

CRC Meeting

Moderated by Chair Richard Buery

Tuesday, January 7, 2025

12:08 p.m.

Taxi and Limousine Commission

33 Beaver Street, 19th Floor

New York, NY 10004

Reported by: Paul Grasso

JOB NO.: 7094780

A P P E A R A N C E S

Richard Buery, Chair of the Charter Revision

Commission, CEO Of Robin Hood

Edward Kiernan, General Counsel to the NYC Charter

Revision Commission, Office of the Chief Counsel to

the Mayor and City Hall

Sharon Greenberger, Vice Chair of the Charter Revision

Commission, President and CEO of the YMCA of Greater

New York

Leila Bozorg, Secretary of the Charter Revision

Commission, NYC Executive Director of Housing

Kathyrn S. Wylde, President and CEO of the Partnership

for New York City

Dr. Lisette Nieves, President of the Fund for the City

of New York

Diane Savino, Senior Advisor at City Hall

Shams DaBaron, Advocate and Changemaker for Positive

Change for People Experiencing Homelessness

Julie Samuels, President and CEO of Tech:NYC

Anita Laremont, Partner at Fried, Frank, Harris,

Shriver & Jacobson LLP

Grace Bonilla, President and CEO of United Way of New

York City

Alex Kipp, Director of Education for the NYC Conflict

of Interest Board

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

Amy Rubinger, ASL Interpreter, Effective Communication

Sam Zampelli, ASL Interpreter, Effective Communication

Alec Schierenbeck, General Counsel to First Deputy

Mayor

Brenda Cooke, Deputy Chief, Legal Counsel of the New

York City Law Department

Benjamin Miller, Senior Counsel, Legal Counsel of the

New York City Law Department

Valerie White, Senior Executive Director of LISC New

York

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

2 MR. BUERY: Good afternoon, everyone.

3 I'd like to welcome you to the inaugural meeting of
4 the Charter Revision Commission. My name is Richard
5 Buery, and I have the honor of serving as the chair.

6 This is my first time serving the
7 Commission like this, but I am a lifelong New York
8 resident. I grew up in East New York, Brooklyn, and
9 spent my career working on issues related to equal
10 opportunities and their families.

11 And had the honor of serving as deputy
12 mayor under Mayor Bill de Blasio, where I worked a
13 number of initiatives, being PreK for all, and
14 currently serve as CEO of the Robin Hood Foundation,
15 which is a foundation here in New York, focused on
16 fighting poverty and elevating New Yorkers, fighting
17 poverty and giving opportunity.

18 So I want to start by thanking Mayor
19 Adams for giving me this opportunity to serve on this
20 commission. Certainly the timing could not be better.
21 Our city faces significant challenges, but of course
22 overcoming challenges is a part of our city's DNA;
23 it's what makes New York City great.

24 And so, despite these challenges, I am
25 bullish on the city. I will never underestimate the

1 resolve of New Yorkers or our capacity to accomplish
2 great things, and we do them together. And that's
3 what we're here to do.

4 As New York City celebrates its 400th
5 anniversary, it's a fitting moment to take a fresh
6 look at our city's government Charter, and ask
7 ourselves, "What's working? What's not working? How
8 can we ensure that City Government is delivering the
9 results that New Yorkers expect? And how can we
10 ensure that New York City remains a cradle of
11 opportunity," as it was for my parents when they
12 immigrated to New York from Panama about 60 years ago.

13 How can we revise the Charter to make
14 it a more -- a more effective tool for building a more
15 inclusive and affordable city that New Yorkers
16 deserve. You know, this is a city of multitudes. We
17 have old New Yorkers, and young New Yorkers, New
18 Yorkers of every race, and from just about every
19 country.

20 We have recent immigrants and people
21 whose families goes back to the city for generations.
22 We are gay, we're straight, cisgender, and
23 transgender, and nonbinary. We have literally every
24 political persuasion. We're about eight million
25 people with eighty million opinions. And that

1 diversity can make it hard to do work like this, but
2 it's also diversity that makes the city so strong.

3 And so, it's ultimately our
4 responsibility as we review the entire Charter,
5 suggest changes, and of course, all changes that we
6 recommend have to be agreed to by the voters to have
7 in effect. But we know if we do this work, it's our
8 job to really make sure that we're listening to the
9 diversity of opinions.

10 I know I speak for my commissioners
11 when I say that we will approach this work with the
12 utmost transparency and openness. We're committed to
13 hearing from a broad spectrum of New Yorkers and
14 pursuing the best ideas we can find.

15 Also want to note that although we were
16 appointed by the mayor, this is an independent
17 commission. I know that every one of us in this
18 commission is committed to approaching the work with
19 integrity, and that in making our recommendation to
20 the City voters, we are bound only by our judgement
21 and our values, willing to pursue ideas, regardless of
22 who oppose them, and regardless of who supports them.

23 Joining me in this task are 12 other
24 commissioners. The vice chair, Sharon Greenberger,
25 Secretary Leila Bozorg, Reverend A.R. Bernard, who

1 cannot be with us right now, Grace Bonilla, Shams
2 DaBaron, Anita Laremont, Dr. Lisette Nieves, Julie
3 Samuels, Diane Savino, Carl Weisbrod, who I think also
4 not here, Valerie White, and Kathryn Wylde.

5 And though, like I said, we'll be
6 considering the entire Charter, the mayor has asked
7 that the commission look in particular at the
8 Charter's approach to housing and planning. And I
9 can't imagine a more urgent challenge for this body to
10 take up.

11 Our city is in the midst of a profound
12 affordability crisis. For millions of low-income New
13 Yorkers and middle-class New Yorkers, housing costs
14 are the central struggle of their lives.

15 For millions more, especially low-
16 income New Yorkers, our housing prices severely limits
17 where New Yorkers can live, what schools they can
18 attend, how they can get to work, and whether their
19 families can stay together. This is not hyperbolic;
20 the state of the future of housing is the future of
21 New York City.

22 Recently in the City, we've made
23 significant strides, thanks to the work of the mayor,
24 the new administration, as well as City Council, and
25 tireless advocates, countless and tireless advocates.

1 The City has recently enacted the City of Yes for
2 Housing Opportunity; that was a pro-housing reform in
3 many decades.

4 But we all acknowledge that there is
5 far more work to be done. The commission will, among
6 other things, see how we can build on that to create a
7 more affordable city. And as I said, at the end of
8 the day, it will be up to the voters to decide whether
9 to alter the City Charter.

10 But long before the ballots are
11 printed, our process will be driven by New Yorkers.
12 Over the coming months, we'll listen to New Yorkers in
13 hearings across the five boroughs, and there will be
14 opportunities to testify in person as well as
15 virtually, and opportunities to submit written
16 testimony.

17 In addition to hearing from the general
18 public, we'll invite experts to testify on particular
19 topics, hear the views of elected officials and
20 community stakeholders, and solicit the views of City
21 agencies and their staff.

22 Each of the commission hearings will be
23 public, livestreamed, and recorded. We have already
24 established the dates and times for the first two of
25 these hearings. They are Tuesday, February 11, 2024

1 [sic], from 5 to 8 p.m., in the borough of Brooklyn at
2 the Fire Department Headquarters, Robert O. Lowery
3 Auditorium, 9 MetroTech Center, entering via the
4 corridor on Flatbush Avenue.

5 And in Queens on Monday, February 24th,
6 from 5 to 8 p.m., at the New York City Department of
7 Design and Construction, 30-30 Thomson Avenue,
8 entrance on 30th Place -- 30-30 Thomson Avenue, enter
9 at 30th Place in Queens.

10 We will hold three more meetings in
11 March and April, in the Bronx, Staten Island, and
12 Manhattan. We will share those details as we have
13 them.

14 The proceedings for each of these
15 hearings will be livestreamed, and as I said, archived
16 online in a website, www.nyc.gov/charter. That's
17 www.nyc.gov/charter.

18 And New Yorkers already have the
19 opportunity to submit written testimony. You can
20 email the testimony to the Commission at charter
21 testimony at citycharter.nyc.gov. That's [citycharter](http://citycharter.nyc.gov)
22 testimony at citycharter.nyc.gov.

23 Before we proceed further, I'd like to
24 ask that we consider three resolutions are adopted.
25 It will assist the Commission with its work. The

1 first is to appoint Alec -- Alec Schierenbeck.

2 Alec, am I pronouncing your last name
3 correctly?

4 MR. SCHIERENBECK: [No audible
5 response.]

6 MR. BUERY: All right. It's a miracle
7 at that.

8 UNIDENTIFIED SPEAKER: Schierenbeck.

9 MR. BUERY: Schierenbeck. Sorry. Too
10 generous to correct me. Alec Schierenbeck as the
11 Commission's first executive director. The
12 Commission's executive director, the only executive
13 director.

14 Alec currently serves as the general
15 counsel to the first deputy mayor, Maria Torres-
16 Springer, and was her general counsel when she served
17 as deputy mayor for housing, economic development, and
18 workforce.

19 In these roles, he helped guide the
20 City, guide the administration's City of Yes
21 initiatives to promote housing opportunity, carbon
22 neutrality, and economic growth. This resolution
23 would bring Alec the authority to maintain a staff and
24 work with other City agencies and elected officials to
25 accomplish the Commission's goals.

1 The second resolution establishes an
2 order of succession to the chair and designates Vice
3 Chair Sharon Greenberger to act in my place if I am
4 unable to execute the duties of the office of chair or
5 continue to mispronounce Alec's name.

6 And the third resolution is required by
7 New York State's Open Meetings Law, and will allow
8 commissioners to attend open meetings via video
9 conference if they are able to attend the meeting in
10 person.

11 We'll consider these resolutions all
12 together, and I move that the Commission adopt
13 Resolutions 1, 2, and 3, as presented today.

14 MS. GREENBERGER: Want me to second?

15 MR. KIERNAN: Thank you. Is there a
16 second?

17 MS. GREENBERGER: Second.

18 MR. KIERNAN: Any discussion?

19 Okay. Motions to adopt Resolutions 1,
20 2, and 3 as presented. All those in favor, please say
21 "Aye."

22 MULTIPLE SPEAKERS: Aye.

23 MR. KIERNAN: Any opposed? Any
24 abstentions? Thank you. Resolution has passed.

25 MR. BUERY: All right. I figured that

1 was the easy part.

2 But before we proceed further, I'd like
3 to invite all of the commissioners to introduce
4 themselves and make brief remarks, beginning with our
5 vice chair, Sharon Greenberger.

6 Sharon is the president and CEO of the
7 YMCA of Greater New York. Prior to joining the YMCA,
8 Sharon spent more than 20 years in the private and
9 public sectors, working to improve New Yorkers' health
10 and livelihoods, and to promote the development of New
11 York City.

12 Sharon?

13 MS. GREENBERGER: Well, thank you.
14 You've just given me my -- gave my relevant
15 background. I'm really thrilled to be here; I'm
16 honored to be a part of the group, and equally
17 committed to ensuring that we invest in understanding
18 and bringing others' perspectives and insights in from
19 all communities.

20 As you noted, I'm the president and CEO
21 of the YMCA of Greater New York. We have 24 branches
22 throughout the city, so we understand what New Yorkers
23 are facing, and I hope to really reflect that in the
24 conversations that we have here.

25 One other note I will just say in terms

1 of relevant experience that I hope to be able to
2 leverage here, is in the past, I ran the School
3 Construction Authority and was the chief operating
4 officer at the DOE. So again, have that broad
5 perspective on community needs, and I think know a
6 little something about construction and development,
7 and hope to parlay that into effective tools here.
8 Thank you.

9 MR. BUERY: Thank you so much, Vice
10 Chair.

11 Next, our secretary, Leila Bozorg, is
12 New York City's executive director of housing. Her
13 experience includes serving as a commissioner of the
14 New York City Planning Commission, as a deputy
15 commissioner and chief of staff at HPD, the Department
16 of Housing Preservation & Development, and her roles
17 at the US Department of Housing and Urban Development.

18 I'd like you to make some remarks.

19 MS. BOZORG: Thank you, Richard.

20 I just want to note that I'm really
21 honored to serve on this commission alongside my other
22 commissioners, especially as each of you has dedicated
23 your lives and your careers to improving our city and
24 improving the conditions for those that are often most
25 impacted by our housing challenges and our

1 affordability crisis.

2 I know that everyone here is very
3 familiar with the fact that our housing crisis and our
4 affordability crisis really does threaten the very
5 fabric of what makes us great as a city, that we've
6 been home to people of all walks of life, different
7 races, ethnicities, family structures, identities.
8 And importantly, a place where people of all incomes
9 have been able to find a footing and a home to pursue
10 their dreams.

11 You know, in the housing world, we
12 often talk about the housing challenges by framing how
13 we of a city -- as a city have often been the victim
14 of our own success, that because we're a place that
15 people want to live and stay, our job growth has
16 outpaced housing growth.

17 We find ourselves in this simple supply
18 and demand problem, but I think that describing it
19 solely as a simple supply and demand problem often
20 overlooks the complicated origins of what drives our
21 housing shortage, what sustains our housing shortage,
22 and what exacerbates the inequities in our housing
23 market.

24 And it can even mask the types of
25 nuanced solutions that we need to ensure we're

1 building a range of housing types, at a range of
2 affordability levels, and in a range of neighborhoods
3 to meet the very needs of our fellow New Yorkers.

4 So I'm really encouraged that we're in
5 a place where there's cross-sector agreement, cross-
6 government agreement, cross-institutional agreement
7 that we have to interrogate every possible
8 contributing factor to our housing and affordability
9 challenges.

10 That's very much the spirit of what
11 underlied the City's fair housing plan, Where We Live
12 NYC, so I want to thank HPD for leading that. It's
13 very much the spirit of the Speaker's Fair Housing
14 Framework, so I really want to thank Speaker Adams for
15 introducing that framework and her team for helping
16 make it law.

17 And it's very much the spirit of what
18 was laid out in the examination and overhaul of our
19 zoning resolutions through the City of Yes for Housing
20 Opportunity. And I want to thank both Mayor Adams and
21 Speaker Adams for spearheading that, owning it, and
22 helping get it across the finish line. And I want to
23 thank DCP for their bold vision, and for putting up,
24 and for getting it done.

25 I'm really excited now that we get to

1 examine, discuss, listen, learn from anyone who wants
2 to lend their voice in this process about the ways in
3 which the very structure of our government, its
4 processes, its operations, as laid out in the Charter,
5 how it can be better harnessed to better address our
6 housing crisis, our affordability crisis, and our fair
7 housing obligations and service to New Yorkers.

8 So I really thank Mayor Adams for
9 tasking us with this responsibility, and I'm looking
10 forward to working with you on it.

11 MR. BUERY: Thank you so much.

12 Next, although he is not here, I would
13 love to introduce Reverend A.R. Bernard. Reverend
14 Bernard is a longtime community leader, who leads one
15 of New York City's largest houses of worship, the
16 Christian Culture Center, with over 37,000 members.

17 His influential teachings, rooted in
18 the traditional, biblical perspective, offer guidance
19 in world affairs, politics, pop culture, and family
20 matters. I know that Reverend Bernard will be an
21 important member of the Commission, and looking
22 forward to having his participation.

23 Next, it's my honor to introduce Grace
24 Bonilla. Grace is the President and CEO of the United
25 Way of New York City, one of New York's most important

1 public institutions -- private institutions,
2 supporting the public interest.

3 She has previously served as the
4 administrator of the New York City Human Resources
5 Administration and as the executive director of the
6 Taskforce on Racial Equity and Inclusion.

7 Grace?

8 MS. BONILLA: Is it on? I thank you,
9 Rich, for that introduction. It's not on. Is that
10 working?

11 UNIDENTIFIED SPEAKER: Yes.

12 MS. BONILLA: Okay. I thank you, Rich,
13 for that introduction.

14 I think that when you look not just at
15 my career, which is primarily of service to New
16 Yorkers, especially the most vulnerable, you can also
17 see that I was one of those fortunate people whose
18 parents chose to come to New York City as a beacon of
19 hope from Ecuador. And I was lucky enough to be born
20 and raised in one of the best boroughs, the Borough of
21 Queens.

22 And I am fortunate that I get to
23 continue to raise my family in that borough, but I am
24 also painfully aware of how expensive it is to
25 continue to live in the city. So this serving on this

1 commission is for me an opportunity to make sure that
2 the generations that come, like, after us, including
3 my children, can continue to call this great city
4 home.

5 And like many of the commissioners
6 here, my commitment to all New Yorkers is that I
7 will -- am committed to a transparent process that
8 puts New Yorkers first. Thank you.

9 MR. BUERY: Thank you so much, Grace.
10 And of course Brooklyn is of course the best borough.

11 Pleasure to introduce Shams DaBaron, an
12 advocate and changemaker committed to positive change
13 for people experiencing homelessness and housing
14 insecurity. Having experienced homelessness as a
15 child after being discharged from the foster care
16 system at age 12, Shams has emerged as a powerful
17 voice for his community and beyond.

18 So glad you can join us, Shams.

19 MR. DABARON: I don't have that much to
20 say. No. So I think that, you know, it's unique that
21 I'm sitting here today amongst all of you as someone
22 who had, as you said, grew up in the foster care
23 system, started experiencing homelessness at the age
24 of ten, and was permanently discharged into the street
25 without a safety net at the age of 12.

1 A history of chronic homelessness, also
2 raising my son in the family shelter system. And I
3 have six children. We've all been through a lot in
4 the city due to a -- due to a lot of failed policies
5 and other things.

6 I think that this is a unique time in
7 our history, that we have someone who actually lived
8 the issues in such a traumatic way, that can sit here
9 in this capacity to help to change those things that
10 have negatively impacted, not just myself, but tens of
11 thousands, hundreds of thousands of New Yorkers
12 through the years.

13 I think that one of the things that I
14 have always, sort of, like, tried to position was the
15 value of having people with lived experience having a
16 seat at the table, a voice in the discussions, and a
17 hand in the decision makers -- in the decision making.

18 And here we have this opportunity with
19 this commission, on not just for us to articulate our
20 thoughts and our views, but really to sort through a
21 diverse city of people, great people in our city, to
22 really reflect what their desire is -- desires is in
23 this -- in this city.

24 And I think, I believe that we will
25 collectively as a city do something that is great,

1 that is historic. We've seen a little taste of that
2 with the work that we've done collectively on the City
3 of Yes. And the fact that we're focused on the real
4 solution to homelessness, housing, should not be lost
5 on anyone. And so, I'm just honored, I'm humbled, I'm
6 grateful, and I'm also ready to get to work.

7 MR. BUERY: All right. Thank you so
8 much.

9 Next, Anita Laremont is a partner at
10 the Law Firm of Fried, Frank, Harris, Shriver &
11 Jacobson, where she practices in the areas of land use
12 and real estate. That expertise that will be
13 particularly helpful given our -- our focus.

14 Prior to joining Fried, Frank, she was
15 a chair of the New York City Planning Commission and
16 director of the New York City Department of City
17 Planning, having previously served as general counsel
18 and executive director.

19 Anita, please share some remarks.

20 MS. LAREMONT: Okay. Thank you.

21 Let me just say that I am so happy to
22 be here, based on the background that you talked about
23 and many more years of experience in government
24 service. It is clear to me that, you know, we make
25 efforts to address these issues, and we continue to

1 face challenges.

2 You know, people are of good will,
3 generally, I think, but the thing that I have found
4 over time is that in this city, people think that we
5 need more housing; we all agree on that. But the
6 issue becomes, "Please not next to me."

7 And -- and that has been the challenge
8 that we faced when I was at City Planning, and that we
9 really have to overcome. The fact that we all need to
10 accept that we need growth. We maybe don't need huge
11 amounts everywhere, but a little bit everywhere would
12 help.

13 But for me, the issue is trying to
14 change minds, because we have a system that really
15 works in a very parochial way, because we have to ask
16 on the neighborhood level about what people agree to.
17 And it frequently stymies our ability to solve big
18 problems on a citywide basis. And we really need to
19 do it.

20 I think that Leila said it very well.
21 For the continued vitality of the city and for its
22 continued growth and greatness in the world, we need
23 to be a city that can be a place for everyone who
24 wants to be here. And that can't happen unless we can
25 solve this housing problem that we have. So I'm

1 really happy to work on this commission.

2 MR. BUERY: Thank you so much.

3 Next, it is my honor to introduce
4 Dr. Lisette Nieves. Lisette is the president of the
5 Fund for the City of New York and a distinguished
6 clinical professor at New York University.

7 As a scholar, Dr. Nieves's research
8 focuses on youth and the future of work. Prior to
9 joining the Fund, she was the founding executive
10 director of Year Up NYC [sic], and served in the
11 Bloomberg Administration as chief of staff of the New
12 York City Department of Youth and Community
13 Development. Former Rhodes Scholar, all around
14 excellent leader.

15 Lisette?

16 DR. NIEVES: Thank you very much. And
17 can I say Brooklyn; right? Best borough? I just want
18 to say that.

19 Hi, everyone. My name is Lisette
20 Nieves. I'm really proud to be here. And why I said
21 "yes" to this challenge is because there is absolutely
22 no question that this is the most significant policy
23 change that has happened in decades in housing. There
24 is no question.

25 So I want to thank both our mayor and

1 our City Council for that. What we do with this is an
2 important opportunity. And so, I want to be part of
3 doing that.

4 Born and raised in New York, in
5 Brooklyn. I want to say that. Public schools all the
6 way through higher ed. I'm really proud of that. And
7 became part of the first generation of Puerto Ricans
8 in the '40's. And so, many generations of Puerto
9 Ricans who are here, I'm part of that. I'm really
10 proud to be here in New York.

11 The thing that I believe that I'm going
12 to offer that may make a major contribution is two
13 things. One thing, at the Fund, is that we have
14 housed for the last 15 years, along with Grace
15 Bonilla, is True Cost of Living Report. Talking about
16 housing for a long time. This is not something new.

17 And then, the other thing is the most
18 recent asylum seekers, report and evaluation on that.
19 And I think that's important for us to understand both
20 of those.

21 I am here to listen. I am here to
22 support a transparent process, but I'm also here to
23 understand that when we're talking about New Yorkers,
24 we're talking about my sister, my brother, my cousin,
25 my aunt, my uncle. They're all still here, and -- and

1 we don't want them to be pushed out.

2 So with that said, thank you for the
3 honor of sitting here, and we're lucky to have you as
4 our chair. Thank you.

5 MR. BUERY: Thank you. Thank you,
6 Lisette.

7 Next, I'd like to introduce Julie
8 Samuels. Julie is the president and CEO of Tech:NYC,
9 an organization representing New York's fast growing
10 entrepreneurial tech industry, which she founded in
11 2016. She previously served as executive director at
12 Engine -- Engine, a nationwide nonprofit focused on
13 technology, entrepreneurship, and advocacy, where she
14 remains a member of the board.

15 Julie?

16 MS. SAMUELS: Thank you so much.
17 Thanks, Rich.

18 Thanks, Sharon.

19 Thanks, everyone. I'm really, really
20 honored to be here and part of this important work.

21 I'm a chosen New Yorker. I came here
22 out of choice, and I'm happy to be building my career
23 and raising my young family here. And I think I would
24 just echo what so many of my fellow commissioners
25 said, that clearly the challenge of housing is a

1 challenge that touches every part of our city and
2 everyone who lives here.

3 And I spend my days and my time
4 thinking about how we ensure that New York City's
5 economy continues to be at the forefront, continues to
6 be part of a vibrant -- a vibrant economy that is
7 creating jobs for all of New Yorkers. But if people
8 can't afford to live here, then that is impossible.

9 So it is crucial for the future of this
10 city, for the future of our workforce, for the future
11 of so many -- Lisette's family.

12 And Grace, your family.

13 And the people who grew up here, but
14 also the people we want to attract here and the people
15 we want to remain here, because New York City is -- is
16 the best city. It's the best city in the world. And
17 it is incredibly important that we make sure that
18 people have access to that.

19 And I am just really excited to get to
20 work on this really meaty problem. We are not only so
21 lucky to be working against the backdrop of City of
22 Yes, but there's a real moment, I would say, even
23 beyond New York, across the country around housing
24 policy. There's real energy behind tackling this --
25 this messy problem, and I'm really excited to have

1 that wind at our back as we dig in. Thank you.

2 MR. BUERY: Thank you so much, Julie.

3 Next, it is my honor to introduce
4 Senator Diane Savino, who currently serves as senior
5 advisor at City Hall, focusing on state and city
6 legislative issues, bringing a very unique experience
7 to this work, having previously served as executive
8 director of the 2024 Charter Revision Commission.

9 From 2005 to 2022, the senator, Diane
10 Savino, represented in the state senate north and east
11 shore of Staten Island and portions of southern
12 Brooklyn. I had the chance to work closely with her
13 and her office when I served as the CEO of the
14 Children's Aid Society.

15 Senator Savino, let me have you make
16 your remarks.

17 MS. SAVINO: Thank you. It is an honor
18 and a privilege to sit here with so many of you who
19 have such a wealth of experience in policymaking to
20 improve the lives and conditions of New Yorkers.

21 I should point it out; Richard, you and
22 I did a lot of working with Children's Aid and I was
23 in the senate, but you know, I think about my own
24 experience in life.

25 Like Grace, I was born and raised in

1 Queens.

2 MS. BONILLA: All right.

3 MS. SAVINO: And I no longer say that's
4 the best, 'cause they're all the best borough. New
5 York City is an amazing place, but I wound up 23 and a
6 half years ago having to move to Staten Island because
7 opportunities for homeownership for a -- for a person
8 like myself did not exist in Queens at that point.

9 Shortly after that, never realizing I
10 was going to run for senate, I found -- I found myself
11 representing the north and east shores of Staten
12 Island and Southern Brooklyn. And during the time I
13 was in the senate in -- in Brooklyn, working with the
14 local councilmen and the then Mayor Bloomberg, we
15 rezoned all of Coney Island to lead to massive
16 development.

17 Well, here we are in 2025, and some of
18 those developments have still not started. It has
19 taken almost 15 years for rezoning to come to
20 fruition. It just takes too long. That's one of the
21 challenges that we face with how -- how do we provide
22 housing for New Yorkers at every level of our economy.

23 It oftentimes just takes too long, and
24 we're not producing the kind of housing that people
25 need. You know, the -- whether it's the policies that

1 put in place, 421-a, and how do we -- how do we mix,
2 you know, high income and -- and affordability. These
3 are challenges that we need to take on.

4 So I'm really excited about this, but I
5 will just say as the previous executive director of
6 the Charter Revision Commission, I think you said it,
7 Richard, we have eight million New Yorkers; they have
8 eight million opinions.

9 UNIDENTIFIED SPEAKER: Oh. Yeah.

10 MS. SAVINO: You are going to hear
11 them. The people are going to come forward, and
12 they're going to put things on our table that we had
13 not anticipated, because New Yorkers are really
14 engaged in trying to improve their government. We saw
15 it last year. Hundreds of people turned out for the
16 Charter Revision Commission.

17 And in fact, when the voters saw what
18 was put before them, they overwhelmingly passed the
19 questions. So New Yorkers wanted better government,
20 they wanted better product, and they're going to want
21 to participate. So I'm looking forward to this
22 experience as a commissioner. It will be a lot more
23 fun than being the executive director.

24 Sorry, Alec.

25 But I think we're going to -- I think

1 we're going to come out with a product that makes New
2 York a better place for all New Yorkers. Thank you.

3 MR. BUERY: Thank you so much, Diane.

4 Next person I'm going to introduce is
5 not here. He has a longstanding conflict -- travel
6 conflict, but Carl Weisbrod is senior advisor at HR&A
7 Advisors, has a legendary and distinguished career
8 guiding public agencies and leading initiatives
9 focused on revitalizing and developing our city, our
10 neighborhoods, and our communities.

11 He was the founding president of the
12 New York City Economic Development Corporation, chair
13 of the New York City Planning Commission, and director
14 of the New York City Planning Department -- New York
15 City Department of City Planning.

16 And so, I know we'll really benefit
17 from Carl's expertise for sure.

18 Next, Valerie White is senior executive
19 director of LISC New York, where she leads the
20 expansion strategies to promote LISC NY's statewide
21 efforts to create an economic and community
22 development ecosystem, but addresses deeply rooted
23 systemic inequalities.

24 She has more than 30 years of
25 experience across private, public, and nonprofit

1 sectors, including executive vice president of the New
2 York State Empire State Development Corporation.

3 Valerie?

4 MS. WHITE: Yes. Hi. Thank you, Chair
5 Buery, Sharon, who I met in the street.

6 I am excited to be here and very
7 honored to have this opportunity to bring some of the
8 experiences that I've had -- you know, been blessed
9 with over a relatively long career.

10 The -- the issue of housing has been
11 something that I've worked on for many, many years.
12 And some of you don't know this, but I'm a Housing
13 Authority alum, from '91 to '99, when the first
14 Department of Asset Management and Private Market
15 Operations was launched.

16 And that department was looking at
17 alternative means of bringing financing to build
18 additional housing to support the means of lower
19 income New Yorkers. So it was looking at bonds, it
20 was looking at financing, looking at securitizing
21 future corporations.

22 And that work led me to the longest
23 part of my career, which is at -- where Wall Street
24 started the analytical methodology for housing
25 authorities to build additional units. So that's been

1 very exciting. Then, I went on to do similar work,
2 not just nationally but globally.

3 And what I found in looking at
4 affordable housing across the globe, the issue of
5 social housing, government support, the, you know,
6 capacity that's needed for folks who are in, you know,
7 cadres or -- or blocks of -- of low income all in one
8 area is very similar across the globe.

9 And so, the work that I do now at LISC
10 takes that experience, my government experience, my
11 experience with the State of New York, my experience
12 with the City, and try to find ways that we are
13 investing in housing and other community
14 infrastructure that is supporting the removal of
15 barriers to systemic equity, to systemic growth in
16 economics, and providing those opportunities for
17 families to have access to housing, homeownership,
18 jobs.

19 So I'm really, really excited to hear
20 from the residents of New York City and to work with
21 the Commission to find ways to incorporate those --
22 those policies and tools into the Charter that allow
23 us to invest in equity for all New Yorkers. So I
24 thank you. I do live in Brooklyn; I didn't that.

25 I was born in Manhattan, but lived in

1 upstate New York. And when I graduated from college,
2 I moved back to Brooklyn. And in those days, my first
3 apartment was on Hancock Street for \$300 a month. The
4 same apartment, I think, is going for \$4,500 now. So
5 understanding how that -- understanding how that
6 change has happened.

7 The last thing I'll mention; I am
8 fourth generation woman in New York City. So this is
9 very important to me and my family, the
10 generationally, and I look forward to participating.

11 MR. BUERY: Thank you so much, Valerie.

12 Last and certainly not least, Kathryn
13 Wylde is president and CEO of the Partnership for New
14 York City, a nonprofit organization whose members are
15 global business leaders and the City's major
16 employers. Prior to taking over the Partnership in
17 2000 as CEO, Kathryn led the organization's citywide
18 Affordable Housing Neighborhood Revitalization and
19 Business Investment Programs.

20 Kathy, would you introduce yourself?

21 MS. WYLDE: Thank you, Richard, Sharon,
22 and other commissioners. It's a pleasure to join you.
23 I think all of us who have tried to get things done in
24 New York City have run across, "You can't do it. It's
25 in the Charter some other way."

1 So when it comes to housing, I think we
2 have a particular opportunity to look at all aspects
3 of the Charter, in terms of how we can reduce the cost
4 and time associated with production of new housing,
5 preservation of existing housing, and -- and
6 supporting public-private partnerships in a more
7 effective way.

8 That's become a -- an important tool in
9 housing in particular, to leverage public investment
10 with -- with private resources. And the Charter --
11 much of the Charter provisions were established at --
12 at the time before that was an issue. When the
13 private sector did its thing, the public sector did
14 its thing, and never the twain shall meet.

15 That's changed dramatically, and I
16 think it's great that the mayor has convened a group
17 with the capacity to look seriously at those issues
18 and the opportunities to update them again, to make
19 sure that City of Yes with all of its promise can, in
20 fact, be effectively implemented.

21 MR. BUERY: Thank you so much. It's
22 really -- I think -- and everybody can hear from those
23 introductions and those backgrounds, a truly
24 extraordinary group of public servants. It's hard to
25 imagine a group of people better positioned to do this

1 work, with a broad range of expertise, from housing,
2 to education, to child welfare, to construction. It's
3 really an amazing group to bring together.

4 And personally, very humbled to have
5 the opportunity to be a part of it. There are people
6 in this commission who I've known and worked with
7 literally for decades, and others who I met for the
8 first time today.

9 And I'm really excited to work with all
10 of you, and I want to thank you all for agreeing to
11 take on this really important, time-consuming
12 responsibility. It's an honor to be doing it with
13 you; I know it's time well spent, so thank you all.

14 With the remainder of our time today,
15 we're going to receive two short presentations, first
16 from the Conflict of Interest Board, and then from the
17 Law Department. I know I said earlier, integrity and
18 transparency are actually critical to the work of the
19 Charter Revision Commission.

20 To this end, we are fortunate to have
21 Alex Kipp of the City's Conflict of Interest Board as
22 our first presenter to speak about our obligations as
23 commissioners.

24 MR. KIPP: Hi. Good afternoon,
25 everybody.

1 MR. BUERY: Good afternoon.

2 MR. KIPP: Okay. I think I have some
3 slides. I'll go ahead and get started here while we
4 boot those up.

5 So first of all, thank you for your
6 service. Charter revision -- the Charter revision
7 process is what created the Conflict of Interest Board
8 back in '86 to '88, so that gave me a job. It was
9 charter revision in 2010, which mandated training for
10 all public servants, which gave me job security. It
11 actually keeps us quite busy, so thank you for your
12 work.

13 I'm going to speak to you today about a
14 couple aspects of Chapter 68 of the City Charter that
15 are specifically targeted to members of boards of
16 commissions such as yourself. It's really about how
17 the law applies to you. So it's going to be a short,
18 kind of, taste of things you should know about.

19 The -- the takeaway here in general is
20 always ask. If you've got any kind of question, this
21 law was created with the intention that all public
22 servants are eventually going to have some kind of
23 question that comes up between their public duties and
24 their private interests, where there's a potential for
25 overlap.

1 And when those things come up, they
2 should get advice from the Conflict of Interest Board
3 or from counsel about how to comply with this law to
4 avoid questions of the appearance of impropriety or
5 questions of violations.

6 So it's not a gotcha; these things
7 happen to anybody in public service, and they might
8 happen -- these questions might come up here for
9 members of this, of the Charter Revision Commission.

10 So our theme today a little bit is
11 part-timers, but high rollers. So you're part-timers,
12 which means that a couple of the restrictions under
13 the Conflict of Interest Law, which was really
14 mostly -- it was drafted to think about those full-
15 timers, those 325,000 people who work full time for
16 New York City Government.

17 There's a way and -- and a couple areas
18 where the law treats you a bit differently 'cause
19 you're part-timers, but because of your substantial
20 policy discretion, there's a couple ways in which
21 you've got some extra things to think about. And
22 we'll talk about those second, and this should take us
23 about 15 or 20 minutes. Okay; sound good?

24 MULTIPLE SPEAKERS: Yes.

25 MR. KIPP: Okay. Great. Here we go.

1 Does this thing work? No. Next slide, please. Okay.
2 Great. All right.

3 So the first to stop on our journey
4 today very quickly is outside employment. Now, you
5 might know already if you know anything about the
6 Conflict of Interest Law, that the outside employment
7 restriction for full-timers is quite robust; it's very
8 broad.

9 It says that anybody who has got a
10 full-time position in City Government -- basically, if
11 you have any position with any private entity that has
12 any business dealings with any City agency, you've got
13 a violation on your hands, which can only be cured by
14 a written waiver from the Conflict of Interest Board.
15 That is different for people on the Charter Revision
16 Commission, 'cause you're part-timers. Here's that
17 theme coming up.

18 So you don't need a waiver from the
19 Conflict of Interest Board, unless you have a position
20 with a private entity that deals directly with the
21 Charter Revision Commission -- Commission; sells goods
22 and services to the Commission, has a contract with
23 the Commission.

24 And that's not likely to come up, but
25 if it ever did, you'd go through the waiver process.

1 The waiver process would take you first through the
2 counsel to the mayor's office. You'd talk to Ed about
3 that, Ed Kiernan over there, and then, that would come
4 to us as a waiver request.

5 I think, Ed? You'd do that; right?
6 More or less Ed.

7 Okay. So probably not going to come
8 up, but that's our first stop is outside employment.
9 You only need to think about waivers where your
10 outside employer, which is your primary employer, has
11 business dealings directly with this Charter Revision
12 Commission.

13 Part 2 of our stop today. Well, Part
14 1; let's just stop here for a second. This is an
15 obvious point. I'm not going to belabor this, but you
16 would probably not be surprised to know that 60% of
17 the enforcement cases every year have to do with
18 misuse of City time or City resources for some kind of
19 outside financial interest.

20 Now, a lot of these cases are what we
21 call the Picayune variety, where someone uses a City
22 truck, or a City database, or something else to
23 further their outside interest, like their teaching
24 position, or their repair position, or whatever.

25 But we have had incidences of very

1 high-level people also misusing City time and City
2 resources for their outside practice. There was a
3 member of the Civil Service Commission -- this is
4 going back in the Bloomberg years -- who used a
5 significant amount of -- of City time and resources in
6 the furtherance of his private law practice, and he
7 was fined \$15,000.

8 So I've seen these cases come up. We
9 get about 100 cases a year. About 60% of them
10 probably have misuse of City time and City resources
11 in them. And these are the modalities, whether you're
12 talking about the office technology, the name of the
13 city, or office space, personnel, confidential
14 information. Okay.

15 One asterisk on that, which we'll touch
16 on at the end, is what if my outside firm, if I was a
17 Charter Revision Commission member -- I've just given
18 myself a substantial promotion, but let's say I was.
19 What if my outside -- my primary employer wanted to
20 devote resources in furtherance of my work here on the
21 Charter Revision Commission? That is probably fine.

22 So let's say I -- I'll use Dr. Nieves
23 as an example 'cause we met just recently in November.
24 If the Fund for the City of New York -- if I wanted --
25 let's say I worked there. If I wanted to devote a

1 certain amount of the Fund for the City of New York's
2 resources, let's say research, copying, time, et
3 cetera, in furtherance of this work.

4 That's fine, as long as the benefit
5 redounds to this -- the Charter Revision Commission
6 and I don't disclose any confidential CRC information
7 to my outside employer. Okay.

8 So we don't need to do the asterisk.
9 We just did it. Okay. Let's move onto the third
10 thing. Okay. The third way in which we think about
11 part-timer, the part-timer, sort of, rubric is on
12 making paid communications on behalf of private
13 parties to City agencies. For a full-timer like me,
14 that is prohibited without a waiver for any City
15 agency.

16 So I couldn't represent a company
17 before DOB or the Comptroller's Office, or DOI, or
18 anybody. For you again, it's restricted only to this
19 agency. I can't make a compensated communication
20 before the CRC on behalf of a private entity. If I
21 wanted to do that, I would need a waiver.

22 I'm not sure that such a waiver would
23 be supported. You can always ask; there's no penalty
24 for asking, but that would need a written waiver from
25 the Conflict of Interest Board.

1 Thus concludes Part 1, which has to do
2 with the part-timer section. Let's now go to the high
3 roller section.

4 Members of -- it's not -- no. It's
5 true. It's -- Diane is over there going, "Haha. High
6 roller." No. It's true. High roller. Okay. So --
7 oh. Yeah. Now, this is -- this is -- actually, we're
8 still on -- on part-timer here for a second, so I -- I
9 did a bad preview here.

10 Let's talk about the Gifts Rule for a
11 second. The City has a valuable Gifts Rule. If
12 you've been in City Government, you probably remember
13 it; it's taken quite seriously. It says, "I don't
14 take a valuable gift from anybody doing business or
15 seeking to do business with the City."

16 "Valuable" has always meant, since this
17 law's inception in 1989, \$50 or more. Right? I don't
18 accept a valuable gift from anybody doing business or
19 seeking to do business with the City.

20 Now, I don't know about you, I've
21 worked for the City for 23 years, and I've not been
22 offered \$50 for anything, but right; you can't take
23 it. Now, this doesn't work so well when we think
24 about a part-time member of a board and commission,
25 whose got an outside life with an employer, and

1 relationships, and clients. The -- the good news is
2 that there has been always this, what's called a
3 social exception under the Gifts Rule.

4 And what it essentially says -- I'm not
5 going to quote it to you 'cause we'd be here all day,
6 but what it says is, if it's obvious that the reason
7 why you're getting the gift is a preexisting
8 relationship with the -- and that's the sole reason
9 you're getting the gift.

10 Like, it's your employer's holiday
11 party, or it's your relative, it's your longstanding
12 friend. And it's obvious that the only reason they're
13 giving you the gift is that preexisting relationship,
14 then you don't worry about the \$50 rule.

15 The question I think to ask for advice
16 on, is if you've got an old friend who now wants to
17 shower you with gifts, but they also have a matter
18 before this Commission. Now, we have, kind of,
19 muddled appearances about why the giving may happen.

20 So the greater the propinquity of the
21 person's City matters to your Charter Revision
22 Commission position, when that person's trying to give
23 you a gift, you might want to ask for advice to make
24 sure.

25 And I think the takeaway beyond that

1 is, like, look, we don't take gifts for doing our City
2 jobs or from people that have matters before us, and
3 that's pretty obvious; right? So we don't, "Hey.
4 You're a member of the Charter Revision Commission.
5 Have this thing." Obviously, we wouldn't take it in
6 that -- in that case.

7 So those two things. Your outside life
8 is not impacted by the issue. Relatives are going to
9 continue to give you gifts, you're going to continue
10 to be a member of your firm or whatever you are, but
11 if someone wants to give you a gift because of your
12 status here, it probably should be refused.

13 Okay. Now, we do the high rollers
14 thing, I think. Next slide, please. Does this work?
15 Okay. Is that the next one? Oh. Okay.

16 Leaving City service. Okay. This is
17 largely moot. I'm going to do this super fast, but
18 you might remember that in the Charter Revision
19 process a couple of years ago, remember when we had
20 these back-to-back Charter Revision Commissions during
21 the de Blasio years? There was one mayoral and there
22 was a council one that followed through the next year.

23 The Council kind of motivated, the non-
24 mayoral one, there was a slight change to the Charter,
25 which technically affects people in this room, but is

1 probably going to be a moot point.

2 And what happened was, the one-year
3 post employment ban for members of boards, and
4 commissions, and other high-level people, heads of
5 agencies, people like that, went to two years.

6 So for two years upon leaving service
7 at the Charter Revision Commission, I would not be
8 able to make a paid compensation back to the Charter
9 Revision Commission. And you know why this is moot?
10 Because once your work is done, there's not going to
11 be any more Charter Revision Commission.

12 So while there would be a two-year ban,
13 there's not anybody to make representation to you
14 after you leave, so let's move on, 'cause that doesn't
15 really apply. And now, let's go to political
16 activities. Okay.

17 So these are the standard ones that we
18 think about. We don't solicit people that we've got
19 juice over. We don't even ask our subordinates to do
20 anything in terms of a political activity. Let's get
21 to the high roller's section.

22 The high roller's section is this.
23 Those of us who have substantial policy discretion, we
24 face a restriction on asking other people for money
25 for local races. What does that mean? So anybody

1 running for Council, for mayor, for comptroller, for
2 public advocate, for borough president, we cannot ask
3 anyone in the world to contribute to those races.

4 We can write our own checks within
5 whatever the campaign finance limits are for the
6 races, whatever, but we can't have a house party if
7 that house party is to ask other people to donate to
8 those campaigns. You can't do it. I have -- I might
9 have a friend who's living in Australia; I haven't
10 seen him in ten years. I cannot call him and ask him
11 to fund a race for one of those City offices.

12 And the other kind of race that we
13 cannot ask other people to fund is any current City
14 elected official who's running for any other office.
15 And this increasingly happens, 'cause we've got term
16 limits. So back before there were term limits, this
17 happened in my neighborhood, Brooklyn; best borough.
18 Right?

19 So down where I live, Major Owens was
20 my congressional representative for a long time. He
21 retired, and during that -- after his retirement,
22 Yvette Clark was the sitting City Council member, and
23 she ran for his seat. We would not have been able to
24 ask anyone in the world to contribute money to her
25 race because she was a sitting City elected official

1 who was running for another office. So that's what
2 that means.

3 And the other thing is political
4 activities, in terms of executive or office positions
5 in the county parties. So this -- what it says
6 basically is, you got substantial policy discretion;
7 you can't have a high-level position in the political
8 parties.

9 And you might scratch your head, like,
10 "Wow. That sounds like hyper. Why? Why is that?"
11 Well, a lot of times, ethics laws are kind of
12 responding to the context out of which they come, and
13 this is probably one of those times.

14 You might remember there was a huge
15 scandal involving Queens Borough President Donald
16 Manes in the mid-80's. And this is, kind of, a small
17 part of that, but one of the things in Charter
18 revision that they noticed was, "Oh. Donald Manes
19 was -- was Queens Borough President, but he was also
20 head of the Queens Democratic Party at the same time."

21 And maybe that's not a great fit.
22 Maybe people with substantial policy discretion
23 shouldn't also be very high up in the political
24 parties. And so, there's now a restriction that says
25 we can't hold those high-level positions in the

1 parties.

2 It's been the same for a long time. I
3 think it was challenged maybe by Howard Golden. I
4 don't know when. It was before I worked in City
5 Government. He got a couple votes in the Court of
6 Appeals, I think, but in any case, it's been the same
7 long time.

8 Okay. Now, last thing we need to touch
9 on is the very core notion of the Conflict of Interest
10 Law, which has to do with misuse of position. I'm not
11 supposed to use my City position in a way that would
12 benefit any private entity that -- that I am
13 associated with; right? Like my outside employer;
14 like the Fund for the City of New York, et cetera.

15 Now, what does this mean? What does
16 this mean in terms of your board service? Well, it is
17 possible that the entities that you work for full time
18 might want to make a statement at an open meeting in
19 support of something that the Charter Revision
20 Commission is considering.

21 And so, the first question that comes
22 up is, when my employer comes to make that statement
23 at the open meeting, what's my duty? Do I have to
24 walk out of the room? Do I have to recuse from
25 something? Can I participate in that?

1 And the answer is, no. I can
2 participate in that open meeting like anybody else.
3 The Board -- the Board's guidance on this is, you just
4 make it clear, "I am talking right now as a Charter
5 Revision Commission member and not as a representative
6 of my outside employer." That's it. That's it. No
7 recusal needed. You don't have to worry.

8 Now, what if -- again, I'll go back to
9 the Fund for the City of New York. Thank you for
10 volunteering. So what if the Fund for the City of New
11 York would like to have some meetings with the staff
12 before or after the open meeting? Can I, as a person
13 who works for the Fund for the City of New York, can I
14 participate in those meetings where the Fund for the
15 City of New York is going to meet with the staff?

16 This is not subject to Open Meetings
17 Law. This is something else that's coming up before
18 or after the open meeting. And the answer is no.
19 I -- if I am on the Charter Revision Commission, I'm
20 employed by the Fund for the City of New York, I do
21 not participate in those meetings that are not subject
22 to the Open Meetings Law. I -- someone else can
23 participate in those, but not me.

24 And then, the last thing I think we
25 are -- now, one last thing to think about is, what if

1 my outside employer is a for-profit entity and not a
2 not-for-profit entity? And there, the advice, the
3 guidance is a little different.

4 Not only do I not participate in the
5 non-open meetings, just like we would if I was in the
6 not for profit, but even when my -- let's say my for-
7 profit company that I work for, they want to make a
8 statement at the open meeting, I would have to recuse
9 from that part of the open meeting.

10 I'm not sure that that's going to come
11 up at all, but if it did, that's what you would do.
12 Now, last thing on the slideshow. Okay. This is just
13 the beginning. What happens with Conflict of Interest
14 Law is you forget all the stuff we talked about, which
15 is good, 'cause you've got to consider much more
16 important things, like how am I going to continue to
17 live in this city? Thank you for your work on that.

18 But when you get the question, think of
19 us as the place that can answer them all. So we're
20 very easy to get a hold of; you call us up at that
21 number, 9 to 5, Monday through Friday. You can also
22 write us a letter if you're nostalgic for the postal
23 system; right?

24 But the easiest way is to go online.
25 We've got a -- it's kind of blocked there by the

1 captioning, but anyway, we've got a website like
2 everybody else on nyc.gov. And on the home page, it
3 says, "Get legal advice. Type in your question."
4 We'll get back to you that day.

5 That concludes -- oh. By the way, I
6 gave you, like, a one-page handout there. It's being
7 folded up, which I think is the right move; then, you
8 can use it as a fan if you want. But there is our
9 telephone number and our website on the back in case
10 you need it.

11 I don't think I have to say anything
12 else. Is there anything else you want me to talk
13 about? No. Okay. Good. Well, thank you, and thank
14 you for your --

15 Yes, ma'am? I'm sorry. Yes. Go
16 ahead.

17 MS. WYLDE: I didn't understand how you
18 make political contributions, but we can't ask people
19 to make contributions?

20 MR. KIPP: Correct. Correct.

21 MS. WYLDE: Just confused.

22 MR. KIPP: So I can make any
23 contributions to any candidate running. I can also
24 ask people to make contributions to state races,
25 federal races, but I can't ask anybody to make a

1 contribution to anybody running for a local race or
2 any current City elected official who's running for
3 any other race.

4 So, like, a current City Councilmember
5 running for Congress or Senate would be the, kind of,
6 the classic examples where that comes up.

7 MS. WYLDE: And for what period?

8 MR. KIPP: For the duration of my
9 service here on the Charter Revision Commission. So
10 there's no -- like, let's say your service ends on
11 Friday. The Saturday, you can ask anybody in the
12 world to make those contributions. There's no cooling
13 off period for that; you can do that the next day.
14 But for the duration of your service, you couldn't
15 make that --

16 MS. WYLDE: And what about
17 contributions to a City pact?

18 MR. KIPP: Contributions to the City
19 pact is going to be the same answer. If the City pact
20 is devoted to electing someone, then I don't ask
21 people to donate to that pact to get that, either
22 person running for City Office elected or get that
23 current City official elected for any other office.

24 MS. WYLDE: And if it's a general pact
25 for any state or local official?

1 MR. KIPP: The general -- so yeah.
2 There's lots of different kinds of pacts. If you've
3 got a question where you feel like, "I'm a little
4 concerned, 'cause, like, the pact does a lot of
5 different things; I want to know if I can do an ask."
6 That's a great question on legal advice; let's sort it
7 out, 'cause I can talk about the extremes, where it's,
8 like, well the pact is just issue-oriented; right?

9 And it's not getting any local official
10 elected and that would seem to be okay, but there
11 might be a pact whose sole purpose is to get a
12 particular individual elected. And then, we've got to
13 ask about, well, who are they trying to get elected,
14 because if it's one of these prohibited things, then
15 the answer would be no. You can't ask other people to
16 donate.

17 So if you've -- if you've got that
18 question come up, let's get you specific guidance in
19 writing from the COIB. So when the asks come and you
20 know you can do it, if anybody scratches their head,
21 you can say, "No. I already got the advice from COIB.
22 They said it was fine." All right?

23 By the way, all advice questions --
24 this is the way this works -- it's free and it's
25 confidential. So that means you call us up, we can't

1 share even the fact that you called us for advice with
2 anybody. You can share that advice with anybody you'd
3 like, but we cannot. And that makes it a safe place
4 for you to ask whatever question you want and know
5 that the Conflict of Interest Board can't trumpet that
6 to anybody else; okay?

7 All right. Thanks, everybody, and
8 thanks for your service.

9 MULTIPLE SPEAKERS: Thank you.

10 MR. BUERY: Thank you, Alex. I can't
11 believe you made a COIB presentation interesting --
12 but I appreciate that.

13 We are now fortunate to have Brenda
14 Cooke and Benjamin Miller of the New York City Law
15 Department to present on the function and role of the
16 City Charter, as well as the work of some prior
17 Charter Revision Commissions.

18 Thank you, Brenda and Benjamin.

19 UNIDENTIFIED SPEAKER: The bar is
20 high --

21 MR. BUERY: The bar is high. The bar
22 is very high.

23 MS. COOKE: Who knew that conflict of
24 interest would be so energetic and interesting, but
25 thank you. Make sure I have a handle on this. Yes.

1 Thank you, Chair, and members of the
2 Commission for having us. It's a privilege for myself
3 and my colleague Ben Miller to be here today. I'm a
4 deputy chief counsel in the Legal Counsel Division at
5 the New York City Law Department. And myself, Ben,
6 and a team from our division are at your service
7 throughout your tenure and your time here on the
8 Commission to help assist, and guide, and answer any
9 questions that you may have now or in the future.

10 I am impressed by the qualifications
11 and the dedication that I heard from each of you as
12 you were introduced, and I look forward to working
13 with each of you.

14 The content of our presentation today
15 is going to focus in two parts. I'll cover the first,
16 which is the bit of the history of the -- the Charter
17 and a sense of how it's organized, because part of
18 your duties as commissioners is to understand the
19 entirety of the Charter so that you can carry out your
20 service in that respect.

21 Ben will speak after me, and he will
22 address methods of amending and how Charter Review
23 Commissions in the past, and how you may as you carry
24 your work forward, approach amendments proposed to the
25 Charter.

1 The Charter is a document setting out
2 the structure and powers of responsibilities of City
3 Government. It's referred to as a short form document
4 that sets out general authority, responsibilities of
5 the agencies, and elected officials; the kind of
6 general basic processes of our government.

7 For the most part, it doesn't contain
8 terribly detailed information. The sort of day-to-day
9 workings of government, you won't really find there.
10 The requirements that are imposed on individuals, or
11 businesses, and citizens of the City as we carry about
12 in our -- in our daily lives.

13 Those kind of details are usually in
14 other places, such as the Administrative Code or the
15 rules that are promulgated by agencies that really do
16 touch more of the day-to-day lives of New Yorkers.

17 There are exceptions. Chapter 79 of
18 the Charter is a recent addition to the Charter, and
19 it relates to the Office of Community Hiring. And it
20 contains some specific provisions about that office.
21 But for the most part, my description of the Charter
22 would be that it is more general, and a more general
23 document it is intended to be.

24 To give the context legally for where
25 the Charter fits in, generally, in the United States,

1 local governments derive their legal authority from
2 the states in which they are located. That means that
3 in New York State, the legal framework for
4 municipalities is set by our state constitution and
5 our state laws.

6 There are few primary state laws that
7 define our local authority here in New York City; it's
8 our Municipal Home Rule Law, the General City Law, and
9 the General Municipal Law.

10 The Municipal Home Rule Law in
11 particular is the one you'll be hearing about from Ben
12 later in this presentation. It gives municipalities
13 broad authority to determine their own structure of
14 city government and sets forth our processes for how
15 we would do so.

16 Now, we'll talk a little about the
17 history of the Charter. The concept of charters in
18 the United States is quite old and dates back to
19 colonial times, but I won't go deep into that, so
20 thank -- thank for that.

21 The first charter in New York City
22 is -- we now think of it, however -- was adopted a
23 long time ago in 1897. That was following the
24 creation of greater New York, which was formed by
25 combining the cities of Brooklyn, and New York, and

1 some other municipalities that are now generally the
2 City as we understand it.

3 That charter was very long, had a
4 tremendous amount of detail, and much more than our
5 current Charter. Amendments were made to that charter
6 along the way by state law in the early 1900s, and it
7 got a little longer and more detailed until what we
8 have today.

9 The Charter today is what we refer to
10 as a short form charter, and that means that the
11 charter that we have, that was implemented in 1936 by
12 a Charter Review Commission much like yourselves,
13 created a charter that was much more focused,
14 reflecting the kind of broad structure, and the more
15 detailed provisions were moved into the Administrative
16 Code. And that was -- Administrative Code was adopted
17 shortly after that 1936 Charter.

18 There have been a number of Charter
19 Revision Commissions over the years, ranging from ones
20 in 1961, through several in the 1980's and the early
21 2000's, and most recently, just last year, as was
22 mentioned, and Diane was the executive director of,
23 where Mayor Adams appointed a commission where
24 proposals were approved by the voters in November
25 2024.

1 Something to note; while most recent
2 commissions, including this one, were created by the
3 mayor under Municipal Home Rule Law 36 Subdivision 4,
4 the 2019 Charter Review Commission was actually
5 created pursuant to Council, local law.

6 And some of you also may be aware that
7 City Council passed another local law in 2024; it's
8 Local Law 121, and the Council has, in fact, also
9 instituted a Charter Revision Commission under that
10 local law. And that commission will work separately
11 and distinctly from the work of this commission; and
12 that is of note, and I wanted to address that here.

13 Our Charter -- before we get into the
14 next section of the chapters, take a little step back
15 and describe this hybrid document, which you'll hear
16 more about from Ben. But it includes, as I mentioned,
17 a compilation of -- a patchwork of state laws, laws
18 passed by City Council, and the results of petitions
19 and proposals by Charter Revision Commissions like
20 yourself.

21 All of those things come to form this
22 document, that much like the Constitution of the
23 United States, is a broad document based on a
24 democratic process that's balancing tension and ideas,
25 as many Commissions have gone before you have done.

1 The things that the Charter holds
2 together in tension and balance are things like
3 community, autonomy, and centralized government. So
4 we might think about this as the continued existence
5 of borough presidents and community boards.

6 While we in New York City have a
7 centralized government led by the mayor, and elected
8 official, and City Council -- elected officials --
9 those borough presidents and community boards --
10 borough presidents are directly elected and appoint
11 community boards, that have important responsibilities
12 for aggregating perspectives and viewpoints of the
13 constituents in those boroughs.

14 But their power comes through mostly
15 modes of persuasion, rather than more direct power,
16 like the mayor or the Council will have.

17 The Charter also attempts to strike a
18 balance between the executive, represented by the
19 Office of the Mayor and the Legislative Branch, as
20 well as other elected officials like the public
21 advocate or the comptroller. So for instance, the
22 comptroller has the role to audit the financial
23 affairs of the City, but it's the mayor who sets out
24 the City's budget, and City Council who adopts the
25 budget.

1 The Charter attempts to strike that
2 balance to make sure there is oversight, and
3 democratic representation in the process, and an
4 executive in charge of carrying out the functions of
5 City Government.

6 And thirdly, I would want to call your
7 attention between the balance between government
8 efficiency on the one hand, and accountability and
9 public participation on the other. The Charter
10 compels the production of a lot of reports, and people
11 may have varying views on whether anyone reads those
12 reports, but it brings information into the public
13 view.

14 It brings information to the public, so
15 they can make informed choices about how government
16 works, and it provides places for the public to attend
17 City meetings, deliberative bodies, and City bodies
18 who are making decisions about how to allocate
19 resources.

20 That's all what the Charter essentially
21 does; it protects public participation in the process,
22 while recognizing, as has been mentioned today, we
23 have eight million people, more than eight million
24 people in this city, and it's hard to imagine that we
25 can get much done by direct participation in

1 everything.

2 So looking now at the sections of the
3 Charter, and the chapters, and how it's organized.
4 The beginning chapters are mostly organized in elected
5 officials. Chapter 1 generally covers the power of
6 the mayor. Chapter 2, City Council. Chapter 4,
7 borough presidents. Chapter 5, the comptroller.

8 These chapters, each of them generally
9 explain how the official is elected, what term they
10 serve in office, what their powers and duties are, how
11 they can be removed, how they can be succeeded if they
12 are not able to serve, what kind of staff or deputies
13 they can hire to appoint them and help them fulfill
14 their office responsibilities.

15 And I'll mention this because someone
16 is eagle eyed and -- and might wonder why I skipped
17 Chapter 3. I skipped Chapter 3 because Chapter 3 has
18 been repealed. Chapter 3 used to address the Board of
19 Estimate, which in 1989, as part of the elected
20 process, was removed from its Charter section.

21 There are many chapters in the budget.
22 There are many chapters that set forth the basic
23 processes of City Government in the Charter, as well.
24 Those are budgeting, spending, administration of City
25 property. There's a chapter about the expense budget;

1 there's a chapter about tax appeals, and city
2 planning, and capital projects. Budget process, the
3 independent budget office, financial obligations of
4 the City, procurement, and that covers contracting and
5 purchasing by the City. Franchises and City property
6 generally.

7 There are chapters on almost everything
8 you can imagine in the Charter. And you -- as I told
9 you, the Charter is considered to be short form
10 document, compared to documents of our Charter
11 previously.

12 And there's the remainder of the
13 Charter, which we haven't yet addressed, and there's
14 more than 40 chapters. They each cover a different
15 agency. Similar to those chapters, they cover
16 elect -- as elected -- similar to the chapters that
17 cover elected officials, those chapters cover topics
18 of appointments, City agency, the agency's authority
19 to promulgate rules, and in many cases, the power of
20 those agencies to issue subpoenas and enforce the laws
21 within the scope of their authority.

22 You're in luck, though, because I'm not
23 going to go through 40 chapters in any further detail.
24 There are some chapters I do want to highlight more
25 specifically, that cover processes and requirements

1 applicable to City officials and agencies, but we'll
2 touch briefly upon them.

3 Chapter 45 is the City Administrative
4 Procedure Act, sometimes referred to as CAPA, which is
5 the rulemaking procedures for City agencies enacting
6 those rules. Chapter 46 is Elections and Voter
7 Assistance.

8 Chapter 47, Public Access to Meetings.
9 I'll pause here to say that this one is a chapter that
10 I will -- will speak a little bit about, because that
11 addresses public access under the State's Open
12 Meetings Law. And you will hear reference to that
13 throughout your work; we've heard it here already
14 today, because this is a public body that is governed
15 by Open Meetings Law.

16 Chapter 50 and 50A are Term Limits and
17 Qualifications. Chapter 54 covers collective
18 bargaining. Chapter 68 is the conflict of interest
19 section, which was just covered in -- in very
20 energetic detail by my colleague.

21 Chapter 69 was added; it covers
22 community districts and co-terminality of local
23 services. Section 27 within that chapter is the co-
24 terminality of service districts, which of note, was
25 added after Charter Revision Commissions in 1975, and

1 was intended to address what had previously been a
2 very disparate patchwork of not at all overlapping or
3 intersecting service districts for various City
4 agencies, such as police, parks, fire.

5 And so, the 1975 Charter Revision
6 Commission attempted to reconcile to the -- to the
7 greatest extent possible, overlay so that those
8 service districts, for regardless of which agency
9 were -- were aligned -- more aligned with each other
10 geographically.

11 And now, I will turn the presentation
12 over to my colleague Ben Miller, who will give you a
13 little bit more information about how you're going to
14 do your work to amend and propose amendments to the
15 Charter. Thank you.

16 MR. BUERY: Thank you.

17 MR. MILLER: Okay. Thank you, Brenda.

18 Again, my name is Ben Miller. I'm a
19 senior counsel in the Legal Counsel Division of the
20 Law Department, and it is a pleasure to present to the
21 Commission today.

22 When it comes to amending the Charter,
23 it is important to point out one crucial difference
24 between our Charter and the Federal and State
25 Constitution. Those documents, as you probably are

1 aware, are rarely amended because it's hard to do so.
2 But the Charter is actually a document that can be
3 amended relatively frequently.

4 The Charter can be amended by a normal
5 route, local law, passed by City Council, signed or
6 not via by the mayor, or it can be passed -- changed
7 by a local law, subject to a referendum. Now, whether
8 a local law is subject to a referendum depends on the
9 subject matter of the -- of the change being made.

10 So just some examples of things that
11 we've done by local law would require a -- a
12 referendum are significant changes to the powers of an
13 elected office, or the abolishment of an elected
14 office, transferring powers between mayoral agencies
15 or an agency that -- a nonmayoral agency, where it's
16 headed by a commission that's not fully controlled by
17 the mayor, like CRC.

18 Or another example is changes to the
19 way that the City disposes of property, and then,
20 there are some others.

21 Other ways that the Charter can be
22 amended are by State Law, by petition subject to a
23 referendum, or by a Charter Revision Commission, which
24 also would be any recommendations from a Charter
25 Revision Commission are of course subject to approval

1 by the voters.

2 As Brenda mentioned, the establishment
3 of a commission is pursuant to the Municipal Home Rule
4 Law, Section 36. Subdivision 4 of that section gives
5 the mayor the authority to establish commissions, and
6 this is the most typical way that commissions are
7 established, but there are other methods, including by
8 a local law.

9 A commission established by the mayor
10 can consist of between 9 and 15 members. The mayor
11 selects the chair, the vice chair, and the secretary
12 of the commission. All members of the commission must
13 be residents of the City, and commission members may
14 hold other public office or employment.

15 Commissions are not permanent. They
16 typically expire on the day of the election at which
17 their recommendations are voted on. If a commission
18 determines not to make any recommendations, then they
19 expire on the day of the second general election after
20 their appointment.

21 The powers of a commission. A
22 commission may hire employees and consultants, and a
23 commission may conduct hearings, take testimony, and
24 subpoena witnesses or documents. A commission may
25 propose amendments to the Charter that could be

1 adopted through regular local law or those things that
2 would require a referendum.

3 So earlier, I mentioned that the
4 Council can amend the Charter by local law, and -- and
5 whether a referendum is required depends on the nature
6 of the change being made. Charter Revision Commission
7 can make any change to the Charter, including changes
8 that could -- that Council could do by local law, but
9 any change recommended by the Commission must be
10 approved by the voters.

11 A commission may propose a broad set of
12 amendments that essentially overhauls the whole
13 Charter and implements a new Charter, or focuses only
14 on certain areas. The last time we had a full
15 overhaul was in 1989, as Brenda mentioned, I believe.

16 And then, the commission may present
17 amendments to voters as one question, a series of
18 questions, or as alternative options. The series of
19 questions is the most typical -- the typical way.

20 There are limits on the power of a
21 commission. A commission may not propose amendments
22 beyond the scope of the City's local legislative
23 powers, as set forth in the State Constitution and the
24 Municipal Home Rule Law. This generally means that a
25 commission may not propose changes to the Charter that

1 would be inconsistent with State Law, and a commission
2 may also not intrude in areas that are exclusively the
3 authority of the federal government or the state
4 government.

5 A commission must review the entire
6 Charter and hold public hearings. Now, if the
7 commission decides to leave a part of the Charter
8 unchanged, which is typical, then they -- the
9 Commission must issue a report accompanying their
10 proposals, explaining why it determined to leave such
11 a part unchanged.

12 But this is a flexible requirement, and
13 it can be accomplished in different ways. The 2018
14 Commission, I think, directly addressed the
15 requirement and sort of explained some topics it was
16 leaving to future commissions to -- to consider,
17 whereas other commissions really just explain why they
18 focused on particular topics. And thus, by
19 implication, that sort of explains why they decide to
20 leave other parts alone.

21 So to wrap us up, I'll just briefly
22 discuss some notable recent commissions. The 1989
23 Commission again, the main change there was that it
24 eliminated the Board of Elections. This was a key
25 government body that was declared unconstitutional by

1 the US Supreme Court.

2 You may be -- that board was -- it
3 violated the principal of one person, one vote,
4 because each borough president had equal voting power,
5 despite the very different populations of the
6 boroughs.

7 So because this Board of Estimate,
8 prior to 1989, had such a significant role in so many
9 City -- important City processes, all those had to be
10 rethought when the Board was abolished.

11 The 2010 Commission restored the two-
12 term limit for elected officials that had been
13 extended only two years before in 2008. And the 2019
14 Commission implemented rank choice voting and also
15 made the mayor's appointment of the court counsel
16 subject to the City Council's advice and consent.

17 In 2021, there was the Racial Justice
18 Commission appointed by Mayor de Blasio, examining
19 racial equity, and -- and that commission resulted in
20 the establishment of the Office of Racial Equity and
21 the requirement for the preparation of Citywide and
22 agency specific racial equity plans.

23 And finally, in 2024, the Charter
24 Revision Commission appointed by Mayor Adams focused
25 on government efficiency and responsiveness.

1 And that commission resulted in
2 recommendations approved in November, including the
3 expansion of the Department of Sanitations Authority,
4 the requirements for City Council to obtain cost
5 estimates before certain new legislation, and to
6 provide notice before voting on policing or public
7 safety legislation, and also established additional
8 requirements for the capital planning processes.

9 So that concludes our presentation.
10 We're happy to answer any questions the Commission has
11 today or throughout the process.

12 UNIDENTIFIED SPEAKER: Thank you.

13 MR. BUERY: Are there any questions for
14 the Law Department now? No?

15 Thank you so much for the presentation.
16 We appreciate it.

17 So this concludes the formal part of
18 our agenda for this meeting. As we said before, our
19 first hearing will be on February 11th, in Brooklyn,
20 at 5 p.m., at the Fire Department Headquarters. We
21 hope to see many of you there.

22 And if there's no other issues, or
23 topics, or questions, I'd love to entertain a motion
24 to adjourn the meeting.

25 MR. KIERNAN: Is there a motion to

1 adjourn?

2 MS. WYLDE: So moved.

3 UNIDENTIFIED SPEAKER: Second.

4 MR. KIERNAN: Any discussion?

5 All in favor?

6 MULTIPLE SPEAKERS: Aye.

7 MR. KIERNAN: Any opposed?

8 Abstentions?

9 MR. BUERY: All right. We are
10 adjourned.

11 MULTIPLE SPEAKERS: Thank you.

12 MR. BUERY: Thank you so much. Thank
13 you, everyone.

14 (Whereupon, the meeting concluded at
15 1:24 p.m.)

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CERTIFICATE

I, PAUL GRASSO, 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.

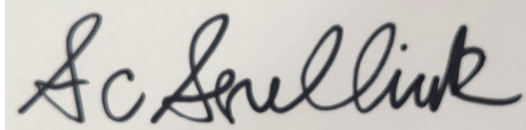


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Notary Public in and for the
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11 employed by the parties hereto, nor financially or
12 otherwise interested in the outcome of this action.

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