

CRC Hearing

Moderated by Richard Buery

Monday, February 24, 2025

5:17 p.m.

NYC Department of Design and Construction

30-30 Thomson Avenue, 1st Floor - Multipurpose Room

Queens, NY 11101

Reported by: Thea Popko

JOB NO.: 7127338

A P P E A R A N C E S

List of Attendees:

Richard Buery, Chair

Sharon Greenberger, Vice Chair

Shams DaBaron, Councilmember

Valerie White, Councilmember

Diane Savino, Councilmember

Leila Bozorg, Councilmember

Edward Kiernan, Council Counsel

Kathryn Wylde, Councilmember

Carl Weisbrod, Councilmember

Julie Samuels, Councilmember

Lisette Nieves, Councilmember

Anita Laremont, Councilmember

Alec Schierenbeck, Executive Director

Sarita Subramanian, Attendee

Louisa Chafee, Speaker

Michelle Jackson, Speaker

Lauren Siciliano, Speaker

Frederick Shack, Speaker

Julie Won, Speaker

Rachel Fauss, Speaker

Andrew Rein, Speaker

Ben Weinberg, Speaker

Susan Lerner, Speaker

## 1 A P P E A R A N C E S (Cont'd)

## 2 List of Attendees (Cont'd):

3 Jennifer Geiling, Speaker

4 Eric Kober, Speaker

5 Bernard O'Brien, Speaker

6 Alicia Boyd, Speaker

7 Richard Ronner, Speaker

8 Kimberly Cruz, Speaker

9 Joshua Cajas, Speaker

10 Cormac Slade Byrd, Speaker

11 Shane Moynihan, Speaker

12 Edward Brady, Speaker

13 Harsha Hanumaiah, Speaker

14 Alex Hackworth, Speaker

15 Scott Kaplan, Attendee

16 Hope Cohen, Speaker

17 Jonathan Bloom, Attendee

18 Laurie Bliss, Attendee

19 Jenny Dubnau, Speaker

20 Sarah Prinsloo, Speaker

21 Dean Rosow, Speaker

22 Maria Danzilo, Speaker

23 Yiatin Chu, Speaker

24 Theodore Kronby, Speaker

25 Zena Saunders, Attendee

1                   A P P E A R A N C E S (Cont'd)

2   List of Attendees (Cont'd):

3   John Johnston, Attendee

4   Jeffrey Aron, Speaker

5   Linda DiGusta, Speaker

6   Alex Protopapas, Speaker

7   Frank Morano, Speaker

8   Howard Levy, Speaker

9   Seth Radwell, Attendee

10   Bridget Fox, Attendee

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1 P R O C E E D I N G S

2 CHAIRMAN BUERY: Good evening,  
3 everyone.

4 MULTIPLE SPEAKERS: Good evening.

5 CHAIRMAN BUERY: Welcome to this public  
6 hearing of the Charter Revision Commission. My name  
7 is Richard Buery. I have the honor of chairing this  
8 commission. And we are here as New York City  
9 celebrates its 400th anniversary to take a fresh look  
10 at our city's governing charter.

11 Our goal is how to make sure that we  
12 can ensure that New York City remains a cradle of  
13 opportunity as it was for my parents when they  
14 immigrated to this country from Panama some 60 years  
15 ago. I appreciate Commissioner Nieves representing my  
16 Panamanian heritage with her vest on day. We want  
17 really think about how we can revise the charter to  
18 make sure it is an effective tool for building a more  
19 inclusive New York and a more affordable New York for  
20 everyone.

21 So as folks know, it is this  
22 commission's responsibility to review the entire  
23 charter and to suggest changes to the vote for the  
24 voters' consideration. The recommendations we make  
25 are recommendations. Only those changes that the

1 voters agree to will go into effect. And I know that  
2 I speak for my fellow commissioners when I say that we  
3 are truly committed to hearing from a broad spectrum  
4 of New Yorkers and to pursuing the best ideas we can  
5 find.

6 This is one of several public hearings.  
7 We're going to have them in every borough. And our  
8 hope is to hear from experts, community leaders,  
9 elected officials, and indeed any member of the public  
10 who wishes to testify. And that will also reinforce  
11 that this is an independent commission.

12 In making our recommendation to the  
13 city's voters, we are bound only by our judgment and  
14 our values. We will pursue ideas regardless of who  
15 propose them and regardless of who supports them.  
16 Joining me in this task are 12 other  
17 commissioners: Vice Chair Sharon Greenberger,  
18 Secretary Leila Bozorg, Grace Bonilla, Shams DaBaron,  
19 Anita Laremont, Dr. Lisette Nieves,  
20 Anthony Richardson, Julie Samuels, Diane Savino,  
21 Carl Weisbrod, Valerie White, and Kathryn Wylde.

22 As I said, it is our responsibility to  
23 look at the entire charter. And today we will hear  
24 from New Yorkers on a variety of topics. So let me  
25 explain how the hearing will unfold.

1 First we will hear from invited  
2 panelists. Each panelist is asked to testify for no  
3 longer than five minutes, give or take a second or  
4 two, after which will be followed by questions from  
5 the commissioners. What we may try to do is let all  
6 the panelists who are on the table speak and then ask  
7 both of you questions. After that, we will hear from  
8 a -- we have a few panelists speaking. And after  
9 that, we will hear from the members of the public.

10 We will ask members of the public to  
11 testify for no more than three minutes, followed by  
12 questions from the commission. And similarly, we will  
13 ask members of the public to come up as groups. We'll  
14 hear from them, and then we'll ask them as a panel, as  
15 opposed to individually.

16 We will first hear from those who have  
17 attended this meeting in person. But we also have an  
18 online signup for those who are attending by Zoom. If  
19 you wish to testify virtually, there is a form online  
20 which you can find at nyc -- nycgov -- I'm sorry,  
21 nyc.gov/charter -- that's nyc.gov/charter -- where  
22 you'll then click on the meetings tab and select the  
23 Queens hearing. You should find the signup sheet  
24 there. I believe someone will also drop that link  
25 into the chat.

1                   We're going to try our best to hear  
2                   from everyone. Although, we are scheduled to run  
3                   until 8 p.m. So I'll ask everyone, both those  
4                   testifying and our commissioners, be mindful of the  
5                   clock when asking questions and when answering them.

6                   And if for some reason we don't get to  
7                   you, I will remind you all that there are many ways to  
8                   submit your testimony. You can attend another  
9                   hearing, or you can visit -- and you can find all the  
10                  hearing information at [nyc.gov/charter](http://nyc.gov/charter). You can also  
11                  submit written testimony at any time at  
12                  [chartertestimony@citycharter.nyc.gov](mailto:chartertestimony@citycharter.nyc.gov); that is  
13                  [chartertestimony@citycharter.nyc.gov](mailto:chartertestimony@citycharter.nyc.gov). And we will  
14                  review all written testimony. All of our hearings, of  
15                  course, are livestreamed if you cannot be here in  
16                  public. And they're recorded and available for  
17                  archival purposes.

18                  So before we receive this testimony, I  
19                  would ask for the commissioners for a motion to  
20                  approve the minutes from our February 11th  
21                  meeting -- hearing.

22                  MS. GREENBERGER: So moved.

23                  CHAIRMAN BUERY: Can I have a second?

24                  MS. WHITE: Second.

25                  MR. WEISBROD: Second.



1 CHAIRMAN BUERY: Any discussion of this  
2 motion?

3 All in favor?

4 MULTIPLE SPEAKERS: Aye.

5 CHAIRMAN BUERY: Any opposed?  
6 Abstentions?

7 All right. The minutes are adopted.  
8 Thank you.

9 With that, we'll start our testimony.  
10 We're joined first by Louisa Chafee, director of the  
11 Independent Budget Office.

12 And we'll hear you first. Then we'll  
13 hear from Lauren Siciliano of the Legal Aid Society.

14 MS. CHAFEE: Thank you. Is the mic on?  
15 (Discussion held off the record.)

16 MS. CHAFEE: Okay. Good evening,  
17 Chair Buery, Vice Chair Greenberger,  
18 Executive Director Schierenbeck, members of the  
19 commission. I'm Louisa Chafee; I'm the director of  
20 the New York City Independent Budget Office. And I'm  
21 joined by my colleague Sarita Subramanian [ph], the  
22 chief research and strategy officer.

23 IBO is an independent government agency  
24 mandated by the New York City Charter. I'm pleased to  
25 testify on our three top priorities. And my complete

1 testimony is submitted.

2           The first thing I'd like to talk about  
3 are rules on the rainy day funds. So given the  
4 federal landscape, I -- IBO suggests strengthening the  
5 City's budgetary framework by moving more protections  
6 from the State's Financial Emergency Act into the  
7 charter, and by tightening charter provisions  
8 concerning reserve accounts. IBO supports charter  
9 language requiring more details on transparency,  
10 usage, and implementation of all of the City's reserve  
11 accounts. And IBO also encourages ensuring that all  
12 relevant information is made available to enable City  
13 fiscal monitors, including IBO, to analyze the City's  
14 budget and fiscal health.

15           The second area I'd like to talk about  
16 is procurement. In fiscal 2024, contract-based  
17 spending exceeded 34 billion out of the total budget  
18 of 111 billion. Most government services for  
19 vulnerable New Yorkers are provided by nonprofit  
20 providers whose financial stability depends on timely  
21 payment on their City contracts. As any household  
22 knows, some fiscal management means paying one's bills  
23 on time. And yet, the City often does not.

24           So why are the bills not paid on time?  
25 One reason is that the contract with the nonprofit

1 provider ends, and the City agency does not complete  
2 the new RFP and/or contract on time. Meanwhile, the  
3 City agency expects services to continue  
4 uninterrupted, even though it knows the payment will  
5 stop until the new contract is in place.

6 Now, City data shows that RFPs  
7 post-award take between 90 and 150 days to complete,  
8 whereas contract extensions take 34 days. Therefore,  
9 IBO suggests that the commission consider mandating  
10 that the Procurement Policy Board -- that's the  
11 charter-created regulatory body overseeing the  
12 procurement make an automatic rule requiring agencies  
13 to process extension contracts for their existing  
14 vendors whenever agencies are unable to begin that  
15 final step of the RFP processing, at least six months  
16 prior to the end of the existing contract. And here  
17 I'd just like to give a shoutout to the Fund for the  
18 City of New York that is one of the few entities that  
19 actually provides assistance to nonprofits while they  
20 are in the predicament of waiting for their contracts  
21 to be registered.

22 Next, I'd like to talk about delayed  
23 invoicing. Because even once the contracts are  
24 registered, late payments often occur. Generally, a  
25 City agency holds up the entire payment, even though

1 the bulk of the invoice is undisputed.

2 Again, the PPB has authority, though  
3 not a mandate, to address the timeliness of invoicing  
4 payments. This commission could mandate the PPB to  
5 establish rules that require City agencies to pay at a  
6 defined time a certain percentage for each -- each  
7 invoice from a human service contractor in good  
8 standing. City agencies could then resolve the  
9 disputed portions of invoices within a longer mandated  
10 timeframe without putting the fiscal stability of  
11 their nonprofit partners at risk.

12 Other contracting changes to ensure  
13 real accountability, the Mayor's Office of Contract  
14 Services should be established in the charter, similar  
15 to the Office of Management of Budget and Operations.  
16 And IBO strongly encourages limiting the use of  
17 emergency contracting by requiring that the mayor and  
18 the controller renew their joint determination that  
19 the emergency procurement remains appropriate once  
20 such contract has been in place for two years. That  
21 is an issue that was highly contentious during the  
22 asylum seeker surge.

23 And -- and the lastly, I'd like to talk  
24 about enhancing the City's budget structure to promote  
25 transparency. When the City Council adopts the

1 budget, it authorizes spending in categories termed  
2 units of appropriation, UAs. The UA is  
3 charter-defined and intended to reflect the budget for  
4 a particular program, purpose, activity, or  
5 institution, quote.

6 In practice, this is not working. For  
7 example, DFTA has home delivered meals, home care, and  
8 older adult centers in a single UA. DYCD has after  
9 school adult literacy and assistance to immigrants in  
10 one UA. The Department of Education places 23 percent  
11 of the agency's \$33 billion budget -- that's 8  
12 billion -- in a single UA titled General Education  
13 Instruction and School Leadership. And my favorite,  
14 NYPD places 123 police precincts, all of them,  
15 borough-wide offices, detective works, forensic  
16 investigation, narcotics, and strategic response in a  
17 single UA with a budget of 1.6 billion. That's 25  
18 percent of the 6.4 billion agency budget with fiscal  
19 year 2025 as the example.

20 So what's the issue? The City Council  
21 can't do oversight because the UAs don't give enough  
22 granularity. And anyone trying to understand the  
23 budget cannot separate out the program. So UA -- new  
24 UAs may be added each year as part of the budget  
25 negotiations. But there has not been a systematic

1 approach to the dual challenges of ensuring  
2 transparency and managerial flexibility.

3 Thus, IBO calls upon the commission to  
4 refine the description of units of appropriation. UA  
5 should be distinct when an agency's program serve  
6 different kinds of New Yorkers or provide different  
7 kinds of services. And there should be a percentage  
8 limit on the UA in relationship to the budget. Such  
9 changes will truly enable the budget -- the public to  
10 identify how each program is funded, give  
11 transparency, and improve effective oversight.

12 In conclusion, IBO welcomes the  
13 opportunity to work with you and your staff around  
14 these and other exciting issues addressing financial  
15 responsibility and increasing transparency. I'm  
16 available for questions. Or I'm happy to meet in the  
17 following weeks. Thank you.

18 CHAIRMAN BUERY: Thank you so much.

19 Any questions?

20 MR. WEISBROD: Ms. Chafee, the issue of  
21 tardy or late or non-payments filing to  
22 not-for-profits has been an issue as far back as I can  
23 remember, going back at least to the Koch  
24 administration, maybe further than that. It -- it was  
25 improved somewhat in the Koch administration by

1 shaming the agencies to submit their vouchers in a  
2 timely way. But it has gotten a lot worse. And we,  
3 as you may know, considered this issue closely in the  
4 2019 charter. And yet, it's spiked -- it has spiked  
5 in the last few years even more.

6 What -- what -- I'm -- I'm a little leery about how  
7 much of this issue is a charter issue to solve and how  
8 much of it is simply sort of management and  
9 competence.

10 MS. CHAFEE: I -- I would say it's a  
11 combination of both. I -- in the Bloomberg years, I  
12 had the pleasure of working on procurement for eight  
13 years and looking very closely at human service  
14 procurement. So we went up to about 90 percent timely  
15 payment, which we felt wasn't good enough and is  
16 significantly better than what we're seeing now.

17 And that was intense management and  
18 drive. It's one of the reasons why we're suggesting  
19 the Mayor's Office of Contract Services should be  
20 elevated so that they have the same level of charter  
21 status. There are IT improvements but not an IT  
22 system. In my experience having led HHS, Accelerator  
23 cannot solve the problem. It needs to be a  
24 combination of management and commitment and IT  
25 enabling the process, as it is an enormous network of

1 payments and contracts.

2 MR. WEISBROD: Why -- then just to  
3 follow up, why is it that, over the years, the same  
4 agencies are the same tardy agencies to submit their  
5 vouchers in time to start the process? And even  
6 though they're called out for tension, it never really  
7 seems to improve?

8 MS. CHAFEE: I would say that the  
9 agencies do fluctuate. Sometimes they're really good,  
10 and sometimes they're not. And I'd be happy to  
11 discuss who's good and who's bad. I mean, it's  
12 transparent.

13 MR. WEISBROD: It's very transparent.

14 MS. CHAFEE: But there have been  
15 agencies that have done very well and then, two years  
16 later, have done very badly.

17 MR. WEISBROD: Yes, it's --

18 MS. CHAFEE: So -- but I think the  
19 fundamental issue has to do with the procurement  
20 process is complex and time-consuming. And there  
21 needs to be management attention and an elevation that  
22 this is critical to the operation of business  
23 operations for the city.

24 CHAIRMAN BUERY: I have two questions  
25 which are -- two questions to sort of follow up from



1 Commissioner Weisbrod's questions. One is, you talk  
2 about elevating MOCS to a charter agency. Are there  
3 particular responsibilities or roles that you would  
4 give to MOCS as part of that? Or it would be just the  
5 elevation of it -- the charter agency? And the second  
6 question maybe is also related is just around  
7 accountability, which is, are there particular -- are  
8 there accountability mechanism that you would build  
9 into the City for when it fails to do things in a  
10 timely manner that might facilitate prompt payments?

11 MS. CHAFEE: The Mayor's Office of  
12 Operations is -- is charter-mandated to produce the  
13 Mayor's Management Report. I would argue that there  
14 would be a merit for the Mayor's Office of Contract  
15 Services to produce a parallel Procurement Management  
16 Report, which would basically highlight how the  
17 commitments of the administration were being delivered  
18 or procured across multiple industries.

19 There are pockets of that now, for  
20 example MWBE reporting. But it's not comprehensive.  
21 Apart from that, I would codify what's basically an  
22 executive order. But that was the first part. The  
23 second part of the question is, what's the consequence  
24 of not paying?

25 CHAIRMAN BUERY: To the City, should

1     there be consequences?

2                   MS. CHAFEE: Well, there's debate that  
3     there should be the ability -- in other sectors, if  
4     providers are not paid, they simply do not perform  
5     services. So for example, in construction, in the  
6     city, if the City hasn't registered the contract, the  
7     service doesn't begin. Nonprofit providers do begin.  
8     That's why we are encouraging the language in the  
9     charter to make it clear that the work may not begin  
10    until the contract is registered.

11                  MS. GREENBERGER: Can I ask a question  
12    about the UAs? I mean, you talked about sort of how  
13    you would -- how you would increase flexibility within  
14    that. And this may be too -- too long of an answer to  
15    supply now. But would you think about it and come  
16    back to us with how you would do that without  
17    increasing bureaucracy at a tenfold basis?

18                  MS. CHAFEE: Right. I mean, I think  
19    there's a sweet spot between super granularity and the  
20    level some of the UAs we would call the -- the most  
21    egregious. But, you know, the police department one  
22    is an excellent example. But I'm happy to talk more  
23    with you about that, as I find UAs extremely  
24    interesting.

25                  MS. BONILLA: Thank you, Louisa, for

1 your testimony. Isn't it true that the number of  
2 contracts have not kept pace in the number of staff  
3 that are processing -- agency?

4 MS. CHAFEE: So we are -- the  
5 Independent Budget Office is looking really closely at  
6 the staffing, which went from approximately 320,000  
7 employees to approximately two -- I'm looking at  
8 Sarina to get the numbers right -- 286,000 --

9 MS. SUBRAMANIAN: Yes.

10 MS. CHAFEE: -- and has -- but the  
11 reduction -- and those are during the COVID  
12 years -- was completely unsystematic. And there is  
13 certainly not a strategic rebuilding. And because of  
14 the hiring practices of two for one, et cetera, there  
15 are many both procurement and lawyers and contract  
16 managers that haven't been filled appropriately. By  
17 coincidence, we're about to produce a report on this,  
18 but we don't have as much detail as we'd like to do.  
19 But we do believe it is an issue.

20 MS. BONILLA: Looking forward to your  
21 report. My question is, as a follow up, is there  
22 something that we could do with the charter to ensure  
23 that staffing or systems are keeping pace with the  
24 number of contracts the City is taking on?

25 MS. CHAFEE: We'd like to get back to

1 you on that.

2 MS. BONILLA: Sure.

3 MS. CHAFEE: Because I think  
4 it's -- it's tricky to mandate the management. But I  
5 think there are things that the PPB could require. So  
6 the charter could instruct the PPB to execute.

7 DR. NIEVES: So, Louisa, thanks  
8 for -- for what you stated, as well as thanks for the  
9 shoutout of Fund. I -- I would say a couple of  
10 things. I -- I'm curious 'cause it's -- it's hard to  
11 tease apart what are the management issues that you're  
12 talking about versus what could be resolved in the  
13 charter. I'm just saying for me.

14 MS. CHAFEE: Mm-hmm. Mm-hmm.

15 DR. NIEVES: So that's -- I want to  
16 hear that. And so I'm just -- I'm just going to be  
17 honest with that in that transparency where we have a  
18 level of transparency where we know what agencies are  
19 not completing. Is it -- if it's an accountability  
20 issue, I don't -- why would we approach it through the  
21 charter? So I just add that, and I'm curious if you  
22 could respond to that. That's one.

23 The second thing is, you talked about  
24 limiting the emergency contracting, right?

25 MS. CHAFEE: Mm-hmm.

1 DR. NIEVES: From your perspective,  
2 what would be considered reasonable emergencies that  
3 would allow that to -- 'cause I -- I think this is an  
4 interesting one though.

5 MS. CHAFEE: Yeah.

6 DR. NIEVES: 'Cause we -- yes, in the  
7 City, we throw emergency out a lot. So I would love  
8 to just kind of hear your thoughts on that.

9 MS. CHAFEE: So there are really  
10 specific rules about when an emergency contract is  
11 allowed to be used. But there's no time limitation on  
12 it currently. So what we are suggesting is not to  
13 change the threshold of when the mayor or the  
14 controller may decide to enter into an emergency. But  
15 rather, two years in, they simply need to both  
16 reaffirm that the emergency still exists so that the  
17 contract -- the entered into emergency contract  
18 doesn't indefinitely run or is open and could be used  
19 and for other circumstances that really don't have  
20 anything to do with the initial emergency or maybe  
21 even an emergency anymore.

22 And the first question was about the  
23 distinction between what should be in the charter,  
24 what's in the PPB, and what's management. So all we  
25 are suggesting is that -- the charter currently says

1 that the PPB may, and we're suggesting that that  
2 language be turned into the PPB will so that the PPB  
3 is given more enforcement ability so that it must  
4 meet, and it must execute the responsibilities that  
5 the charter believes the PPB to have. As in the  
6 current openness, the PPB tends not to meet and not to  
7 execute many of the responsibilities that one would  
8 expect it to be doing based on charter language.

9 CHAIRMAN BUERY: Commissioner Savino.

10 MS. SAVINO: Thank you. Thank you.

11 Is this on? No? Now it's on. Good to  
12 see you, Louisa.

13 I'm -- I'm very interested -- before I  
14 get into the two questions I have for you -- to talk  
15 to you afterwards about the potential report you have  
16 on what I call a succession planning in government.  
17 And it's a challenge both not just for the City of New  
18 York but for the State of New York. How do we  
19 encourage people into the government service, into the  
20 civil service, and to make a career out of it? It's  
21 not quite as attractive as it used to be.

22 When I started 34 years ago, there was  
23 certain things that people thought a career in public  
24 service was going to provide for you. It's not  
25 exactly the same. And I think we're struggling

1 against that, as well as struggling against what I  
2 call the world of work is changing. People don't want  
3 to be tied down to a -- a job five days a week. Some  
4 of them are more interested in what they call  
5 the -- the gig economy or more of a independent  
6 contractors. But that's a conversation for another  
7 night.

8                   There's two things that you talked  
9 about in your testimony that I'm interested in. And  
10 you've said it, you know, I think the answer to some  
11 people. The idea of MOCS becoming a chartered agency  
12 as opposed to just a mayoral agency, I'm not quite  
13 sure how making that case, making it a chartered  
14 agency, is going to make it work any better. So give  
15 me -- if you could flesh out why you think that would  
16 make a profound change in the ability to get  
17 nonprofits paid.

18                   MS. CHAFEE: I think that it elevates  
19 it to a level of importance where it would -- there  
20 would be more specific hearings. There would be more  
21 specific reports forthcoming. As I mentioned to the  
22 vice chair, I think a procurement MMR would be very  
23 helpful. Because I think if you put transparency on  
24 issues, people tend to do a better job.

25                   MS. SAVINO: And not to play devil's

1 advocate, but I will. But every agency that MOCS has  
2 to interact with that issues contracts, you've said  
3 yourself, some are better than others. I'm really  
4 interested to hear which ones do it better than  
5 others. But they're all chartered agencies, and they  
6 can't seem to figure out how to get people paid once a  
7 contract is let.

8 MS. CHAFEE: Right. Well, there -- so  
9 there are different parts. I mean, basically, MOCS  
10 is -- is the engine that can push the initial contract  
11 registration over the finish line. So that's really  
12 the intention, to raise the agency so that that  
13 initial relationship of the contract being in place  
14 before the work starts is executed. The payment is  
15 really at the issue of the agency level.

16 And so there're two -- so my testimony  
17 didn't go into that nuance. But the agencies  
18 generally -- as many of you know, you submit an  
19 invoice. And maybe 85 percent of it is acceptable,  
20 and 15 isn't. And the entire thing is not accepted  
21 until that 15 percent is resolved. That's at the  
22 agency level.

23 And sometimes it's, you know, at a  
24 level of staff that doesn't really understand what the  
25 consequences are of holding such a payment. I'm sure



1 you occasionally get called because people haven't  
2 been paid and --

3 MS. SAVINO: All the time.

4 MS. CHAFEE: -- and they're -- and  
5 they're, you know, struggling. So that's why we're  
6 suggesting that there should be some for -- for  
7 nonprofits in good standing. There should be some  
8 level of -- once the invoice is submitted, and there's  
9 a little bit of nuances to what's submitted, but once  
10 it's in, a certain percentage should be automatically  
11 paid.

12 Because the agencies are audited. And  
13 so one could call back after the fact. But it would  
14 stop the cashflow issues, which in some of our  
15 government agencies put such extreme pressure on  
16 providers that, you know, they tap into bank loans --

17 MS. SAVINO: Right.

18 MS. CHAFEE: -- and endowments and, you  
19 know, there -- you know, boards that are -- or  
20 philanthropies, et cetera, in a way that is not fair.  
21 The City's engaging for businesses. The City should  
22 pay for the businesses its engaging with.

23 MS. SAVINO: Thank you. And the -- the  
24 last question because it just occurred to me.  
25 On -- on the units of appropriation, a lot of people

1 don't understand what that means. The City budget is  
2 different than the State budget. And I've often  
3 wondered -- so on the City -- the City level, you have  
4 this unit of appropriation is a large amount of money  
5 to an agency.

6 We all talk about the NYPD; they have  
7 the largest unit of appropriation. Doesn't line out  
8 what they're supposed to spend that money on. So are  
9 you suggesting that similar to what's done on the  
10 State budget level, where you have what they call the  
11 age of localities, where every -- every item that the  
12 State spends money on is lined out in, like, a long  
13 spending bill?

14 MS. CHAFEE: I'm suggesting a sweet  
15 point between the two. So there needs to be a  
16 balance. I would advocate a balance between UAs so  
17 large that 123 precincts are in there versus so  
18 granular that they -- you know, if each precinct were  
19 in its own, one could imagine it being so granular  
20 it'd be very hard from a management perspective if one  
21 needed to move money around, or staffing, et cetera.

22 MS. SAVINO: Mm-hmm.

23 MS. CHAFEE: So there's a -- there's a  
24 level to be found. And I -- my suggestion is that in  
25 1989, when the UAs began, the drafters had a different

1 concept than what we currently have. And particularly  
2 with some of the other budget practices that my  
3 colleague's going to address, we're just concerned  
4 about circumstances where it's hard to understand some  
5 of the nuances because the overall buckets are so  
6 enormous.

7 MS. SAVINO: Thank you.

8 CHAIRMAN BUERY: Thank you.

9 Do you have a question?

10 Thank you so much. We really  
11 appreciate it.

12 MS. CHAFEE: Thank you.

13 MS. GREENBERGER: Thank you, Louisa.

14 MS. SAVINO: Thank you.

15 CHAIRMAN BUERY: Thank you so much,  
16 Louisa.

17 Next we'll have a panel -- I apologize.  
18 We'll have a panel with Lauren Siciliano of the Legal  
19 Aid Society; Fred Shack, CEO of Urban Pathway; and  
20 Michelle Jackson, executive director of the Human  
21 Services Council.

22 Okay. Welcome.

23 MS. JACKSON: I've -- I've been  
24 asked -- oh, there we go. I've -- I've been voluntold  
25 to go first by my peers.

1                   So good evening, Chair Buery. Thank  
2                   you to the commission for having me. I'm  
3                   Michelle Jackson; I'm the executive director of the  
4                   Human Services Council, a membership association of  
5                   180 human service nonprofits in New York City. And we  
6                   do City and State policy on behalf of the sector. The  
7                   members that I have, what they have in common is they  
8                   all contract overwhelmingly with the City of New York  
9                   to provide essential human services.

10                  You have my written testimony. It's  
11                  the same as it's been for 15 years, with some updates  
12                  by smarter people than me, and some new ideas. But  
13                  overwhelmingly, we strike the same note of, despite  
14                  administrations, even with a focus on procurement  
15                  reform, there has overwhelmingly been a lack of focus  
16                  and effort on paying providers on time for the  
17                  services that they provide. And especially now, we  
18                  see a real sector in crisis.

19                  I will not read my whole testimony to  
20                  you all because there are people who have been at this  
21                  issue and lived it in a different way much longer than  
22                  I have. So I just want to highlight a couple of  
23                  things. First, ditto to what Louisa Chafee said. We  
24                  absolutely second her recommendations.

25                  I think the second thing I want to

1 focus on is the City of Yes. When we think about  
2 affordable New York, at the end of the day, that's the  
3 infrastructure. And I appreciate that there's a -- an  
4 insight into focusing on the infrastructure of  
5 affordable housing. But the next layer of  
6 infrastructure is procurement. And if we don't figure  
7 out a way to provide payment on time to human service  
8 providers who will do the supportive housing, who will  
9 compete to the RFPs, you are going to have good,  
10 quality providers who are not going to be in business  
11 by the time we get those -- that housing upright. And  
12 we're not going have a system that supports all the  
13 services that need to be there for a City of Yes to  
14 house seniors and have the wraparound services to have  
15 supportive housing and the wraparound services.

16 So it's -- there's a huge connection  
17 between procurement reform and paying human service  
18 providers on time. You all have the data. But I  
19 think it's important to note that just recently the  
20 controller's report noted that 91 percent of total  
21 contracts for human services were registered late last  
22 year. That's remarkably late. That means no human  
23 service provider should expect a contract on time.

24 And lateness is on contract  
25 registration, but it's also -- which means until the

1 contract is registered, nonprofits can't get paid.  
2 But we've also seen -- and this is a newer  
3 problem -- invoicing has been remarkably delayed. and  
4 providers are owed not just invoicing but budget  
5 modifications, when money is added, back to FY20.  
6 They're still waiting on money to be put into their  
7 budgets.

8 And so that's why I think what I'll  
9 start out of order is the recommendation around having  
10 MOCS have more authority. MOCS has been able to  
11 streamline the procurement process up till payment and  
12 invoicing. So if they have more authority to  
13 tell -- to tell City agencies to invoice and pay  
14 people in certain ways, there's an opportunity to fix  
15 through the charter something that has plagued the  
16 sector and the City for a long time.

17 The second is -- and I do differ from  
18 some of my peers -- that we do believe there should be  
19 timeframes for contract registration. The  
20 controller's office has 30 days. We've gone a long  
21 way of waiting for different administrations to tell  
22 us, "But what" -- "what if we go faster than our  
23 timeframes?" We would love for them to have  
24 timeframes and just work within the timeframes. We  
25 don't think it will be 30 days, but the PPB could have

1 authority to establish those timeframes.

2           There was a law that was passed last  
3 year at the City through the City Council to show how  
4 long it takes for procurement to go. And that would  
5 be a good, you know, barometer for to start. But  
6 really, contracts need to be registered before the  
7 start date, and that's what timeliness means. And  
8 that seems like not a revolutionary idea. And yet,  
9 here we are.

10           Second, we do believe in sticks. And  
11 there should be interest. There should be an interest  
12 penalty. The State has a prompt contracting law that  
13 requires interest to be paid. And their tardiness  
14 level is much lower than the City's by having some  
15 real teeth behind it that says, you know, providers  
16 take out -- my members at one moment in time had \$78  
17 million in lines of credit, and that they were paying  
18 interest for that is "unreimbursable" on most of their  
19 City contracts, which means that's money, \$78 million  
20 that's not going to New Yorkers in need of services.

21           And the City should be covering those  
22 costs. And if you put it into the agency lines, then  
23 there's an opportunity for them to say, "Listen, if we  
24 can register" -- "register everything on time, that's  
25 money in our budgets to use for other things." So it

1     could be a carrot and stick.

2                   And I mentioned, you know, we also  
3     support the charter authority around the Mayor's  
4     Office of Contract Services. I think one of the  
5     questions that came up here was, you know, what should  
6     be -- what's bad management or mismanagement versus  
7     what should be in the charter. And I would just say  
8     we've seen different administrations tackle this issue  
9     in different ways and have not solved this problem  
10    and, in fact, created their own unique ways of doing  
11    it.

12                  And so these are just a couple of  
13    things that could really provide relief to the  
14    nonprofit sector and ensure that there's some  
15    timeliness going forward. Thank you. Happy to answer  
16    questions. You have my full testimony that has much  
17    more facts in it than what I just laid out for you  
18    today.

19                  CHAIRMAN BUERY: Thank you.

20                  MS. SICILIANO: Good evening, everyone.  
21    Good evening, Chair Buery, Vice Chair Greenberger, and  
22    members of the commission. Can everyone hear me okay?

23                  MS. GREENBERGER: Yes.

24                  MS. SICILIANO: Okay. Great.

25                  My name is Lauren Siciliano; I am the



1 chief operating officer of the Legal Aid Society.

2 Thank you so much for the opportunity to speak today.

3 The Legal Aid Society is the largest  
4 nonprofit law firm in the country. And we are part of  
5 the coalition of nonprofit public defenders and civil  
6 legal services providers in New York City.

7 Collectively, we provide constitutionally- and  
8 legally-mandated representation to hundreds of  
9 thousands of New Yorkers each year.

10 We defend people against incarceration,  
11 eviction, deportation, and family separation. We  
12 connect people to life-saving benefits, housing, and  
13 support. We are a lifeline for New Yorkers in need.

14 The services that we provide are  
15 supported by City initiatives and funding. The funds  
16 we receive, including through baseline and  
17 discretionary contracts, and initiatives including the  
18 indirect cost rate, COLA, and workforce enhancement  
19 are essential for us to continue to -- to deliver the  
20 services to vulnerable New Yorkers. Without timely  
21 access to these contracted funds, we are not able to  
22 hire and retain the attorneys, paralegals,  
23 investigators, social workers, and others who are  
24 critical to do this work.

25 Recent changes from the City, including

1 increasing contract advances, allowance cause  
2 amendments, the three-year COLA initiative, and other  
3 changes have been a step in the right direction. But  
4 despite these changes, chronic underfunding, and  
5 mounting contracts and payment delays jeopardize our  
6 ability to provide essential services to New Yorkers.  
7 Our City contracts, like many nonprofits, are cost  
8 based, which means we only receive reimbursement after  
9 services have been delivered. The City's contracting  
10 and payment challenges touch every point along the  
11 timeline, from RFP, to registration, to invoicing, and  
12 payment.

13 Today I'd like to talk about just two  
14 examples of the critical issues with the City  
15 contracting and payment process that endanger our  
16 ability to make payroll and pay vendors, experts, and  
17 rent, and to continue doing this work. These issues  
18 are especially dire for smaller nonprofits in our  
19 coalition and non-contracts that we subcontract with  
20 to deliver essential services.

21 The first issue are delays preventing  
22 us from submitting invoices. To just give you one  
23 example, in this year '25, for a contract that began  
24 July 1st, we were only able to begin submitting  
25 invoices in January. That means we had done six

1 months of work before we were able to submit invoices.

2 Now, through a lot of lobbying and  
3 advocacy with nonprofits that were forced to take out  
4 high-interest loans of credit -- lines of credit, we  
5 were able to successfully get additional advances to  
6 address the issue. But these stopgap measures are  
7 extremely challenging and make it impossible to plan  
8 and sustain cashflow.

9 The challenges also don't end once we  
10 can begin submitting invoices, which is the second  
11 issue that I'd like to talk about today. When  
12 submitting invoices or budget modifications, we face  
13 an incredibly onerous and ever changing submission and  
14 review process just to get reimbursed for the work  
15 that was already completed. It involves an extremely  
16 detailed line item review. And the process differs  
17 greatly from agency to the agency. Which for  
18 organizations like us that have contracts with  
19 multiple agencies, makes it extremely difficult. This  
20 along with still working to close out invoices from  
21 prior years at the same time that you're submitting  
22 invoices for the current year creates really  
23 unsustainable issues for our cashflow, and  
24 uncertainty.

25 I will say more broadly that nonprofits

1     like us start at an extraordinary disadvantage. While  
2     City agencies start the year with their funding and  
3     routinely receive additional allocations for things  
4     like collective bargaining agreements, healthcare cost  
5     increases, utility and rent increases, nonprofits like  
6     us do not. We are constantly waiting for our funding  
7     to be confirmed or for payment once that work has been  
8     completed. And then when we're not able to spend all  
9     of the money in our contract because the funding was  
10    never confirmed or we didn't receive it in time, the  
11    City takes the funding that we don't spend back,  
12    effectively cutting our revenue. Taken together,  
13    these issues mean that we cannot access the funding in  
14    our contracts or funding intended for us, threatening  
15    the ability for nonprofits like us to operate and  
16    implement critical City initiatives that support the  
17    New Yorkers who need us most.

18               I really appreciate -- appreciate the  
19    opportunity to speak with you all tonight about these  
20    issues and look forward to taking questions.

21               CHAIRMAN BUERY: Thank you so much.

22               MR. SHACK: Good evening. I want to  
23    thank the commission for offering me this opportunity  
24    to provide testimony this evening on this critical  
25    issue. My name is Frederick Shack; I am the chief

1 executive officer at Urban Pathways, where I've had  
2 the privilege of serving for the past 20 years. In  
3 addition to my role at Urban Pathways, I am the  
4 co-chair of the Mayor's Advisory Committee to the  
5 Mayor's Office of Nonprofit Services. And prior to  
6 that, I was the co-chair of the Mayor's  
7 Nonprofit -- or Nonprofit Resiliency Committee under  
8 the previous administration.

9 For the past decade, more than a  
10 decade, I've been working in partnership with the City  
11 to try to address the issues around contracting  
12 and -- and prompt payment, including the work that I  
13 did under the previous administration on Accelerator,  
14 and more recently working around -- you know, looking  
15 at PASSPort as a way of expediting payments to our  
16 contracts. The reality is that you have heard that  
17 the -- the contracting process in the City is broken,  
18 fundamentally broken. And it really is the number one  
19 threat to the solvency of the nonprofit sector here in  
20 New York City. It is impossible for us to provide  
21 these really vital services if we can't rely on a -- a  
22 stream of funding from the City, following through on  
23 its commitments that it makes to our organizations as  
24 it relates to payment.

25 So I don't want to spend the rest of my

1 time talking about the issues. But I really do want  
2 to talk about what I think the real solutions are.  
3 And I'm going to frame it around three things. And  
4 you've actually already heard it. And you'll probably  
5 hear it multiple times again this  
6 evening: accountability as being, you know, a  
7 critical component of getting this problem fixed.

8 And the work that I've done in the past  
9 with the City, the reality has been that there have  
10 been good intentions. But at the end of the day,  
11 there is no accountability for its failure to meet its  
12 obligations. If I don't pay my bills, if I don't pay  
13 my vendors, a couple of things happen. They terminate  
14 services, but they also -- I also am subject to late  
15 fees and penalties. The City does not have any  
16 consequences for its failure to pay.

17 At one point in time, during the period  
18 where the City was really interested in getting to net  
19 zero with -- with its veteran programs, I was  
20 approached by the commissioner. They pleaded with me  
21 to open up a program. Historically, we've not been  
22 willing to do that because of the risks associated  
23 with it. But because of the urgency at that time  
24 decided, okay, we'll do this.

25 I was promised that within three

1 months, my contract would be registered. We operated  
2 that program with a triple net lease on the building  
3 providing services to veterans, ending their  
4 homelessness, for a year and a half before we were  
5 able to draw down funds from the City of New York.  
6 Okay? The reality is that that is just totally  
7 unacceptable. And there has to be a way of addressing  
8 it.

9                   So we've heard some solutions tonight.  
10 You know, I'm not that familiar with the -- with City  
11 government, as it relates to the PPB. But the reality  
12 is that the City should not be able to enter into  
13 contracts and to begin services unless a contract is  
14 registered, unless the budget is input into the  
15 system, and unless the advances have been paid. It  
16 is -- it is absolutely unfair to the organizations  
17 that are doing this work to be operating in an  
18 environment where we have to depend on either private  
19 resources, our own resources, in order to do  
20 City -- on behalf of the -- do business on behalf of  
21 the City.

22                   The -- the other is transparency. You  
23 know, it would be really, really important for the  
24 City to be able to identify very clearly how it's  
25 doing as it relates to its contract registration and

1 the payments. So I serve, as I indicated, on the  
2 Advisory Committee to the Mayor's Office of Nonprofit  
3 Services. It would be helpful if there was a -- a  
4 report that was available to that group and to those  
5 of us who are on the Advisory Committee that  
6 identifies whether or not the City agencies are making  
7 payment in a timely fashion, and whether or not the  
8 contracts are being registered in a timely fashion.  
9 And that's -- the same thing should be available to  
10 the general public, either through the Mayor's  
11 Management Report. But we should know how people are  
12 performing.

13 And then the other -- the issue is in  
14 terms of fairness. You know, this is a city that is  
15 committed to racial and gender equity. The reality is  
16 that the workforce that we employ are grossly  
17 underpaid. And a lot of that has to do with the  
18 funding levels in the current City contracts. And  
19 the -- and the City really does need it.

20 In fact, you know, we're talking about  
21 a City of Yes. We're talking about affordability. It  
22 is unconscionable that individuals who are doing this  
23 work on behalf of the City of New York are  
24 working -- are living in poverty for doing work that  
25 is critically important to the City. And you are, we



1 are, as a city, in a position to do something about  
2 that. So this idea of just making sure that if you  
3 are providing a contract, providing services for the  
4 City, that the -- the amount of funding that is in  
5 your contract is enough to make sure that people are  
6 being able to be paid a living wage.

7 So again, I want to thank you for this  
8 opportunity. I'm really hoping, you know, after  
9 decades of doing this work, that we'll find real  
10 solutions that will solve this problem. 'Cause,  
11 honestly, organizations like ours cannot continue to  
12 survive under the current circumstances. Thank you.

13 CHAIRMAN BUERY: Thank the three of you  
14 so much.

15 Vice Chair?

16 MS. GREENBERGER: Yes, thank you so  
17 much. I feel your collective pain, and I appreciate  
18 your testimony.

19 I do -- would like to push you a little  
20 bit on the impact of PASSPort 'cause there was a lot  
21 of promise surrounding what would happen. And I would  
22 like to understand from the -- your collective  
23 perspective, why didn't -- why didn't the things that  
24 were promised happened? So what are some of  
25 the -- what's the impact of PASSPort? And if you had

1 to choose sort of one thing that you would make sure  
2 got fixed tomorrow, if you were given PASSPort, what's  
3 the one thing that you would each do?

4 MS. JACKSON: You should ask  
5 that -- answer.

6 So I would say the provider should  
7 answer that last part because they're the ones who  
8 have to live with PASSPort on a daily basis. We don't  
9 have a contract with the City. So I will say, I think  
10 PASSPort -- when I think back before HSS Accelerator,  
11 obviously, we do not want to go back to that system.  
12 I think PASSPort exacerbated the -- the transition  
13 into PASSPort is really what exacerbated the problems,  
14 not the system itself. And the fact that it came, HSS  
15 Accelerator was decommissioned, everyone had to move  
16 over into the PASSPort, and it happened during  
17 probably the worst time of the year, and when there  
18 was already a backlog of contract actions.

19 So PASSPort itself is not the problem.  
20 I'm not saying it shouldn't be improved. We should,  
21 you know -- it's better than where we were. I don't  
22 think it's as good as a HSS Accelerator, but it's also  
23 a much bigger system. So I would say I think it's  
24 just the transition exacerbated issues, and now that  
25 there's such a big backlog that providers can't, you

1 know, do multiple actions at once.

2 And so there's only so much that a  
3 technical system can, you know, take on at one time.  
4 And so when providers are waiting on indirect from  
5 that FY21, which is indirect cost rates, and then  
6 they're waiting on three amendments, and they still  
7 have a contract registration pending. So I think  
8 that's really the -- the issue with PASSPort. And at  
9 the end of the day, PASSPort has to be moved forward  
10 by people and chairs hitting buttons. And so that's  
11 where, you know, a system still is only as good as the  
12 management behind it and who's in charge of -- you  
13 know, we see -- we've seen with Accelerator and other  
14 systems, someone will still email someone outside of  
15 the PASSPort system and say, "Oh, will you, you know,  
16 email me that document over here?"

17 And so if you have something like the  
18 Mayor's Office of Contract Services having authority  
19 over invoicing and payment, they can plug that more  
20 streamlined into PASSPort. And there's an  
21 accountability of, you know, you have to do what we  
22 say. And so -- and I would say I can answer that last  
23 part, is making sure the providers can submit all  
24 their contracting actions and not waiting until things  
25 are approved would be one of the many things that I

1 think could improve PASSPort.

2 MS. SICILIANO: Yes. In terms of an  
3 improvement to PASSPort, that's what I would echo as  
4 well. It -- it forces nonprofits to make really  
5 unfair choices. The fact that you can only do one  
6 thing at a time in the system forces you to make  
7 really unfair choices. Do you pursue the additional  
8 advance, or do you wait and hope that your budget will  
9 be approved so you can submit the invoice for -- just  
10 for an example.

11 And I do think that my experience with  
12 the PASSPort transition has been that I -- I think it  
13 just created a lot of confusion. And, you know, folks  
14 knew how to do it in Accelerator. And then when that  
15 transition happened, it added the uncertainty to the  
16 backlog that already exist -- existed. And as issues  
17 came up, I think a lot of the agencies weren't clear  
18 on how to get those -- those issues resolved or push  
19 out the payments.

20 MS. JACKSON: Yeah.

21 MR. SHACK: I would agree. You know,  
22 I -- I think that part of the challenge is the fact  
23 that, as they rolled out the system, the agency staff  
24 aren't that familiar with it and were trying to figure  
25 it out as we were. The fact that you can only do one

1 thing at a time, and if there's an activity going on,  
2 it stops all of your payment. And the lack of  
3 transparency, you know, it would be great to be able  
4 to go into the system and see exactly where the item  
5 is so that you know what phone call to make in order  
6 to get it moving forward. So that lack of visibility  
7 into the system also is somewhat of a challenge. And  
8 sometimes that's due the fact that people aren't using  
9 it on the agency end the way it's designed to be used.

10 MS. GREENBERGER: Thank you.

11 CHAIRMAN BUERY: I think I have a  
12 couple -- a couple of quick questions based on  
13 something that you said, Michelle. But welcome to  
14 hear from all of you. You talked about one is giving  
15 MOCS more authority over payment and invoicing. And  
16 I'm curious whether you have specific authority that  
17 you would recommend, or are you making a general  
18 recommendation about giving them more discretionary  
19 authority?

20 And similarly, when you talk about  
21 timeframes, you said that we could give the  
22 Procurement Board more authority to establish  
23 timeframes. And again, are there particular timeframe  
24 that you would recommend embedding in the charter, or  
25 are you more asking for giving the -- the board more

1 authority to establish timeframes under its own  
2 discretion?

3 MS. JACKSON: Yeah, I think I'll tackle  
4 that second one first 'cause it's a kind of longer  
5 answer is, I mean, I wish we could just say 30 days  
6 like the controller. But realistically, there's, you  
7 know, DO -- like, the agencies don't just have the  
8 same, you know, process as the controller, who gets a  
9 complete package. So I think it shouldn't just be  
10 giving more authority to the PPB to establish  
11 timeframes. It should be directing them to establish  
12 timeframes.

13 And that could be done in partnership  
14 with the City data that's already been collected. And  
15 so, you know, for me, I think it should be two to  
16 three months from the moment the award is announced,  
17 given what we've seen. But I would definitely, you  
18 know -- I am not the expert. I have not worked at the  
19 Mayor's Office of Contract Services. I have not  
20 executed a contract.

21 But, you know, a lot of the issues at  
22 the City could be done concurrently. Like DOI can be  
23 looking at something while a budget is being  
24 generated. So it's not like the Controller's Office,  
25 where they have to wait and then do things. So they

1 don't need as much time. You know, every part of the  
2 process doesn't need their only -- own clock. And so  
3 I think the PPB should be charged with actually  
4 establishing those timeframes and, you know, from the  
5 moment the award is announced -- so a nonprofit finds  
6 out that they get the award -- to registration, what  
7 those timeframes should be.

8 But I don't think it should be -- like,  
9 I don't have a hard 30 days, 60 days. I think at the  
10 end, it should be -- and we -- I also have this in my  
11 testimony that the City should not -- as to Fred's  
12 point of how he's kind of working with the City now,  
13 but we should say that a -- the City's agency should  
14 not ask any provider to start services on a contract  
15 until it's registered. And that would be kind of  
16 what's at the end of the clock.

17 Because what we find is a contract is  
18 late if you're -- if you announce -- and we see this  
19 all the time. Most recently, at the Department for  
20 the Aging, we saw contracts that were coming  
21 out -- the awards were coming out a month before  
22 the -- you found out you -- you won the contract,  
23 like, a month before the service needed to start.  
24 There's no way you're getting a contract registered in  
25 place.

1                   And so that would help, you know,  
2   having established timeframes. And saying, you know,  
3   from the moment of award to contract registration,  
4   this is what needs to happen and this is the  
5   timeframe, would really help. So that's my first  
6   answer. And then I've already forgotten the  
7   second -- your first question.

8                   CHAIRMAN BUERY: It's a similar  
9   question about MOCS, where you talked about giving  
10   MOCS greater authority over --

11                  MS. JACKSON: Yes. So we would be  
12   happy to work -- there's -- OMB has very similar  
13   language already in the charter that we think you  
14   could lift and move. But we'd be happy to work, you  
15   know, on more specifics. But we do think it should be  
16   MOCS is -- has more authority in the charter.

17                  And IBO, we second IBO'S testimony.  
18   And you can actually really lift simple language from  
19   how OMB is structured to say that they have authority  
20   over all invoicing and payment when it comes to  
21   standardization and process. So pretty simple  
22   language that already exists in the charter just  
23   what -- as it relates to OMB.

24                  CHAIRMAN BUERY: Thank you.

25                  MS. BOZORG: Hi. Thanks for



1 all -- thanks for -- wait, is this still on?

2 MS. JACKSON: Think you're on.

3 MS. BOZORG: Okay. Thanks for the work  
4 that you all do.

5 CHAIRMAN BUERY: Maybe not --

6 MS. BOZORG: I'm curious if you --

7 MS. JACKSON: Maybe not on.

8 MS. BOZORG: It's not on?

9 MS. JACKSON: It's not? Okay.

10 MS. BOZORG: Okay. Oh, there we go.  
11 Thank you. Sorry.

12 Thanks for the work you all do. I'm  
13 curious if in the time you all have been doing this,  
14 have there been any periods where you have seen  
15 conditions improve or timeliness improve or  
16 timely -- timely payments actually happen? And if so,  
17 what were some of the kind of elements to those  
18 moments of bliss or when -- when it was going right?

19 MS. JACKSON: That's a great -- Fred,  
20 do you have a moment of bliss?

21 MR. SHACK: I don't think it was quite  
22 bliss. But, you know, I -- I think that when there's  
23 real focus and real commitment on the part of the  
24 administration, when there's real collaboration  
25 between the nonprofit sector and leadership within the

1 agencies, then things can begin to move. There were  
2 periods of time where there was more transparency so  
3 that we were able to sit down, take look at where the  
4 issues were, and really sort of focus our energies on  
5 trying to get some resolution. And when that was  
6 happening, we -- we saw the needle begin to move that  
7 organizations, different agencies, sort of understood  
8 how they were performing against the City's  
9 expectations. That information was available to  
10 the -- the nonprofit sector, and there was a real  
11 focus on it. I think that's really what makes a  
12 difference.

13 MS. JACKSON: And I'll just add really  
14 quickly that this administration, Mayor Adams actually  
15 cleared a backlog of \$6 billion that he inherited  
16 within the first six months -- six-ish months of his  
17 administration. And so we know that it can be done.  
18 Like, that's a huge amount of volume of contracts to  
19 be able to register. So I would just note we have  
20 that moment.

21 I would also say to the question, you  
22 know, there are City agencies who do this better. The  
23 Administration of Children's Services certainly has a  
24 better track record even now across administrations  
25 and now of registering things. So I can point to

1 that, I think, as another. Just there are some bright  
2 spots.

3 MS. SICILIANO: I would just --

4 MS. BONILLA: I just had a couple of  
5 questions as well. Oh, sorry --

6 MS. SICILIANO: Oh, no, I was just  
7 going to say from a -- from a policy standpoint, I  
8 think also what has really helped, additional advances  
9 are extraordinarily helpful. And there was one other  
10 thing, and now I've forgotten what it was. No, it's  
11 fine. I'll remember it and say it later.

12 MS. BONILLA: So thank you again  
13 for -- for your testimony. My question was around  
14 just going back to the MOCS potential elevated  
15 authority. And I think, Lauren, you said that because  
16 you have contracts with several agencies, you're  
17 experiencing firsthand that invoicing is not handled  
18 across all agencies the same. Is there a specific  
19 recommendation that you can give based on your  
20 experience? On -- about -- and I have one more  
21 question for all of you.

22 MS. SICILIANO: I think the -- the  
23 review comes down to two high-level categories. One  
24 is the format, and one is the substance. I think if  
25 there could be a standard format and then a

1 substantive approach that, you know, you're never  
2 going to be able to prescribe every single step.

3 But has at minimum or should take a  
4 longer than, that would be enormously helpful.  
5 Because what -- what you deal with quite often is that  
6 not only do -- does each agency want something in a  
7 different format, they also ask very different levels  
8 and types of questions at -- at different stages of  
9 the process. Which means that, you know, sometimes to  
10 get to particular stuff, it almost feels like you're  
11 going through an audit on the front end in order just  
12 to get the initial payment or the initial budget -- so  
13 I think that would be extremely helpful.

14 MS. BONILLA: Thank you. And my other  
15 question on accountability, do you have any data on  
16 the amount of interest on a given year that your  
17 members have paid for? Just so that we can understand  
18 just the economic impact of some of the propositions  
19 we have.

20 MS. JACKSON: Yeah, so,  
21 unfortunately -- so the answer is yes and no.  
22 SeaChange Capital Partners has really great data that  
23 we're happy to send to you all after this. I think it  
24 might be a little retroactive, but we can certainly  
25 share that information.

1                   And I think from our moment in time  
2     survey that I had mentioned, we found that -- and this  
3     was a moment in time. So it was just from about 60  
4     providers that they were owed \$350 million at that one  
5     moment on their contracts. They had credit, a line of  
6     credit or loans for \$87 million not through the loan  
7     fund. So, you know, just that's different. We love  
8     that. And six million in interest payments.

9                   So you want to extrapolate, you know,  
10    70 -- 87 million equals \$6 million in interest  
11    payments. But SeaChange has some stronger data about,  
12    like, what that looks like, and I think in two ways.  
13    The first is groups who are able to take lines of  
14    credit and what that costs. And second, what's just  
15    the other money that's spent when contracts are  
16    registered late.

17                  And I know I'm preaching to people who  
18    know this better than me: When you have to chase down  
19    your dollars on a daily basis, what aren't you doing?  
20    When your management or your CFO is looking through  
21    contracts to send to me to send to MOCS to say this is  
22    late, when you're worried about paying vendors and  
23    moving money around, there's actually a cost there,  
24    right? Of, like, what should people be doing instead.  
25    And SeaChange did a great report kind of extrapolating

1     what that would look like. So we'll send that to you  
2     after this.

3                   CHAIRMAN BUERY: Thank you. Is it two  
4     last questions before we close this panel?

5                   MS. SAVINO: Yes. And -- and I'm just  
6     going to follow up on the accountability issue.  
7     Because, well, there's some suggestions that, you  
8     know, legislation should be passed to require the City  
9     to pay interest on outstanding contracts. And that's  
10    one way of going at it.

11                   The City's good for the money in the  
12    end anyway, right? Paying interest to your members  
13    isn't really going to help solve your immediate  
14    problem where you're providing service from day one  
15    and not getting paid for months. That's not going to  
16    help you with your cashflow problem.

17                   MS. JACKSON: Right.

18                   MS. SAVINO: So what other types of  
19    accountability do you think, beyond MOCS becoming a  
20    chartered agency and maybe having more -- more  
21    authority, more oversight? Is there something else  
22    that you think that -- that we can recommend as for  
23    the Charter Revision Commission to actually speed up  
24    the process so that you are -- so that you're not  
25    waiting and then collecting interest? 'Cause at the

1 end of the day, you're still behind.

2 MS. JACKSON: So we also in our  
3 recommendations do have that we should be prohibiting  
4 contracting agencies from asking a vendor to perform  
5 services before a contract is registered. There is a  
6 unspoken partnership that no -- Fred is not closing a  
7 shelter while he waits for his renewal contract.

8 MS. SAVINO: I know it.

9 MS. JACKSON: And the City relies on  
10 that and exploits that. And so I think -- I don't  
11 know that there's much else in the charter. There's  
12 lots of things through public shaming and requiring,  
13 you know, better management reports. Bloomberg had  
14 great management reports that actually were a great  
15 mechanism for us to see who was doing well and who  
16 wasn't. And so we do have in our longer set of  
17 recommendations making sure that there is a reporting  
18 of that information. So I would add that to this.

19 But I do think it's, you know,  
20 timeframes. It's this. It's having MOCS.

21 Because it is -- and, you know, even  
22 the idea that, like, the City's good for the money,  
23 I -- that's not true. We -- our providers lost a lot  
24 of their workforce enhancement funds because the  
25 agencies didn't allocate it until June and told them,

1 "You have till July 1 to spend it." So a lot of them  
2 lost that money. So there's -- and they're actually  
3 not good for the cash.

4 MS. SAVINO: So -- so just not  
5 to -- the question -- not to slow this down. But it's  
6 interesting you mentioned the issue of the workforce  
7 and workforce development.

8 MS. JACKSON: Mm-hmm.

9 MS. SAVINO: Is there any way that you  
10 could provide to us, not tonight but at some point in  
11 the future, the impact of the slowdown of payments and  
12 your ability to recruit and retain people in this  
13 sector, whereas over the past 30-some-odd years, the  
14 government has transferred most of the responsibility  
15 of social services to the nonprofit sector?

16 MS. JACKSON: Yeah, I would love to  
17 share and talk more about that.

18 MS. SAVINO: Thank you.

19 MS. GREENBERGER: One last question to  
20 ask this --

21 MS. WHITE: I'm -- I'm not going to  
22 belabor 'cause it really was on the cost of money that  
23 you have to pay out in order and -- and managing your  
24 budget in a way that you have to guess, right? How  
25 long it's going to be for your contract. Because



1 you're paying on lines of credit. You're paying on  
2 interest.

3 Mr. Shack mentioned late fees and  
4 penalties. There is a cost to a delay of money.

5 MR. SHACK: Mm-hmm.

6 MS. WHITE: Of course, there's a human  
7 services cost, but there's a financial cost as well.  
8 So I think, Ms. Jackson, you said that you had a  
9 report that you would share with us. But -- because I  
10 think that that's -- goes into the accountability  
11 section, how do you get recouped for that money.

12 And, Ms. Siciliano -- did I say  
13 correctly? The Legal Aid on a national level is one  
14 of the agencies that's being looked at in terms of  
15 potential federal cuts. So I would imagine this  
16 conversation right here is very critical for you as  
17 well.

18 MS. SICILIANO: It's -- it's certainly  
19 critical for lots of reasons. And we absolutely  
20 appreciate the time tonight. And I did just want to  
21 echo one of the -- the points that you were making  
22 about the timeliness, not just of receiving the  
23 funding but of having the amounts confirmed.

24 MS. WHITE: Right.

25 MS. SICILIANO: So when -- just to add

1 a finer point to that, when the amounts are confirmed  
2 six, nine months into the fiscal year, there's no  
3 way -- there's no way we could've planned to spend  
4 that money.

5 MS. WHITE: Right.

6 MS. SICILIANO: So there's no way that  
7 we will actually be able to spend that money by the  
8 end of the fiscal year, which then means that it  
9 essentially just goes back to the City. So whatever  
10 the commitment was, in terms of the total value of the  
11 contract, less is actually spent due to the late  
12 confirmation of the amounts.

13 MS. WHITE: But can you use the excess  
14 money to pay for the money that you bought?

15 MS. SICILIANO: No.

16 MS. WHITE: You, you -- right?

17 MS. SICILIANO: Yes, no.

18 MS. WHITE: Yeah. And that -- and so  
19 you still have to have -- have money to, you know, pay  
20 for money that you may or may not get at a -- when you  
21 don't know you're going to get it.

22 MS. SICILIANO: Exactly.

23 MS. JACKSON: Exactly.

24 MS. SICILIANO: Exactly.

25 MS. WHITE: So that -- and your -- so

1     that -- that was my question --

2                     MS. SICILIANO:   Yeah.

3                     MS. WHITE:    -- and understanding your  
4     thoughts on how to resolve that.  And you answered a  
5     lot of that talking about the accountability.

6                     CHAIRMAN BUERY:  Okay.  I want to thank  
7     you so much for your testimony --

8                     DR. NIEVES:   Can I just --

9                     CHAIRMAN BUERY:  Oh, sorry.

10                    MR. SHACK:    Thank you.

11                    DR. NIEVES:   Just going to be a quick  
12     request.  All of you really represent very large  
13     nonprofits, in fact, not really representing the  
14     overwhelming majority of nonprofits that are receiving  
15     City money.  New York's one of the few places that  
16     actually has -- for many of them, their first grant is  
17     coming from government.  That's a pretty scary thought  
18     to -- them.

19                    It's not represented in the SeaChange  
20     report.  But if you can provide or add to the  
21     testimony the differential impacts of smaller  
22     organizations versus large organizations.  It doesn't  
23     mean that -- you know, that what you're saying is not  
24     important.  I just think that smaller nonprofit  
25     impacts are not so represented in the testimony.

1 MS. JACKSON: Yeah, and I'll  
2 just -- I'll very quickly just say that HSE represents  
3 about 85 percent of the contracted City dollars for  
4 competitive. But that's not discretionary, and that  
5 that is a huge issue. So I totally echo that.

6 And we will send you -- the numbers  
7 pale in comparison to the competitive contract  
8 numbers. But discretionary is -- is huge if you're a  
9 small organization, and -- and also share some of the  
10 organizations who are really connected that we work in  
11 partnership with. So absolutely. Thank you for  
12 raising that.

13 CHAIRMAN BUERY: Thank you all so much  
14 for the work that you do and for the testimony that  
15 you --

16 MR. SHACK: Thank you.

17 CHAIRMAN BUERY: Appreciate it.

18 MS. JACKSON: Thank you.

19 MS. GREENBERGER: Thank you both.

20 Thank you.

21 CHAIRMAN BUERY: Thank you. Next I'd  
22 like to invite up City Counselor -- City Councilperson  
23 Julie Won. Welcome, Councilmember.

24 MS. WON: Good evening, everyone.  
25 Welcome to my neighborhood. So my name is Julie Won;

1 I'm currently the councilmember representing Long  
2 Island City, where we're sitting; as well as  
3 Sunnyside; Woodside; and Astoria.

4 But I come to you -- I come before you,  
5 this really astounding commission, for two reasons.  
6 I'm coming here as a council member to speak about  
7 land use, as well as the chair of contracts for all  
8 the reasons that we've heard. And since I've taken  
9 office in 2021 -- in 2022, it's clear to me that none  
10 of our nonprofits are getting paid. And all the  
11 stories are the same. They are struggling to make  
12 ends meet.

13 We have seen, especially the black and  
14 brown, smaller nonprofits suffer the most, where we  
15 are at the risk of closing them down completely  
16 because they've not been paid in the last three years.  
17 And they are doing extremely important work. Their  
18 workers have been furloughed, yet they are still doing  
19 crisis response for cure violence in a high-risk area  
20 like Queensbridge houses to do gun response when  
21 there's a shooting with no guns, with no life vests,  
22 no bulletproof vests. But they always show up,  
23 whether it's 4 a.m. or 6 a.m. And our city relies on  
24 them, but they are not getting paid.

25 If this was in any other sector outside

1 of the government, you would have gone into  
2 collections, and you would not be here anymore. The  
3 amount of debt that we would be in, it is -- it is  
4 unbelievable. For all of our human services workers  
5 that are doing the work for our communities, they  
6 deserve to get paid. And the Mayor's Office of  
7 Contracts should be a chartered agency like OMB; it  
8 has to be.

9 Because what I'm seeing firsthand the  
10 last three years as the chair of contracts is that we  
11 have a slew of issues. We are under-resourced for the  
12 technology itself. PASSPort is outdated already. The  
13 user experience is crummy.

14 For me, as the chair of contracts, when  
15 I am seeing reports of corruption or a need for  
16 accountability, it takes 72 hours for me to get a  
17 compliance report from Microsoft DOS. How are we  
18 going to keep anybody accountable if our software  
19 itself is so incredibly outdated? And because of the  
20 complexity of the processes of the agencies, we can't  
21 have an out-of-the-box system where you just purchase  
22 a software and say: "Well, this works for other  
23 companies. Let's just open it here."

24 No. We're going to have to personalize  
25 it. We're going to have to customize it. And it's

1 going to take a lot of money and a lot of work. But  
2 we have not put in the resources to invest in the sole  
3 system that we are relying on to digitize what has  
4 once been a paper-based, as well as a siloed,  
5 individualized system.

6 We have to come to a place where we  
7 have standardized processes itself across all  
8 agencies, even with agencies like DOE -- DOE and H&H  
9 that we have not been able to get contracts for  
10 because they don't go through the City's -- they  
11 aren't a City agency, and they don't go through  
12 the -- through the same contract think process. Yet  
13 we've invested millions of dollars in these emergency  
14 City contracts, for example, for the minor crisis.  
15 But we don't have the purview over them as we would  
16 for other -- other City agency contracts.

17 In addition to the technology itself,  
18 we also are doing a disservice by investing what we  
19 have in the millions for PASSPort. Yet we have paid  
20 ourselves quality assurance for the same person to do  
21 quality assurance. Can you imagine if you as an  
22 employer, you're telling me, "Julie Won, why don't you  
23 evaluate the quality of work on" -- "about yourself?"

24 That is never how it works in  
25 technology. I spent ten years before this working for

1 a very large tech company as a federal contractor.  
2 Some of the practices that we are doing is a disgrace,  
3 and it's a disservice to the public. And it is no  
4 surprise that, as much as PASSPort is trying its best,  
5 that we are far, far beyond -- behind what we should  
6 be in 2025.

7 In addition to the technology itself,  
8 we are finally -- we are finally working on something  
9 that's called document fault. So one of the woes that  
10 some of the contractors have is that you have to  
11 upload the same document multiple times for every  
12 single agency if you're doing business. And we still  
13 haven't standardized simple things like insurance  
14 premiums for you to do business with the City.

15 If you are a nonprofit that services  
16 DHS, as well as DFTA, as well as DCLA, then you better  
17 have all of your insurance premiums. That's going to  
18 cost you an arm and a leg so that you can provide a  
19 service for the City. Because we haven't figured out  
20 how to speak to each other on standardizing our  
21 processes and our systems to make it easier for them.

22 But now we finally have a centralized  
23 place where you upload your document once. But now  
24 we're also looking at how we create a system with our  
25 City partners so that you're not uploading it more



1     than a few times with the City and the State.

2                     In addition to that, we just don't have  
3     enough bodies and resources. The pegs that MOCS has  
4     seen has been horrendous. We are fighting for barely  
5     about ten people every single year, baselined.

6                     And the Mayor's Office of Nonprofits  
7     was abysmal. The last two years that I've been in  
8     office, there was one person, maybe one and a half.  
9     And now we're trying to get more people in the job.  
10    But we need to actually have support for these  
11    nonprofits to be able to do business with the City.

12                    And the user experience itself is  
13    extremely hard to understand. It is not -- it's  
14    not -- if you put a Gen Z in front of it, they would  
15    cry. Because it is so nonintuitive. You would look  
16    at it and be, like, "What is this artifact?"  
17    It's -- it's not okay.

18                    But in addition to that, for our  
19    nonprofits, if you are a nonprofit that services a  
20    certain cultural language-based community, good luck.  
21    Because you're only doing it in English. Now,  
22    procurement language itself, unless you come from a  
23    procurement background and you understand supply  
24    chain, you are not looking at these acronyms and  
25    trying to figure out in your home language: "Let me

1 see what this is in Chinese. Oh, no, no translation  
2 exists in Google."

3 So you have already created barriers  
4 for the people that need to service the most  
5 vulnerable communities to be able to access them. So  
6 we need to -- we need to invest in the system of  
7 contracting itself. And we need to keep ourselves  
8 accountable by allowing them to -- allowing ourselves  
9 to have interest payments of what is owed. Because  
10 these people are taking out loans. And I've had  
11 conversations with local museum in my district; local  
12 nonprofits; schools like this; La Guardia, which is  
13 right next door. Those people are taking out loans  
14 with high interest rates themselves begging for you to  
15 pay them back in at least five years' time.

16 Okay. Putting that aside -- and I'm  
17 happy to talk more from a technology perspective, from  
18 a process perspective, from the PPB perspective, for  
19 procurement rules perspective. But for land use,  
20 where we're sitting right now, Long Island City has  
21 seen 40 percent growth more than the City itself. We  
22 have grown six times the rate of how fast New York  
23 City is growing, in terms of density. And that is all  
24 good and great.

25 And during the -- during the first two

1 years of my -- that I've been in office, I have never  
2 been against density, and I have always accepted more  
3 and more populations. We -- we opened the highest  
4 amount of shelters in the whole entire city for  
5 migrants. So we have 38 shelters, collectively. And  
6 that amounted to more than 18,000 people being  
7 homeless in this district once the 30/60 day rule has  
8 been passed, where that policy was rolled out. That  
9 means mostly West African migrants, who are sleeping  
10 in tents, who are sleeping in my parks, who are  
11 sleeping in our community garden because they have  
12 nowhere to go. We need to build housing.

13 But what we've seen from City of Yes,  
14 and what we've seen from even the shelter  
15 conversation, some of our neighbors cannot accept the  
16 fact that they have to do their fair share of opening  
17 a shelter. This needs to be a Charter Revision where  
18 we say that no matter who you are, no matter how  
19 wealthy you are, no matter how white you are, you need  
20 to do your fair share and open up shelters, equal  
21 distribution throughout the whole entire city, in 51  
22 council districts. No buts or if. And just because  
23 you cry and scream and you go on national TV crying  
24 bloody murder asking for mass deportations, it does  
25 not matter. Everyone needs to have borough-based

1 jails, shelters, supportive housing. We need to make  
2 sure that we have equal distribution for the health of  
3 our city.

4 In addition to that, what we're seeing  
5 is that people don't want to see shadows in their  
6 neighborhood. And I understand change is scary. But  
7 we are in a housing crisis nationally, as well as in  
8 the city. And we have to walk a fine line of not  
9 taking away powers from council. Because if you look  
10 at a project like Innovation Queens, I was only able  
11 to negotiate to have 40 percent affordable -- 45  
12 percent affordable housing on a private land with a  
13 very high-value market because we were able to  
14 leverage the powers of the City Council to negotiate  
15 that. And that was historical.

16 So we need to make sure that there is  
17 some sort of fine line where we say, "Hey, you have to  
18 do your fair share." Every single council district  
19 has to meet a threshold of X percent. And maybe we do  
20 it by ratio of population growth or a forecast of  
21 population growth that we want to meet to make sure  
22 that we are holding them accountable. But we still  
23 have to allow them to negotiate. Because no one knows  
24 their community better than the councilmembers.

25 Where I know from the back of my hand

1     what -- what percentage of growth I'm expecting for my  
2     3-K classes, pre-K classes, what my birth rate was for  
3     my local hospitals, and what schools I'm going to need  
4     for which areas of my neighborhoods, and where I'm  
5     going to need a new park, where I'm going to need a  
6     new library, and what my people are asking for. So  
7     these negotiations can only happen in a way that the  
8     community won't be up in arms in the way that people  
9     did not want to accept City of Yes as a blanket  
10    conversation but working with the council to make sure  
11    that we are now meeting a minimum threshold of saying  
12    we have to build because we have a housing crisis, but  
13    here's how we're going to get there.

14                   And I am a huge proponent of  
15    comprehensive planning. So that means neighborhood  
16    rezonings are essential to get our social  
17    infrastructure in, our public infrastructure in, as  
18    well as getting private developers to develop in a  
19    quick period of time. So I look forward to working  
20    with you.

21                   And one last thing I want to ask is for  
22    publicly owned land -- for example, underneath the  
23    Queensboro Bridge, there is massive amounts of parking  
24    space, just parking and storage. Some are just empty.  
25    Underneath the BQE ramps, just empty, yet we have no

1 park space. We have no green space. And the agencies  
2 have this ability to say, "No, I need this for  
3 parking," or, "I need this for storage." It should  
4 not be that way.

5 The charter should mandate that the  
6 mayor or the council have the ability to solely decide  
7 how public land is used, especially if it's going to  
8 be for public good, like green space, or selling the  
9 FAR to build more density. Because I have been  
10 dealing for more than a year now with DOT asking them  
11 to write an RFP. Because I have so many developers  
12 who want to develop and take the -- buy the FAR. We  
13 would be purchasing it with millions of dollars.

14 And DOT is saying, "No, no, no, no, no,  
15 I'm not giving up any land for anything, even it's not  
16 for development." Just to sell your FAR, they're  
17 refusing. That should not be okay in a -- in a time  
18 like now. Thank you.

19 MR. DABARON: I have a question.

20 CHAIRMAN BUERY: Thank you so much.  
21 We're going to open it up for questions. And I would  
22 ask the commissioners to remember to speak into the  
23 microphone. The people on Zoom are having a hard time  
24 hearing.

25 We're going to start with

1 Commissioner -- and we'll work down this way. Thanks.

2 MR. DABARON: Good -- good to see you.  
3 And thank you for your testimony. So I wanted to ask  
4 you, I'm not clear on this, but about fair share --

5 MS. WON: Yes.

6 MR. DABARON: -- I was told that  
7 there's a way that this is determined throughout the  
8 City, and -- and if I'm hearing it correct, the way  
9 it's determined is not a good way. And -- and if you  
10 can give some clarity on how fair share is determined  
11 and what we can do as a charter to try to center it in  
12 a better way.

13 MS. WON: I think if you look at the  
14 maps now -- because New York Post has done a great  
15 favor to the whole entire city by publishing where all  
16 the migrant shelters are that are run by DHS, as well  
17 as the HERS. The top three shelter locations are in  
18 my district, not where the wealthy people live but  
19 next to Queensbridge Houses, Ravenswood Houses, and  
20 Woodside Houses, where the poorest, smallest  
21 population of black people live in my district. That  
22 is not okay. But that's what they've done.

23 Because the next up is  
24 Councilmember Feliz, a very low-income Latino and  
25 black district. Next up, Rafael Salamanca, again,

1 another very poor black and Latino district. Next up,  
2 Speaker Adams, Selvena Brooks-Powers,  
3 Nantasha Williams. Again, low income black and brown  
4 districts. This has been done historically amongst  
5 multiple mayors and generations of New York City  
6 history. Because it has been easier for them  
7 politically to get away with putting shelters in poor  
8 black and brown districts than putting them in wealthy  
9 white districts, where they will cry bloody murder and  
10 say that you can't have these shelters here.

11 MR. DABARON: What -- what is the  
12 mechanism that the City used to determine this is what  
13 fair share is? They --

14 MS. WON: They didn't do fair share.  
15 They only did it as an emergency response,  
16 saying: "We're going to create hotel shelters. And  
17 the fastest way we're going to get hotel shelters are  
18 finding hotels that are boutique that are not name  
19 brand, who can't survive during COVID. And we will  
20 make them into shelters temporarily." And both  
21 parties get to benefit because they get a profit, and  
22 we get a shelter out of it temporarily.

23 But DHS has said clearly, over and over  
24 again, that hotel shelters are not what they want, nor  
25 is it sustainable for the residents or the agency



1 themselves or the city. And they -- that is not  
2 preferred. So I recommend that if we have 51 council  
3 districts, that we have equal distribution. If -- and  
4 it's going to differ by population.

5 So if we have -- for example, at one  
6 point, we had more than 50,000 people in a shelter.  
7 50,000 people divided by 51 districts, and we have to  
8 figure out a way how to get them evenly distributed,  
9 as much as possible, in all 51 districts. And not 51  
10 districts and only the black and brown poor parts of  
11 people's districts but in all parts of everyone's  
12 district.

13 MR. DABARON: One last thing, I'm  
14 sorry. So if I'm correct -- and somebody correct me  
15 if I'm wrong -- when they site a shelter in a  
16 district, they're going according to a population  
17 count, of a need?

18 MS. WON: No.

19 MR. DABARON: No?

20 MS. WON: No.

21 MR. DABARON: What is that? How do  
22 they determine that?

23 MS. WON: They just have a list from  
24 the hotel. I forget what the actual list name is, but  
25 I have the list where they know the vacancies of

1 hotels. And hotels are willing to go into a City  
2 contract because they're saying: "I would make more  
3 money as a shelter than I would waiting for clients to  
4 come because my hotel is overridden, in a terrible  
5 place, in the middle of an IBZ, and nobody really  
6 comes here anyway. And I actually only opened it to  
7 become a shelter, primarily." So that's what it's  
8 for.

9 Which actually reminds me, right now,  
10 the City is going through a study of all the IBZs.  
11 And not all IBZs are the same. If you look at an IBZ  
12 like mine in my district in Long Island City, Dutch  
13 Kills, those -- those IBZs are empty. They are  
14 barren, they're vandalized, and they have no business  
15 going on. There's no manufacturing. We have to allow  
16 them to build housing. But the current mayoral policy  
17 does not.

18 And we have had multiple meetings now  
19 where the landowners, as well as residents, have  
20 said: "We don't want to walk there. We don't want to  
21 be there. We don't want to do business there because  
22 all there is, is violence and dirt there. But we  
23 would love the opportunity to build housing there, but  
24 we're being denied."

25 So we really implore you to consider.

1 But in an area like mine, where there is high density  
2 and people clambering, we have less than .4 percent  
3 vacancy rate. That's how populated this neighborhood  
4 is to live here. Yet, we are not allowing them to  
5 build housing when we can -- we can try to accommodate  
6 everybody.

7 CHAIRMAN BUERY: Who's next, please,  
8 can come this way. Okay.

9 MS. SAVINO: Thank you.

10 Thank you, Councilwoman. I actually  
11 grew up in this neighborhood. And I remember  
12 when -- remember where we started.

13 MS. WON: Oh, welcome back. We miss  
14 you out in Staten Island.

15 MS. SAVINO: There were only two tall  
16 buildings when I left Astoria in Long Island City.  
17 One was the Citibank building, and the other one was  
18 CityLights. Everything else was no more than five  
19 stories.

20 MS. WON: Yep.

21 MS. SAVINO: They were all low-rise.  
22 There was really nothing here. So what we've seen, as  
23 you pointed out, is expanded growth in Long Island  
24 City, not -- probably the highest density. And I  
25 think you said 40 percent of -- of the development in

1 New York City has occurred in this area.

2 MS. WON: Let me get the exact stat  
3 'cause I don't want to --

4 MS. SAVINO: You don't -- oh, you're  
5 looking.

6 MS. WON: Yeah.

7 MS. SAVINO: But you mentioned a couple  
8 things, and I -- and I am hoping you can help us with  
9 this. So one of the things you said is everyone needs  
10 to -- everyone needs to participate in the development  
11 of housing across the city.

12 MS. WON: Yep.

13 MS. SAVINO: All 51 council  
14 districts --

15 MS. WON: Yep.

16 MS. SAVINO: -- agree to build 5,000  
17 units of housing, we could solve the housing crisis in  
18 this city.

19 MS. WON: Yep.

20 MS. SAVINO: Well, what gets in the way  
21 far too often in either rezonings or the  
22 development -- approval of development projects is  
23 member deference. How do we get around that so  
24 that -- because I think it's important when you're  
25 elected to represent a community, you know that

1 community intimately, you understand what makes it  
2 tick, what the people want. But sometimes the people  
3 say no. So how do we get around the issue of member  
4 deference so that we can actually get to the point  
5 where we solve the crisis?

6 MS. WON: Yeah, so let me get the quote  
7 right. It's -- the stat right -- it's "Long Island  
8 City's population grew by 40 percent within the last  
9 decade, which is 60" -- "which is almost six times  
10 a" -- "six times faster than the growth rate for New  
11 York City at large." And how you get around member  
12 deference, it's not a matter of getting around member  
13 deference. It's making sure, one, that you have a  
14 speaker that is aligned, that understands that housing  
15 is essential, which we currently do.

16 It was clear to me when I was going  
17 through Innovation Queens, there was a very fine line  
18 where the speaker said, "How do we get to a yes?"  
19 You're not going to vote no, but you also need to  
20 understand how to leverage your member deference to  
21 get to as much affordable housing and community  
22 benefits as possible, which is how we got the 45  
23 percent. So we have to leverage the power of the  
24 speaker, and we also have to make sure that the  
25 members and the visually also understand.

1           I had very little support, where if I  
2   said, "I'm going to vote against this project; I'm  
3   going to vote this down," that my colleagues would  
4   say, "Yeah, yeah, sure, go ahead; you do that." It  
5   was not a possibility anymore. I know that there was  
6   an example with Harlem that happened way early on.  
7   But I think that was something that the speaker as  
8   well as the council noticed that's something that  
9   should not be a practice or precedence. And we  
10  troubleshooted that and corrected that right away.

11           I understand your concerns because I  
12  saw it firsthand at City of Yes as well. But I don't  
13  think that anyone in the city is going to be okay with  
14  getting rid of the ULURP process as is. I do  
15  understand. And I am grateful that the community  
16  board is advisory. Because if I only had let -- if it  
17  was binding, then I would never be able to pass any  
18  project, even here.

19           So it is a lot of stakeholder  
20  management, and it is community building. But without  
21  all of these pieces, we would not get the best for our  
22  community as we would. 'Cause even right now, going  
23  through the one LIC project for the neighborhood  
24  rezoning, if -- if my neighborhood wasn't as organized  
25  as they are, I know that we wouldn't be focused on

1     what our community needs are, know it to the dollar  
2     amount what the estimates are, and working together  
3     with the council as well as the mayor's office and  
4     everybody involved to get to our end goal.

5                   MS. SAVINO:   And finally, one thing.  
6     And if you can't answer it tonight, that's fine.  But  
7     maybe if you -- some thought into it.  If there was  
8     one thing we could do to reform the ULURP process to  
9     make it work better so that we can actually accomplish  
10    the goals of developing housing, what would it be?

11                   MS WON:   Yeah, well, we have to shift  
12    to a neighborhood rezoning.  We are the only major  
13    city of our size that is not doing comprehensive  
14    planning.  It is a disservice to ourselves.

15                   Because what we're seeing, especially  
16    in Long Island City, is we've allowed these individual  
17    ULURPs to go through.  And they're fine because we  
18    have all these sky rises.  But guess what, that  
19    developer is only responsible for his block of  
20    upgrading the sewage.  Everyone around him, nope.  
21    He's not going to upgrade that.

22                   So what do we have?  Even in the  
23    fanciest parts of Long Island City, you have brown  
24    backwater, and you have sewage issues.  You're getting  
25    poop in your toilet of somebody else's feces when

1     there's heavy rainfall.  Because our -- we go from  
2     16-inch pipes to 3-inch pipes within one block radius  
3     because it has not been updated.  And we can't live  
4     like this anymore.

5                     And we can't depend on one individual  
6     developer to create a new school or to create a new  
7     park.  But if we collectively work together, then we  
8     have a collective investment, as well as estimated tax  
9     revenue, where we can say there is enough for us to  
10    warrant having a population growth to open up a new  
11    school, to have a new library, to have a new YMCA.  
12    Sharon is here from the Y.  We want to see collective  
13    investment, both from the City, as well as the  
14    developers.

15                    And when you do it in a comprehensive  
16    way, we have a better chance also of having MOUs and  
17    labor agreements and getting the best bang for our  
18    buck for the ways that we use our land.  We have to do  
19    comprehensive planning and neighborhood rezonings.  
20    The current administration has been a strong champion  
21    of that in a way that we haven't seen to this size,  
22    citywide, in every single borough.  But this is the  
23    way we should be moving.  We can't do piecemeal,  
24    especially because Department of City Planning has no  
25    staff.  We don't have the time to be processing 5,000



1 ULURPs a year.

2 MS. BOZORG: Hey, Councilmember.  
3 Thanks for your testimony. And truly, thanks for  
4 being a housing champion.

5 As you noted, I was taking a look at  
6 the New York Housing Conference scorecards. You are  
7 amongst the top 10 in your district --

8 MS. WON: Thank you.

9 MS. BOZORG: -- or citywide, of council  
10 districts that produce housing. And I just wanted to  
11 ask a little bit more this concept of fair share.

12 MS. WON: Yep.

13 MS. BOZORG: You noted it for shelters,  
14 for supportive housing. Do your -- does your thinking  
15 on that extend to all kinds of housing? And you also  
16 noted that it requires a strong speaker and a strong  
17 councilmember, especially in a world of member  
18 deference --

19 MS. WON: Yeah.

20 MS. BOZORG: -- to push housing  
21 forward. And the speakers introduced the fair housing  
22 framework, which I think gives us that framework and  
23 this idea that we should start naming what it looks  
24 like for different council districts to be producing  
25 their fair share of housing. So I'm curious how you

1 would put teeth on a framework like that and how that  
2 squares with the existence of member deference.

3 'Cause as you noted, you've been  
4 successful in negotiating projects 'cause you are  
5 supportive of housing. The speakers are supportive of  
6 housing. But we also have examples across the city  
7 right now --

8 MS. WON: Right

9 MS. BOZORG: -- with projects that have  
10 stalled because the local member doesn't support that  
11 housing project. I can think of a few off the top of  
12 my head.

13 MS. WON: Right.

14 MS. BOZORG: And one -- one project  
15 that comes to mind that isn't even in ULURP, it's  
16 not -- doesn't have a clock, project like Just Home.  
17 There's no local support. It's been stalled  
18 for -- for a very long time. I started in my current  
19 role over a year ago, and it's just been sitting.  
20 It's an important supportive housing project that's  
21 had no ability to move.

22 So how do we square this idea of fair  
23 share with the existence of member deference, where  
24 you don't have support from the councilmember?

25 MS. WON: Yeah, it's clear to me that

1 with our financial realities, we are not going to be  
2 able to build 100 percent affordable housing  
3 everywhere. In a district like mine, where you have  
4 opportunity to build R8, R9, R10, where you could get  
5 60 percent affordable -- 60 percent market and 40  
6 percent affordable, vice versa. But it is worthwhile  
7 because of the units that you'll produce.

8 So I think there's two facets of very  
9 important things that we're not doing as a city. One  
10 is education. When I sit down with my community and I  
11 explain to them for the first time what a neighborhood  
12 rezoning is and how it differs from a ULURP, how  
13 you -- instead of 60 days community feedback, you're  
14 going to have more than a year, where I'm going to  
15 give you 13 town halls, focus area meetings, 2 -- 2  
16 surveys, 2 mailers, 3 canvassing rounds, then they  
17 start to realize, like, "Oh, okay, so this is not how  
18 it works." But there's a huge gap of -- of  
19 understanding.

20 'Cause when you go to these communities  
21 that vote -- vote against projects or say, "I'm  
22 against this housing coming here," if you ask them  
23 what a ULURP is, they're going to be, like, "What is  
24 that?" They don't know what a ULURP is, and they  
25 don't understand what their role is. They don't

1 understand what their powers are. So we have a huge  
2 education gap that we need to do in a lot of these  
3 communities who are against it.

4 And then secondly, look, it's clear  
5 elections have consequences. And people need to be  
6 civically engaged, understand who they're voting for.  
7 Your community has to be engaged and organized.

8 Because guess what, if the people who  
9 are pro housing are not organizing, the other side is  
10 and has been. That's abundantly clear. But I  
11 guarantee you, every corner of the city, there are  
12 pockets and large groups of people who want to see  
13 housing built. But they have not been mobilized.  
14 They have not been educated.

15 And we have to do the outreach to make  
16 sure we're getting there, which is why I've fronted  
17 more than \$50,000 to do education and outreach to my  
18 communities to build up support and get -- at least  
19 get their understanding of. Because my ULURP has  
20 failed four times.

21 MS. BOZORG: That's fair. I mean, I do  
22 think you're pointing out exactly what the problem is,  
23 that people will vote in who they believe will -- will  
24 stop housing. And that tends to be more powerful in  
25 our city.

1                   So I guess I'm curious, on the --

2                   MS. WON: Well, the other side has to  
3                   organize.

4                   MS. BOZORG: -- on the fair housing  
5                   framework, what are some of the ways that we could  
6                   actually have that -- you know, because as you noted,  
7                   the speaker's been a champion of housing. Are there  
8                   ways we can actually have that have more teeth to  
9                   produce housing in districts unlike yours that have  
10                  not been doing their fair share?

11                  MS. WON: Mm-hmm. I mean, I think  
12                  that's why we're here for this discussion, right?  
13                  With the charter. To see if there are ways that we  
14                  can revise the charter to have fair share revision to  
15                  say that there is no buts or ifs. Every 51 council  
16                  district will have to build housing.

17                  And it'll be different. Because the  
18                  amount of housing I can build is not how much housing  
19                  like Southeast Queens is -- actually, Southeast Queens  
20                  has doing a great job. The middle of queens, Eastern  
21                  Queens will be building where there's single homes.  
22                  So I think there are nuances, but it can't be done.

23                  MS. GREENBERGER: I'm just going to  
24                  follow up and ask 'cause I think all of us are  
25                  struggling with -- with respect to member deference.

1 MS. WON: Mm-hmm.

2 MS. GREENBERGER: And you use the word  
3 minimum threshold, right?

4 MS. WON: Mm-hmm.

5 MS. GREENBERGER: That every CM has to  
6 say, "I'm committing to this threshold." What's the  
7 accountability besides elections?

8 MS. WON: Mm-hmm.

9 MS. GREENBERGER: What's another  
10 mechanism that we can ensure that that distribution  
11 and that those minimum thresholds are met? And you  
12 can think about it. But I just -- that's -- I think  
13 that's part of the struggle here --

14 MS. WON: Right.

15 MS. GREENBERGER: -- is with respect to  
16 member deference, how do we ensure that those -- that  
17 that complete fair share is actually enacted?

18 MS. WON: Yeah, I think it's something  
19 that I still have to noodle with and think about. But  
20 just know that member deference is not going to be  
21 something you can outlaw. Because it's based on  
22 relationships.

23 You know, I've had colleagues where  
24 they were depending on member deference. Didn't work  
25 out for them. Because not everyone respects

1 member -- each member. But it's based on your  
2 relationship and their trust of you and understanding  
3 of your district and the ways that you have been  
4 communicating with each other that is what makes  
5 member deference work in negotiations.

6 So it's not something that you can  
7 just, like, squash out and be, like, "Well, the  
8 charter says member deference is not available  
9 anymore." We're still going to be sitting there  
10 conferencing and be, like, "Look, I will get to a yes,  
11 but I need your help of this is how we're going to get  
12 there." Or someone might be, like, "No, I'm going to  
13 be a no forever, and I" -- "I hope you'll be there  
14 with me." And depending on how the relationships are,  
15 that can carry.

16 So it's something that's very  
17 sensitive, but it's also very powerful. But we all  
18 have to work together to really understand the bottom  
19 line, which is you all need to do your fair share.  
20 We're in a housing crisis. And for each district,  
21 it'll look different.

22 Because I can -- I can carry a lot more  
23 density than somebody else can. But what does that  
24 mean? Is it by percentage? If your population is  
25 185,000 people and you're looking to grow your

1 population by X percentage to meet our housing goals,  
2 then this is how we're going to get there in stages or  
3 phases.

4 MS. GREENBERGER: Appreciate that.  
5 Thank you.

6 CHAIRMAN BUERY: Thank you so much,  
7 Councilmember. We really appreciate your testimony  
8 and your leadership in this area. Thank you so much.

9 MS. WON: Thank you.

10 MS. GREENBERGER: Thank you.

11 CHAIRMAN BUERY: Thank you for  
12 welcoming us.

13 MS. WON: Feel free to reach out to me  
14 anytime. Thank you so much, everyone.

15 CHAIRMAN BUERY: Will do. Thank you.

16 Next we'll be joined by expert panel,  
17 Andrew Rein with the Budget Commission and  
18 Rachel Fauss with Reinvent Albany.

19 MS. FAUSS: I guess speaking of  
20 deference, it's been deferred to me to go first.

21 So good evening, members of the staff  
22 of the Charter Commission. My name is Rachel Fauss,  
23 and I'm the senior policy advisor for Reinvent Albany.  
24 We advocate for transparent and accountable government  
25 in New York.



1                   We urge you members of this commission  
2     to set your sights high. Show New Yorkers you are  
3     truly independent and ready to propose the major  
4     ethics reforms needed to restore public trust after  
5     the massive damage caused by the scandals that have  
6     rocked City government to the core. Citizens Union  
7     reports that two times as many senior City officials  
8     have resigned due to corruption during the Adams  
9     administration as did under the four previous mayors.  
10    Corrupt at City Hall is the issue of the day. And  
11    this commission has to rise to this moment or risk  
12    losing a generation of New Yorkers to cynicism about  
13    government and apathy about the right to vote.

14                  Unfortunately, it's obvious that the  
15    federal sheriff has ridden out of town. And New York  
16    is on our own. We have to strengthen the city's  
17    frontline ethics and anti-corruption agencies.

18                  We urge this commission to do the  
19    following three things: One, create a New York City  
20    Independent Ethics Commission; two, make ethics  
21    guidance far more transparent; and three, study and  
22    propose a removal mechanism for the mayor. First in  
23    creating a New York City Independent Ethics  
24    Commission, this is our main recommendation today,  
25    that you propose a ballot initiative creating this

1 independent commission that puts the functions of the  
2 Conflicts of Interest Board and Lobbying Bureau under  
3 one roof that is funded via independent budgeting and  
4 governed by an independently appointed board. New  
5 York's watchdog groups and independent ethics scholars  
6 strongly support the basic responsibilities of the  
7 State's Commission on Ethics and Lobbying in  
8 Government, COELIG, which includes ethics and lobbying  
9 regulation under a single commission.

10 Ethics laws are meant to prevent  
11 corruption, hold -- hold public officials accountable  
12 for misconduct, and protect against the appearance of  
13 misconduct. When the people believe their government  
14 is corrupt, they lose confidence in the ability of  
15 government to solve their everyday problems, become  
16 cynical about democracy, and apathetic about voting.  
17 In working with our watchdog colleagues, we have  
18 helped to advance improvements to the State  
19 Commission, and recently submitted an amicus brief and  
20 successfully upheld the constitutionality of this  
21 commission before the State Court of Appeals.

22 That body has a number of features that  
23 should be replicated at this New York City level to  
24 improve independence. First, lobbying ethics under  
25 one roof. There's not only logic to this arrangement,

1 given the intersecting moonlighting post-employment  
2 and gift laws. It also ensures regulators have access  
3 to information that's necessary to conduct enforcement  
4 actions.

5 Two, independent budgeting. The  
6 current Conflicts of Interest Board is down five staff  
7 from ten years ago. And its budget has essentially  
8 remained flat, despite huge increases in inflation and  
9 an expanded mission, including regulation of legal  
10 defense funds. We strongly support providing the  
11 Conflicts of Interest Board and any future ethics  
12 commissions in Independent Budget.

13 And I'll note that the IBO who just  
14 spoke to you has an independent budget. CO -- COIB  
15 has proposed past charter revisions that would peg its  
16 budget to the total net expense budget of the City.  
17 And I think depending on how much responsibility  
18 this -- this agency has, you might want to adjust  
19 accordingly to make sure it has the proper resources.

20 Third, independent balance  
21 appointments. The State Commission has three ways  
22 that its appointment process increases independence.  
23 First, there's a screening panel for nominations. The  
24 State's law school deans approve nominations sent by  
25 the appointing authorities to ensure candidates are

1 qualified and will serve with integrity.

2 Second, there are balanced  
3 appointments. The governor does not have a majority  
4 of appointments, but rather appoints 3 of the 11  
5 members. The current Conflicts of Interest Board has  
6 a majority of mayoral appointments. The mayor  
7 appoints three, and then there's one each from the  
8 comptroller and public advocate.

9 Lastly, the selection of the chair is  
10 by the commission, not the appointing authority. This  
11 is a crucial mechanism to ensure the body operates  
12 with consensus and independence. Lastly, independent  
13 investigators. COELIG is not reliant on the Inspector  
14 General of the State, while it -- the Conflicts of  
15 Interest Board, they're dependent on the Department of  
16 Investigations, which is appointed by the mayor.

17 We also recommend that ethics guidance  
18 be far more transparent. There's a couple ways to do  
19 this. One is that confidentiality can be waived if an  
20 official provides misleading, inaccurate, or  
21 incomplete public disclosure of ethics guidance.  
22 The -- the State Commission recently adopted an  
23 advisory opinion to this effect. And second, written  
24 opinions, when their -- when their existence is  
25 disclosed by an elected official, could be proactively

1 made public at that point.

2 Lastly, we urge you to study and  
3 propose a removal mechanism for the mayor. We know  
4 you have an upcoming Charter Commission meeting on  
5 government reform on April 9th. This could be a place  
6 to discuss this in greater detail. And we also  
7 encourage you to review Citizens Union's report on  
8 charter reforms, which includes discussion of this  
9 issue.

10 You also have my full written  
11 testimony. I didn't quite get to everything. Thank  
12 you for your time.

13 CHAIRMAN BUERY: Thank you so much.  
14 Thank you.

15 Andrew.

16 MR. REIN: Good evening. And thank you  
17 for the opportunity to present our recommendations.  
18 I'm Andrew Rein, president with the Citizens Budget  
19 Commission. I also want thank all of you for your  
20 service on this commission and, frankly, knowing you,  
21 your lifetimes of service to New Yorkers.

22 Tonight I present three charter changes  
23 that would improve how City government serves current  
24 and future New Yorkers. Our companion report provides  
25 more details and draft charter language. First, the

1 charter should require a resident feedback survey that  
2 represents all New Yorkers. The City should conduct  
3 and publish a statistically valid resident feedback  
4 survey at least every five years with results valid at  
5 the community board level and disaggregated by key  
6 demographic works.

7 The Mayor's Management Report includes  
8 many indicators about what the City produces. While  
9 the MMR's indicators should be improved by including  
10 more efficiency, equality, and outcome metrics, the  
11 MMR lacks an entire category of critical data, and  
12 that is customer feedback. To serve New Yorkers well  
13 and improve City agency management, the City needs  
14 feedback straight from New Yorkers. We are the  
15 customers of City government.

16 Everyone deserves a voice. And this  
17 survey would ensure that that voice is not dependent  
18 on having power or money. The last commission  
19 considered this proposal, and we encourage you to move  
20 it to the voters.

21 Second, the -- the charter should  
22 require the City to create rainy day fund deposit,  
23 withdrawal, and balance rules. The 2019 Charter  
24 Revision Commission wisely helped the City create a  
25 true rainy day fund. To ensure this fund best serves

1 New Yorkers, the charter should require the City to  
2 deposit money into the rainy day fund when the economy  
3 is growing and only use that money as intended, to  
4 protect New Yorkers from dramatic cuts during a  
5 recession or short-term emergency.

6 We and others have extensively analyzed  
7 how best to structure the fund. The charter should  
8 set the framework and then require the specifics or  
9 formula-driven deposits and proper use of the fund be  
10 detailed in local law. Embedding this requirement in  
11 the charter will ensure New Yorkers' future is better  
12 protected, rather than being exposed to greater than  
13 reasonable risks that often result from shorter-term  
14 political desires.

15 Third, the charter should be changed to  
16 improve the accuracy of financial plan estimates. And  
17 I will note that this year is the 50th anniversary of  
18 New York City's fiscal crisis. And what better time  
19 to improve the integrity -- integrity of budget than  
20 this year?

21 The charter already requires revenue  
22 and expenditure estimates to be "reasonable and  
23 appropriate." Sadly, this is not currently the case.  
24 The charter requirement needs to be bolstered. The  
25 City has increasingly underbudgeted for planned

1 expenses, reaching unprecedented levels. This  
2 distorts the City's fiscal picture and the accuracy of  
3 the financial plan that is the very foundation of  
4 budget decisions.

5 Just this year, for example, after  
6 budget adoption, the City had to add \$3.6 billion to  
7 support current year spending, not for unanticipated  
8 costs but for expenses that we all knew would be  
9 needed when the budget was adopted. It just wasn't  
10 there. Furthermore, the fiscal year 2026 preliminary  
11 budget is \$4 billion short of what is needed to  
12 provide many of the plan services. Though it may  
13 still overbudget for migrant services.

14 Just think about this example in  
15 a -- in an area that you guys are all concerned about  
16 in terms of housing. The City will spend \$1.1 billion  
17 this year on City passed housing vouchers, yet is only  
18 budgeting 519 million next year. That's less than  
19 half we're spending this year. That's not a  
20 "reasonable and appropriate" budget. I mean, I will  
21 call it something else that begins with "B."

22 To ground the City budget process in  
23 accurate revenue and expense estimates, the charter  
24 should be required -- should require detailed  
25 explanation of the causes of significant changes in



1 two circumstances: One, when tax revenues or major  
2 spending expenditures are projected to change up or  
3 down more than 10 percent, just provide an  
4 explanation. And the other example, the other time  
5 would be when executive expense estimates vary more  
6 than 20 percent from either those by the City  
7 Controller or those by the State Controller. Just  
8 provide the sunshine to bolster the requirement that  
9 currently exists.

10 I'm happy to answer any questions now  
11 or later. Thank you very much for the opportunity to  
12 be here tonight.

13 CHAIRMAN BUERY: Thank you both very  
14 much.

15 Any questions for the panel?

16 Commissioner Weisbrod.

17 MR. WEISBROD: Yes. It's a question  
18 for Mr. Rein. Related to the budget and your role as  
19 a watchdog of the City's budget, we heard testimony at  
20 our last hearing from a Cornell professor who  
21 attributed one of the reasons for the decline in  
22 housing production to the fact that in the 1975  
23 charter, the City Planning Commission was written out  
24 as a co-author of the -- and planner of the ten-year  
25 capital budget. We've also heard testimony from last

1 hearing, and a little today, that comprehensive  
2 planning has to include not just planning for housing  
3 but for the infrastructure related to housing. Would  
4 you recommend or support the reintroduction of City  
5 Planning as an equal partner to OMB in the creation of  
6 the ten-year capital plan, in order to have a  
7 comprehensive infrastructure plan?

8 MR. REIN: I will say we're going to  
9 come back and testify more on our -- on our land use  
10 decisions, as we're refining those recommendations.  
11 And we will have more to say about comprehensive  
12 planning. So I want to defer to that, not to avoid  
13 but come back with a more full and thoughtful answer.

14 But I will say this about comprehensive  
15 planning: If we had a comprehensive plan and shared  
16 goals -- and we've talked a little, and the  
17 councilmember said about that -- then we could then  
18 design our land use decisions to favor actions that  
19 are in -- that are aligned with those goals to speed  
20 those up. That would be helpful. In terms of  
21 combining the infrastructure with the housing and  
22 putting the City Planning on equal footing, I will  
23 come back to you with that. Thank you.

24 CHAIRMAN BUERY: Thank you.

25 Commissioner Savino.

1 MS. SAVINO: Yeah. Thank you.

2 So you said that you'll be back for a  
3 subsequent Charter Revision Commission,  
4 where -- meeting, where you're going to discuss more  
5 about ethics and recommendations for good government?

6 MR. REIN: Sorry.

7 MS. FAUSS: Oh, I -- I think that the  
8 April 9th hearing --

9 MS. SAVINO: Okay.

10 MS. FAUSS: -- I know that you have  
11 the -- another government reform session.

12 MS. SAVINO: So we'll -- we'll get into  
13 some of the recommendations that you had in greater  
14 detail then. But I want to focus on one that you  
15 mentioned, and that's you think that we should take up  
16 an issue of -- of removal of the mayor. Not that I  
17 would support that idea but that we should do it.

18 But right now, under State law, it  
19 gives -- grants the governor the right to remove an  
20 executive, whether it be municipal, one county, or  
21 any -- any duly elected executive pursuant to the  
22 service of charges and the ability to hear it be  
23 heard, either in the area where the -- whoever the  
24 governor is would determine. Could be a State supreme  
25 court. It could be in the legislature. It could be

1 in her office. What do you think needs to change  
2 about that?

3 MS. FAUSS: We think it should be a  
4 locally-controlled process. I think ideally, you  
5 would have something that would be different than the  
6 inability provision, which doesn't really foresee some  
7 of the circumstances we've seen. So I think it would  
8 be better for the City to propose and create a process  
9 for itself. We don't have a formal process that we  
10 recommend at this time. We just -- we think it would  
11 be a much better process to have the City determine  
12 how to do that itself.

13 MS. SAVINO: So -- so as you're  
14 familiar, the charter talks about -- it enshrines the  
15 State law in there, and then subsequently talks about  
16 the Inability Committee, which is really related to  
17 the inability of a mayor to serve because of physical,  
18 mental --

19 MS. FAUSS: Health.

20 MS. SAVINO: -- or the -- are you  
21 suggesting we add a different category to that?

22 MS. FAUSS: Well, I think, you know, at  
23 the State level, there's an impeachment process. At  
24 the federal level, there's an impeachment process.  
25 There's been -- there are a lot of legal scholars on

1 this topic. I think that it could be an interesting  
2 topic to have some -- some people come in and -- and  
3 figure out how a New York City focused process could  
4 be adopted.

5 MS. SAVINO: But -- but then  
6 wouldn't -- wouldn't that executive, whoever it  
7 happens to be, this one, a future one, wouldn't they  
8 be subject to two different sets of standards? One by  
9 the State? 'Cause we -- we would have to change the  
10 State law as well, I would imagine, if we were going  
11 to create a different standard for removal in the City  
12 that was not related to physical inability  
13 and/or -- physical disabilities, whether or not the  
14 mayor is disabled and can no longer serve. 'Cause  
15 that's what the charter talks about. So if you're  
16 suggesting a different standard to be of due process  
17 for ethical transgressions --

18 MS. FAUSS: Not necessarily a different  
19 standard. I mean, I think the 30-day process in State  
20 law sets up a defense mechanism for -- for the mayor,  
21 for example. I -- I think that that could potentially  
22 be married at the City level. I just think it would  
23 be worthwhile for city voters to have a -- a view into  
24 that process, rather than have it be something  
25 controlled at the State level.

1 MS. SAVINO: One would argue that city  
2 voters already do have a view into that process. It's  
3 called Election Day. You don't like what you have,  
4 you get rid of them, and you get somebody else. But,  
5 I mean, I'm -- I'd be really interested between now  
6 and the next hearing on good government for you to  
7 flesh out that.

8 MS. FAUSS: Absolutely. Absolutely.

9 MS. SAVINO: Thank you.

10 CHAIRMAN BUERY: Thank you.

11 Commissioner Nieves.

12 DR. NIEVES: Hi. My question is for  
13 Mr. Rein. And thinking about the Citizens Budget  
14 Commission, you sat here earlier through some  
15 testimony, particularly about what are some of the  
16 transparent -- further transparency recommendations in  
17 the budgeting process. I was curious if you had any  
18 that you'd want to add to that. The closest you came  
19 to that is talking a bit more about the deposit  
20 withdrawal guidelines on the rainy day fund. But if  
21 there were any others, I'd love to hear that.

22 MR. REIN: It -- and if I could just  
23 first reiterate, that is part of what we're talking  
24 about in terms of the integrity of the executives'  
25 budget estimates. And as I said, right now, I don't

1 believe that the budget actually conforms to the  
2 charter. Because I don't think they're accurate and  
3 reasonable estimates that are in the budget as we  
4 speak, which is unfortunate. Of course, we have four  
5 borough-based jails, but there's no charter kind of  
6 violation jail, you know, in the capital program.

7           So the answer is to then provide that  
8 sunshine. So if the budget from year to year is going  
9 up or down on a revenue or expense by more than 10  
10 percent, that should be explained. And again, I'll  
11 just reiterate the example on CITYFEPS housing  
12 contracts: No one here, including myself, believes  
13 that the City's planning to kick half the people off  
14 their vouchers on July 1st, or all -- or all -- all of  
15 them off on -- on January 1st, next year. We all  
16 believe that those vouchers are going to be honored  
17 for the year, but the budget doesn't have the money  
18 yet. It's that kind of transparency.

19           To be -- if -- if spending is going up  
20 or down more than 10 percent, or if the spending  
21 estimates or revenue estimates vary from the City or  
22 State Controller by more than 20 percent, there should  
23 be an explanation there. That kind of sunshine would  
24 help bring integrity to the budget process that it  
25 doesn't have now. And I will just mention, I've been

1 watching this off and on for 30 years. It's never  
2 been like this.

3 DR. NIEVES: Thank you.

4 CHAIRMAN BUERY: Thank you.

5 MS. SAMUELS: Can I -- I just want --

6 CHAIRMAN BUERY: Last question. Yeah.

7 MS. SAMUELS: It's not even a question  
8 so much as a statement. And I want to thank you,  
9 Andrew, about how you related some of the budgeting  
10 problems to how it impacts housing directly. I think  
11 that's helpful for -- for me, speaking for myself,  
12 obviously. The testimony also relates -- obviously,  
13 talking about good government, and it's broader than  
14 housing, but how the proposals you operate forward  
15 relate to housing. I find that very helpful. So  
16 thank you.

17 MR. REIN: Thank you.

18 CHAIRMAN BUERY: Thank you so much.  
19 Thank you both so much for your testimony. I do  
20 appreciate it.

21 MS. REIN: Thank you very much.

22 CHAIRMAN BUERY: We have one final  
23 expert panel before we go to public testimony. That  
24 will be Susan Lerner of Common Cause, and then  
25 Weinberg with Citizens Union.



1 MR. WEINBERG: Yeah?

2 CHAIRMAN BUERY: Please continue.

3 MR. WEINBERG: Thank you.

4 CHAIRMAN BUERY: Thank you.

5 MR. WEINBERG: Good evening. My name  
6 is Ben Weinberg; I am the policy director at Citizens  
7 Union. First I want to thank the commission, the  
8 commissioners, for holding this hearing. I know you  
9 are a housing-focused commission. So we are grateful  
10 of you holding a government reform, not one hearing  
11 but two.

12 Today we published a report that lays  
13 out a series of recommendations and reforms we believe  
14 are needed to strengthen our democracy, our ethics  
15 laws, and our checks and balances in City government.  
16 In my remarks today, I'll -- I'll just focus on a few  
17 key proposals. But our report includes more than  
18 that. So I welcome any questions and comments on any  
19 proposal there.

20 So first on democracy and elections.  
21 The slide which I asked to put up the screen  
22 there -- thank you very much -- illustrates an  
23 alarming trend we have with voter turnout in City  
24 election. It's dropping. It's declining for decades.  
25 If you see the orange line, it basically drops with

1 every cycle. The orange line there is the mayoral  
2 turnout.

3 In the last mayoral election, less than  
4 one in four registered voters cast a ballot. That was  
5 a historic low. Now, we've done a lot to make voting  
6 easier in New York. But we haven't really been able  
7 to move the needle on voter turnout. So we have to  
8 reverse the trend, and we have two recommendations for  
9 that.

10 One is moving our City elections to  
11 even years. So our odd-year election calendar  
12 is -- it really suppresses voter turnouts, up and down  
13 the ballots. And that's clear from every  
14 start -- study, campaign, or experience of other  
15 cities. Turnout for mayor is not only very low, it's  
16 also our electorate is older, is wider, and it's  
17 wealthier than the city of the whole.

18 Now, the impact of moving the election  
19 year would be significant. And if you click the next  
20 slide, you'll see how other cities that have changed  
21 their election year, how -- how that impacted turnout  
22 over there. Now, the State Legislator already moved  
23 many local elections to even years, and there is an  
24 ongoing campaign to amend the State Constitution,  
25 which currently requires, unfortunately, that our City

1 elections will be an odd-year.

2           So our ask from the commission is first  
3 to support that effort to increase our voter turnout.  
4 And secondly, to consider what -- how the charter  
5 might be to be changed should the constitution change.  
6 The second point is about opening our primary system.  
7 So, you know, our closed partisan primary system  
8 currently excludes over a million unaffiliated voters  
9 from being able to participate in our elections or in  
10 our primary. And that number is -- keeps going up.

11           So you can click through the next  
12 slide, you'll see the number of unaffiliated voters is  
13 on the rise. We know from studies that these voters  
14 want to participate. They want to be part of -- of  
15 our primary system. Our proposal is we hold a  
16 two -- what's called a top-two primary system that's  
17 used in California and -- and other jurisdictions.  
18 And -- but there are other ways to go about it.

19           The other reform I'll mention here was  
20 I mentioned earlier about checks and balances. And  
21 that is, you know, a glaring omission in our charter,  
22 which is the -- which became apparent lately. And  
23 that is that we don't have a clear process for  
24 removing a mayor for exceptional circumstances related  
25 to its conduct. And removal does rest -- the power

1 rests with the governor, who wields absolute  
2 authority.

3 We do feel strongly that the charter  
4 should establish a -- a removal mechanism that would  
5 be practical, fair, and balanced. That's easier said  
6 than done. And we detail in our reports several  
7 challenges.

8 You know, impeachment was mentioned  
9 earlier. But impeachment is usually a two-step  
10 process. We have two chambers. But in New York City,  
11 we have only one legislative chamber.

12 There's also recall elections. But  
13 recall elections is -- kind of has a mixed history, I  
14 would say. And there are also risks of partisanship,  
15 obviously. We are working on a more detailed proposal  
16 and look forward to presenting it to this commission  
17 in the future. And I will just comment to  
18 Commissioner Savino that we are very supportive of  
19 changing State law to limit the power of the governor  
20 as well.

21 Finally, a note on ethics, our report  
22 lists several ways to strengthen our anti-corruption  
23 regulatory regime. One way is to strengthen the  
24 Conflicts of Interest Board. The COIB has a very  
25 critical role but faced budget stagnation and staff

1 cuts.

2                   There is a tension with the COIB  
3 budgets. The people who fund that agency are the  
4 people who are regulated by that agency. Other  
5 agencies in that same situation have received  
6 protected or independent budget, like the Campaign  
7 Finance Board or the public advocate or the CCRB, in  
8 another context. So we do recommend providing the  
9 COIB with independent budgets and significantly  
10 increased budgets. And if that is provided, to  
11 increase their powers to -- to several other areas  
12 which we detail in the report, including lobbying  
13 oversight.

14                   Again, I want to thank you for your  
15 work and your commitment and your public service. And  
16 I'm happy to answer any question.

17                   CHAIRMAN BUERY: Thank you.

18                   MS. LERNER: Thank you very much for  
19 the opportunity to speak with you. And I do not have  
20 written remarks at the moment. But I want to really  
21 divide what I have to say into sort of three different  
22 categories.

23                   Having to do with public participation,  
24 the first is the entire question of how we run our  
25 elections. And I would recommend that there should be

1 increased study for any possible changes to how we  
2 increase our elections. But that we really have  
3 successfully adopted ranked choice voting, and that we  
4 should have the benefit of two entire mayoral election  
5 cycles with ranked choice voting, a thorough  
6 analysis -- I believe it has been successfully  
7 adopted -- a thorough analysis of how voters have  
8 handled ranked choice voting, what has and has not  
9 worked with the extensive education program around  
10 ranked choice voting, before we really dive into yet  
11 another way to change how we vote in -- for our New  
12 York City elections.

13 But we are supportive of a discussion  
14 of when we vote, which I think does have, as Ben  
15 pointed out, a significant impact on turnout. And  
16 that, we believe, should engender two separate ideas.  
17 We join Citizen Union in our support for consolidating  
18 municipal elections to even years. But we also would  
19 recommend that we change the provisions having to do  
20 with special elections, not as far as City Council  
21 district elections are concerned, but as far as  
22 citywide elections are concerned. And it's our  
23 recommendation that there should be no citywide  
24 special election which takes place any closer than 60  
25 days before a State or City primary or general

1 election.

2 And that is, one, because it's very  
3 confusing to the voters. But also because of the cost  
4 and the tremendous administrative challenge of running  
5 two citywide elections back-to-back. Talked with  
6 people at the Board of Elections. We were talking,  
7 back of the envelope estimate, fifteen to twenty  
8 million dollars for a special election. And we know  
9 special elections are the least high turnout of any  
10 elections because they are confusing to voters. So we  
11 suggest that there be a revision to the charter which  
12 now talks about the date of the vacancy, rather than  
13 the date of the actual special election to be sure  
14 that we actually are not confusing the voters, not  
15 wasting money, and not creating an administrative  
16 nightmare.

17 And I'd like to talk about a way -- two  
18 ways in which to provide the voters with more  
19 responsibility for what's happening in our city. And  
20 the first is that I think we should be talking about a  
21 recall. Now, I lived through the California recall  
22 when I lived in Los Angeles, where you had 115 people  
23 who were running to replace Gray Davis. It was kind  
24 of a nightmare. But the truth of the matter is that a  
25 lot of people showed up, they voted, and the people

1 were the ones who decided whether the executive should  
2 stay in office or not.

3 So while we're struggling with, well,  
4 who should be able to recall and should it be the  
5 State, should it be the City, there is an obvious  
6 answer, which it should be the voters. And that  
7 should be a recall if there is a significant problem  
8 with a citywide elected. And the voter should have  
9 the ability to petition and put a recall on the  
10 ballot.

11 The other, I do not want this  
12 suggestion to be misinterpreted. I have great regard  
13 for this panel. But it is the third panel in a year  
14 to look at the charter. And there is a radically  
15 different way to approach charter revisions, and that  
16 is to have impaneled what is called a citizen  
17 assembly.

18 And I will provide some written  
19 background on citizen assemblies, but it is a way of  
20 convening a longer-term, in essence, study group made  
21 up of a large number of citizens who are chosen by lot  
22 but also to reflect the demographic and ethnic and  
23 economic background of the city. They are provided  
24 with expert background. And they hold a facilitated  
25 discussion.



1                   We would recommend that there be an  
2                   automatic citizen assembly every 20 years. I would  
3                   suggest that it be held on a year that ends in seven,  
4                   that it be impaneled with the resources to be able to  
5                   consider the entire charter for 12 to 18 months, with  
6                   the idea that any recommendations would be put on the  
7                   ballot in the year that ends in eight, for the general  
8                   election, and that there be a prohibition on any  
9                   proposed revisions to the charter for five years after  
10                  the citizens' suggested revisions have been before the  
11                  voters. So it was a radically different way to  
12                  approach it, but one that actually educates residents  
13                  and has much more direct democracy to it.

14                   So thank you.

15                   CHAIRMAN BUERY: Thank you.

16                   Any questions?

17                   MS. SAVINO: Yes.

18                   CHAIRMAN BUERY: Yes.

19                   MS. SAVINO: Obviously, we  
20                  both -- both -- I'm so happy to see both of you again.  
21                  And I'm sure we'll have more discussion in April on  
22                  some of the ideas you have around reforming the  
23                  removal process for an executive in the City. But I  
24                  want to hit on two issues that both of you talked  
25                  about.

1                   The issue of saying -- of moving  
2   elections to the even years, it's been attempted in  
3   other parts of the state. I think it was ruled to be  
4   unconstitutional because it requires an act of the  
5   legislature and then a constitutional amendment. But  
6   the concern that was raised in those localities was  
7   that in a city where people are already concerned  
8   about one party rule. And I happen to belong to that  
9   party, but not everybody does. And as we're seeing  
10   from the enrollment numbers, more and more people are  
11   disenrolling from the Democratic Party for a bunch of  
12   reasons which we won't go into tonight.

13                   But if you -- if you move it to  
14   even-year elections, those of us who have worked on  
15   elections, we know that you have a higher turnout of  
16   democrats in New York City. So the argument would be  
17   if -- if more and more people are walking away from a  
18   party but we're now rigging -- rigging the system so  
19   that it favors democrats, how do you argue against  
20   that? What's your -- what's your argument against  
21   doing just that?

22                   MR. WEINBERG: First I mention on that  
23   court case, it has been ruled unconstitutional by  
24   lower courts.

25                   MS. SAVINO: Right.

1                   MR. WEINBERG: But it's before the  
2 Court of Appeals. And it has yet to be heard by the  
3 Court of Appeals.

4                   I -- I would say two -- I respond two  
5 ways. First, the political context around -- around  
6 New York State is different than the political context  
7 in New York City. I'm -- I'm not sure that increasing  
8 or doubling or tripling voter turnout in New York City  
9 would have a huge impact on the identity of the  
10 winning party. There's been interesting studies on  
11 the political impact or partisan impact of this shift  
12 because it has been done in several -- actually, it's  
13 been done in over a hundred jurisdictions, I think,  
14 big cities.

15                  To summarize, the truth is that there  
16 hasn't been a big change in terms of who eventually  
17 wins those even-year elections after we move them to  
18 even years. The other thing I would say is that  
19 another argument is that no turnout elections actually  
20 are the ones that allow the kind of "special  
21 interests" to gain more power, right? So if we vote  
22 our -- vote for our mayor, our council, everyone in  
23 City government by 60 percent turnout, we just reflect  
24 the will of the voters.

25                  MS. SAVINO: Mm-hmm.

1 MR. WEINBERG: More voters.

2 MS. SAVINO: So following up on  
3 that --

4 MR. WEINBERG: Yeah.

5 MS. SAVINO: -- I mean, one of the  
6 other issues that came up at the previous Charter  
7 Revision hearing, we didn't take it up last time. But  
8 I -- it is an issue that has kind of risen to the top  
9 in a lot of localities, the issue of either open  
10 primaries and/or nonpartisan elections. I've never  
11 quite understood what an open primary is. Why not  
12 just move to nonpartisan elections, eliminate the  
13 primary process, save the -- if we're worried about  
14 saving the Board of Elections money, we just move to  
15 the general election where everybody could run. And  
16 why not do that? Why one over the other?

17 MR. WEINBERG: I can -- you want to get  
18 that?

19 MS. LERNER: You go, and then --

20 MR. WEINBERG: Well, I'll say -- I'll  
21 say first, you know, we debated internally  
22 whether -- most cities around the country have  
23 completely nonpartisan elections. You're not allowed  
24 to put the party affiliation on the ballot. We do  
25 feel that putting that party affiliation on the ballot

1 does give some indication to voters who that -- who  
2 that candidate is. We also think parties should be  
3 able to endorse or support specific candidates. So  
4 that is why we specifically did not support full  
5 nonpartisan election.

6 Now, to the question of whether a  
7 primary or not a primary, it's true that, you know,  
8 many jurisdictions with ranked choice voting, for  
9 example, have only one election. Could be general,  
10 could be some other time in the year, but one  
11 election. But there are other systems out there.  
12 Seattle, Washington, are about to do a similar talk  
13 too on ranked choice voting. So in that situation,  
14 ranked choice voting would just be the primary of  
15 ranked choice voting, would just kind of minimize the  
16 field for two -- two candidates. And they'll -- they  
17 will run in the general election. So I don't know if  
18 there's a correct answer here, to be honest.

19 MS. SAVINO: I don't think we -- any of  
20 us do. But I -- I definitely want to hear what you  
21 have to say, Susan. But I do have one more question,  
22 and I don't want to hold everybody up 'cause we have  
23 30 other people that want to talk to us tonight.

24 On the issue of recall, are you not at  
25 all concerned that in an era post Citizens United,

1 where extraordinarily wealthy people can influence the  
2 election, that someone could be behind a recall for  
3 any elected official? Mayor, senator, governor, it  
4 doesn't matter who it is. And -- and because we have  
5 seen that happen in other states. Are you not at all  
6 concerned about something like that happening?

7 MS. LERNER: So I think it's always a  
8 concern. That's why my organization is a strong  
9 proponent for correcting the mistake that is the  
10 Citizens United decision. But, you know, there are  
11 also issues regarding the removal process that, you  
12 know, has been problematic, and that does not reflect  
13 necessarily the will of the people. So again, I would  
14 favor more direct democracy rather than less.

15 And I -- I do want to say in terms of  
16 the open primary, we are not necessarily endorsing the  
17 top two. We are still looking at it. There are  
18 various ways to do this. And our study of  
19 unaffiliated voters surprised me with a number of  
20 unaffiliated voters who actually said, "I don't want  
21 to be part of a political party, but I understand why  
22 there are party primaries."

23 Because if you are a part of a party,  
24 you should be able to control what your party does.  
25 And that gives the party people an opportunity. So

1     there are forms of open primaries which do allow  
2     unaffiliated voters to participate that we talked  
3     about in the last Charter Revision Commission. Again,  
4     I think this is absolutely an important discussion,  
5     and it's one that I think should continue over time.

6                     MS. SAVINO: Thank you.

7                     CHAIRMAN BUERY: Any further questions  
8     from the panel?

9                     One thing I would ask, as you consider  
10    these is, I -- more information about the experience  
11    of recall elections in other places.

12                    MS. LERNER: Mm-hmm.

13                    CHAIRMAN BUERY: I -- I think  
14    the -- the flipside of that kind of direct recall, a  
15    lot of challenging, potentially chaotic political  
16    experiences at other places. And so trying to  
17    understand what those risks are, as opposed to, as we  
18    said, allowing the voters to recall every four years  
19    in their election. So we appreciate hearing more  
20    about the experience of other places when you come  
21    back.

22                    MS. LERNER: Yeah, and -- and  
23    it's -- you know, the question is what is the  
24    appropriate level to get a recall. It's not something  
25    that you want to be able to just snap your fingers and

1 get a recall. And I do want to say that we do endorse  
2 Reinvent Albany's call for a ethics commission. So  
3 thank you.

4 CHAIRMAN BUERY: Thank you. Thank you  
5 both so much.

6 MR. WEINBERG: Thank you very much.

7 CHAIRMAN BUERY: All right. So our  
8 first panel, I'm -- so for the panelists, the first  
9 panel is Eric Kober, Jennifer Geiling, and  
10 Bernard O'Brien. As you come, please keep your  
11 testimony to no more than three minutes each. I'm  
12 going to ask the commissioners, given the late hour,  
13 to try to keep the panel's questions to no more than  
14 two per group if we can. So I would encourage  
15 everyone to be thoughtful with time.

16 MS. GEILING: I can't see all of you  
17 and read at the same time.

18 Okay. Good evening. The BUMP Campaign  
19 would like to thank Charter Revision Commission  
20 Chair Buery and commission members. I kindly  
21 acknowledge my nonprofit colleagues on the commission.  
22 My name is Jennifer Geiling, and I've served in the  
23 human services government procurement and contracting  
24 sectors for more than 25 years, including serving with  
25 the Mayor's Office of Contract Services, and



1 establishing the Mayor's Nonprofit Resiliency  
2 Committee.

3 I am here representing a campaign to  
4 bring up minimum pay for human services. We are  
5 proposing a charter amendment that requires contracted  
6 human services to be funded at a true cost of living.  
7 In 2022, voters passed a charter amendment to  
8 establish an annually report on the citywide true cost  
9 of living measurement. The ballot explained that the  
10 measure focuses on dignity. Dignity is foundational  
11 to our proposal.

12 Fifteen percent of New York City  
13 private sector employees, approximately 600,000  
14 people, work in a human services related industry.  
15 It's a workforce funded and directed by City  
16 contracts, which the charter calls client services.  
17 While this workforce supports people living in  
18 poverty, nearly 90 percent of these workers are  
19 earning poverty inducing wages. A single adult New  
20 York City human services worker earns an annual wage  
21 of approximately \$40,000. This is significantly below  
22 the cost of living in New York City, with nearly 30  
23 percent of this workforce receiving SNAP benefits.

24 Based on Urban Institute's true cost of  
25 economic security measure and findings for New York

1 City, a salary of \$40,000 means that a single person  
2 household is under resourced by as much as \$63,000.  
3 Many words can describe this economic reality.  
4 "Undignified" is at the top of the list.

5 The charter's preamble sets collective  
6 values to guide the City's activities and uphold the  
7 rights of residents, including the rights to have  
8 resources to prosper economically and build wealth.  
9 The current level of contract funding is not only  
10 inadequate to pay a true cost of living but impossible  
11 to realize prosperity and wealth. Those impacted by  
12 this underfunding are identified in the charter as  
13 historically marginalized. The workforce identifies  
14 as 80 percent people of color, 87 percent female, and  
15 63 percent foreign born.

16 It is for these individuals that the  
17 charter demands we act intentionally. The time to act  
18 is now. With the introduction of a true cost of  
19 living measure, the City now has a standard on which  
20 to base human services wages to uphold the right to  
21 economic prosperity, dignify the work of 600,000  
22 people, and stop ongoing inequitable systemic harms

23 In charter Section 16 --

24 CHAIRMAN BUERY: Sorry, sorry to  
25 interrupt. We're at three minutes. Can -- can you

1 wrap up in that time?

2 MS. GEILING: I'm in my last paragraph.

3 CHAIRMAN BUERY: Okay.

4 MS. GEILING: Sorry, speaking slower  
5 than I did at home, sorry.

6 In charter Section 16, the mayor must  
7 report on social indicators and equity, including  
8 budgetary resources allocated to reduce poverty. The  
9 City's current under-resourcing is poverty inducing  
10 not poverty reducing. We respectfully submit that the  
11 charter should require client services to be funded at  
12 a true cost of living and such funding to be reported  
13 annually. Thank you.

14 CHAIRMAN BUERY: Thank you.

15 MR. KOBER: Thank you for the  
16 opportunity to speak today. My name is Eric Kober,  
17 and I retired in 2017 as Director of Housing Economic  
18 and Infrastructure Planning for the Department of City  
19 Planning. And I'm currently a senior fellow at the  
20 Manhattan Institute. But I'm speaking tonight as a  
21 private citizen.

22 So I want to address, as a land use  
23 veteran, issues of -- of land use reform. And I'm  
24 going to specifically speak to two issues. One is  
25 reducing the time and cost of going through the land

1 use process. And the second is addressing the issue  
2 that came up tonight, which is member deference.

3 The primary time and cost issue with  
4 the land use processing is environmental review,  
5 which -- which this commission really can't deal with.  
6 It really needs state legislation. But there are some  
7 useful changes that this commission could recommend.  
8 One -- one that I would recommend is to combine  
9 the -- the time for the Community Board, the Borough  
10 Board, the borough president into a single 60-day  
11 process.

12 The current -- or the 1989 charter  
13 assumes that the borough president and the Borough  
14 Board need to get the Community Board's  
15 recommendations in the mail. That's not really true.  
16 They talk all the time. And, you know, you can really  
17 shorten the process.

18 Other things this commission could do  
19 would be to look at some of the items that go through  
20 ULURP, like dispositions pursuant to zoning and minor  
21 changes in street grade to just take them out the  
22 process and create an administrative mechanism  
23 instead. On the member deference issue, charter  
24 change creates an opportunity to accomplish the  
25 referendum what we could probably never accomplish

1 through any other means. One possibility is to create  
2 at the Department of City Planning a zoning  
3 administrator position. The administrator would be  
4 charged with review and approval of minor waivers of  
5 zoning rules.

6 Building on the testimony at the last  
7 hearing of my former colleague Vishaan Chakrabarti  
8 [ph], I recommended that the charter change -- if this  
9 were to take place -- specify that one such change  
10 would be the approval of residential buildings on any  
11 lot zoned for residential use, up to six units, and up  
12 to a height of 35 feet. This is an inherently  
13 affordable form of housing which requires no public  
14 subsidy. And it would be similar to what some state  
15 legislatures have mandated, for example in Washington  
16 State and in Arizona most recently, but which are not  
17 going to get done in -- in the New York State  
18 Legislature realistically.

19 Thank you. And I'll answer any  
20 questions.

21 CHAIRMAN BUERY: Thank you so much.

22 MR. O'BRIEN: Thank you. My name is  
23 Bernard O'Brien, and I reside in Brooklyn. I'm going  
24 to piggyback a little bit off the general -- from the  
25 Citizens Union. I'll try to summarize.

1               Several years ago, your predecessors  
2 gave New York City voters the option of revising the  
3 City charter for the purpose of ushering in ranked  
4 choice voting. Voters overwhelmingly said yes. I  
5 respectfully request that the commission allow voters  
6 this coming November to take another step forward by  
7 ending the partisan enclosed nature of our city's  
8 primary elections.

9               Having a unified nonpartisan and open  
10 primary for each elected City office, which is the  
11 norm in a great many other cities, would yield a  
12 number of benefits. First, our closed system excludes  
13 participation by the roughly one million registered  
14 voters and taxpayers who wish to exercise their  
15 legitimate right not to align themselves with any  
16 particular political party. Open and nonpartisan  
17 primaries could also help remedy the fact that our  
18 existing system generally leads to November matchups  
19 which tend to be almost ridiculously noncompetitive,  
20 with many voters giving -- given little incentive to  
21 show at the polls or closely scrutinize candidate  
22 positions.

23               For example, each of the past three  
24 mayoral elections were decided by margins of over 35  
25 points. Looking at the nonmayoral elections in

1 2021 -- 2021 reveals additional evidence. The winning  
2 candidates in the public advocate and controller races  
3 each won by mega landslides of roughly 45 points. The  
4 five borough president races were similarly lopsided  
5 with margins of victory ranging from a 20-point  
6 republican victory on Staten Island to a mere -- more  
7 than 65-point victory in the Bronx.

8 Of the 51 council races at 2021, only  
9 three were decided by less than 10 points. Over half  
10 were decided by more than 50 percentage points. And  
11 in several others, there was no opponent in the -- in  
12 the general election. Is this really what robust  
13 democracy looks like?

14 Returning to the 2021 mayoral election,  
15 I'd like to very briefly speculate on what might have  
16 been different had we had open and partisan primaries  
17 at the time. I'm not here to second guess the  
18 ultimate outcome of that race but instead to point out  
19 that our existing system yielded a November election  
20 which was far less competitive than it could have  
21 been. You may recall that after the ranked choice  
22 votes were tallied in the primary, Eric Adams  
23 prevailed over Kathryn Garcia by a mere 7,000 votes,  
24 less than 1 percent of the -- of the votes cast.

25 Meanwhile, Curtis Sliwa, depending on

1 the much smaller number of republican voters, easily  
2 captured the republican nomination. It's noteworthy  
3 that Mr. Sliwa was able to secure a spot on the  
4 general election despite the fact that there were four  
5 democratic candidates other than Mr. Adams, who on  
6 primary day had received more first place votes than  
7 did Mr. Sliwa. Three of those four received more than  
8 at -- at least three times as many votes as did  
9 Mr. Sliwa.

10 So in contrast, imagine if all the  
11 mayoral candidates in June '21 had run in a unified  
12 primary open to all voters. The purpose of this  
13 primary would've been to determine the top candidates  
14 who would've moved on to a much more competitive race.  
15 I'll note that registered republicans could have still  
16 empowered -- been empowered to rank Mr. Sliwa first on  
17 the primary day and rank others, presumably  
18 conservative candidates as well.

19 In closing, Mayor Fiorello La Guardia  
20 once quipped that in delivering municipal services,  
21 there's no republican or democratic way to pick up the  
22 garbage. So why do we think that all -- that partisan  
23 political primaries which exclude one million of our  
24 fellow New Yorkers are the best way to select  
25 candidates best suited to compete in well-contested



1 general elections?

2 CHAIRMAN BUERY: Thank you so much.

3 MR. O'BRIEN: Having nonpartisan  
4 primaries would arguably service much better. Please  
5 allow voters this coming November to render their  
6 verdict on this much needed reform. Thank you.

7 CHAIRMAN BUERY: Thank you so much.

8 Any questions for the panelists?

9 Anita? Mm-hmm.

10 MS. LAREMONT: Thank you all for your  
11 testimony.

12 I have a question for you, Eric.  
13 You -- you mentioned one item when you talked about  
14 collapsing the time of the CB Borough Board and the  
15 borough president. But I'm fairly confident that you  
16 have many additional ideas that you might be able to  
17 share with us. You know, you talked about  
18 environmental review being a thing that takes a long  
19 time. I've heard ideas about ways in which we could  
20 exempt certain types of projects that might be, you  
21 know, below a threshold that might make some sense.

22 But in addition, I wonder if you have  
23 any thoughts about the beginning of the process, which  
24 you know is really a place where things can drag on  
25 for years before anything gets into ULURP. And

1 I -- well, if you have anything to say right now that  
2 would be helpful, I would love it if you could share  
3 some suggestions with us about things that we could  
4 think about in that regard.

5 MR. KOBER: Sure. I -- you know, one  
6 of the suggestions that I've heard, you know, which  
7 I -- I'm kind of uncomfortable with this idea of  
8 having a clock for the pre-ULURP period. And my  
9 concern is that if we had a clock for the pre-ULURP  
10 period, a new period would emerge, which is the  
11 pre-pre-ULURP period, in which all of the  
12 inefficiencies would be sort of pushed earlier.  
13 And -- and so, you know, you're sort of chasing your  
14 own tail.

15 And so, you know, this is in part a  
16 staffing issue. This is in part an issue of actually  
17 trying to reduce the complexity of zoning so that  
18 people don't have to go into ULURP. But it's sort of  
19 very hard to do it through -- you know, as far as I  
20 can tell, through -- through the charter.

21 CHAIRMAN BUERY: Thank you so much.

22 MS. LAREMONT: Thank you all.

23 MS. GREENBERGER: Oh, Shams has a  
24 question. He has a question.

25 CHAIRMAN BUERY: Oh, well,

1 Commissioner Weisbrod is up first.

2 MR. WEISBROD: Yeah, in addition to  
3 what Anita Laremont asked for, Eric, could -- when you  
4 submit further thoughts, could you take -- give us  
5 your thoughts about comprehensive planning and the  
6 question that I asked Mr. Rein earlier about providing  
7 City Planning with a stronger role in the capital  
8 budget process or an equal role in the capital budget  
9 process as a means of addressing the issue of  
10 infrastructure fairly throughout the City?

11 MR. KOBER: Yeah, I have to think about  
12 that. But I'll -- I'll communicate with -- with  
13 the -- the staff.

14 MR. WEISBROD: Thank you.

15 CHAIRMAN BUERY: Thank you.

16 And last question for  
17 Commissioner DaBaron.

18 MR. DABARON: I -- I was -- referring  
19 to your -- the 60-day process -- and I'm definitely  
20 all for streamlining the ULURPs -- the question I have  
21 for you is, is that enough time? And how would that  
22 work to still involve community input beyond just the  
23 board and stuff like that within that process?  
24 How -- how does that work?

25 MR. KOBER: Well, the Community Board

1 now in ULURP has 60 days. So for the Community Board,  
2 it would be the same. The question is whether the  
3 Borough Board needs to be later, and the borough  
4 president needs to consider the application only upon  
5 receiving the communication from the Community Board.  
6 And it seems to me that in the age of electronic  
7 communication, everybody knows what everybody else is  
8 thinking, and that's not really necessary. And you  
9 could shave 30 days off the process by combining  
10 everybody in a single 60-day period.

11 MR. DABARON: Thank you.

12 CHAIRMAN BUERY: Thank you all so much.

13 MR. KOBER: Thank you.

14 MS. GREENBERGER: Thank you.

15 CHAIRMAN BUERY: The next panel will be  
16 Alicia Boyd, Richard Ronner, and Kimberly Cruz.  
17 Alicia Boyd, Richard Ronner, and Kimberly Cruz. And  
18 while they're coming up, I'm going to alert the next  
19 panel so that they are ready to come up quickly. That  
20 will be Joshua Cajas -- please forgive me for  
21 mispronunciation -- Cormac Slade Byrd, and  
22 Shane Moynihan, you will be next.

23 Thank you. Please continue.

24 MS. BOYD: I can start?

25 CHAIRMAN BUERY: Yes, please.

1 MS. BOYD: My name is Alicia Boyd, and  
2 I'm a political activist. I was in front of you in  
3 Brooklyn. And there was a question that one of the  
4 commissioners had asked, and I was reflective about  
5 it. So I wanted to kind of address it.

6 And the issue was, well, how is it that  
7 we stop development from occurring in communities that  
8 become very desirable? I think it was you that asked  
9 that question. And what we are seeing and what we  
10 have experienced is that it's speculation and money  
11 that drives that conversation. It's not that, all of  
12 a sudden, somebody decides that they want to live in  
13 my neighborhood. It's that the prospect of  
14 development in my neighborhood is what then drives it.

15 For example, a rezoning was being  
16 planned for my community. All of a sudden, all the  
17 land started being brought up. Within one year, we  
18 had spots all over the community being brought up  
19 because the anticipation that the zoning was going to  
20 happen.

21 Now, we've already tried the City  
22 Planning position of doing community planning. That  
23 was done under the Bloomberg administration. There  
24 were 15 community boards that were supposed to be  
25 doing these community planning, and we did community

1 planning in those districts.

2 But the final result was that the  
3 community's suggestions were never incorporated into  
4 the final rezoning plan. It was really driven by the  
5 real estate industry, which was the invisible elephant  
6 in the room at every step of the way. We got no  
7 infrastructure support at all, even though the law  
8 required it to happen. And we did file a lawsuit, and  
9 we were supported in the lower court for that.

10 So communities all over New York City  
11 said, "Well, we're not going to engage in" -- "in  
12 community planning." Because we realized that -- and  
13 no one's speaking about this issue -- is that there's  
14 a huge financial interest in communities of color  
15 because the land is cheap. You buy the land, you're  
16 speculating, you develop it, you get luxury housing,  
17 and now the developers make money.

18 How do you deter that? Well, you don't  
19 speculate. You don't rezone those neighborhoods,  
20 right? You don't incentivize developers to go into a  
21 neighborhood and rezone it by not rezoning it.

22 Of course, nobody wants to hear that,  
23 right? We already want to hear development,  
24 development, development, even though we've seen that  
25 development actually does not produce housing that's

1 affordable to the residents. And in particular in  
2 communities of color, it just displaces the existing  
3 population. And thus, we have this huge displacement  
4 issue. I don't see anyone talking about that issue,  
5 and so I think that they should.

6 And just one more thing, the ULURP  
7 process, when it begins, an application has a 99.9  
8 percent chance of passing. So it's not the URLURP  
9 process. Because once an application is certified,  
10 they have a tremendous amount of -- there's only been  
11 two applications that have been rejected within the  
12 last ten years by the Department of City Planning.  
13 And one was in my community because of the shadows on  
14 the Brooklyn Botanic Gardens, and we filed a lawsuit  
15 for it. But that's it. So everything else gets  
16 passed.

17 So while we're focusing on shortening,  
18 you know, that little month so that the community  
19 doesn't really have anything to say or you don't  
20 really have to listen to the community, that's not  
21 where the power is. The power is before the  
22 application is certified.

23 CHAIRMAN BUERY: Thank you very much.

24 MS. BOYD: Thank you.

25 MS. GREENBERGER: Thank you.

1 MR. RONNER: Okay. Hello. I'm  
2 Richard Ronner. I live in Astoria.

3 This is about open primaries. Every  
4 day we hear dire reports that our democracy is under  
5 threat. And I believe it is. At the same time, many  
6 problems and crises we're all concerned about also  
7 seem increasingly dire and existential: climate  
8 change, pandemics, or exploding inequality,  
9 homelessness, just to name a few.

10 And I'm a believer in democracy. And I  
11 believe if we're going to have any hope of progressing  
12 on these issues in ways that take into account the  
13 interests of all of us, we're going to need more  
14 democracy. Here in New York City we have a closed  
15 primary system that excludes -- I came up with 1.2  
16 million voters -- those not registered in either major  
17 party from voting in the often decisive first round.  
18 That's about 23 percent of city's -- of the city's  
19 voters.

20 And if you consider an election like  
21 this year's mayoral race, when it's, you know, pretty  
22 certain the winner of the democratic primary will be  
23 our next mayor, you could even count among those  
24 excluded half a million republicans. Now it's 34  
25 percent of city's voters excluded from weighing in on



1 a very critical race and very critical races in  
2 elections that we all pay for with our tax dollars.  
3 That's not right. And this could all be remedied with  
4 open nonpartisan primaries.

5 Now, you could ask, "Why does a  
6 responsible citizen choose to register independent?"  
7 It's a good question. More people should ask it.

8 I choose to register independent  
9 because I don't feel represented by either major  
10 party, and I don't like to misrepresent myself. I've  
11 been registered independent for about 45 of my 75  
12 years. But I still want to be able to vote in  
13 important elections.

14 With roughly half the national  
15 electorate now registered independent, and it's even  
16 higher percentage amongst younger and newer voters,  
17 this is definitely something we need to address. So I  
18 thank the commission for the opportunity to speak.  
19 And I urge you to consider democracy, fairness, and  
20 inclusion, and put this question on the ballot for  
21 open nonpartisan primaries that would let all voters  
22 vote at every stage of the process. Thank you.

23 CHAIRMAN BUERY: Thank you.

24 MS. CRUZ: Hello. My name is  
25 Kimberly Cruz. And I'm from Flushing, Queens, New

1 York.

2                   So historically -- and I'm so grateful  
3 to be in an intergenerational conversation. We can  
4 see the line of history just sitting here. So if  
5 anyone can really take a picture in 2025 of what it  
6 means to have identity and representation and what  
7 Thomas Jefferson wrote -- which the City Council  
8 removed his statue -- and it shows the -- the unity is  
9 not the factor that's leading our representation if  
10 they're removing the person who wrote our Declaration  
11 of Independence that is our fight, life, liberty, and  
12 the pursuit of happiness.

13                   So when we're talking about these  
14 things, we put education in the center. So I came  
15 here grateful for the leaders that have come before  
16 me, the civic leaders, the ones that are here sitting  
17 after how many experts who have a lot of face time  
18 with our government all the time, have money after  
19 Citizens United all the time. And I am 26 years old.  
20 I just turned 26 on George Washington's birthday  
21 yesterday, on Saturday. And I'm just here. I can't  
22 believe we're removing these books.

23                   I can't believe Adam Winkler, Professor  
24 in -- law professor talking about corporate rights and  
25 what Citizens United did in a very layman's term way

1 is not in everyone's bookshelf. I don't know why The  
2 Premonition of Michael Lewis is not there when he's  
3 talking about the evaluation of the Trump  
4 administration, and everyone else who knew about  
5 pandemics.

6 I went to Yale University. I went to  
7 Bronx Science. I am grateful for Flushing, Queens. I  
8 am grateful for the library. But I am seeing us  
9 deteriorate the things that made our New York City  
10 spirit strong.

11 This charter is valuable. This charter  
12 comes from 1624, the Dutch, who came here and touched  
13 on the indigenous people who were protecting this land  
14 for thousands of years. We don't know Pangea, when it  
15 started, when it ended. But history is important.

16 Our human species is important, and we  
17 are all the same species. And we have animals of all  
18 the other different species that we're trying to  
19 protect, and we can't communicate about education. It  
20 is baffling.

21 Old thought leaders that do not know  
22 that progress is in front of them, old thought leaders  
23 that in Staten Island there's showing that the House  
24 Speaker states, "Do not let one voter be miscounted."  
25 Every vote counts. And last year, in 2024, New York

1 Congressional 6th District of New York, the 6th  
2 Congressional District of New York, that the HUD  
3 reports as the most diverse district of this whole  
4 nation of the United States America, that's called  
5 NY6. If you don't know it, search it up. It is my  
6 home.

7 But it is not okay that it was diluted.  
8 And New York knows about it, but they do not tell the  
9 people of New York. Our New York City spirit is  
10 dying.

11 The Big Apple that never forgot 9/11, I  
12 grew up with that. I saw New Hope when I was 9 years  
13 old. But we are forgetting if you're allowing the  
14 federal government to defund 9/11 victims. You are  
15 forgetting that the 7 train line that connects all  
16 international communities that speak 800 spoken  
17 languages and dialects from the north of Queens to  
18 south of Queens to the east of Queens and the west.

19 And I know my time is up. But we do  
20 not have the time to silence us. I walked miles. And  
21 I've never seen any of our leaders talk about the  
22 things that I've spoken about.

23 And I genuinely -- I know this is too  
24 much. But hindsight is 2020. We are the tree and key  
25 to democracy.

1                   And I am baffled. I know I'm an  
2 American patriot. I'm a purple patriot. I -- I don't  
3 know what else we're going to change.

4                   CHAIRMAN BUERY: Thank you. I'm sorry,  
5 we'll have to --

6                   MS. CRUZ: I know. But it is --

7                   CHAIRMAN BUERY: Thank you so much.  
8 Thank you so much.

9                   MS. CRUZ: Thank you. Purple patriot  
10 here. Thank you.

11                  CHAIRMAN BUERY: Any questions for the  
12 panel?

13                  MS. GREENBERGER: Thank you.

14                  CHAIRMAN BUERY: Thank you so much for  
15 your testimony.

16                  MS. GREENBERGER: Thank you.

17                  CHAIRMAN BUERY: Next up are  
18 Joshua Cajas, Cormac Slade Byrd, and Shane Moynihan.  
19 And just to alert, the next panel will be  
20 Alex Protopapas, Edward Brady, and Harsha Hanumaiah.

21                  One thing I want to ask for people in  
22 the audience are ASL -- ASL translators. They're  
23 scheduled to be here till 8 p.m. Will anybody here  
24 need -- need ASL interpretation? 'Cause otherwise,  
25 we'll let them go at eight.

1                   They're willing to stay later if we  
2 need them. But does anyone need interpretation after  
3 eight o'clock?

4                   No. Thank you so much. Please  
5 continue.

6                   MR. CAJAS: Yep. Good evening,  
7 everyone. My name is Joshua Cajas; I'm a lifelong New  
8 Yorker and recent graduate of the Government and  
9 Politics Program, masters program at St. John's  
10 University.

11                   I come here before you this evening to  
12 voice my support for open primaries here in New York  
13 City. Though I've been a registered -- both a  
14 registered republican and democrat over the years, I  
15 am not strictly a partisan individual, as I have found  
16 issues, platforms, and candidates on both sides that I  
17 believe in, contribute to, and inevitably vote for.  
18 This interest in politics is why I went to school and  
19 learned about our government to more fully understand  
20 the issues and what we as citizens can do to fix them  
21 and make the government better positioned to work for  
22 us. It is why I was compelled to come here this  
23 evening to support the addition of a ballot proposal  
24 for open -- open primaries here in New York City, and  
25 argue that our current closed primary system

1 negatively impacts more than a million voters across  
2 our city, including me, who do not find ourselves  
3 wholly aligned with either party, and takes away our  
4 right to voice our opinions without registering as a  
5 democrat or republican.

6 As a democracy, our government should  
7 fully support and bolster its constituents' rights to  
8 vote for their elected representatives and create a  
9 government more aligned with its people, not just  
10 those allowed to vote in a closed primary. A closed  
11 primary limits the participation in elections solely  
12 to party members and -- and suppresses the voting  
13 rights of roughly 24 percent of New Yorkers who  
14 identify as independents. This condensed electorate  
15 is further limited by the facts that less than 10  
16 percent of New Yorkers participate in primary  
17 elections, and roughly only 5 percent of party  
18 registrants participate in the -- in their party's  
19 primary elections.

20 While these primary voters are the most  
21 politically active, the Brookings Institute has found  
22 that they skew more partisan and polarized than the  
23 greater electorate. To make matters worse, primary  
24 candidates realize this and configure their platform  
25 to be more partisan or ideologically extreme to deter

1 primary challengers. In our current age, it is  
2 prudent for us to lower the tension in our political  
3 climate and ensure our candidates, electorate, and  
4 parties are best positioned to work together towards  
5 common ground solutions and not the polarized  
6 positions of the few that our current system allows to  
7 proliferate.

8 In closing, open primaries can greatly  
9 benefit our society by allowing for an ideological  
10 variety of more registered voters to participate in  
11 the selection of candidates who go on to general  
12 elections and ultimately their elected offices. Doing  
13 so would make candidates and party platforms more  
14 representative of the positions and issues the  
15 electorate is supportive of and concerned about. Our  
16 government is built upon a strong symbiotic  
17 relationship between voters and elected officials.  
18 But by using closed primaries, New York City has  
19 abused this relationship by artificially constraining  
20 those who can have their voices heard.

21 These five boroughs are a melting pot  
22 of the world. Let us instill open primaries and give  
23 us voters a chance to exercise our rights, regardless  
24 of party affiliations; lower the political temperature  
25 in our society; and select nominees truly



1 representative of their electorate. Thank you.

2 CHAIRMAN BUERY: Thank you.

3 MR. BYRD: My name is  
4 Cormac Slade Byrd. I'm here today to speak on  
5 reforming ULURP, specifically the very first step,  
6 certification by the Department of City Planning.  
7 There are many good ideas for shortening ULURP that I  
8 support, such as combining the Community Board and  
9 borough president review into one step.

10 However, the single longest step is DCP  
11 certification. So improving it is crucial. The  
12 combined maximum timeline of all steps after DCP  
13 certification is 205 days, while certification by DCP  
14 is in a hundred-day limit. Even if they hit that  
15 limit, the application then has to file and appeal the  
16 City Planning Commission. The appeal can take 60 days  
17 before the applicant is given either certification or  
18 receive in writing of what further information is  
19 necessary. After eight months, a full month and a  
20 half longer than the entire rest of the process, the  
21 applicant could get handed a list of further  
22 requirements they must submit.

23 For some applicants, this portion of  
24 ULURP takes years. In every other step of the  
25 procedure, if the relevant authority fails to take

1 action, it can get referred to the next level of  
2 review. An applicant could in theory reach the  
3 council, the City Council, if all previous levels fail  
4 to act within their time limits. There's no such  
5 timer on the DCP certification step.

6 We are in a housing emergency. Year  
7 after year, rents keep going up. Year after year, we  
8 fail to make any changes.

9 The City Council has been declaring a  
10 public emergency for decades. Emergencies require  
11 action to fix. Certification by DCP need not be an  
12 endless time suck.

13 Casting doubts on project timelines, I  
14 have written up a proposed amendment to section 197-C  
15 of the charter to change the DCP certification process  
16 for applications that meet two requirements: One,  
17 that we are in housing public emergency as defined in  
18 Sections 26-501 through 26-520 of the New York City  
19 Administrative Code; and two, that the application  
20 increases residential development. For qualifying  
21 applications, DCP would have 90 days to either certify  
22 or state what further information is necessary. If  
23 they fail to do this within 90 days, the application  
24 would be considered certified and automatically  
25 proceed to the next section of the review, similar to

1     how Subsection J of Section 197-C functions for all  
2     other ULURP steps.

3                 This deadline driven approach is not  
4     without precedent. In California, the  
5     Housing -- Housing Accountability Act's Builder's  
6     Remedy has long allowed developers to bypass local  
7     zoning restrictions when a city lacks a  
8     certified -- certified housing element, forcing local  
9     agencies to act in a timely manner. Similarly, New  
10    Jersey has a judicial interpretation that empowers  
11    developers to move forward when local governments fail  
12    to meet their obligations. These examples demonstrate  
13    that when deadlines are enforced, it can prevent  
14    protracted delays and boost housing production,  
15    exactly the goal we need during a housing emergency.  
16    By adopting this 90-day rule, we not only reduce  
17    unnecessary administrative delays but also create a  
18    clear accountable framework that aligns New York City  
19    with other jurisdictions that have successfully  
20    expedited approvals.

21                Thank you, Chair Buery, and the Charter  
22    Revision Commission.

23                CHAIRMAN BUERY: Thank you so much.

24                MR. MOYNIHAN: Hello. I'm  
25    Shane Moynihan from Jamaica, Queens. Pardon me if

1 this is disjointed. I didn't have any written  
2 statements coming in today. But I have some things  
3 scribbled down here.

4 But you -- you have heard many -- I'm  
5 here to speak about open primaries, nonpartisan  
6 primaries. You've heard a lot of testimony here with  
7 statistics of who's being left out, who doesn't have a  
8 voice. I think I -- I don't want to go into all that  
9 because you've heard it.

10 I think, number one, when we ask a  
11 citizen to participate in democracy, which I think is  
12 what we're -- we all want, right? What -- whether  
13 we're asking them or whether we just want them to do  
14 that, we shouldn't ask them to lie. We shouldn't ask  
15 them to lie about their identity, about what group  
16 that they're aligning with. That's wrong.

17 I've been willing to -- I've been  
18 willing to stay registered democrat for the last two  
19 years, out of convenience. I used to switch back and  
20 forth between independent and democrat. But nobody  
21 should have to make that choice. Nobody should have  
22 to have this added inconvenience and obstacle to  
23 participating in their cities democracy and deciding  
24 how the City is run.

25 I think the one party rule that we're

1 obviously not immune to here in New York is adding  
2 tension. The betting market -- betting markets have,  
3 as of a month ago, 90 percent chance that the mayor is  
4 going to be the democratic nominee. What incentive do  
5 I have as a republican, independent, green,  
6 libertarian -- although those -- some of those have  
7 already been kicked out of the state. What incentive  
8 do I have to be -- to participate, to collaborate with  
9 my fellow citizens, with my neighbor, with the  
10 democrat? I don't. I mean, there -- there is  
11 incentive, but many -- we're seeing many people  
12 don't -- don't feel that.

13 February 14th is the deadline where you  
14 have to change parties. If you don't do it by  
15 February 14th, you have no say in who the mayor is.  
16 That's way too late. But there shouldn't be such a  
17 restriction in the first place.

18 Running out of time here. I want to  
19 say that New York -- New York City is a pioneer for  
20 this country. We should lead by example. And while I  
21 don't -- I don't think this should be a partisan  
22 decision, I do want to speak really quickly about the  
23 hesitation some people might have: "Oh, this is going  
24 to give republicans more power."

25 Well, I think as New York City, as New

1     Yorkers, we should lead by example and give everybody  
2     a voice in our democracy. And may that be the path  
3     that we all carry forward. Because we're stuck with  
4     each other in this country, democrats, republicans,  
5     whether we like it or not. So let's work together.

6                     CHAIRMAN BUERY: Thank you so much --

7                     MS. GREENBERGER: Thank you.

8                     CHAIRMAN BUERY: -- to all of you for  
9     your testimony.

10                    Any questions for the panel? No?

11                    Thank you so much.

12                    Go Red Storm.

13                    MR. MOYNIHAN: Thank you.

14                    CHAIRMAN BUERY: All right. The next  
15     panel is Alex Protopapas -- and please forgive me if I  
16     mispronounce your name -- Edward Brady, and  
17     Harsha Hanumaiah. I'm going to have the three of you  
18     come up.

19                    The next panel for in-person testimony  
20     will be Scott Kaplan [ph] and Alex Hackworth.

21                    MS. GREENBERGER: No, your mic is  
22     not --

23                    CHAIRMAN BUERY: Hello? Could --

24                    MS. GREENBERGER: Yeah. Alex.

25                    MS. SAVINO: Yeah.

1 CHAIRMAN BUERY: Oh, I'm sorry. So  
2 Alex Protopapas, Edward Brady, and Harsha Hanumaiah,  
3 please come up. The next and final in-person panel  
4 will be Scott Kaplan [ph] and Alex Hackworth. After  
5 that, we'll go to Zoom testimony.

6 Please begin.

7 MR. BRADY: Mr. Chairman, fellow  
8 commissioners, good evening.

9 CHAIRMAN BUERY: What is your name?  
10 I'm sorry.

11 MR. BRADY: Oh, I'm sorry. My name is  
12 Ed Brady.

13 CHAIRMAN BUERY: Thank you.

14 MR. BRADY: I reside at 30 East 95th  
15 Street in Manhattan. I've been there since '98. I  
16 grew up in the South Bronx.

17 I'm independent. I have been  
18 independent since 1998. I have gotten -- I go  
19 to -- or I've gotten signatures on petitions from  
20 Augusta to Phoenix getting referendum on the ballot to  
21 open up the political process and also to put  
22 independent people on the ballot.

23 I've heard special interests mentioned  
24 a number of times. And I'm going to say this, and it  
25 is not being disrespectful: The biggest special

1 interest groups in this country are not named Koch or  
2 Soros. It's not the pharmaceuticals or oil and gas.  
3 And since we're here in New York City, it's not even  
4 REBNY, the Real Estate Board of New York. The two  
5 biggest special interest groups in our country are the  
6 Democratic Party and the Republican Party. And these  
7 two entities have encased themselves, and they've put  
8 themselves between the people and the government.

9 And what these two entities care about,  
10 their reason for existence, is to garner position and  
11 power. And sadly, what they do not care about are the  
12 people who voted them into their positions.

13 Now, this doesn't have a damn thing to  
14 do with left, right, liberal, conservative. I have  
15 worked with people who wear Che Guevara T-shirts  
16 and/or are members of the Christian Coalition. Now, I  
17 can sit here and spout things that people from other  
18 organizations have stated, initiative and referendum,  
19 initiative of referendum and recall, when I was taught  
20 back in the -- in the late '60s; term limits, which we  
21 do have to some basis here; ease of ballot access.  
22 But to me, the most vital aspect is nonpartisan  
23 elections.

24 You know, Mr. Chairman, I'm a veteran.  
25 I don't say that to be boastful. I'm not looking for



1 kudos. But you mean to tell me that I can't take part  
2 in the first round of elections simply because I  
3 choose not to have a D or an R after my name, or C for  
4 conservative, G for green, whatever that may be?

5 All citizens vote in all elections. We  
6 don't need a longitudinal study about this. We don't  
7 need to have dozens of political scientists with PhDs.  
8 Straightforward, all citizens vote in all elections.

9 And, you know, Senator, I'm going to  
10 take -- I'm going to say you -- you said  
11 something: "If you want to change something, you  
12 know, you go to the ballot box, and you change it."  
13 Well, with all due respect, ma'am, I can't do that  
14 simply because I choose not to have a designation  
15 after my name. So how are we going to allow everybody  
16 to take part in the process? It's a simple matter.  
17 This isn't brain surgery.

18 Thank you very much for your time.

19 CHAIRMAN BUERY: Thank you so much.

20 MR. HANUMAIAH: Okay. Hello. My name  
21 is Harsha Hanumaiah. And I just -- I just want to say  
22 that open primaries would make elections more  
23 competitive.

24 Too often, races are effectively  
25 decided in democratic primaries, shutting out voices

1 from across the political spectrum. By opening the  
2 process, we can ensure that general elections feature  
3 candidates who appeal to a broader range of voters,  
4 leading to more balanced representation and real  
5 solutions to the everyday problems facing New Yorkers.

6 MS. GREENBERGER: Thank you.

7 CHAIRMAN BUERY: Thank you so much.

8 Any questions for the panel? No.

9 Thank you for your service, sir, as  
10 well. Appreciate you.

11 MR. BRADY: Oh, thank you, sir.

12 CHAIRMAN BUERY: Next and final  
13 in-person panel are Scott Kaplan [ph] and  
14 Alex Hackworth.

15 Hi. How are you?

16 MR. HACKWORTH: Hey. Hi. Just me.

17 My name's Alex Hackworth. I live in  
18 Southside Williamsburg. I can appreciate that it's  
19 getting late, so I'll -- I'll keep this a little  
20 brief.

21 But I -- I'm the New York City regional  
22 organizing director for Unite New York; we're a  
23 nonpartisan non-profit focused on advancing structural  
24 reform here in New York State. I'm here to urge you  
25 to support open primaries. I believe that democracy

1 thrives when more voices are heard and not fewer.  
2 Right now, New York's closed primary system excludes  
3 over a million voters, silencing independents, young  
4 people, and working class communities who don't fit  
5 neatly into a two-party system structure.

6 In a city where elections are often  
7 decided in primaries, shutting out these voices  
8 weakens our democracy and leads to leadership  
9 insulated by party insiders not accountable to a  
10 broader public. Open primaries would change that.  
11 They would increase voter participation, foster  
12 genuine political competition, and ensure that  
13 candidates must appeal to a broad coalition, not just  
14 the voice of the most vocal activists.

15 This reform would give power back to  
16 the people, ensuring that our leaders represent all  
17 New Yorkers, not just the select few who can  
18 participate under the current system. The stakes, I  
19 believe, are high, as they often are in our city.  
20 Every day, New Yorkers face real  
21 challenges: affordable housing, public safety, and  
22 weakened economic opportunity for our city's most  
23 vulnerable.

24 The leaders who make these decisions  
25 should be chosen by all of us and not just a fraction

1 of this electorate. Open primaries would produce  
2 candidates who must build broad-based support, leading  
3 to balanced pragmatic solutions that work for all of  
4 New Yorkers. This is not a partisan issue in my  
5 opinion; it's an issue of fairness, representation,  
6 and not just the city that we -- that -- not just the  
7 city but also the democracy that we would like to  
8 raise our families in.

9 That's why I urge you to put open  
10 primaries on the ballot and let the voters decide.  
11 New Yorkers deserve a system that will work for all of  
12 us, not just the political establishment. So let's  
13 open the doors of democracy and give every voter a  
14 voice. Thank you.

15 CHAIRMAN BUERY: Thank you so much.  
16 Appreciate it.

17 MR. HACKWORTH: Good?

18 CHAIRMAN BUERY: Any questions?

19 MS. GREENBERGER: Thank you.

20 CHAIRMAN BUERY: No. Thank you so  
21 much.

22 MR. HACKWORTH: Cool. Thank you.

23 CHAIRMAN BUERY: All right. We're  
24 going to move to Zoom. The first Zoom panelist is  
25 Hope Cohen. Hope will be followed by Jonathan Bloom

1 and then Laurie Bliss [ph]. But first Hope Cohen.

2 And again, we'll hear from you.

3 MS. COHEN: Okay. I have unmuted.

4 Hi. As you heard, my name is

5 Hope Cohen. Thank you for the time, members of the  
6 commission.

7 I'm here to offer some ideas about  
8 making the New York City Environmental Review process  
9 known as CEQR more efficient, less expensive, and more  
10 useful. In 2007, I pushed these ideas in rethinking  
11 Environmental Review. I had done a link to which I  
12 can provide -- request.

13 Charter Section 192E assigned to the  
14 City Planning Commission responsibility for  
15 making -- regarding environmental reviews. You, the  
16 Charter Revision Commission, may choose to leave all  
17 as is, to assign the responsibility to a different  
18 entity, or through amendment to the charter to impose  
19 guidance that supersedes CPC's order. Over the  
20 decades, environmental reviews have become big  
21 business for lawyers and specialized professionals.  
22 All too often, environmental impact savings and even  
23 less detailed environmental assessments range well  
24 beyond analysis of impacts on the natural environment,  
25 infrastructure, or municipal services. They are

1 protection against litigation rather than true  
2 planning documents.

3 We should be using this tool to focus  
4 on projects that will require additional  
5 infrastructure and/or services. Currently, the  
6 requirements for environmental review encompass too  
7 many projects and many topics. As the rules stand,  
8 virtually any development -- call for government  
9 funding for some kind of special people must go  
10 through this process.

11 We can filter out many of the -- many  
12 of those as clearly not having any negative impact.  
13 That is, by declaring them to be something  
14 called -- actions. These would include projects that  
15 require -- only because they -- funding. Otherwise,  
16 they wouldn't need it. And that is a significant  
17 problem for affordable housing.

18 Projects were -- and the bulk are  
19 redistributed. But actually, the density is not  
20 increased. The very small residential projects  
21 clearly did not increase -- . It is entirely within  
22 the City's power to do that.

23 In fact, just last year, the City took  
24 a step in the right direction by creating the Green  
25 Fast Track -- the Green Fast Track for housing. This

1 program defines its type to those projects of a  
2 certain size, use clean energy, in the standards for  
3 citing ethical materials -- . The City should also  
4 streamline the topics reviewed. Environmental reviews  
5 need not include policy discussions or descriptions of  
6 socioeconomic conditions. The review should examine  
7 only topics that implicate infrastructure and  
8 municipal services, putting those needed to protect  
9 the natural environment.

10 Finally, there was a question of  
11 whether required remediations are actually  
12 implemented. From my experience being on Manhattan  
13 Community Board 7, I know that it falls to the  
14 Community Board of -- monitor a developer's  
15 client -- plans. Till 2018, I was cased with the City  
16 sponsor rezoning as well. But now we can use the  
17 Rezoning Committee's tracker to check progress  
18 on -- sewage upgrades, and parking.

19 So I --

20 CHAIRMAN BUERY: Hope, I'm sorry to  
21 interrupt, but we're at time. Can you please wrap up?

22 MS. COHEN: That's it. Perfect timing.

23 CHAIRMAN BUERY: Okay. Perfect. Thank  
24 you.

25 MS. COHEN: I'm done.

1 CHAIRMAN BUERY: Any questions for  
2 Ms. Cohen?

3 All right. Thank you.  
4 Next is Jonathan Bloom.

5 MR. WEISBROD: He's not --

6 CHAIRMAN BUERY: Okay. We're going to  
7 have to move on to Laurie Bliss [ph].

8 No Laurie. Next up is Jenny Dubnau,  
9 "Dubnau." Apologies if I mispronounced your name.  
10 Jenny Dubnau.

11 MS. DUBNAU: Yes. Hi.

12 CHAIRMAN BUERY: Hi. How are you?

13 MS. DUBNAU: I think -- I wonder if you  
14 should -- just a quick suggestion. I wonder if you  
15 should announce the next few Zoom people in a chunk so  
16 people can get ready. It might help  
17 things -- streamline things a little bit more. I know  
18 they do that in the City Council sometimes.

19 Okay. Like many New Yorkers, I'm most  
20 concerned about New York City's affordable housing  
21 crisis. But it's painfully obvious that the solution  
22 to this crisis is not just simply open the floodgate  
23 to allow more overwhelmingly unaffordable housing to  
24 be built.

25 Two major recent studies showed that



1 New York City neighborhoods with major development and  
2 zonings lose affordable regulated apartments at a  
3 heavy rate. And black, Latino, and low income  
4 populations shrink. There's no evidence that building  
5 more mostly unaffordable apartments brings rents down  
6 at the low end where most of us are.

7 It is therefore hard to understand the  
8 suggestion to bypass and override displacement-based  
9 critiques of development projects that can be voiced  
10 to -- . This override will give developers carte  
11 blanche to building more housing all over our city  
12 that most New Yorkers can't afford, actually, by  
13 muffling the voices of community boards and community  
14 members.

15 The ULURP process is one of the few  
16 ways that the voices of community members can be  
17 heard. It's not as though developers are being  
18 denied. As Alicia Boyd mentioned, most ULURP  
19 applications are approved, even in the face of  
20 widespread community opposition. So these proposed  
21 changes feel like a solution in search of a problem.

22 It's crucial to keep the community  
23 boards' and local council members' voices alive in  
24 this already pro-development process. And if we're  
25 talking about mandating housing approvals by

1 neighborhoods, as was mentioned earlier, why not  
2 mandate 100 percent deep affordability on all publicly  
3 owned land to be built by nonprofit entities like  
4 municipalities, nonprofits, and community land trusts.

5 This -- what I'm about to say, I don't  
6 mean in any disrespect, but I have to say it: I'm  
7 also deeply concerned about this commission seeming to  
8 be in conflict with earlier charter changes proposed  
9 by the City Council. We are at a critical moment for  
10 New York City, where our corrupt mayor is doing the  
11 bidding of Donald Trump. This is the wrong time to  
12 approve charter ballot proposals that undermine the  
13 authority of the City Council at the behest of the  
14 discredited Mayor Adams.

15 Permanent changes to our City charter  
16 should be undertaken coequally with the City Council,  
17 should not be politicized, and should include robust  
18 community engagement and voter education. One meeting  
19 per borough is not nearly enough. I have enough  
20 concerns about this to sincerely believe that the  
21 members of this commission should consider stepping  
22 down, rather than enabling Mayor Adams any further.  
23 And again, I mean that in no disrespect; I mean that  
24 respectfully. Thank you very much.

25 CHAIRMAN BUERY: Thank you. Thank you

1 so much.

2 Any questions for Ms. Dubnau?

3 Okay. Next we'll hear from  
4 Sarah Prinsloo. And just to be ready, Sarah will be  
5 followed by Dean Rosow, and then Maria Danzilo.

6 Sarah Prinsloo.

7 MS. PRINSLOO: Hi. Sorry. I -- if you  
8 could unmute Dean Rosow, I think that might  
9 be -- well, it's a -- a better -- can you guys see me  
10 now?

11 CHAIRMAN BUERY: We can't see you, but  
12 we can hear you.

13 MS. PRINSLOO: Okay. Hang on a second.  
14 You can't see me?

15 MS. GREENBERGER: No. I see a picture.

16 CHAIRMAN BUERY: But it's okay.  
17 We -- we can hear you though. So --

18 MS. PRINSLOO: Okay. Well, I apologize  
19 if you can't see me. I'm -- I'm actually on Dean's  
20 computer as well. I just wanted to show up on the  
21 screen with my name too.

22 But I'm here actually to talk about  
23 open primaries. And first of all, I want to thank you  
24 for the opportunity to testify on behalf of open  
25 primaries. I had to look up actually what the CRC

1 was, and I was excited to learn that you guys are a  
2 committee that is basically organized to be able to  
3 have the city's municipal government more transparent  
4 and responsive to the needs of the city's residents.

5 And I can tell you that the needs of  
6 the city's residents really resonated with me.  
7 Because that's exactly what I think open primaries  
8 will do. And just to give you some data -- and I know  
9 we've heard from different people who spoke tonight.  
10 And I'm just -- so much of it resonated with me.

11 But just to give you some idea of  
12 different statistics, people who have chosen not to  
13 register with a political party are now the second  
14 largest voting group in New York State after  
15 democrats. And this trend is also felt in our city,  
16 as a growing number of young people and those who are  
17 disillusioned with establishment politics are deciding  
18 not to pledge their allegiance to political parties.  
19 These parties have started to reflect little nuance of  
20 common sense in their policies, and they continue to  
21 use issues in the city as election talking points  
22 versus actually solving the issues.

23 And because New York is a democratic or  
24 democrat-run city, rather, primary elections are the  
25 most important elections in our city. Yet, over a

1 million independent registered New York City voters  
2 are not allowed to vote in them, even though their  
3 taxes pay for these actual elections. These voters  
4 deserve a say in shaping the policies that affect  
5 their daily lives.

6 If the City Council can pass a law that  
7 would allow non-citizens to vote in elections to  
8 ensure that their voices are heard, at the very least,  
9 we should allow all registered American citizen voters  
10 to vote in New York City primaries. Simply put, open  
11 primaries will allow all registered New York City  
12 voters' voices to be heard. And their representatives  
13 will understand more of what their actual constituents  
14 really want versus a vocal minority that currently  
15 controls the primary process.

16 And that's why I'm spending my time  
17 tonight to testify, to urge you to please include open  
18 primaries on the ballot in 2025. Thank you very much.

19 CHAIRMAN BUERY: Thank you so much for  
20 your time and your testimony.

21 Next we'll hear from Dean Rosow, again  
22 followed by Maria Danzilo, Theodore Kronby.

23 Mr. Rosow, please continue.

24 MR. ROSOW: Hello.

25 CHAIRMAN BUERY: Hello.

1 MR. ROSOW: Nice to see everyone. I  
2 hope you can hear me okay.

3 CHAIRMAN BUERY: Yes, we can.

4 MR. ROSOW: Hands up? Yeah? Okay.  
5 Good. Thank you.

6 So my name is Dean Rosow. I live in  
7 Manhattan. And I'm here to testify for open  
8 primaries.

9 Open primaries would actually benefit  
10 the politicians in office by ensuring that they  
11 understand the needs of the majority of their  
12 constituents, not just the most vocal activists in  
13 their party. For politicians to even get elected,  
14 they would need votes from a wider range of voters,  
15 including moderates and independents, rather than just  
16 the most progressive wing of their party. As someone  
17 who believes in fiscal responsibility, public safety,  
18 and sensible government, I want to see candidates  
19 representing a broader coalition, not just those  
20 catering to their party fringe.

21 I also believe it will incentivize  
22 politicians to get things done, instead of using some  
23 of the pressing issues we have in our city just to get  
24 votes. Open primaries can and will bring  
25 more -- bring much needed reform. It will give every

1 New York City voter an opportunity to choose who they  
2 want to represent them.

3 So I wanted to share that with  
4 everybody. And then just on another note, I've been  
5 living in Manhattan for about eight years. And I  
6 can't go out of my house and go for a walk without  
7 smelling pot constantly. I find it really offensive.

8 I hope that you all or people that  
9 you're in touch with can do something about that so  
10 that we're not all exposed to what's become almost,  
11 like, incredible. To go for a simple walk and get  
12 fresh air, enjoy even the parks, and everywhere you  
13 go, you're smelling pot.

14 CHAIRMAN BUERY: Thank you. Thank you  
15 so -- any questions for Sarah or Dean?

16 All right. Next we'll hear from  
17 Maria Danzilo, followed by Theodore Kronby, and  
18 Yiatin Chu.

19 MS. DANZILO: Hi. Good evening. Thank  
20 you. And thank you for this opportunity to testify,  
21 and for working so late tonight. And thank you to our  
22 mayor for allowing this beautiful democracy in action  
23 to take place where you're actually hearing from New  
24 Yorkers and voters on things that will make our city  
25 better. So just wanted to say how much I personally

1 support this process and support our duly elected  
2 mayor's empowerment to all of you to work with the  
3 voters.

4 My name is Maria Danzilo, and I'm  
5 executive director of One City Rising. We are a  
6 bipartisan citywide government reform group. We have  
7 thousands of members around the city, and we're  
8 growing every day. Our One City Rising supporters  
9 open -- support open primaries as a reform that is  
10 desperately needed to franchise every voter in the  
11 city. And I'm happy to join so many voices tonight in  
12 support of open primaries. So I'm really impressed  
13 with the people who were testifying tonight and happy  
14 to join them.

15 I'm a former candidate for City  
16 Council. And my -- I was a -- not an experienced  
17 politician when I first entered the City Council race  
18 during the pandemic. And the thing that I learned is  
19 that so few people were actually going to be  
20 participating in the election of our City Council  
21 representative. And that in itself was a really  
22 shocking moment for me to learn, that a very, very  
23 small number of people were actually able to choose  
24 who was going to represent the district, like,  
25 something like 10 or 12 percent of the people who live



1 in the district. Because so many people weren't  
2 registered as democrats.

3 I'm from the Upper West Side. I'm a  
4 lifelong New Yorker. I lived on the West Side for 45  
5 years. And very few people in my neighborhood were  
6 actually going to be choosing who was going to  
7 represent us. Because they either weren't registered  
8 as democrats, or they were independent.

9 And it was at that time that I knew  
10 that open primaries was something that we were going  
11 to need to really look at and consider. And I'm so  
12 happy that good government groups around the city have  
13 coalesced to try to bring open primaries to our  
14 voters. New York City needs to join with the vast  
15 majority of the country's largest cities, and over 70  
16 percent of the states of the United States, and come  
17 out of the dark ages that we're in and into a true  
18 voter rights reform era.

19 We need to adopt open primaries. And  
20 we hope this commission will get behind that and be  
21 able to empower more than 1,000,000 voters in New York  
22 City, including up to 700,000 veterans. The idea that  
23 700,000 veterans in our city can't vote in our  
24 elections, that are critical to determining who wins,  
25 is just -- you know, as the daughter of someone who

1 was in the military for 14 years, is something I find  
2 really offensive.

3 So the reality is that our political  
4 system, as it works in New York, is where the  
5 primaries, the -- the winner is chosen. So the  
6 November election is really an afterthought. And I  
7 think that's one of the reasons why we have such low  
8 voter turnout. I think people are just, you know,  
9 disengaged with the voting -- voting process if  
10 they're not registered in the primaries. So I think  
11 open primaries will help to empower more voters.

12 So these one million voters are  
13 independents. And they really need to be --

14 CHAIRMAN BUERY: I'm sorry,  
15 we're -- we're at time.

16 MS. DANZILO: -- our election. Oh, am  
17 I out of time?

18 CHAIRMAN BUERY: Yeah. Thank you.

19 MS. DANZILO: Anyway, that's it.  
20 I -- I can wrap up. Thank you very much. I  
21 appreciate the chance to speak tonight. Thank you for  
22 your --

23 CHAIRMAN BUERY: Thank you so much.

24 MS. GREENBERGER: Thank you.

25 CHAIRMAN BUERY: Any questions? No.

1 Great.

2 Thank you so much. I appreciate it.

3 Next up we have Theodore Kronby, who  
4 will be followed by Yiatin Chu and Zena Saunders [ph].

5 Okay. So next up is  
6 Yiatin -- Yiatin Chu. Forgive me if I mispronounced  
7 your name.

8 MS. CHU: Good evening. Thank you for  
9 having me. And thank you for staying late to hear our  
10 testimony. My name is Yiatin Chu; I am president of  
11 HOA Alliance. We're a nonpartisan political club  
12 advocating for the Asian community, and we support  
13 open primaries.

14 I am asking the Charter Revision  
15 Commission to put open primary on the November 2025  
16 ballot. Our local elections are consequential to the  
17 daily lives of New Yorkers, laws and resources that  
18 govern our public safety, transportation, schools, and  
19 businesses. All voters should have a say, not just  
20 ones who want to register with a party.

21 As we know, New York City  
22 leaders -- sorry, New York City leaders are often  
23 decided in the democratic primary. This leaves many  
24 voters, especially independents, without a say. This  
25 exclusion discourages voter participation and limits

1 the diversity of perspectives in our political  
2 discourse.

3 Closed primaries hurt the Asian  
4 community, where many are new to democracy, and for a  
5 variety of reasons are not registered with a party.  
6 In District 1, which is lower Manhattan and Chinatown,  
7 one quarter of the voters are independent or not  
8 affiliated with a party. In City Council District 20,  
9 which is Flushing, Queens, we have the highest  
10 population of Asians at 72 percent. And in District  
11 43, the newly created majority Asian district in South  
12 Brooklyn, one third of the voters in these districts  
13 are independents or unaffiliated with a party.

14 New York City's closed primaries  
15 disenfranchises the Asian community and silences our  
16 representation in local elections. Open primaries  
17 will give working class and marginalized communities  
18 who may not fit neatly into the two-party structure a  
19 greater voice in choosing candidates who represent our  
20 needs. That's why I hope the commission will  
21 seriously consider adding measure for open primaries  
22 to the ballot in 2025. Thank you.

23 CHAIRMAN BUERY: Thank you so much.

24 Okay. Any questions?

25 Next we will hear from Zena Saunders

1 [ph], who will be followed by John Johnston and  
2 Jeffrey Aron.

3 Zena Saunders [ph]. Zena Saunders  
4 [ph]?

5 MR. WEISBROD: I think Theodore --

6 MS. GREENBERGER: Theo is back too.

7 CHAIRMAN BUERY: Oh, I'm sorry, did I  
8 skip? I'm sorry?

9 MR. WEISBROD: Theodore --

10 MS. GREENBERGER: He came back.

11 CHAIRMAN BUERY: Theodore. All right.  
12 Well, we can go back to Zena [ph].

13 Theodore Kronby. So Theodore will be  
14 followed by Zena Saunders [ph].

15 MR. KRONBY: Yeah. Terribly sorry for  
16 the mix-up there. This works now. Sorry. Couldn't  
17 change my name.

18 Hello. I'm Theodore Kronby. I'm a  
19 sophomore at Hunter College High School in New York,  
20 and a strategy intern for Unite New York. I'll keep  
21 this brief. I'm conscious of that my speech could  
22 push back that those of speakers older and wiser than  
23 me.

24 As a student, I believe in  
25 characteristics of successful democratic systems

1 include being inclusive in my process. I believe that  
2 putting open primaries on the ballot in 2025 would  
3 make New York's system more inclusive. This  
4 validation has the opportunity to increase voter  
5 engagement and turnout by making primary elections  
6 more representative of New Yorkers.

7 For example, in the eight years  
8 following California's implementation of open  
9 primaries, minority legislative cost has grown by up to  
10 50 percent. I, alongside the rest of my generation,  
11 am eager to participate in New York City's government.  
12 Barriers to participation like closed primaries  
13 discourage us before we even cast our first ballot.  
14 Thus, I'm testifying for you today and urge you to put  
15 open primaries on the ballot this year. Thank you.

16 CHAIRMAN BUERY: Thank you so much,  
17 Theodore.

18 Oh, I had -- I had a question for  
19 Theodore. We're too quick. Can we get Theodore back?

20 MR. WEISBROD: Yeah. One second.

21 CHAIRMAN BUERY: Theodore, thank you so  
22 much for your testimony. It's -- really appreciate  
23 your joining us. And I'm curious whether your  
24 proposal would apply across City Council elections as  
25 well? Or are you -- or are you primarily focused on

1 citywide elections?

2 MR. KRONBY: Yeah, so, to my knowledge,  
3 the proposal is centered specifically on citywide  
4 elections, and whether or not that would apply to City  
5 Council elections specifically could be evaluated  
6 later on.

7 CHAIRMAN BUERY: Thank you so much,  
8 Theodore. Thank you for participating. I appreciate  
9 it.

10 Next up we have -- I'm sorry,  
11 Zena Saunders [ph], followed by John Johnston and  
12 Jeffrey Aron. So Zena Saunders [ph].

13 Zena [ph], going once, twice.

14 All right. Next, John Johnston.

15 We lost John. All right. So next up  
16 will be Jeffrey Aron, followed by Linda DiGusta.

17 Jeffrey Aron.

18 MR. ARON: Hi. My name is Jeff Aron.  
19 I live in Manhattan. Thank you so much for hosting  
20 these meetings. I'm very pleased to be able to  
21 participate.

22 I want to say how excited I am. I  
23 guess I'm not surprised though that so many people  
24 have testified as I am, on behalf of open primaries.  
25 Most of the people that I'm speaking with are upset

1 about the fact that they can't vote, and that the  
2 people who do vote in primaries consist of 5 percent,  
3 maybe 10 percent of the general population, and that  
4 that ends up determining who citywide as well as more  
5 local candidates are.

6 And the -- I just wanted to say, since  
7 everybody has been so eloquent, in the leadup, in the  
8 past month or so, I've been getting call after call  
9 from people saying: "Oh, you know, you've got to  
10 change your registration from independent so that  
11 you're going to have a chance to vote in the" -- "in  
12 the mayoral primaries. Because you know that whoever  
13 ends up voting in the" -- "you know, wins the mayoral  
14 primary in June, they're going to end up being the  
15 mayor. So if you want to have a voice, you have to  
16 vote in the democratic primary. Switch your  
17 registration."

18 That kind of blackmail and heavy-handed  
19 persuasion that takes my vote for granted, my  
20 principles, my values, and says lie in order to be  
21 able to participate in this democracy really offends  
22 me. The fact that my tax dollars goes to support  
23 democratic and republican primaries and doesn't  
24 include million people who would like to vote and  
25 don't have the opportunity seems so -- I mean,



1     taxation without representation. That just seems so  
2     unfair.

3             And other cities and states around the  
4     country have managed to figure out how to deal with  
5     this. But in New York City, the -- as someone said,  
6     the institution that really dominates is not so -- I  
7     mean, yes, the real estate industry is a problem. But  
8     the Democratic Party won't give up the democratic  
9     right of all people in the city to vote. But that's  
10    not just true in New York City. That's true in cities  
11    and states around the country.

12            There's a lot of anger out here. And  
13    there's a lot of support, as you can tell from this  
14    testimony. And you're contributing to a -- a really  
15    bad situation in our country. What we have now in our  
16    country, this disillusion, and among young  
17    people -- most young people are registering as  
18    independents. What are they supposed to do in this  
19    coming election? If they want to participate, what  
20    are young people going to do?

21            CHAIRMAN BUERY: Thank you. I want to  
22    thank you. So we're at time. I want to thank you so  
23    much for your testimony and your passion.

24            MR. ARON: Thank you.

25            CHAIRMAN BUERY: I appreciate it.

1 MS. GREENBERGER: Thank you.

2 Next up is Linda DiGusta, followed by  
3 Alex Protopapas, and Frank Moreno.

4 So Linda DiGusta.

5 MS. DIGUSTA: Okay. I'm here now. I'm  
6 not on camera; I'm just on voice. Can you hear me?

7 MS. GREENBERGER: Yes.

8 CHAIRMAN BUERY: Yes, we can.

9 MS. DIGUSTA: Thank you. My name is  
10 Linda. I live in Manhattan and participate in the  
11 activities of Unite New York. I would love to see  
12 open primaries on the ballot, and of course adopted.

13 We are now the only ranked choice  
14 voting jurisdiction that does not open primaries. The  
15 fact is we need people who vote. Right now, we should  
16 have at least a million people for primaries. And the  
17 general election presents inadequate options as a  
18 result.

19 It's time to engage more voters with an  
20 inclusive, dynamic, and engaging process, beginning  
21 with an open primary and carrying through to the  
22 general election. I hope and believe that opening the  
23 primaries can be a lightning jolt to move us in the  
24 direction of real dialogue across party lines and heal  
25 the rift that we see now, rather than continue in the

1 direction of a society that's pathologically partisan.  
2 Thank you.

3 CHAIRMAN BUERY: Thank you so much.  
4 Appreciate the sentiments and your brevity. I  
5 appreciate it.

6 Next we will hear from Alex Protopapas,  
7 followed by Frank Morano, and Howard Levy.

8 MR. PROTOPAPAS: Yeah, hello, everyone.

9 CHAIRMAN BUERY: Hello.

10 MR. PROTOPAPAS: Can everyone hear me?

11 MS. GREENBERGER: Yes.

12 CHAIRMAN BUERY: Yes, we can hear you,  
13 and we can see you.

14 MR. PROTOPAPAS: Excellent. So I -- I  
15 think a lot of the other speakers in favor of open  
16 primaries have very eloquently articulated their  
17 positions and, you know, cited some very important  
18 statistics, for example, the fact that a lot of -- a  
19 lot of the general elections are not competitive at  
20 all. So rather than going over some of that, I'd like  
21 to -- to add some -- some other facts.

22 So one of the previous speakers  
23 mentioned that if you want to change your party  
24 affiliation, you have to do so by February 14th. And  
25 I think that just -- that -- that's one of the things

1 that sort of indicates just how flawed our system is  
2 right now. Because it's actually even worse than  
3 that. When you change your party affiliation,  
4 you're -- you're committed to vote in that party's  
5 primaries for the rest of the year, right?

6 So there might be a primary in June.  
7 There might be another one in September. But you  
8 can't change your party affiliation after that. You  
9 can only change it once a year. So -- so that's one  
10 thing that people haven't brought up, which -- which I  
11 think is particularly unfair.

12 The other thing which I'd also like  
13 to -- to mention is, I also feel that the way that the  
14 closed primary works is unfair to a lot of new  
15 Americans. So, for example, my immigrant mother, when  
16 she became a citizen, she was asking me what this  
17 registration thing was all about. And I told her,  
18 "Well, look, you know, you have to decide what the  
19 dominant party is in your town, and you should  
20 register with them." But she said: "Well, I don't  
21 know if I always want to vote for democrat. I want to  
22 be able to vote for wherever I want."

23 And that was a really big deal for her.  
24 Because, you know, in her youth, she lived in a  
25 country that at that time had a dictatorship. So she

1 really valued democracy. And it took me a lot of  
2 convincing to tell her that she could still vote for  
3 whoever she wanted in -- in the general election.

4 So I -- I think this is somewhat unfair  
5 to -- to our newest citizens. Because it's -- it's  
6 not really clear what this registration thing is -- is  
7 all about to a lot of people. And then the last thing  
8 that -- that I want to -- to mention is, I know that  
9 nationwide, a majority of veterans are actually  
10 registered independents. And I think some other  
11 speakers mentioned this, but it's worth mentioning  
12 again that I think people who've kind of put their  
13 lives on the line to defend democracy should have a  
14 say in it.

15 And that's -- that's pretty much it.  
16 I -- I don't think I have anything new to say beyond  
17 that. So thank you for taking the time to -- to  
18 receive citizen feedback.

19 CHAIRMAN BUERY: Thank you so much.  
20 And thank you for taking the time this evening to be  
21 with us. We appreciate it.

22 Next up will be Frank Morano, who'll be  
23 followed by Howard Levy, and Seth Radwell [ph].

24 MR. MORANO: Good evening,  
25 commissioners. It's great to be here. I know you've

1 had a long night, so I promise not to prolong it too  
2 much. I want to thank you for your service. And I  
3 want to give a special acknowledgement to somebody  
4 that makes Staten Island proud every day in City  
5 government but especially on this commission,  
6 Diane Savino, who's a good friend, and who I've  
7 learned more about City government and State  
8 government just listening to her complain about what's  
9 wrong than I've learned in years of studying it on my  
10 own.

11 I'm here primarily to testify in favor  
12 of nonpartisan elections. One, I'm actually a  
13 candidate in a nonpartisan election on Staten Island  
14 now. And I participated in nonpartisan elections as a  
15 volunteer, as a political activist. This is the first  
16 time I've participated on a -- as a candidate. And  
17 it's wonderful.

18 And I think it's important to keep in  
19 mind that New York City has had nonpartisan elections  
20 for 32 years. This is not some novel, new conceit  
21 that we're trying to totally upset the apple cart.  
22 They -- we've had nonpartisan elections. Both  
23 democrats and republicans and even a couple of  
24 independents have gotten elected. And I -- they've  
25 worked really well.

1                   So what I'm urging the commission to  
2 put on the ballot is just give the voters the  
3 opportunity to give people the same opportunity that I  
4 have right now to reach out to all voters, not a  
5 narrow slice of the Republican Party or Democratic  
6 Party. And it's a great experience. Because you  
7 don't have to skip houses when you're campaigning  
8 based on who's a democrat, who's a republican. You go  
9 out and meet every voter, which is how it should be.  
10 It puts every voter in a position where their vote  
11 really matters.

12                   Additionally, when we talk about  
13 nonpartisan elections, the reason it's so important is  
14 because right now, you have taxpayers that are forced  
15 to pay for elections that they can't participate in.  
16 One of the other people mentioned the phrase "taxation  
17 without representation." I seem to have heard that  
18 somewhere else before; I don't remember where. But it  
19 sounds great. And that's exactly what we need to put  
20 an end to. There should be no opportunity to have  
21 people pay for elections that they can't even  
22 participate in.

23                   The last thing I'll mention and -- is  
24 that I -- I think it's important to distinguish the  
25 issue of open primaries for nonpartisan elections.

1 The -- I think a lot of people who are  
2 well-intentioned are comingling those two terms. And  
3 that can be very messy. Because the Supreme Court has  
4 defined different types of primaries in a few of their  
5 decisions. And there're political science textbooks  
6 that define each one. They all agree on a  
7 definition: An open primary is a type of partisan  
8 primary in which each party has its own primary ballot  
9 and its own nominees.

10 But on primary day, any voter can  
11 choose any party's primary ballot. Most southern  
12 states have that. And in open primary states, most  
13 registration forms don't ask the voter to choose a  
14 party.

15 For example, Texas has open primaries.  
16 Therefore, George Bush or Ted Cruz is not a registered  
17 republican because he lives in Texas, and there are no  
18 registered republicans or democrats in Texas. Given  
19 that New York has statewide party registration, I  
20 don't think that would work well.

21 A nonpartisan election is like what I'm  
22 in, where parties are not involved. Instead,  
23 individuals run against each other purely as  
24 individuals, or as New York City has it, with a  
25 made-up party -- party label. Open primary has



1 nothing in common with nonpartisan elections.

2 As Mayor La Guardia said, "There's no  
3 democratic or republican way to clean the street."  
4 Let's allow all of the candidates for every municipal  
5 office to put our records, our ideas, and our vision  
6 for the future of New York City before the voters.  
7 And let's have them vote, not because we have an R  
8 next to our name or a D next to our name, but because  
9 we have the best qualifications and the best vision  
10 for the future. Thank you.

11 CHAIRMAN BUERY: Thank you so much for  
12 your testimony. Senator Savino is clapping for you.  
13 I don't know if you can hear that. But I appreciate  
14 it.

15 MS. SAVINO: I can't even vote for him.

16 CHAIRMAN BUERY: Next up will be  
17 Howard Levy, followed by Seth Radwell [ph]. And our  
18 final testimony will be from Bridget Fox [ph].

19 MR. LEVY: Hi. Thank you, everyone.  
20 And I apologize for lying down. My back hurts. I  
21 mean no disrespect to the commission.

22 I'm here to talk about open primaries.  
23 You've heard a lot of the -- the information before.  
24 I'm a New Yorker. I'm married. I have two kids. We  
25 live in New York.

1                   And part of the fabric of society, we  
2       would like our votes to be heard, along with a million  
3       other people who cannot vote in one party or the  
4       other's primaries. Look, there's a -- there's a huge  
5       mistrust in government right now. That's a problem.  
6       We need to have as much participation as possible.

7                   We heard from the gentleman at Citizens  
8       United about the low participation rates in New York  
9       City, constantly declining over the decades. This is  
10      not -- not a good sign. You heard from others about,  
11      like, Curtis Sliwa getting less votes -- fewer votes  
12      than I say Kathryn -- sorry, Ms. Garcia and still, you  
13      know, being on the general election ballot.

14                  The -- the ranked choice voting is  
15      good, by the way, as well. But, you know, and so I'll  
16      just kind of say, in terms of open -- open primaries,  
17      people who have a matter of view should be able to  
18      have a say, you know, in -- in what happens. So for  
19      open primaries, people, regardless of their  
20      political -- their party affiliations to participate.  
21      And let's open up the election process.

22                  Let's have more accountability. Let's  
23      get the extremes out of the system so that we can have  
24      a more moderate voice and not the kowtowing to the  
25      left or the right. And let's increase the

1 participation in elections overall. So thank you.  
2 And respectfully, I urge the commission to consider  
3 opening primaries to be added to the 2025 ballot so we  
4 can have a more inclusive political representation.

5 CHAIRMAN BUERY: Thank you so much.

6 MR. LEVY: Thank you.

7 CHAIRMAN BUERY: Thank you for your  
8 testimony. I hope you feel better. Appreciate it.

9 Next is Seth Radwell [ph], who'll be  
10 followed by Bridget Fox [ph].

11 MS. GREENBERGER: Can't hear you,  
12 Chair, sorry.

13 CHAIRMAN BUERY: Next will be  
14 Seth Radwell [ph], followed by Bridget Fox [ph].

15 MR. WEISBROD: No Seth.

16 MS. GREENBERGER: No Seth.

17 CHAIRMAN BUERY: No Seth?

18 MR. WEISBROD: No Seth. Who's after  
19 Seth?

20 MS. GREENBERGER: Bridget [ph] --

21 CHAIRMAN BUERY: Next would be  
22 Bridget Fox [ph].

23 Bridget Fox [ph].

24 MR. WEISBROD: No Bridget [ph].

25 MS. GREENBERGER: No Bridget [ph].

1                   CHAIRMAN BUERY: Well, I want to thank  
2 everyone for -- who testified. Thank you all for  
3 being here. The next public hearing of the commission  
4 will be --

5                   MS. GREENBERGER: Can't hear.

6                   CHAIRMAN BUERY: The next public  
7 hearing of the commission will be held in the Bronx on  
8 March 4th at 5 p.m., at the Fordham University, The  
9 McShane Campus Center, in the Great Hall on the 3rd  
10 floor, located at 441 East Fordham Road.

11                   Is there a motion to adjourn?

12                   MULTIPLE SPEAKERS: So moved.

13                   CHAIRMAN BUERY: May I have a second?

14                   MULTIPLE SPEAKERS: Second.

15                   CHAIRMAN BUERY: Any discussion? All  
16 in favor?

17                   MULTIPLE SPEAKERS: Aye.

18                   CHAIRMAN BUERY: All right. We are  
19 adjourned. Thank you so much.

20                   (Whereupon, the meeting concluded at  
21 8:47 p.m.)

22

23

24

25

## CERTIFICATE

I, THEA POPKO, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.



THEA POPKO

Notary Public in and for the  
State of New York

## 1 CERTIFICATE OF TRANSCRIBER

2 I, CAYLA LOTT, do hereby certify that this  
3 transcript was prepared from the digital audio  
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5 transcript is a true and accurate record of the  
6 proceedings to the best of my knowledge, skills, and  
7 ability; that I am neither counsel for, related to,  
8 nor employed by any of the parties to the action in  
9 which this was taken; and, further, that I am not a  
10 relative or employee of any counsel or attorney  
11 employed by the parties hereto, nor financially or  
12 otherwise interested in the outcome of this action.

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15 CAYLA LOTT  
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