze the current and proposed
17 districts and determine how they fit into the
18 DOJ's retrogression analysis, the Commission
19 retained Dr. Lisa Handley, a
20 nationally-recognized expert in the field of
21 redistricting and voting rights.

22 As you can see, from Dr. Handley's
23 biography, which is in your packets, the
24 Department of Justice, itself, has previously
25 retained her services in this area. Dr. Handley

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1 has been tremendously helpful in this regard, and
2 based on her analysis, we can report to the
3 Commission the number of ability-to-elect
4 districts, in the covered county, under the
5 benchmark plan, the current plan, as well as the
6 number of ability-to-elect districts in the
7 proposed plan.

8 Dr. Handley had planned to be at this
9 meeting, so she could report the results of her
10 analysis in person. Because of Hurricane Sandy,
11 we had to reschedule this meeting for today, and
12 as it happened, she is out of the country on an
13 assignment from the United Nations. Nonetheless,
14 Dr. Handley drafted a short memo, to discuss her
15 analysis and her conclusions from her review.

16 Let me briefly review with you the major
17 finds in her report. First, let me keep the
18 suspense to a minimum, by saying that Dr. Handley
19 has included that the proposed plan does not
20 retrogress and fully satisfies the requirements
21 of Section V of the Federal Voting Rights Act.
22 Therefore, the proposed plan, once submitted,
23 should be precleared, by the Department of
24 Justice, following its analysis.

25 With that said, you will note from

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1 Dr. Handley's report, that her analysis largely
2 relies upon election results, data that was
3 graciously provided to us by the New York City
4 Board of Elections. Using a complex,
5 multiple-regression analysis, she used the data
6 to determine whether minority voters were able to
7 elect candidates of their choice in past
8 elections, and then to determinate whether, in
9 the future, minority voters, in the proposed
10 districts, would have that ability under the
11 proposed lines.

12 Specifically, Dr. Handley found that, under
13 the benchmark, there are currently 19 City
14 council districts, in the three covered counties,
15 where minority voters have the ability to elect
16 candidates of their choice. Black voters have
17 the ability to elect candidates of their choice
18 in eight districts in the three covered counties,
19 District 9 in Manhattan, District 12 in the Bronx
20 and Districts 35, 36, 40, 41, 42 and 45 in
21 Brooklyn.

22 Hispanic voters also have the ability to
23 elect candidates of their choice in eight
24 districts. Those are Districts 8 and 10 in
25 Manhattan, Districts 14, 15, 17 and 18 in the

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1 Bronx and Districts 34 and 37 in Brooklyn. As
2 for the remaining three districts, they were
3 termed as effective multiethnic districts. In
4 districts where there are concentrations of
5 voters of more than one ethnic group, at least
6 one of which has the ability to elect candidates
7 of its choice. These districts are District 7 in
8 Manhattan, District 16 in the Bronx and
9 District 38 in Brooklyn.

10 You will notice that Dr. Handley did not
11 include District 1 as a benchmark,
12 ability-to-elect district. This is because
13 District 1 is not even a plurality of Asian
14 composition, though Asian voters, in that
15 district, were successful in electing their
16 preferred candidate to the City Council in the
17 2009 primary.

18 Dr. Handley believes that the proposed plan
19 properly keeps District 1 intact, so that the
20 Asian population there can maintain the
21 opportunity to elect, as compared to the ability
22 to elect, candidates of their choice. So that
23 addresses the issue of how many districts there
24 are, where minority voters have the ability to
25 elect candidates of their choice under the

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1 current lines or the benchmark.

2 Therefore, at least 19 districts must be
3 maintained as ability-to-elect districts to avoid
4 the possibility of a DOJ objection based on
5 retrogression. After her review of this proposed
6 plan, which we have presented before you this
7 evening, Dr. Handley concluded the plan not only
8 maintains 19 ability-to-elect districts, but it
9 also creates a new minority opportunity district,
10 District 46, where, for the first time, minority
11 voters will have an opportunity to elect a
12 candidate of their choice.

13 Based on Dr. Handley's analysis and the
14 input from our legal experts, including Jerry
15 Huber and Jeff Weiss, the staff can advise the
16 Commission that we believe the proposed plan
17 complies with Section V of the Federal Voting
18 Rights Act, and would be entitled to preclearance
19 by the United States Department of Justice if
20 adopted by the Commission.

21 That takes care of the requirements set
22 forth in Section V of the Voting Rights Act. As
23 for the requirements of the New York City
24 Charter, in my capacity as General Counsel to the
25 Commission, I am happy to report, to the

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1 Commission, that it is my opinion that the
2 proposed plan fully complies with the relevant
3 provisions of the Charter.

4 The proposed plan reflects the Commission's
5 fulfillment of its legal duty to implement the
6 criteria outlined in the Charter to the maximum
7 extent practicable and in the priorities that
8 they are listed. From a legal perspective, I am
9 aware of no reason that this plan should not be
10 adopted by the Commission. And with that, I
11 would be happy to answer any questions the
12 Commissioners might have.

13 MR. PADAVAN: I have a question.

14 What is your estimate on the time line for
15 the Justice Department?

16 MR. HACKWORTH: The Justice Department
17 preclearance process, we asked for an expedited
18 handling of it, and it takes, approximately, 60
19 days.

20 MR. PADAVAN: January?

21 MR. HACKWORTH: So if we were to -- if the
22 Council were to not object to the plan, then it
23 would be 60 days after December 7th.

24 MR. PADAVAN: Sixty days after December 7th?

25 MR. HACKWORTH: Right. The Council has

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1 three weeks.

2 MR. PADAVAN: It could being earlier than
3 that?

4 MR. HACKWORTH: It could be earlier.
5 Generally, they take closer to 60 days.

6 CHAIRMAN ROMANO: During your presentation,
7 again, you used "benchmark" and "proposed."

8 Are those the same?

9 MR. HACKWORTH: The benchmark are the
10 current districts.

11 CHAIRMAN ROMANO: The lines drawn before we
12 completed this process?

13 MR. HACKWORTH: Exactly. The 2003 lines we
14 are operating with today.

15 CHAIRMAN ROMANO: Are there any further
16 questions for Mr. Hackworth?

17 Feel free. He is our lawyer.

18 MS. BRAGG: District 7, there was a strong
19 change in population in the ethnic groups.

20 Can you tell me a little bit about
21 Dr. Handley's assessment of that district?

22 MR. HACKWORTH: Yes. So in District 7, it
23 is one of the districts that I identified as a
24 multiethnic district. So in District 7, there is
25 a large proportion of both black and Hispanic

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1 population with a smaller segment of a white
2 population.

3 The way that District 7 performs, and the
4 way that Dr. Handley says it will continue to
5 perform, is that the small, white population will
6 operate as a swing vote to either help elect the
7 candidate of the Hispanic group's choice or the
8 candidate of the black group's choice.

9 So in either case, the candidate that is
10 ultimately chosen will be a candidate of some
11 minority group's choice. The white voting block,
12 to the extent that there is racial voting, will
13 be just to select which one of those two it will
14 be.

15 MS. BRAGG: Thank you.

16 CHAIRMAN ROMANO: And does the 19, that we
17 would be wise to maintain, include multiethnic
18 and racial districts?

19 MR. HACKWORTH: Yes. So there is eight
20 black, eight Hispanic and then three multiethnic.
21 The three multiethnic are affected districts, so
22 they are part of the 19 districts to be
23 maintained.

24 CHAIRMAN ROMANO: Anybody further?

25 Thank you. Now comes the time for us to

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1 consider the formal adoption of the revised
2 district plan. But before we do that, I want to
3 be clear as to what this motion will signify.

4 A motion to adopt the revised district plan
5 will mean that you are endorsing the revised plan
6 in its entirety. I am aware that some of us may
7 not be particularly pleased about one district or
8 another, but are content with the rest of the
9 map.

10 You may not move to adopt only certain
11 districts of the plan and not others. Nor can
12 you make your endorsement contingent upon the
13 revision of another district or districts. You
14 must choose whether to adopt the revised map in
15 its entirety. There are no alternative maps for
16 your consideration tonight.

17 I also want to make explicit what happens
18 should we decide to adopt the revised district
19 plan according to the New York City Charter,
20 Section 51(c), the revised district plan
21 resubmitted to the City Council for its
22 consideration.

23 Within three weeks of the plan's delivery to
24 the City Council, the City Council can either
25 adopt the revised district plan, at which point,

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1 the plan will then be filed with the City clerk,
2 or the City Council, by majority vote of all of
3 its members, can object to the revised district
4 plan, at which point, the plan will be returned
5 to the Commission with the Council's comments and
6 concerns.

7 If the Council takes neither action within
8 the three weeks, the revised district plan will
9 be deemed adopted and will be filed with the City
10 clerk.

11 If the Council adopts a resolution objecting
12 to the revised district plan, the Commission will
13 then have until January 5, 2013, to revise the
14 plan after considering the Council's objections.
15 This would then trigger a new set of public
16 hearings to receive comment feedback on that
17 revised plan. Following these hearings, the
18 Commission will publish its final plan and submit
19 it to the City clerk.

20 Before any such motion is made, I would like
21 to point out that two of our Commissioners could
22 not be here today, but, nonetheless, submitted
23 statements to be read into the record in support
24 of the pro body plan. Under the Open Meetings
25 Law, we cannot count their votes in the official

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1 tally, but I would like to share their comments
2 with you.

3 (Reading): "November 14, 2012. Dear
4 Commission members: It has been an honor for me
5 to serve on the New York City Districting
6 Commission. For the past several months, we have
7 listened, attentively, to the testimonies given
8 by concerned organizations and stakeholders
9 across our City. We were guided by our Chair and
10 advised by a knowledgeable and committed team led
11 by our executive director, Carl Hum.

12 Throughout the process, we took into account
13 the City's changing graphics, carefully
14 considered the testimony and maps submitted to
15 the Commission, and adhered to the districting
16 principles described in the U.S. Constitution,
17 the Federal Voting Rights Act and the City
18 Charter.

19 While I cannot personally participate in
20 today's public meeting, I want to express my
21 thoughts on some of the testimony we heard, and
22 how the proposed district plan responds to the
23 Commission's directives, to the staff, made on
24 October 18, 2012.

25 Kings County. Regarding Brooklyn, we heard

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1 that the constituents, from District 38, would
2 like to maintain the current boundaries. I am
3 very happy that our staff has kept the boundaries
4 similar to the 2003 district lines.

5 Additionally, the revised map has included
6 both sides of 8th Avenue, between 39th Street to
7 65rd Street, in the 38th District. In reference
8 to Bay Ridge Towers, we have considered the
9 community interest in moving Bay Ridge Towers to
10 District 43, but it seems that District 43's
11 population deviation has reached its maximum. It
12 would be impossible to accommodate more
13 population from Bay Ridge Towers.

14 As we heard on numerous occasions, the
15 Asian-American community is the fastest-growing
16 community in New York. I was hopeful that we
17 could create an opportunity district for
18 Asian-Americans along the D and N train lines and
19 on 18th Avenue, beginning from the 60s to 86th
20 Street, extending westward, northward and
21 eastward.

22 Indeed, we seriously considered the unity
23 map's creation of the 47th District in a
24 plurality Asian district. However, there does
25 not seem to be enough Asian population to create

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1 a meaningful opportunity district. Moreover, the
2 creation of such a district, at this time, could
3 adversely impact and split neighboring districts.

4 At the same time, I am pleased to see the
5 western part of Brighton Beach maintained as one
6 community. And as for Canarsie, I am pleased to
7 see we have kept it as one compact community in
8 one district.

9 Queens. I am pleased to see that District
10 20 will be maintained as an Asian-majority
11 district. As mentioned, Asian-American
12 communities are one of the fastest-growing
13 communities in our City, increasing by 32 percent
14 over the last ten years. I am very happy
15 Elmhurst is no longer divided and Elmhurst and
16 Jackson Heights are combined into District 25.

17 We also heard many voices from the
18 Indo-Caribbean community, wishing to see the
19 neighborhoods of Richmond Hill and South Ozone
20 Park combined into one district. Now, with the
21 revised plan, it is a reality.

22 Manhattan. In deference to the testimony we
23 have heard, West Harlem and Upper Harlem remain
24 in one district in the revised map. Central
25 Harlem continues to remain in District 9.

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1 Manhattan Valley, on the other hand, is a little
2 disappointing, because it is being divided into
3 multiple districts. It is divided along the
4 middle, on Columbus Avenue, on the current map.

5 For District 8, it seems that the staff made
6 it a more compact district than in the
7 preliminary map. It seems that they have made
8 sure not to divide neighbors in the Bronx portion
9 of the district.

10 We have heard from numerous civic
11 organizations and constituents regarding District
12 1 and District 2. District 2 no longer extends
13 west and north of 34th Street and into the
14 Fashion District. It has been stated, by many
15 individuals in regard to District 1, that the
16 residents have tried, for a long time, to elect a
17 council member of Asian descent in recent years.
18 They have reached this goal. I am pleased that
19 Gouverneur Gardens is now in District 1.

20 As for Districts 4 and 5, I would like to
21 extend my support for Commissioner Marc Wurzel's
22 proposal. The current 4 and 5 is
23 rectangular-shaped from north to south. The
24 citizens of Kips Bay, in the south, have little
25 common interest with the Upper East Side. If we

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1 can adopt Commissioner Wurzel's proposal, it
2 would make Districts 4 and 5 more compact and
3 follow the City Charter.

4 By combining the Upper East Side
5 neighborhoods and Midtown East neighborhoods, it
6 would unite both districts with common interest.
7 The changing boundaries of 4 and 5 will have no
8 impact on bordering districts or the topography
9 of the population.

10 The Bronx. The population of the Bronx has
11 increased tremendously in the past ten years, and
12 the revised map definitely accommodates the
13 expansion of the Bronx population, while
14 respecting the voting power of the people.

15 Staten Island. I am very happy that Staten
16 Island's three districts can be completely within
17 their own county. If I were able to be present
18 for the Commission's public meeting today, I
19 would, unequivocally, offer my full-throated
20 support of the revised map.

21 However, I understand that due to my
22 absence, I will not be able to cast a vote in
23 support of the revised map. Nonetheless, I hope
24 that my submitted remarks will reflect my
25 support. I want to congratulate my fellow

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1 Commissioners, and the staff, on a job well done.
2 Respectfully, Justin Yu, Commissioner, New York
3 City Districting Commission."

4 (Reading): "November 13, 2012. Dear
5 Commission members: Thank you for giving me the
6 opportunity to share my thoughts on the New York
7 City Council districting plan, which is being
8 considered by the Commission today for submission
9 to the Council for its review. I regret that
10 other obligations have made it impossible for me
11 to attend the Commission's November 15, 2012
12 meeting.

13 Although I am aware, that pursuant to the
14 requirements of New York's Open Meetings Law, I
15 cannot formally vote in favor of adopting the
16 plan before the Commission today, I wish to
17 express my endorsement for and support for the
18 proposed plan.

19 As you know, I have been actively involved
20 in the fulfillment of my responsibilities as a
21 member of this Commission, and I appreciate
22 having been given that opportunity, by Mayor
23 Michael Bloomberg, who appointed me to this
24 position. I am proud to be a part of the open
25 and public process adopted by this Commission.

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1 The Commission has solicited input from the
2 public, through a number of channels, resulting
3 in a record of public recommendations and
4 requests that has been a great benefit to the
5 Commission. The requirements of the New York
6 City Charter make it impossible to satisfy every
7 desire of the members of the public, but I
8 believe that the proposed plan has adopted these
9 requests to the extent practical under the law.

10 I, therefore, voice my support in favor of
11 adopting the proposed plan and for its submission
12 to the New York City Council for its review
13 pursuant to the charter. Respectfully, Madeline
14 Provenzano, Commissioner, New York City
15 Districting Commission."

16 CHAIRMAN ROMANO: Now, with that, may I have
17 a motion to adopt the proposed plan and instruct
18 the staff --

19 MR. WURZEL: Mr. Chair. I'm sorry to
20 interrupt. I thought there might be some
21 opportunity for discussion before --

22 CHAIRMAN ROMANO: Before the motion?

23 MR. WURZEL: -- before the motion.

24 I don't know if anyone has anything to say.
25 I certainly do. I will indulge the Commission.

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1 First, thank you, Mr. Chair. I want to
2 commend the staff for their very hard work,
3 particularly having to work under some very
4 challenging circumstances in the last few weeks.
5 I also want to thank my colleagues. We are all
6 volunteers and the amount of time, and effort,
7 and hours devoted to this process, I appreciate
8 their contributions as well.

9 Reflecting back to the staff and my
10 colleagues, I appreciate their receptive feelings
11 about, at least, one of my priorities as serving
12 as a member of this Commission, is that to
13 preserve competitive fair-fight districts in the
14 City Council. I think the City benefits from
15 having a two-party competition. So I would like
16 to thank my colleagues, and the staff, for their
17 receptiveness to that concern of mine.

18 Before we adopt this plan, I just wanted to
19 reflect on one concern that I have. It's an
20 outstanding concern, as members of the Commission
21 and the general public know, I had proposed a
22 compact, Upper East Side district, and it would
23 involve just a reconfiguration of District 4 and
24 District 5 in Manhattan.

25 It also included a proposal to include

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1 Central Park in the new compact Upper East Side
2 district. When the staff came back with feedback
3 that a compact, Upper East Side district would
4 pose some logistical problems, I shifted my
5 request for consideration that Central Park be
6 more appropriately included in either District 4
7 or District 6. District 6 being the West Side
8 district and District 4 being the East Side
9 district that bound Central Park for 40 to
10 50 blocks along the east and west side of the
11 park.

12 The reason why I suggested this is that
13 proposed District 8, half of which is now going
14 to rest in Bronx County. The configuration of
15 the district, I have some concerns with, that
16 there may be a consideration that it may violate
17 Section 52 of the Charter mandate, that no
18 district shall be more than twice as long as it
19 is wide.

20 I think it's obvious, from the maps, that
21 proposed District 8 might be, quite frankly, six
22 times as long as it is wide. In the proposal
23 presented today, Central Park, for lack of a
24 better way of describing it, it sort of dangles,
25 like a two-by-four, attached by duct tape, for

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1 five blocks in District 8.

2 My concern is that this might pose some
3 legal issues. It may force this Commission to
4 come back and revisit the issue. But having said
5 that, if there is no one else who has any
6 comments to make, I would actually -- well, I am
7 seeing my colleague raising her hand
8 (indicating). That, essentially, are my remarks.
9 I will just, having raised these concerns, I will
10 voice my support for the adoption of this plan.

11 MS. BRAGG: Just to very quickly follow what
12 Commissioner Wurzel said, I do want to commend
13 the staff on their work. A very small staff. A
14 lot of people, and groups, and of use maps, and
15 voices went into the consideration for this, and
16 took our requests very seriously, from the
17 request that Executive Director Hum made earlier,
18 about the 96th in the Bronx, to considering
19 ACCORD, and Taking Our Seats, and all of the
20 plans that were proposed, plus the different
21 concerns from each of the five boroughs.

22 So I really do want to, and I am sure,
23 reflecting what Commission Wurzel said, commend
24 the staff. A very small staff, did a lot of
25 work, over a very short period of time, over

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1 challenges over the past few weeks. I want to
2 make sure that is on the record, officially.
3 Thank you, very much.

4 CHAIRMAN ROMANO: I think you both expressed
5 the unanimous views of the Commission in
6 expressing the gratitude to the staff for their
7 professionalism and the hard work they performed
8 under some -- not just some, very difficult
9 conditions. Sandy is among them. And, also, the
10 sheer complexity of trying to reconcile a number
11 of different factors, included in the Charter,
12 that can be, sometimes, in tension with one
13 another.

14 The term "Solomonic wisdom" comes to mind
15 when I think about that process. But it is a
16 process and no process is perfect. There is a
17 lot of merit in what Commissioner Wurzel was
18 saying about Central Park, and even without the
19 colorful description of it.

20 MS. BRAGG: "Two-by-four"?

21 CHAIRMAN ROMANO: I never thought of the
22 park, I played in, as a two-by-four. We can
23 further the debate, the map's merits, if we want,
24 but first I think I would like to have a motion
25 to adopt the proposed plan, which includes a

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1 motion to instruct the staff to submit it to the
2 City Council for its review.

3 MR. WURZEL: So moved.

4 CHAIRMAN ROMANO: The motion is made.

5 Seconded?

6 MR. ODOM: Second.

7 CHAIRMAN ROMANO: It has been seconded.

8 Any debate, on the motion, or comments?

9 All in favor of the motion, indicate by
10 saying aye.

11 (A chorus of ayes.)

12 Opposed?

13 Abstentions?

14 The motion carries unanimously.

15 MR. HACKWORTH: Just for the record,

16 Linda --

17 CHAIRMAN ROMANO: I heard her say "aye."

18 MR. HACKWORTH: That was an "aye." Thank
19 you.

20 CHAIRMAN ROMANO: Is it necessary to have a
21 roll call?

22 MR. HACKWORTH: Since you have already done
23 it --

24 CHAIRMAN ROMANO: I think it was unanimous.

25 The motion is carried unanimously. Now we have

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1 one additional item on our agenda. In order for
2 the plan to be adopted and to be effected, we
3 must sign a certification that will accompany the
4 plan.

5 Mr. Hackworth is going to describe what that
6 certification is. We can adjourn after the
7 description and execute the certification after
8 the meeting is formally closed.

9 MR. HACKWORTH: That's right. So you can
10 sign it at any time, but I just wanted to explain
11 it now, and you will, obviously, have the
12 opportunity to read the statement. The Chair has
13 it right now.

14 The New York City Charter requires that
15 before any plan can be formally adopted, at least
16 nine members of the Commission must certify the
17 criteria set forth, in Section 52 of the Charter,
18 have been applied to the maximum extent
19 practicable, in the order that they are listed.

20 And as I know, you are all aware, those
21 criteria are, one, the one-person/one-vote
22 proportionality requirement. Two, the fair and
23 effective representation of racial and language
24 minority groups. Three, keeping intact
25 neighborhoods and communities with established

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1 ties of common interest. Four, district
2 compactness. Five, the minimization of crossing
3 county lines. Six, no purposeful separation of
4 areas based on political party enrollment. And
5 seven, the minimization of districts' perimeter
6 links.

7 The Charter also requires that the
8 certification contain a statement as to how the
9 Commission implemented the criterion, calling for
10 fair and effective representation of racial and
11 language minority groups. The certification
12 statement, that has been prepared for your
13 signatures, reflects these requirements.

14 By signing it, you are certifying that the
15 Commission applied the criteria as required by
16 law. The certification also summarizes the
17 Commission's efforts to draw a plan that fairly
18 represents the racial and language minority
19 groups in this City.

20 These efforts have included determining the
21 geographic location of such groups, holding
22 numerous public hearings, at which a number of
23 those, who testified, were members of such
24 groups, conducting targeted outreach, including
25 mailings, community outreach and advertising in

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1 minority and non-English media, reviewing
2 minority voting behavior, through the work done
3 by Dr. Handley, reviewing and considering
4 alternative districting plans submitted by
5 representatives of racial and language minority
6 groups, and, finally, drawing council district
7 lines that enhance the opportunities of the
8 members of these groups to elect candidates of
9 their choice as evidenced by the record 35
10 council districts, in which racial and language
11 minority residents form an overall majority in
12 the district.

13 There can be no doubt, that this Commission
14 has not taken its responsibilities, under the
15 Charter, seriously. By signing this
16 certification, you will be attesting to that
17 fact.

18 CHAIRMAN ROMANO: Thank you. Before we
19 conclude, I have got one more item of business.
20 Commissioners, I want to thank each of you for
21 the time and dedication to this very important
22 task. Now that the revised district map has been
23 adopted, our staff will deliver the revised
24 district map to the City Council.

25 (Continued on next page.)

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1 In my capacity as Chair, I also direct the
2 staff members to publish the revised district
3 map, through all available means, and make
4 themselves available for any further action from
5 the Commission.

6 This Commission stands adjourned until
7 called upon again. If we are directed, by the
8 Council, to continue our work, I will call for
9 another meeting as set for in our bylaws.

10 Thank you and good night.

11 (Whereupon, at 8:30 p.m., the above matter
12 was concluded.)

13

14

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

19

20



21

JOSHUA B. EDWARDS, RPR

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23

24

25

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