

In Re CAPA Hearing NYC - Business Integrity Commission
February 22, 2023

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THE CITY OF NEW YORK
BUSINESS INTEGRITY COMMISSION
CAPA
PUBLIC HEARING

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February 22, 2023
10:31 a.m.

Held Remotely
via Teleconference

Julia M. Speros
Court Reporter

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A P P E A R A N C E S:

Business Integrity Commission

Business Integrity Commission
Shormina Ahmed, Executive Agency Counsel

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PROCEEDINGS

MS. AHMED: Good morning and thank you for participating in today's public hearing. The time is 10:31, Wednesday, February 22, 2023.

My name is Shormina Ahmed. I am Executive Agency Counsel at the New York City Business Integrity Commission and thank you for attending today's hearing.

A court reporter is present today and will transcribe the hearing. To avoid any background noise, I ask that everyone please mute yourself until we start calling on speakers.

The Commission is conducting this remote hearing pursuant to the requirements set forth by the City Administrative Procedure Act, commonly referred to as "CAPA". The purpose of this hearing is to receive comments from the public on the Commission's proposed rules regarding the procedure for permitting a person to petition the Commission to consider the rule -- to consider the adoption of a new rule.

1 The Commission published the
2 proposed rules in The City Record on
3 January 17, 2023. We also disseminated
4 a copy of the rules via email to all New
5 York City local-elected officials, the
6 managers of all 59 Community Boards,
7 several media organizations in the City,
8 and other interested parties.

9 Lastly, we posted the proposed rules
10 on both the Commission's and the New
11 York City Rules' websites.

12 In summary, the Commission is
13 proposing to amend Title 17 of the Rules
14 of the City of New York to implement
15 Section 1043(G) of the New York City
16 Charter, which permits any person to
17 petition any agency to consider the
18 adoption of any rule and requires each
19 agency to have rules creating a
20 procedure for such petitions.

21 The proposed rules set forth the
22 procedures that petitioners must follow
23 in petitioning the Commission to
24 consider a new rule. The proposed rules
25 also set forth a procedure for rejecting

1 or adopting petitions. The rules would
2 require the Chair to deny or approve
3 petitions within 60 days.

4 If the Chair wishes to adopt a
5 petition, the proposed rules will be
6 drafted in accordance with the authority
7 delegated in Section 15-01 of Chapter 3
8 of Title 17 of the Rules of the City of
9 New York. The Commission must still
10 approve, by majority vote, any rule
11 before it is promulgated.

12 This concludes the summary of the
13 proposed rule changes at issue at this
14 hearing.

15 You may present an oral statement
16 for the record or submit written
17 comments concerning the proposed rule
18 changes. Additionally, the Commission
19 has been accepting written comments on
20 the proposed rules since the publication
21 in The City Record and as of
22 February 21, 2023.

23 The Commission will make available a
24 copy of any written comments that were
25 received in connection with today's

1 hearing on its website. The Commission
2 will carefully review and consider all
3 comments and submissions and make
4 changes if the Commission deems that is
5 necessary. The rules will go into
6 effect 30 days after they are published
7 in The City Record.

8 We will begin calling on those of
9 you who wish to speak this morning.

10 When you speak, please state your
11 full name and affiliation, and please
12 speak slowly and carefully so the court
13 reporter can understand and accurately
14 transcribe your statement. We ask that
15 you limit your statement to three
16 minutes.

17 I will now begin on calling on
18 members of the public who wish to
19 testify. If you wish to testify, please
20 un-mute yourself now.

21 Does anyone wish to testify at this
22 moment?

23 (No response.)

24 MS. AHMED: If you wish to testify,
25 please un-mute yourself.

1 (No response.)

2 MS. AHMED: I will give it till
3 10:35. If someone wishes to testify,
4 please un-mute yourself at this time.

5 (No response.)

6 MS. AHMED: Do any of the
7 participants wish to testify today?

8 (No response.)

9 MS. AHMED: If you wish to testify,
10 please un-mute yourself.

11 (No response.)

12 MS. AHMED: Seeing that no one is
13 looking to testify, we will now close
14 the record for this hearing. This
15 hearing is now closed. It is 10:35.

16 Do you wish to testify?

17 UNKNOWN SPEAKER: (Nodding.)

18 MS. AHMED: Okay. This hearing is
19 now closed. The time is 10:35 and thank
20 you very much for your participation.

21 (Time noted: 10:35 a.m.)

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CERTIFICATION

I, JULIA M. SPEROS, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I
am in no way interested in the outcome
of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 22nd day of February,
2023.



Julia M. Speros

1043g 4:15	authority 5:6	comments 3:20 5:17,19,24 6:3 (5)	duly 8:8	hereunto 8:17
22nd 8:18	available 5:23	commission 4 2:4,6 3:8,15,24 4:1,12,23 5:9,18,23 6:1,4 (14)	e 2:2,2	implement 4:14
accepting 5:19	avoid 3:12	commission's 3:21 4:10	each 4:18	integrity 4 2:4,6 3:8 (4)
accordance 5:6	background 3:12	commonly 3:18	effect 6:6	interested 4:8 8:15
accurately 6:13	before 5:11	community 4:6	email 4:4	into 6:5
act 3:18	begin 6:8,17	concerning 5:17	everyone 3:13	is 3:4,6,10,15,20 4:12 5:11 6:4 7:12,15,15,18,19 8:9 (14)
action 8:14	blood 8:14	concludes 5:12	executive 2:6 3:7	issue 5:13
additionally 5:18	boards 4:6	conducting 3:15	february 12 3:5 5:22 8:18 (4)	its 6:1
administrative 3:18	both 4:10	connection 5:25	feldman 2:4	january 4:3
adopt 5:4	business 4 2:4,6 3:8 (4)	consider 3:24,25 4:17,24 6:2 (5)	follow 4:22	julia 22 8:4
adopting 5:1	c 2:2	copy 4:4 5:24	forth 3:17 4:21,25 8:8 (4)	lastly 4:9
adoption 3:25 4:18	calling 3:14 6:8,17	counsel 2:4,6 3:7	full 6:11	limit 6:15
affiliation 6:11	can 6:13	court 22 3:10 6:12	further 8:12	localelected 4:5
after 6:6	capa 5 3:19	creating 4:19	general 2:4	looking 7:13
agency 2:6 3:7 4:17,19 (4)	carefully 6:2,12	david 2:4	give 7:2	m 22 8:4
ahmed 2:6 3:2,6 6:24 7:2,6,9,12,18 (9)	certification 8:2	day 8:18	given 8:10	majority 5:10
also 4:3,25	certify 8:6,12	days 5:3 6:6	go 6:5	make 5:23 6:3
am 10 3:6 7:21 8:12,15 (5)	chair 5:2,4	deems 6:4	good 3:2	managers 4:6
amend 4:13	changes 5:13,18 6:4	delegated 5:7	hand 8:18	marriage 8:14
anyone 6:21	chapter 5:7	deny 5:2	has 5:19	matter 8:16
approve 5:2,10	charter 4:16	disseminated 4:3	hearing 6 3:4,9,11,16,20 5:14 6:1 7:14,15,18 (11)	may 5:15
are 6:6	city 3 3:8,17 4:2,5,7,11,14,15 5:8,21 6:7 (12)	does 6:21	held 13	me 8:8
ask 3:12 6:14	close 7:13	drafted 5:6	hereby 8:6	media 4:7
attending 3:9	closed 7:15,19		herein 8:8	members 6:18

minutes 6:16	p 2:2,2	6:18 8:4 (5)	5:1,5,8,20 6:5 (13)	5:12
moment 6:22	participants 7:7	publication 5:20	rules' 4:11	sworn 8:8
morning 3:2 6:9	participating 3:3	published 4:1 6:6	s 2:2	teleconference 14
ms 3:2 6:24 7:2,6,9,12,18 (7)	participation 7:20	purpose 3:19	said 8:10	testify 6:19,19,21,24 7:3,7,9,13,16 (9)
much 7:20	parties 4:8 8:13	pursuant 3:16	section 4:15 5:7	testimony 8:7,10
must 4:22 5:9	permits 4:16	r 2:2	seeing 7:12	thank 3:2,9 7:19
mute 3:13	permitting 3:23	receive 3:20	set 3:17 4:21,25 8:8,18 (5)	those 6:8
my 3:6 8:18	person 3:23 4:16	received 5:25	several 4:7	three 6:15
n 2:2	petition 3:23 4:17 5:5	record 4:2 5:16,21 6:7 7:14 8:10 (6)	shormina 2:6 3:6	till 7:2
name 3:6 6:11	petitioners 4:22	referred 3:19	signature 8:21	time 3:4 7:4,19,21 (4)
necessary 6:5	petitioning 4:23	regarding 3:22	since 5:20	title 4:13 5:8
new 3 3:7,25 4:4,10,14,15,24 5:9 8:5 (10)	petitions 4:20 5:1,3	rejecting 4:25	slowly 6:12	today 3:10 7:7
no 6:23 7:1,5,8,11,12 8:15 (7)	please 3:13 6:10,11,19,25 7:4,10 (7)	related 8:13	so 6:12	today's 3:3,9 5:25
nodding 7:17	posted 4:9	remote 3:16	someone 7:3	transcribe 3:11 6:14
noise 3:12	present 3:10 5:15	remotely 13	speak 6:9,10,12	transcript 8:9
notary 8:4	procedure 3:18,22 4:20,25 (4)	reporter 22 3:10 6:13	speaker 7:17	true 8:9
noted 7:21	procedures 4:22	require 5:2	speakers 3:14	understand 6:13
now 6:17,20 7:13,15,19 (5)	proceedings 3:1	requirements 3:17	speros 22 8:4	unknown 7:17
officials 4:5	promulgated 5:11	requires 4:18	start 3:14	unmute 6:20,25 7:4,10 (4)
one 7:12	proposed 3:21 4:2,9,21,24 5:5,13,17,20 (9)	response 6:23 7:1,5,8,11 (5)	state 6:10 8:5	until 3:13
oral 5:15	proposing 4:13	review 6:2	statement 5:15 6:14,15	very 7:20
organizations 4:7	public 6 3:3,21	rule 3:24,25 4:18,24 5:10,13,17 (7)	still 5:9	via 14 4:4
other 4:8		rules 3:22 4:2,4,9 ,13,19,21,24	submit 5:16	vote 5:10
outcome 8:15			such 4:20	way 8:15
			summary 4:12	

<p>website 6:1</p> <p>websites 4:11</p> <p>wednesday 3:4</p> <p>when 6:10</p> <p>whereof 8:17</p> <p>which 4:16</p> <p>who 6:9,18</p> <p>whose 8:7</p> <p>will 3:11 5:5,23 6:2,5,8,17 7:2,13 (9)</p> <p>wish 6:9,18,19,21,24 7:7,9,16 (8)</p> <p>wishes 5:4 7:3</p> <p>within 5:3 8:5,9</p> <p>witness 8:7,11,17</p> <p>would 5:1</p> <p>written 5:16,19,24</p> <p>x 2,7</p> <p>york 3 3:7 4:5,11,14,15 5:9 8:5 (8)</p> <p>your 6:10,14,15 7:20 (4)</p> <p>yourself 3:13 6:20,25 7:4,10 (5)</p> <p>1031 3:4</p> <p>1035 7:3,15,19,21 (4)</p> <p>1501 5:7</p>	<p>2023 12 3:5 4:3 5:22 8:19 (5)</p>			
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