

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

NEW YORK CITY CHARTER REVISION COMMISSION 2019

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May 2, 2019

Start: 6:05 p.m.

Recess: 9:42 p.m.

HELD AT: Brooklyn Borough Hall
Main Courtroom
209 Joralemon Street
Brooklyn, NY 11201

B E F O R E: GAIL BENJAMIN
Chairperson

COMMISSIONERS: Sal Albanese
Dr. Lilliam Barrios-Paoli
Lisette Camilo
James Caras
Eduardo Cordero, Sr.
Stephen Fiala
Paula Gavin
Lindsay Greene
Alison Hirsh
Rev. Clinton Miller
Sateesh Nori
Dr. Merryl Tisch
James Vacca
Carl Weisbrod

A P P E A R A N C E S (CONTINUED)

Alicia Boyd

Robert C. Dorf Former NYC Judge

Wendy Dorf, Former Legislative Analyst, NYC Council
Finance Unit and Director of Mapping NYC DEP

John Manning, Civil Servant & Lifelong New Yorker

Scott Ulrey, General Counsel, NYC Office of
Management and Budget

Jumaane Williams, Public Advocate

Francesco Brindisi, Deputy Director, Office of
Management and Budget, Economics, Revenues and Policy

Hal Phillips

Florida Miranda, via Translator

Ranique Reneged

Roberto Rodriguez, Los Sudas Mucho, South
Williamsburg

Council Member Brad Lander

Tim Coley, Inwood Resident

Craig Seeman, Green Party State Committeeman, Former
Chair of State Party & former 2001 NYC Council
Candidate

Olya Schwartzburg, Officer, Manhattan Libertarian Party & Committee Member of the State Libertarian Party

Linda Moyan NYC Anti-Violence Project

Nick Rizzo, Democratic Male District Leader, 50th Assembly District

Ellen Bolofsky, Advocate for Ranked Voting & Brooklyn Resident

Mariam, Youth Leader, Make the Road New York

Jed Holtz, NYC Organizer, Freedom Socialist Party, Appearing for Legislative Working Group of the Campaign For an Elected Civilian Review Board

Michael Kamada, Brooklyn Anti-Gentrification Network

Daniella Liebling, Green Party

Robin Strauss, Social Worker
Anna Santiago

Ray Curry

Gina Arias

Steven Smith

Richard Vana Auken

Sandy Hornick

Frank Murano

Ralph Riozzo

Roxanne Delgado

Andrew Brow

Alex Cosenico (sp?)

Robert De Mello

Lauren Thomas

Andrew Hess

Nester Davidson Professor of Land Use and Property
Law, Fordham Law School

Marianne Yen, Licensed Real Estate Broker & Green
Infrastructure Professional

Betty Davis

Ken T. Open New York

Stephanie Zimmerman

Stephanie Zimmerman, Chair for the Civic Engagement
Committee for Brooklyn NAACP

[background comments] [gavel]

CHAIRPERSON BENJAMIN: We'd like to start. Okay, we'd like to start. [background comments] Hello, everyone. I'd like to welcome you and welcome myself to Brooklyn Borough Hall in this beautiful room. I'd like to welcome you to tonight's public hearing of the 2019 New York City Charter Revision Commission. I'm Gail Benjamin, the Chair of the Commission. I'm joined by the following Commission Members: Seated below is Jim Caras, Sateesh Nori and Lisette Camilo. Seated above starting on my far right--not meaningful--is Sal [laughter], Paula Garvin. My Counsel David Seitzer, myself and Steve Fiala. Sorry. With these commission members we are going to start the meeting. Before we begin, I would like to ask everyone to if you have a cell phone with you to put it on vibrate or on airplane mode. Thank you. Before we begin I'd like to--our hearing--I'd like to just tell you a little bit about the Charter, which is the city's foundational governing document. It plays a vitally important role in establishing the structures and processes of city government, which in turn affect many aspects of our everyday life. It has been our

task to evaluate how the current Charter has performed, and to identify areas in which improvements must might be made in order to best serve the city for the next 30 years. After our first round of borough hearings in September as well as through engagement online and in person, we received hundreds of suggestions for changes. The Commission ultimately adopted a set of focus areas, which outline those areas, which we decided to pursue for a further, and then held a series of expert forums at which we were able to hear from a wide variety of people knowledgeable in those areas. Following that months long process, the Commission's staff issued a preliminary staff report containing recommendations regarding those proposals, which they felt had particular merit for further consideration and for the voters on the ballot this November. The staff report is what brings us here today. We look forward to hearing your comments about the staff report, and any recommendations in the report that you support or oppose. Following testimony from the public we'll have some time to open the floor to the Commissioners so that we can discuss with each other the ideas and recommendations that have been raised.

2 We will now begin the public testimony. If you wish
3 to testify, and have not already done so, please fill
4 out a speaker slip and submit to the on of our staff.
5 When you are called to speak, we will also accept any
6 written testimony you may have. We will limit
7 testimony to three minutes per individual in order to
8 ensure that we can hear from everyone who wishes to
9 speak. After you speak, members of the Commission
10 may have members—may have questions for you to follow
11 up on your ideas. In order to hear from everybody, I
12 would also request that hisses, boos, cheers not be
13 done in this hall. If you particularly agree with
14 someone, jazz hands are great. I know everybody
15 wants to be cordial and polite. So, if you disagree,
16 I think you can just do that in a not verbal manner.
17 I will now call the first four people to speak.
18 Alicia Boyd, Robert C. Dorf, Wendy Dorf, and John
19 Manning. [background comments/pause] Ms. Boyd, if
20 you'd like to begin.

21 ALICIA BOYD: The City Charter Commission
22 is now proposing to add just one more hearing to the
23 ULURP Process to compensate for the developers
24 getting a shot at having their applications
25 streamlined before certification. It isn't

2 surprising that the real estate industry being
3 represented here by the Department of City Planner
4 former Carly Weisbrod will be the only one
5 benefitting from the so-called Transparency and
6 Community Input Initiative. As an example, please
7 look at the billboard that are now being displayed in
8 front of you. This is the information that was
9 prevented throughout the entire ULURP process of the
10 Cornell Reality Rezoning Application where an
11 individual developer was able to break a community
12 plan that was created to protect the community, and
13 the Brooklyn Botanic Gardens. At each ULURP hearing,
14 this information was presented that is written,
15 affidavit signed, evidence presented and at each
16 stage of the process this information was completely
17 ignored. Not one decision making body considered the
18 community's opposition, addressed the evidence that
19 was produced or made a statement that they were
20 considered in their determination. Now, in your
21 brilliance, you believe that adding one more hearing
22 for the community will be—that for the community to
23 be ignored, for the community to be put in handcuffs
24 and arrested is the answer to the fact that all over
25 New York City communities have consistently stated

that the ULURP process is a sham. We have already filed a lawsuit against Councilwoman Laurie Cumbo, Majority Leader for her agreement to approve this plan based upon an agreement that took us four months to get, where she stated she had performed a miracle in getting the developer to sell 1,000 square feet for \$1.6 million to a non-profit organization to create affordable housing at 100% AMI, which is \$104,000 for a family of four in a community while AMI is \$40,000. The creation of this affordable housing is exactly—is actually the creation of severe rent burdened apartments for the existing population, which means that over 50% of one's income is needed to be able to afford these apartments. How about this commission actually doing something that will make a difference? Insist that the MIH Program change their parameter and create a provision where they will not be allowed to create rent burden or severe rent burdened apartments in the community that plan on building the affordable units. Now, that problem will take a miracle, but definitely, it will have impact on gentrification and displacement. Thirdly, adding the gentrification and displacement to an environmental review without any empowerment

power to ensure that that developers or the city will not be allowed to create those market pressures means absolutely nothing. Again, simply smoke and mirrors. Finally, it will be helpful to have the community board members who actually represent the community be voted on or petition demanded for their appointment, but then again, we can't see that happening as long as borough presidents are now asking for more empowerment power over the ULURP process. The money is being given to the decision makers, the City Planning Commission, the City Council and the Mayor. By adding one more empowerment power, more empowerment power to the borough president, that just means another hand the developers have to pay. So, again, I don't see that flying either.

CHAIRPERSON BENJAMIN: Thank you very much.

ALICIA BOYD: Thank you. [applause]

CHAIRPERSON BENJAMIN: Mister—excuse me. If you could just—Mr. Dorf.

ROBERT C. DORF: I'm to recall for you one of the most tragic and destructive moments in the history our city, and I'm referring to what happened 9/11. On that day, I was in the Brooklyn Courthouse

working, and I saw what began as smoke and ended in the destruction of the World Trade Center. Later, my wife who is seated to my left and myself began to participate in mapping using radar and LIDAR Technology to map what was destroyed and what was left of the World Trade Center site. That experience introduced me to what is called Geographic Information System Technology. I was a criminal lawyer. I became a judge for the United States dealing with Social Security Disability, but I have always through the years concerned myself with the development of GIS Geographical Information System Technology. Why? Because our safety, our security will be hinging on the development of this technology. You may or may not have heard of it, but what it will do is that it will detect explosions, gassed explosions, electrical outages, and it will prevent those occurrences in the future, and it will save lives. Now, in order for this technology to be useful, and to work, we need to create an underground infrastructure database, and the way it's being done or the way we propose for it to be done is through an organization called Gizmo, which is a geographical information system technology think tank and, of

course, through the Department of Information, DOI the Department of Technology and Telecommunications and Telecommunications. What I am proposing to move this technology forward in the city for our security, our safety is that a committee be created for the Department of DOITT, the Department of Information Technology and Telecommunications with the authority to require city agencies, utilities such as Con Ed and other utilities and contractors and others to submit their databases to the Department of Information Technology and Telecommunications in order to create this database will—which will I believe save lives in the future. I also would like to let you know that we have experienced in this country as you know, school shootings and other school shootings. If you wish to speak to me, I am forming an organization called Stop School Shootings, which will use this very technology as a way to prevent and/or more rapidly respond to these incidents than heretofore has been possible. Thank you very much for listening.

CHAIRPERSON BENJAMIN: Thank you very much. Ms. Wendy Dorf.

WENDY DORF: Yes. My name is Wendy Dorf, and I represent Gizmo, the U.S. Spatial Information Systems and mapping-mapping organization. My career in City government spans 34 years including six years as a Legislative Analyst at the City Council Finance Unit, and 20 years of—21 years of service at New York City DEP where I directed mapping of the city's water supply system and worked on the development of New York City's base map. I directed infrastructure mapping at the Emergency Mapping and Data Center following the 9/11 attack. While working at New York City DEP in the mid '80's, I was tasked with an effort to manage a project to digitize and create a 6,000 mile network of the city's water mains. The budgetary justification for mapping the accurate location of water mains was to coordinate planning and operations, and also to facilitate design and construction to reduce excess costs incurred by delays in the construction. Further, if the city was able to locate a water main rapidly, property damage and payments associated with those damages could be reduced. This could only be accomplished with a network map of water mains made possible with the use of GEO Spatial Information Systems. The successful

implementation of the water main map for operations at DEP convinced the managers to fund the Citywide Sewer Map Layer. New York City is one of the very few cities in the world that has digital maps of its water and sewer systems. I was in charge of the underground infrastructure mapping of the World Trade Center site. I worked with DEP, DDC, MTA, the Port Authority, Con Edison, Empire City, et cetera. I collected maps of different scales in media and supervised a team of GIS technicians and energy mirrors returned—assigned to a line or layer of the maps for use by the responders as they navigated the World Trade Center site. It took several weeks to bring all of this information together, but it enabled us to discover a buried tank of freon gas threatened by underground fires and enabled us to take measures to avoid the release of Foshini mustard gas. Since 9—since 9/11, I have been working on the development of an accurate integrated underground infrastructure map for first responders. Also, since 9/11, we have canvassed colleagues, interviewed agency executives, had presentations with representatives, et cetera, all of whom agreed that this initiative is critical for emergency response

and the development of New York as the premier smart city. The project has been stalled due to—due to lack of funding. My efforts in advancing the use of GIS for infrastructure has been seriously impeded by a lack of leadership, a lack of planning and difficulties with coordination between city infrastructure agencies and utilities. Yet recent analysis has shown that city infrastructure agencies and utilities could save billions of dollars by having complete accurate and interactive infrastructure data. Available interoperable utility data is also created for disaster planning and response. I support amendments to Chapter 482 (sic) of the City Charter. I think others have defined those amendments. Thank you very much.

CHAIRPERSON BENJAMIN: Thank you Ms.

Dorf. I would also like to say we've been joined by Commissioner Corcero who is sitting down there and to my left. Next we have John F. Manning whom I believe also testified before us previously.

JOHN F. MANNING: [off mic] Do you want the mic on?

CHAIRPERSON BENJAMIN: Sure.

JOHN F. MANNING: [on mic] Thank you. My name is John Manning. I am a civil servant and a lifelong New Yorker. Last September I testified for campaign finance and lobbying reforms that would empowerment power the citizenry and end the control of big money over local government, how this issue was the root cause of many other problems, and to ask the Charter Revision Commission to place Democracy Vouchers on the November ballot as an alternative to the current Campaign Finance system. Thank you for the opportunity to speak again. The biggest shortcoming our political system today is the near impossibility of conducting a successful election campaign without accepting huge sums of money from lobbyists, special interests and political action committees. The seemingly unchallengeable—the seemingly unchallengeable empowerment power of the real estate industry in New York City and State Government, is just one of many examples of how our democratic process has been corrupted. The lobbying industry as it currently exists is nothing less than legalized bribery. The Mayor, Governor, our City Council members and our State Legislatures are supposed to be wrestling with representing the

interests of their constituents in doing what is best for the society as a whole. They should not be responding to whichever lobby donates the greatest amount of money to their campaigns or what special interest dangles lucrative post-government employment in front of them. That corruption, fraud and pay to play have become so pervasive in New York government that it is hard for honest and competent people to get elected is a direct result of our current campaign finance and lobbying laws. If every registered voter in the city were allocated four Democracy Vouchers worth \$25 or \$50 each to give to the candidates of their choice, it would encourage high voter turnout and enable well meaning people of modest means to run for office. Democracy Vouchers are currently being used in Seattle, Washington and are being considered in numerous other city cities and states. The staff reports say of the states that Democracy Vouchers are a new thing, and that there is a lawsuit challenging Democracy Vouchers in Washington State. That lawsuit was dismissed in Superior Court, and is currently being appealed. If you read the suit, the legal briefs in the Superior Court's decision to dismiss it, you will find the

logic and arguments of the suit unconvincing. There is nothing new, radical or unconstitutional about wanting to replace corruption and pay to play with honest good government. The lobbying industry finds Democracy Vouchers to be a mortal threat and is trying to kill this before it catches on. Democracy Vouchers limiting other campaign donations to small amounts and ending third-party donations from lobbying firms and bundlers could cause the current political climate of citizen complacency and low voter turnout to be replaced with idealism, leadership [bell] and community involvement. Democracy Vouchers will open up our political process giving voters better choices. It will enable all kinds of citizens who care about their communities to run for office or otherwise get involved in civic affairs. Let's have the courage and integrity to end the grip that big money lobbyist and special interests have on our noble democratic process. Please give the voters the choice this November to amend the New York City Charter to create Democracy Vouchers and end large bundled and third-party donations. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Manning. Before I ask whether any commissioners have questions, I want to say that we've been—I've been asked to say that Nissan Murano, license plate GXD8238 is blocking the exit of cars from the parking garage—the parking lot. So, if that is your car, if you could please move it so that people could exit or enter, I think the people would appreciate that. Again, that's GXD8238, and it's a Nissan Murano. That's it. Any questions? Sal?

COMMISSIONER ALBANESE: Yes. I just want to commend John Manning on his testimony. As you know, Mr. Manning, that's one of my top priorities, and I was—I was disappointed that it was relegated to other proposals, but I—I will tell you that I will move the question, and get a vote on the Democracy Vouchers at some point. So, I—I thin as you pointed out it's the most—it's the gold standard for democracy in America. It's a great—the best campaign finance system that's been created. I'm impressed with it. Seattle has had a second round. It's more successful than the first round, and—and we also believe that Austin and Albuquerque will be adopting

it. We've got to stop the pay to play in New York City and this is the way to do it.

CHAIRPERSON BENJAMIN: Thank you, Sal. Are there any other questions, comments? Thank you, panel. As this panel leaves, the next panel I have Scott Ulrey or Ulery, Jumaane Williams, and Francisco Brindisi.

COMMISSIONER ALBANESE: Jumaane Williams? Where's Jumaane? Oh, there he is. [background comments/pause] Mr. Ulrey, if you would like to start.

SCOTT ULREY: Yes. Okay. Good evening. I would like to thank you for this opportunity to present testimony to the Commission tonight. My name is Scott Ulrey. I am General Council at the New York City Office of Management and Budget. I have worked at OMB for the past 22 years. I have worked for three mayors and six budget directors. I have been at OMB during times of serious economic stress including the period following September 11th and the financial crisis in 2008. Through these periods I think there has been general agreement that the city has been—has—has managed its budget and finances extraordinarily well. I attribute much of that

success to the budgetary discipline that's laid out in the City Charter. Therefore, I'm here to urge you to resist the temptation to tamper with the budget provisions that currently exist in the Charter.

These provisions were well thought out by people who are closer to the fiscal crisis of the 1970s than we are today. The Budget provisions of the Charter work together to provide the foundation for the financial success that the city has enjoyed. There is no need to undermine that foundation now. OMB has provided testimony at your previous hearing, and in writing.

Our position has not changed. We're very pleased to see that the Commission's Preliminary Report eliminated some of the proposals to which we objected. However, we continue to recommend against the remaining proposals under consideration. With respect to units of appropriation, OMB has expressed its willingness to work with the Council to address their concern about the specificity of agency units of appropriation. We believe there's a path to addressing these concerns without resorting to amendment of the Charter. With respect to empowerment power, this is an empowerment power that should be left to the Mayor who has ultimate

responsibility both for ensuring that the city ends the fiscal year in balance and for managing the operations of different agencies and their budgets. We strongly disagree with any attempt to legislate limitations on that empowerment power. With respect to the Rainy Day Fund, as former Budget Director Mark Page testified, the idea of the Rainy Day Fund sounds appealing, but the specifics of how many is to be contributed to and dispersed from the fund is very difficult to legislate. Specific mandates that have been proposed for contributions to the fund and limitations on the use of those funds would have resulted in material cuts to the city's Operating Budget, and a concomitant impact on city services. OMB has proved that it is very good at managing the budget through difficult economic cycles, and it should be allowed to be continue doing this job without having its hands tied by a formula that may or may not reflect the realities of any particular fiscal year. With respect to independent budgets, there's no reason that certain agencies or other entities should be especially privileged above those by mandating a specific level of funding. I'll just conclude by saying that the city is achieve

extraordinary success with its budgetary and financial management. It's balanced its budget for the last 38 years. It's achieved double A1, double A, double A ratings from the three major rating agencies. It's a model among other cities for its sound financial management. The current provisions of the Charter have provided a foundation for this, and I hope that the Commission will consider not proceeding with the proposed budgetary amendments at this time, and I'll turn this over to Francesco BrIndisi who will speak to--

CHAIRPERSON BENJAMIN: Well, hold on one minute. As I asked in the beginning, if you have used your phone and forgotten to turn it off now, if you could either turn your phones off or put it on airplane mode, I would really appreciate it. Actually, Jumaane Williams was next--the next person I called and then Francesco Brindisi.

PUBLIC ADVOCATE WILLIAMS: [coughs] Thank you. Madam Chair and all of the Commissioners. My name is Jumaane Williams and I have the pleasure of serving as the newly elected Public Advocated for the city of New York. I do have a lot of ideas, but I'm going to focus it on my office today. As the Public

Advocate I sever as a direct link between the office and the government. Our office acts as a watch dog to ensure the city agencies are efficient and effective as demanded by the people of New York. The office also investigates and resolves constituent complaints relate to services provided by these agencies. As the second highest ranking elected official in the city, however, my ability to serve New Yorkers is currently impaired by the present language of the New York City Charter. While the charter is a living document that has grown and changed just as our city has grown and changed, the language governing the Public Advocate's ability has not kept pace. [coughs] As the Charter Revision Committee-Commission is undergoing the process of the first top-down to bottom of use is 1989, I urge the body to take several actions to improve the effectiveness of the office. I'd like to recommend three concrete areas: Independent Budget. The Mayor and the City Council currently determine the budget of the office, which is inconsistent and subject to political whims of the parties every year. As an example, the office is empowerment powered to introduce legislation as a method to cure system

flaws and shortcomings that negatively impact the public. However, what may be practically necessary for the New Yorkers on the street, may not be political expedient in the moment for all the parties. This disconnect can result in pushback through the budgetary process. By the way, the current budget for the Public Advocate is smaller than each of the individual borough presidents, yet the Public Advocate's constituency surpasses—encompasses all 8.6 million New York City residents. Even in this short time I've seen how many of these residents rely on the office to resolve complaints by allegations of systemic abuses and fraud. Effective service of these residents is a two-way street as those closest to the problem are often best positioned to recommend improvements to agencies' operations, which my office can then pursue legislatively or otherwise. As a system where the Public Advocate must rely on the elected officials, it is charged with overseeing to determine the budget by which the Public Advocate can conduct that oversight is an inherent limit to the office. Independently elected officials should not have to weigh possibly retaliation from the Mayor or the

Council when bringing issues to light. Subpoena empowerment power: At present, the Charter states that the office shall have timely access to those records and documents of city agencies, which the Public Advocate deemed necessary to complete the investigations, inquiries and reviews. However, city agencies are not clearly legally obligated to comply with these requests without a subpoena delaying investigations that the Office of the Public Advocate is required to conduct. Giving the office the full subpoena empowerment power would better allow the office to fulfill its duties as mandated by the existing Charter, and we do know we would win in court. If we had to use that, that's a lengthier process. Standing to sue the Public Advocate extends the suit on behalf of the Office's 8.6 million constituents isn't clear at best. In addition the Law Department has determined over which cases can be pursued, which violates the intended separation of empowerment power among the city officials. Granting the office clear standing to sue is an essential tool that the Public Advocate requires in order to improve transparency and accountability in New York City. Additionally, I agree with several proposals of the

City Council and others have previously put forward including providing the Public Advocate with appointments to the CCRB, Conflict of Interest, LPC, Franchise Concessions. I further believe we should explore having the Independent Budget Office [bell] report to the Public Advocate, and using the Public Advocate's Office as an essential resource for community boards across the city. I do not agree that the Department of Investigation should be under the Public Advocate. I do think there needs to be another agency that can oversee everyone including the Public Advocate's Office or at least put a check on us. (sic) To increase our transparency, accountability and effectiveness, the revisions I recommend above are critical and necessary. I look forward to working with you to ensure that the city adopts a Charter that reflects that current landscape and the will of the people in New York City. Again, thank you to the Commission for taking up this work, and I'm happy to answer any questions. I would say of all of these they are critically important. The Independent Budget, however, probably tops them because with the Independent Budget, some of the

other ones will not exercised by everyone the way that it should. Thank you.

CHAIRPERSON GIBSON: Thank you and the next speaker is Francesco Brindisi.

FRANCESCO BRINDISI: Excellent. Can you hear me? Well, the last time I had a problem with the microphone. [coughs] I'm the Deputy Director of the Office of Management and Budget, Economics, Revenues and Policy. So, [coughs] I have the distinct pleasure of formulating projected revenue forecasts for the Mayor. As you know, the Charter says that the Mayor needs to submit to the city Council an estimate of non-profit (sic) revenues that are going to accrue in the--the following Fiscal Year, and the Mayor not only the responsibility to provide a balanced budget for the income in Fiscal Year, but also to deliver an actual balanced budget not just projected at the end--at the end of the day. [coughs] So, this has two implications. One, it provides for accountability, and of the Mayor and the labor in the response budget, and also implies that it--it has fiscal responsibility constraints on the Mayor himself. I--I think I--I'm not--I would not be mistaken by saying that everybody knows that OMB is cautious

in its revenue estimates. That is part of the reasons as the implication of the fact that the Mayor has to provide revenue estimate that allows them to balance the budget. The cautiousness of our revenue estimates have been praised, and are one of the strengths of our ratings, and it's one of the things that allows us to keep our borrowing rates low, and allow us to have a strong Capital Budget and allow us to keep the fiscal health of the city. This is all I want to say.

CHAIRPERSON BENJAMIN: Thank you very much. I'm going to take questions. First on my list is Jim, Paula and Lisette, but I have one questions first, Mr. Brindisi. On March 26th, we send you an email with a series of questions that had arisen during the expert testimony phase that we had, and I was wondering if you could tell us when we might expect a response.

FRANCESCO BRINDISI: Yeah, um--

GALE BREWER: Why don't me--excuse me.

FRANCESCO BRINDISI: Well, I'm not--I'm not sure why I never. I-I--

GALE BREWER: [interposing] I didn't say that, and with-

FRANCESCO BRINDISI: [interposing] The—
the email was received from—by me and Chuck Brisky
was promoted to the OMB Chief of Staff, and other
people that deal with external communications. I
have not. I don't know when you're going to receive
an answer. I know that there have been negotiations
on those particular points, and you have changed some
of the things that are in the report, but I cannot—
I'm not the one that decides when responses go out,
and when communication goes out from one day to the
external public.

GALE BREWER: If you could communicate
back to whoever it is that is making the decision
about when we might have a response or if we might
have a response, or let us know who that person is,
we'd be happy to get in touch with them ourselves.

FRANCESCO BRINDISI: Okay. Absolutely.
Also, I'm here to answer questions.

GALE BREWER: Okay, thank you very much.
I have Jim, then Paula.

COMMISSIONER CARAS: Thank you all for
coming. It's good to see you, Scott. Scott—my
question is for Scott. The Charter says that each
unit of appropriation in the Budget is supposed to be

for a particular program purpose activity, and it says particular. Do you think by example that I've been using is the Department of Homeless Services, \$1.9 billion of the \$2 billion budget is in a single unit. Do you think that is what the charter had in mind when they used that language?

SCOTT ULREY: I think we're in compliance with the terms of the Charter. I—I think that the specific language about the units of appropriation is an area that's appropriate for discussion, and if there are particular areas such as that one that they Council feels the unit of appropriation is just too broad, you know, I—I—I understand that feeling, and I think that that should be addressed and discussed with them. My issue is that I don't think it's necessary or desirable to do that through the—to much of the charter.

COMMISSIONER CARAS: I've just, you know, I've said this to you before.

SCOTT ULREY: Yes.

COMMISSIONER CARAS: I was Finance Counsel at the City Council. Scott was Deputy General Counsel at OMB. So, we've had these discussions before. [laughter] Yeah, over years. You know,

there have been times when the Council has made a serious effort to negotiate with OMB and we got more line item information for some of the agencies and then when it came time to put any of that into the actual legal part of the budget, we were told no, you know, that's going too far. So, that--that's--that's why I believe it needs to be done by Charter.

SCOTT ULREY: Yes.

COMMISSIONER CARAS: One--

CHAIRPERSON BENJAMIN: [interposing]

Thank you, Jim. Paula is next.

COMMISSIONER GAVIN: Thank you.

CHAIRPERSON BENJAMIN: We'll give--we'll give you a second round.

COMMISSIONER CARAS: Okay. Thank you.

COMMISSIONER GAVIN: Thank you, all for being here. I wanted to pose the question to OMB about the risk of changing the Mayor's role and empowerment power, and the Mayor's position and empowerment power. What is the risk to our city if we were to change that?

SCOTT ULREY: I think, you know, the implement empowerment power isn't used much, but it's--it's an important empowerment power. The Mayor

ultimately needs to make the city go including balancing the budget, and making appropriations to different agencies' work, and the empowerment power goes along with the other empowerment powers in the Charter. It works together to provide the Mayor the tools that are necessary to do that. I think undermining that empowerment power and circumscribing that empowerment power is not in the city's interest. We don't know what's coming. We don't know what's ahead in terms of the economy, the budget. It's an empowerment power that we need to preserve for the Mayor.

CHAIRPERSON BENJAMIN: Lisette, and then Sal.

COMMISSIONER CAMILO: So, thank you very much for joining us. I—I wanted to ask if you can elaborate on a couple of things. So, from the testimony I heard that OMB provides generally conservative estimates, and that the Mayor in order to be held accountable is also the one that—who has the responsibility deliver on the balanced budget. Can you talk a little bit about what would happen if there's—if the agencies don't receive their revenues

that it expects or that if there's over-spending
what-what's the consequence of-of that?

~~SCOTT ULREY:~~

~~COMMISSIONER GAVIN:~~

~~SCOTT ULREY:~~

~~COMMISSIONER GAVIN:~~

FRANCESCO BRINDISI: I guess there are two
issues, right. One is whether [coughs] there is a
revenue forecast that does not come to be, and then
there's the issue of over-spending. Either way the-
the budget has to be balanced, right. So, [coughs]
that means that there would be-there would have to be
programs to eliminate the gap if a gap were to occur
during the Fiscal Year, which means that the Office
of Management and Budget would resort to cutting
agencies' budgets in order to balance the budget.

SCOTT ULREY: Or-or I would just add
that, you know, we were discussing the empowerment
power in a crisis situation. That empowerment power
is there to result in balance at the end of the year.

COMMISSIONER CAMILO: And which of the
proposals-so we talked through at a higher level on
the-on the-on the revenue side. So, I just wanted to
confirm that what your position is with respect to

the proposals currently being considered with respect to the third-party failsafe. If you explain what is your position.

FRANCESCO BRINDISI: I'm not sure about the term failsafe. I'm—I'm not sure that I understand it completely, but as I mentioned, it-it—the—the responsibility for balancing the budget is the Mayors and services that need to be provided are to be provided by the executive and as well as the cuts that might be at risk should the revenues not come through, right, and so we are strongly against any-any change that would shift the responsibility of providing the revenue for—to a third party that is not accountable to anybody.

COMMISSIONER CAMILO: Thank you.

CHAIRPERSON BENJAMIN: Sal and then Steve.

COMMISSIONER ALBANESE: Public Advocate Williams, welcome and congratulations on-on your election. I have two questions.

PUBLIC ADVOCATE WILLIAMS: Okay.

COMMISSIONER ALBANESE: As you know, the power of money in politics is crippling our democracy, and [coughing] in New York City, even

though we claim that we have a great Campaign Finance system, lobbyists and developers can bundle money, and most of the money that's donated comes through wealth zip codes. I was wondering if you had reviewed what Seattle is doing in terms of Democracy Vouchers, which would provide every single New York City resident with 20-four \$25 vouchers equalizing and leveling the playing field whether you live in public housing or in the wealthy areas of the city, you'll get the same vouchers. It's--so I wanted to get your opinion on that, and the second question is you were elected in an open primary, and I was wondering what your view is on non-partisan and open primaries.

PUBLIC ADVOCATE WILLIAMS: I support non-partisan and open primaries.

COMMISSIONER ALBANESE: You do?

PUBLIC ADVOCATE WILLIAMS: Yes, and I support what I've heard of the--the voucher system Seattle. I don't--I don't think--I have only known what I heard, and saw what I've read from articles. It sounds like a good system. I don't know the pitfalls from it. Our system I think is better than what was there before, but organizations like the--the CFB, which think there are a co-equal branch of

government makes it very difficult for—for some folks. So, I support anything that takes big money out, and gives power to folks and equalizes as much as possible for that. (sic)

COMMISSIONER ALBANESE: Well, I'm glad you said that because I'd like to—to go into more detail with you. I think one of your consultants, Joy Williams is a big fan of Democracy Vouchers. I was on her radio program recently. So, she has lot on that, and I'll forward you an article, and I'd love to follow up with you on that.

PUBLIC ADVOCATE WILLIAMS: Sure.

CHAIRPERSON BENJAMIN: Thank you, Sal. Steve.

COMMISSIONER FIALA: [off mic] Public Advocate and Council Member Albanese—

CHAIRPERSON BENJAMIN: [interposing] The light has to be on.

COMMISSIONER FIALA: [on mic] The light has to be on. Can you hear me now?

PUBLIC ADVOCATE WILLIAMS: Yes.

COMMISSIONER FIALA: [coughs] Mr. Public Advocate, let me—let me join Council Member Albanese in congratulating you on your historic victory. Wish

you all the best. Since he asked you the question I wanted to ask you, that's all I'm going to ask you or say to you tonight is congratulations, and best of luck, but I just want to clarify one thing. You said you support both open primaries and non-partisan elections?

PUBLIC ADVOCATE WILLIAMS: Yeah, actually, you know, the—it was actually it ended too quickly. I do have some—I do want to do more thinking about the open primaries. I definitely support non-partisan elections. I do want think a little bit more about the open primaries, and the pitfalls from that, but I support anything that kind of opens up the system for a lot of folks.

COMMISSIONER FIALA: Thank you and now for OMB.

PUBLIC ADVOCATE WILLIAMS: [interposing] Sorry, you didn't ask me, but I just want to say I do think the appropriate, the units of appropriation are too large. So, I just want to make sure I go no right to that.

COMMISSIONER FIALA: Well, that's a great segue for me [laughter to OMB, and there are two areas. I—I tend to be very sympathetic with your

position on 95% of everything including units of appropriation, and—but tonight, I think a door was opened or an opportunity was opened to maybe put this thing to bed. You expressed a willingness to work with the City Council. That's great. I can tell you that if you read the '89 testimony—the '89 transcripts, this was something they wrestled with, and we've been wrestling with it for 30 years. A willingness to do something and actually engaging in that discussion are two different things. Are you presently engaged with leadership at the City Council to frame a units of appropriation solution so that this commission wouldn't have to step in? Is that engagement actually taking place in practice rather than in the abstract?

SCOTT URLEY: I believe a discussion has been occurring to day already on that subject, and I personally am committing to continue that discussion in a meaningful way through this process.

COMMISSIONER FIALA: Well, that's great. I think we look forward to hearing about the progress between now and the end of our—our discussions here because I think that, you know, for someone like me might take care of that particular issues, there's

one issue that I have a strong disagreement on, and that's with respect to the Rainy Day Fund or whatever you want to call it. I understand that there are difficulties, you know, gap related impediments, but here's—here's where I differ greatly. I can concede and—and gladly do so that New York City fiscally is run as a municipality probably number one in the nation. We've got great practices in place as a result of the fiscal crisis of the '70s. So, I concede that point. We balance our budget. We've got a four-year plan, and we've got a ten-year review, but where we're not delivering, and by the way, it's not only New York, it's every level of government. It's every household. Where we're not delivering is in ensuring that the city is adequately protected to weather an economic downturn, and you know how I know that? Because after 9/11 when we coming this close to paying off the MAC Bonds, we extended it, didn't we? We extended it after nearly 20 years to extend it another 20 years. So, I really think OMB would do a service to the city in working with us to craft a rainy day solution because the truth of the matter is there's a quarter of a trillion dollars in liabilities in in the out years

that have to be answered to, and here's what I know.

In an age of term limits, folks don't care about 30

years from now. They don't care about three years

from now. So, we've really got to address the long-

term liability, and I ask you, and this how I'll

close, Madam Chair, if you could provide the

committee the Commission with your thoughts on how we

could take the Retiree Health Benefits Trust Fund,

and have it stop being a quasi Rainy Day Fund, and

actually have those monies protected for those

future. Those monies are there for future and

current retiree benefits with respect to health. I'm

not talking about pensions. I'm just talking about

health. So, I'd really appreciate two things. One,

a serious dialogue with the City Council leadership

before we conclude our business on the units of

appropriation issue because that would go a long way

in helping me to resolve this. DCAS has over 13 I

think units of appropriation. The Police Department

has one or two. So, it can be done. It can be done.

CHAIRPERSON BENJAMIN: [off mic] I think
it's 18.

COMMISSIONER FIALA: 18 so it can be
done. I think the proof is there. It's just got to

2 be done across the board. So, that and the Rainy Day
3 Fund, and I'd get off your backs I promise you.

4 CHAIRPERSON BENJAMIN: [off mic] Jim,
5 would you have a [on mic] Sorry. Jim, do you have
6 another question--

7 COMMISSIONER FIALA: Yes.

8 CHAIRPERSON BENJAMIN: --and then we've
9 got to move on.

10 COMMISSIONER FIALA: Okay. Scott again.
11 Sorry. [laughter] I think every time we've heard
12 somebody talk about empowerment, it's always been,
13 you know, the Mayor has to have the ability to
14 address an emergency or an revenue downturn or, you
15 know, why not say just that empowerment has to be for
16 a financial reason? Because the Council is the
17 legis--you know under the State Constitution, it's the
18 legislative body of the city. So, the Council is
19 supposed to set policy. My only goal is to stop an
20 errant mayor from impounding money because he doesn't
21 like either the policy behind the program, or the
22 person or institution proposing the program.

23 SCOTT URLEY: You know the--an economic
24 downturn is the most prominent example that I can
25 think of for when empowerment would need to be

employed. I think in most cases that's probably it, but I—I can't foresee what might happen in the future or why there might be some reason that it's necessary for the Mayor to act outside that limitation, and I think—I'm—I'm reluctant to amend the Charter in the way that restricts the Mayor's powers in that way. I—I don't think it's—I don't think it's necessary.

CHAIRPERSON BENJAMIN: I would just say, Scott, that when we had Eric Wayne from the 1989 Charter Revision Commission he expressed the view that the '89 Charter Revision Commission did not intend for the Mayor to use the power in the way that Jim was describing, but only as a financial—as a response to a financial situation, and there was nothing that the staff has proposed that would limit the Mayor's ability to use empowerments in such a situation, but would only limit his ability to use it outside of a financial situation. I'm—I'm not looking to engage in a colloquy on that, but I just wanted to put that on the record. If you want to answer, you can, but—

SCOTT URLEY: Well, I—I would just say I'm, you know, as I said, I—I think financial downturn and economic distress situation is in most

cases why that would be used, and I understand that—
why people would—would think that was the priority.
I—I am reluctant to limit the use to that particular
situation, because we don't know what could happen
in the future or why that power might be necessary.

CHAIRPERSON BENJAMIN: Even though the
Charter Revision Commission didn't think they were
giving any—giving it to the Mayor in 1989 despite
that?

SCOTT URLEY: I—I can't address that
point.

CHAIRPERSON BENJAMIN: Okay, thank you
very much--

PUBLIC ADVOCATE WILLIAMS: The Public
Advocate—

CHAIRPERSON BENJAMIN: --and I'd like—

PUBLIC ADVOCATE JAMES: Madam, I just—I'm
sorry, because of time limits, I have to focus on—on
just the Public Advocate goals, but I wanted to make
sure I was on the record saying that I believe the
powers of the Mayor are—are way too strong, and I did
a report with then Council Member Daniel Garodnick
speaking about the empowerment powers, and the units
or appropriation among other things. So, I just

wanted to be on the record saying I do think those are the two things that that need to be looked at. Very often the—the constituents of New York City come to the Council to do things that we just don't have the power to do based on the power that the Mayor and as the—as the branch of government that should be doing what Jim described and other things, we have to rebalance. It's the most powerful mayor-mayoralty in the entire country from—from Giuliani to Bloomberg to Bill de Blasio no matter who it is, and it just has to be a rebalance a little bit. I just wanted to make sure I was on the record for that. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, and I'd like to thank the panel and call the next panel. I have Hal Phillips, Loretta Miranda, Roberto Rodriguez, and I understand Mr. Rodriguez is bringing with him a translator, Lucas Reneges (sp?) and Council Member Brad Lander. [background comments/pause] Mr. Phillips.

HAL PHILLIPS: [coughing] Hi. I've come tonight to speak about Ranked Choice Voting, which I feel is a very important reform that our city has long need. I would like to thank the Commission for the consideration that you've already given to this

issue, and I like to make a brief case for why this should extend not only to citywide elections, but also to local elections like City Council makes this. I did a little bit of research into City Council primary results in the last two cycles, 2017 and 2013 to get a sense of how often Ranked Choice Voting might have made a difference. What I found is that in these two cycles we had 40 City Council primaries with three or more candidates, and of those 40, 30 were won by a candidate who received under 50% of the votes; 12 were won by a candidate who received under 40%; and 3 of these primaries were won by a candidate who won under 30% of the votes. The lowest winning percentage that any City Council primary candidates had in these last two cycles was as low as 24.4%. Now with no disrespect intended toward any of the winning candidates, this seems like an obviously broken and shockingly anti-democratic system when we have elected officials in office today who were voted against by a vast majority of their voting constituents yet were still deemed elected, and I'm very concerned that this may repeat in 2021 when we're likely to have dozens of open seats, and I think we're—if we don't have ranked choice voting, we

will have-we'll have more official winners who didn't even win one-third of the votes, and I also suspect that given some recent trends including the ability of social media to amplify the voices of candidates who might previously have been overlooked, we are going to see more and more elections with a large number of competitive candidates, which I think is a good thing for democracy, but under our current system that can mean more and more split votes. If we want our election results to reflect the will of the voters, it is vital that we reform our process before we once again elect people to office with less than a quarter of the votes. Thank you.

CHAIRPERSON BENJAMIN: Thank you. Mr. Miranda or Ms. Miranda.

FLORIDA MIRANDA: Yes. [Speaking Spanish]

CHAIRPERSON BENJAMIN: [Speaking Spanish] Mr. Ranique Reneged.

RANIQUE RENEGED: Yes. Do you want me to translate as she goes or at the end?

CHAIRPERSON BENJAMIN: At the end I guess.

RANIQUE RENEGED: Alright, yes.

FLORIDA MIRANDA: [Speaking Spanish]
Gracias.

CHAIRPERSON BENJAMIN: Muy Gracias.

RANIQUE RENEGED: [Speaking Spanish]

CHAIRPERSON BENJAMIN: [Speaking Spanish]

TRANSLATOR: Good afternoon. My name is
Florida Miranda. I come from Williamsburg from the
south side of Williamsburg representing Los Sudas.
The city of New York is one of the most segregated
given that it has policies, which [bell] put
displacement equal with the—or—I'll translate it on
the fly.

CHAIRPERSON BENJAMIN: [interposing]
Displacement of the--?

TRANSLATOR: That may confuse integration
with the displacement of various communities. In
2005 in Williamsburg, we had a very impactful
rezoning on the area of the water—our waterfront,
which has opened various commerce and changed our
neighborhood a lot, but it became that example, which
developers have followed looking to become multi-
millionaires in our city costing our communities, our
wellbeing even though we propose those rezonings.
The largest problem for our community was the

discrimination that occurred because of this rezone—
this rezoning. Since the people who have—have moved
in have not been our community, [applause] from
there, we had the rezoning of the Domino site, and
now we have the rezoning of the Pfizer site, which
will also worsen our quality of life and our ability
to—our ability to stay in our neighborhood as members
of the community. We are saddened by the preliminary
results of the report—the Commission's report because
various points, which our—the coalition, which we are
part of were not considered. These give a—these
include getting a series of getting a series of
standards, which would change environmental issues,
economic issues, education and food access for
residents of our—of communities like ours. We
believe that the Commission should take into account
recommendations made, which would mitigate concerns
of air quality, and now funds are allocated for
infrastructure improvements in neighborhoods such as
ours. What our community really needs in summary is
real power and only with revisions to the Charter,
which change the principles of the Charter will one
day all communities of our city receive true equity,
and—and that is what we're here for tonight.

Communities like ours we would like to have really a voice and a say in the way that our city works.

Thank. [applause]

CHAIRPERSON BENJAMIN: Thank you.

[applause]

Good afternoon members of this Commission. I want to say thank you for giving us this opportunity to speak today.

CHAIRPERSON BENJAMIN: And your are Roberto Rodriguez?

ROBERTO RODRIGUEZ: My name is Roberto Rodriguez.

CHAIRPERSON BENJAMIN: You are Roberto Rodriguez: You're Roberto Rodriguez?

ROBERTO RODRIGUEZ: I'm Roberto Rodriguez and I am from Los Sudas Mucho in South—in South Williamsburg. New York City's Charter reform and its commissioners have an opportunity to create a comprehensive plan that would provide a guideline that ensures equity in segregation without displacement. The Charter is not a business plan. It should be a reflection of the values of equity, inclusiveness, sustainability, and resilience and transparency and accountability. Currently, our

city's lack of comprehensive plan allows for the city's land to be treated like an asset to be a bargain if the Capital Budget was coordinated with the comprehensive plans, community investment. The Budget would then cover the needs of the community eliminating the bargaining process that occurs with a Council Member and a developer or BCP. The bargaining happens as a result of the Council Member needing investment for infrastructure that his budget may not cover. This would terminate the trade-off of displacement and investment over long-standing community members' reliability. In Williamsburg, we have made the tradeoff of a park, two trees down in a park for the community for a large development that would help skyrocket the city's AMI and help displace many other community members like myself, and you may ask about that luxurious part that we building for the community. Well, let's just say that the buildings are not even fully inhabited, but community members with their children have been told by newcomers they're not welcome in that space. In 2005, we participated in the ULURP process and made recommendations from North Brooklyn Waterfront rezoning through Community Board, which since has

been disregarded by the developer. Sure, the area has become lucrative for commercialization and business investment, but the newcomer tenants have their own private shuttle services, access to their own community park, and have brought in the need for private landlords to buy out and decontrol tenants out of their homes and surrounding building. A comprehensive plan would stop treating—treating our city's community as assets, and it would provide a standard to follow when a rezoning occurs so that investment in low-income community doesn't continue at the expense of long-of losing the poacher everyone is so proud of when they refer to New York City. Thank you very much for listening.

CHAIRPERSON BENJAMIN: Thank you, Mr. Rodriguez. [applause] Council Member Lander.

COUNCIL MEMBER LANDER: Thank you. [pause] Good evening and thanks very much to the Commission for your service and for the opportunity to appear before you this evening. It's also an honor to be on this panel with my friends from Los Sudas and the Thriving Communities Coalition, and my friends from the Brooklyn Voters Alliance, and the Ranked Choice Voting Coalition. Those are the two

issues I would like to speak briefly about. I'm very enthusiastic about the Commission's staff recommendation round Ranked Choice Voting, and I agree with my colleague. We really should go all in here. If anything, Council races are where there's the most reason to do Ranked Choice Voting with so many candidates and so many races that don't garner a majority. We don't want confusion about where we're doing it, and where we're not doing it. Let's do it on all municipal offices, and I will say my read of the data that the Federal Coalition has put forward suggests there isn't that need to worry about ballot exhaustion. Maybe we let people rank five offices so we have confidence that we're going to get enough. If we don't do it, I'm not that worried we'll have runoffs because I don't think that ballot exhaustion is a big issue, but I don't want to confuse people with the 50% threshold, a 40% threshold. Let's go all in. Let's do it for all primaries and specials. Let's do it for all city offices. Let's use Ranked Choice Voting, and make the proposal to use Ranked Choice Voting for all those offices. I really think we'll get a better democracy out of it. I want to speak a little more about these planning questions,

and I'm really glad to be on this panel. There were some things in the Staff Report that I really agree with here. The idea that the current process exacerbates disillusionment and confusion with all the different reports is really true, but I also want to point out it's not only that they're disconnected from each other, it's that they don't add up to a coherent databased values driven vision for the future of the city giving us the ability to attend to sea level rise and climate change, to affordability and displacement and inequality to infrastructure investments in mixed infrastructure that's a century old. That's really the goal, and so the goals that are put out of this idea, and I'm happy with the idea of a planning cycle, something that happens over time, but I think it really needs to meet the challenges that you've set in the report. Something that ensures such plans, address those challenges with specific indicators for measuring progress consistently, and requires that short, medium and long-term plans, future rezonings, the Ten-Year Capital Strategy, infrastructure investments actually conform to the plan that is developed through people's participation. So, that's how I read the

report. I just think that is a high bar, and I guess what I would say is taken seriously that gives us a real opportunity to align with our values. But taken just facially and not seriously, it really could just be a set of reports in color coordinated covers done on a timeline, set between two book-ends on a shelf, but still with no meaningful impact of the future development, investment, capital planning and land use strategies for the city. So, here are a few questions. [bell]

CHAIRPERSON BENJAMIN: That's your three minutes mark, but just if you could sum up your questions.

COUNCIL MEMBER LANDER: Sure. So, the process has to start with getting strategic alignment on a big set of questions: How much growth do we think we actually need in housing or in jobs? What are the key infrastructure investments that facilitate that growth? Where should it go? If we care about integration, should it be in higher income neighborhoods as much as low-income ones, which has not been the case of the rezonings so far. A set of principles like that have to get set out. For resiliency, what are the kinds of neighborhoods that

we're going to build defensive infrastructure for? Where will we prepare people? Where might we retreat? What are our key equity investments? Do we think integration without displacement is important, and what land use strategies do we need? What kinds of zones are appropriate? Should we be looking at all our auto dependency corridors to upzone them with Mandatory Inclusionary? Should we follow the city of Minneapolis and consider whether single-family home zones should be upzoned to allow duplexes, triplexes, fourplexes. So, there's a whole set to questions that need to get consensus on, and I actually think that should be--there should be data from the start. The values that thriving communities have put out are a really good set of values. It goes through a process, not a ULURP process at the front end, but a process of input and feedback, and then the Council needs to vote on that set of strategic goals or else there's not going to be a sense of collective buy-in that starts to bind future development, and then finally what you need is a real set of mechanisms that make sure that all the future plans each additional report, but also subsequent rezonings and subsequent capital budgets are aligned

with that strategy, and that's what I'm waiting to see. We offered three ideas in our concept of comprehensive plan that maybe could be broken down and broken apart. Maybe there are others, but our ideas were one, make the Ten-Year Capital Strategy really sticky. It's got to be tied to the plan that's developed, and communities if they work to get something in it have to have confidence it's going to show up in the budget, and not just be a notional document. Second, make subsequent actions that are aligned with the plan, able to move more quickly through the ULURP process with an opportunity for appeal, but something that makes it more appealing both for developers and for City Hall to bring actions that are plan aligned, and doesn't make it easier for them to bring actions that are not consistent with the plan, and the third idea, which I think was the most controversial in the first round, was to try to do a comprehensive generic EIS on that plan, which again, could be done in a cycle rather than in a comprehensive plan. But again, has the opportunity to and I'm happy to talk, you know, offline or in more detail about some areas where we really believe that could make these plans that we're

talking about not just color coordinated on our shelf, but sticky not just because they'll be less disillusionment and more input. Because we would be better able to confront the challenges of a growing city, get the infrastructure investments right, attend to sustainability and resilience, deal with issues of equity in an inequitable city. We're open to other mechanisms, but it can't just be a color coordinated set of covers between two bookends. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. Are there questions? I see Sal. Sal, you're up.

COMMISSIONER ALBANESE: Yeah. Mr. Rodriguez, thanks for your--thank you for your testimony. Now, what you described unfortunately is has happened in many areas of the city where the zoning proposals have caused significant displacement of--of folks that have lived there for a long time, and hopefully it's not too late to kind of mitigate that. I wanted to ask you if you had your druthers what would you like to have seen in the plan for Williamsburg, a comprehensive plan?

ROBERTO RODRIGUEZ: What I would like to see in Williamsburg especially the South Side of Williamsburg is the right to--an enshrinement in the Constitution where what we say will be taken seriously into consideration that it doesn't become some thing that will be on a paper that our voice should be heard. In this way, you won't see a flip flop like you saw with Amazon. If the people have been taken into consideration, if the people have been given the opportunities to speak about that, then we wouldn't have seen that situation. This would I--this is what I would like to see happening in Williamsburg.

COMMISSIONER ALBANESE: So, basically, you're asking for--for input that has--

ROBERTO RODRIGUEZ: [interposing] That is correct.

COMMISSIONER ALBANESE: --that has real meaning. In other words, instead of lip service, and--and sketches and what have you, but how would you keep--how would you keep average folks who have lived there a long time who are, you know, working class people, how--what--what is your recommendation for keeping--making sure that they are able to stay there?

2 ROBERTO RODRIGUEZ: The community—the
3 community—the community the voice of the community
4 this is the essence of we've lived in these
5 communities for 50 years. We know these communities.
6 You know, people talk about gentrification, and so
7 forth. We can live together. We can live together
8 and we can prosper together, but you can't just
9 eliminate what the roots that have been planted in
10 these areas, and this is what I would like the
11 Commission to—the Commissioners to see that there is
12 a lot of culture, a lot of history in South
13 Williamsburg, and we just don't want to see it
14 destroyed and vanished.

15 COMMISSIONER ALBANESE: Thank you.

16 COUNCIL MEMBER LANDER: Can I just give
17 one more reflection this one. I just—the thing I
18 would point out here also is of the 10 neighborhoods
19 that either have been or are in the process of being
20 rezoned by the de Blasio Administration, nine of the
21 10 are low-income or working class communities of
22 color, and one, Gowanus, is in a neighborhood that is
23 whiter and wealthier. So, the message that's—and
24 there was no plan for that at the beginning. I
25 assume we would have said if we had had had a plan

let's balance out the rezoning so that we're not targeting particular communities, but the current process doesn't allow for us to do that at the start or hold ourselves to a standard, and the, of course, neighborhoods feel unfairly targeted, and rightly so.

CHAIRPERSON BENJAMIN: Thank you. Are there any other questions? I'd like to thank this panel then. Thank you very much.

ROBERTO RODRIGUEZ: Thank you.

CHAIRPERSON BENJAMIN: And call the next panel.

ROBERTO RODRIGUEZ: Muy bien.

CHAIRPERSON BENJAMIN: We do see you when you do that, and I do know this, and I appreciate it. The next panel is Tim Coley or Cole; Craig Seeman; Frederick Johnson, and Ilya Schwartzburg. [pause] Mr. Cole or Mr. Coley, which? How do you pronounce your name, sir?

TIM COLEY: Cole-Coley.

CHAIRPERSON BENJAMIN: Okay. I was right the first time.

TIM COLEY: I'm a resident of the Inwood neighborhood in Northern Manhattan.

CHAIRPERSON BENJAMIN: Are you Mr. Coley?

TIM COLEY: Yes.

CHAIRPERSON BENJAMIN: OKAY.

TIM COLEY: I understand that the Charter Review Commission is making a recommendation to enhance community engagement about land use in the city. Inwood was recently rezoned. The entire local Community Board opposed the plan. The borough president came out against much of the plan. People in the neighborhood came up with alternate plans and Comments that received perfunctory answers that did not answer our concerns, and rezoning is now in place. Rezoning will add 30-story buildings that-- [coughs]--thousands of new apartments will be added. Yet, sustainable practices for sewage and water are not addressed by the city's rezoning plan. One-third of Inwood lies in the flood plain, and climate change is not taken into account. Thousands of new cars in a neighborhood with a hospital will increase gridlock, parking problems, the emergency response times, stress on the change in the train and sewage systems and asthma rates. Once the new buildings are in place, this cannot be undone. The city has not taken the cumulative impact of all these effects on rezoning into account. The city has done a

consistently poor job when trying to predict results and impacts of rezoning. For example, the Long Island City Rezoning created not the predicted 300 new residential units, but 10,000 Municipal Arts Society tale to re-zonings. We are asking for better provisions to take people's comments into account, and we are concerned about the environmental effects of a rezoning plan that so many of the neighborhood residents oppose. We hope the Commission will recommend changes to the Charter.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Colley. The next speaker is Mr. Semen, Craig Seeman.

CRAIG SEEMAN: Yes. [bell] I'm Craig Seeman, the Green Party State Committeeman, and former chair of the State Party and a former 2001 New York City Council Candidate, and I came in second out of five candidates. Ranked Choice Voting has to be instituted in the general election as well. It would be the bold change that would empower your primitive party, and even unaffiliated candidates and voters. [coughs] Voters would become more comfortable voting for these alternative candidates, and unaffiliated candidates can take advantage of our own proven

ballot access as you know, now under the last Charter Revision changes a City Council candidate Democrat would be 450 signatures for City Council. An unaffiliated candidate would need the same 450 signatures. So, by opening up the general election, you now open up an election to unaffiliated candidates and unaffiliated voters would have more influence over the—over the outcome. But in addition to that, by making the general elections more important, you now open up the opportunity for candidates who otherwise would run as Democrats predominantly in New York to make the decision to run as unaffiliated candidates in the general election because despite the importance of primary, the general elections still get more turnout, and this would increase that turnout further. So, while it isn't a non-partisan election, it certainly opens up the system for a competitive election in which everyone can participate. Now, let's talk about the elephant and the donkey in the room. Excuse my bad humor. Excuse it. While the New York City Charter can't get rid of fusion, but opening up the race like this in the general election candidates, parties may be left inclined to cross-endorse. The reason why, if

you're let's say a conservative candidate, or a green candidate, the--the dominant party candidates, the dominant candidates now have to appeal to you and your constituencies. So, there's actually some control over who gets those votes in a--in a Ranked Choice Voting situation. So the conservative party or the Green party candidate can make their case, and the dominant party then has to appeal and conversely, because there's no stigma of split voting, some of the people who might feel forced previously into voting for the dominant party candidate may vote for one of the alternative candidates whether green or conservative, or even an independent candidate an unaffiliated candidate. So, this opens the entire process up, and while it's not quite a non-partisan election, it is a multi-partisan election in which candidates can choose to run on unaffiliated. So that opens the system. So, I believe we need to have Ranked Choice Voting in the general election if we really want a participatory democracy in the New York City. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Seeman. Mr. Johnson. If you could move the mic over to Mr. Johnson.

FREDERICK JOHNSON: Thank you so much.

Good evening. My name is Frederick Johnson. I live in Brooklyn, New York and I'll admit I know very little about the City Charter. So, from my perspective, I look at it as it's the Constitution for the City so--

CHAIRPERSON BENJAMIN: That is correct.

FREDERICK JOHNSON: Thank you.

CHAIRPERSON BENJAMIN: We know everything. [laughter] [background comments]

FREDERICK JOHNSON: So, I don't have written testimony, but I have two requests since this is an opportunity to amend the city's Charter. The first is that we include that the city no longer allow abortion in the city, and have that written in the Charter, that the city no longer supports killing and murdering babies. That's one. The second is term limits for elected officials. I have the recollection that at one time the mayor—I don't know if this is legal. It was two terms, and I believe under Mayor Bloomberg's Administration it went to three terms. I live in City Council District 40, and Mathieu Eugene had served two terms, and then a third term, term limits that that be enacted in this next

Charter Revision at the City Constitution level. I know that that will do wonders in revitalizing city, and from my perspective allowing the Kingdom of Heaven to come into the earth. Thank you.

CHAIRPERSON BENJAMIN: Thank you, Mr. Johnson. I would note that there currently exists a two-term limit for all elected officials—all city elected officials including the Mayor, the Public Advocate, the Comptroller and the City Council Members, the Borough Presidents, there's a two-term term limit already in place. Ilya Schwartzburg is next.

FREDERICK JOHNSON: May I ask a question? So, Council Member Eugene in District 40. MY understanding is that this is his third term. How did that happen?

CHAIRPERSON BENJAMIN: We can talk about it later, but I can tell you he was elected in a special election in his first term so that did not count as his term. So, he's only had two full terms.

FREDERICK JOHNSON: Thank you.

CHAIRPERSON BENJAMIN: The first one just seemed full because he was elected in January.

FREDERICK JOHNSON: Thank you.

CHAIRPERSON BENJAMIN: You're welcome.
Mr. Schwartzburg.

ILYA SCHWARTZBURG: Yes, thank you. My name Ilya Schwartzburg and I'm an officer with the Manhattan Libertarian Party and Committee member the State Libertarian Party. The Libertarian Party is the third largest party nationwide, and after 46 years of fielding candidates we obtained official party status last year in New York State. We are a growing force in the state and the city and hopefully I can offer the Commission a unique and useful perspective. First, we would ask that if you adopt Ranked Choice Voting you apply to general elections. We agree with our colleagues in the Green Party that extending Ranked Choice Voting to general elections makes eminent sense. It will reduce the element of fear of base voting, and encourage ideological diversity. This will in turn lead to greater voter engagement. We respectfully but forcibly disagree with Common Cause's new position not to extend Ranked Choice Voting to general elections. Ranked Choice Voting would actually have a greater force in generals because many voters would not automatically disengage after the primary. Unlike generals today,

they would again have real options to consider. Yes, Fusion offers a logistical challenge, but this commission should not ignore that party such as the Greens and the Libertarians. These are great efforts to offer real alternatives. To not extend Ranked Choice Voting, which we've received as serving the interests of the Democratic and Republican do opting instead. We would be encouraging friendly competitions in primaries where the major parties' overall interest would be safe, but then insulating the major party's candidates from third parties in general elections where major parties' interests would be at stake. The party can't lose in a primary, but it can in a general. That would not be fair. Second, another part--another policy is being considered. We would generally endorse the idea of first do no harm. Our city has a housing crisis due to overly restricted zoning and land use restrictions, which we believe often violate property rights, and demonstrably limit the amount of housing available to New Yorkers. Any measures to enhance veto power and obstacles for new development should be rejected. Streamlined ULURP would be welcome, but not in a new veto or any delays. A new comprehensive

plan should have to accommodate the market, not mandate a specific vision and should have to accommodate growth, private planning and the interest of renters who are most sensitive to supply. We would support diverse binding authority of the CCRB away from the Police Commissioner to the maximum legal extent. We oppose inscribing into the Charter as co-called Chief Diversity Officer under *City of Richmond v. Croson*, the MWBE program is only Constitutionally justified as a remedial program for past discrimination. It would be inappropriate to inscribe it permanently into the City Charter. We advocate for the abolition of the Public Advocate and Borough President positions. We oppose guaranteeing any agency's budget whether independent or not, and finally, we oppose Democracy Vouchers as compelled political speech.

CHAIRPERSON BENJAMIN: Yes, thank you very much Mr. Schwartzburg, and I have one question, and after that, I'd like us to vote on the minutes from the last meeting.

COMMISSIONER: Well, thank you, Madam Chair. To the two party officials. This is a kumbaya moment here. I see that the two parties are

in agreement on a certain issue. [laughter] Ranked Choice Voting. I just want to clarify. Are both parties in agreement that you're opposed to Common Cause's position of excluding the general election? Do you support have Ranked Choice Voting to all elections. Okay, and then—

ILYA SCHWARTZBURG: Yes.

COMMISSIONER: Okay then?

FREDERICK JOHNSON: Yes.

COMMISSIONER: And then the second question is you've heard us discuss in previous hearings voter fatigue. For example Common Cause said limit it to five choices. What's your party positions on that? Should there be a limitation on the number of candidates that—that voters can rank.

ILYA SCHWARTZBURG: Well, the question would really be up to are we counting the Fusion candidates as a separate candidate each time that they're listed under a party by a separate candidate. Because the—the problem of—

COMMISSIONER: I'm—I'm—I'm sorry. I'm a little lost.

CHAIRPERSON BENJAMIN: Okay, I believe what Mr. Schwartzburg is saying is that because the

way our ballot is structured you get listed by party. So, if you were running let us say for City Council and you were endorsed by the Republican Party, the Liberal Party, the Conservative Party, and the Green Party, your name would appear four different times on the ballot. He's saying can I vote for you four times as a result in Ranked Voting or only the one.

ILYA SCHWARTZBURG: Right, to-to avoid that kind of gamesmanship, we could do five unique candidates or something like that.

CRAIG SEEMAN: Well, [pause] I-I don't feel there should be a limit. Actually, the limit just becomes more of a problem in-in the Democratic Primary and the Special Elections where you end up having 10 or 15 candidates. In a General Election, you're more likely going to get a maximum of the ballot access parties and maybe an unaffiliated candidate or two. So, in the general elections it's actually less of a problem. I think someone should be able to vote for all the candidates and avoid exhaustion, but I don't think exhaustion is a problem unless you have a severe limit. I-

CHAIRPERSON BENJAMIN: Okay.

CRAIG SEEMAN: I—I also think that—that given the city past president when we had a Ranked Choice Voting with proportional representation back in the late 1930s and early 1940s, a candidate was listed on all their endorsed lines. We could go that route, or you're candidate—if the Commissioner is compelled we could offer having candidates on their respective lines if they appear more than once, but the difference is you don't need to aggre-aggravate—aggregate—aggravate? Aggregate the votes because for example people often think in terms of ideology when they vote that way. So, if a candidate were running as Democrat and Working Families Party, perhaps that this vote may be the candidate on the Work Families Party that candidate, but they may transfer their vote to a Green Party candidate or a Republican can certainly be the case. But transfer, they go down to another party, and that at least gives the voter the choice to stick to a consistent ideology because we've seen the contention at least in the Work Families Party when they endorse on the state level, and it's like well—well which candidate is the more progressive? At least even if you were to allow each candidate to appear on—on each line, you would more

2 likely get voters stick to their ideological
3 principles rather than allowing the aggregation and
4 which also breaks the patronage system, which all-

5 CHAIRPERSON BENJAMIN: Okay.

6 COMMISSIONER: [interposing] Thank you,
7 thank you.

8 CRAIG SEEMAN: Okay.

9 CHAIRPERSON BENJAMIN: Thank you very
10 much.

11 COMMISSIONER: I appreciate it. Thank
12 you.

13 CHAIRPERSON BENJAMIN: Before we allow
14 for more questions, I would like to entertain a
15 motion to adopt the Minutes of the Commission's
16 hearing on April 30th at the Jamaica Performing Art
17 Center in Queens a copy of which is in your little
18 blue pamphlet. Do I hear a motion?

19 COMMISSIONER: Motion.

20 CHAIRPERSON BENJAMIN: Second?

21 COMMISSIONER: Second.

22 CHAIRPERSON BENJAMIN: All those in
23 favor.

24 COMMISSIONERS: [in unison] Aye.
25

2 CHAIRPERSON BENJAMIN: All opposed? The
3 motion carries, and the minutes are adopted. You may
4 recall that Commissioner Vacca had expressed a
5 concern that he had not be included, but when we went
6 back and looked both at the video and at the record,
7 he, in fact, was not at the meeting. So, the record
8 from the meeting before stands. Thank you. Are
9 there additional questions for this panel? I'd like
10 to thank the panel.

11 COMMISSIONER: Well, one—I have a
12 question for Mr. Semen. I just wanted to get your
13 opinion on Democracy Vouchers, Mr. Seeman.

14 CRAIG SEEMAN: Personally, I absolutely
15 support it. I think their current planning and system
16 while well intended, actually creates a big disparity
17 because if you have a candidate who gets a \$2,000
18 matched donation under the system or if it's \$250 is
19 matchable, that candidate has \$4,000 compared to the
20 candidate who's struggling with \$10 donations who
21 gets \$90 with the matching funds. So, you then have
22 potentially up to a 40 to 1 disparity between the
23 well funded candidate and the candidate who is
24 struggling with \$10 donations. Democracy Vouchers
25 obliterate that problem because everyone gets the

same amount regardless, and most importantly, the Campaign Finance Board said in 2017 there were 27,000 contributors. There are between 4.6 and 5.1 million voters in New York depending whether you inactive and active. If you had 4.6 million voters with the opportunity to contribute without taking money out of their own pocket, that would far outweigh the big money influence.

CHAIRPERSON BENJAMIN: Thank you for that.

CRAIG SEEMAN: And I think you're brilliant.

CHAIRPERSON BENJAMIN: [laughter] Thank you. Next I'd like to thank this panel, and the next panel we have Linda Moyan, [pause] Kylynn Grier. I don't know who. Nick Rizzo and Julie Kerr. [background comments/pause] Ms. Moyan.

LINDA MOYAN: Hi. My name is Linda Moyan and I'm here representing the New York City Anti-Violence Project or AVP. We're a crisis organization that serves the LGBTQ and HIV affected communities, survivors of violence here in New York City. AVP is also a member or of Communities United for Police Reform. I'm here to talk about how the City Charter

Revision process can increase police accountability and transparency, and how it can better serve New York City's LGBTQ and HIV affected survivors of violence. I work with queer and trans communities every day, folks who are navigating multiple systems to survive, the same systems that disproportionately impart violence, material violence onto communities. The NYPD is the only agency in New York City that had provided the ability to take someone's life. Less than a month ago we lost Kowakee Trollic (sp?) a member of the LGBTQ community in the Bronx at the hands of the NYPD. The NYPD needs to be held accountable for all misconduct and killings that happen on their watch. Under the current system, queer and trans survivors of violence are not able to receive the information nor the pathways we need to seek the justice that we want. Rather, we are confronted with the mirage of police secrecy laws and negligence. There need to be a Civilian Complaint Review Board to prosecute cases related to NYPD conduct endless killings. Misconduct and killing. Excuse me, and cases that include school safety agents as well as other peace officers. Further, the public should also be privy to any discrepancies the

Police Commissioner makes that deviates from the CCRB's findings and/or other recommendations.

Directly impacted communities deserve the right to know, what's going on. We deserve to have a say on how communities are being policed and surveilled.

Under the current system the public is not able to receive any information on any of the NYPD's private sources of income, nor are we able to receive any

information on any major purchases. There must be real oversight, and transparency on NYPD's fiscal

operations. We should be able to know why the NYPD

is purchasing equipment and be able to provide input

on whether this is something that our communities

need. The Council should also be able to veto these

purchases. Further, militarizing our communities is

not safety. It is violence. We need to ensure that

directly impacted communities that LGBTQ survivors of

violence and HIV affected communities are being fully

protected by the systems that aim to serve us. AVP

supports the Charter Commission priorities laid out

by the Communities United for Police Reform in the

2018 ballot. The city needs to take this seriously,

and require the full accountability and transparency

of the NYPD by enacting a CCRB with real power and

oversight over the NYPD, as well as school safety agents and police officers. I'm sorry, peace officers, and require the full accountability and transparency of the NYPD by fully mandating detailed fiscal reports from the agency. Thank you for hearing my testimony today.

CHAIRPERSON BENJAMIN: Thank you, Ms. Moyan, and now is it Kylynn Grier?

KYLYNN GRIER: Yes, Kylynn. My name is Kylynn Grier and I'm the Policy Manager at Girls for Gender Equity, an organization challenging the structural forces that work to obstruct the freedom, full expression, and rights of girls, transgender, and gender non-conforming youth of color. We work daily with young women and TGNCs of color who are policed at every juncture of their lives, on the way to school, in their homes, in school, by NYPD School Safety Agents and while accessing city services as seen with Jasmine Hendley at the Department of Social Services. Young women and TGNC young people are criminalized for normal adolescent behavior often times hyper-sexuality to the historically located, reach lives and gender based stereotypes, and bodies are regularly policed because of their race,

ethnicity, sexual orientation, gender identity and/or gender expression. There are also gender equity silence to the inner chambers. An 18-year-old girl who was raped and sexually assaulted by two NYPD officers here in Brooklyn, and who is one of many survivors of NYPD gender based violence against community members including police sexual violence. These exchanges and narratives are often unheard in mainstream media or conversations about policing. Their silence exists alongside a multitude of systemic barriers to reporting survivor supports and often bits in blaming and criminalization of survivors. This is absolutely and unequivocally rotted in racialized and gender base discrimination. Girls for Gender Equity for almost 20 years have been working alongside young people in every borough and in particular Brooklyn. For these reasons, we call for the 2019 Charter Revision Commission to consider the following: Please explain-expand the power of the Civilian Complaint Review Board. As a city we must empower the CCRB to remain a true oversight agency allowing them to make final discipline determinations in fatal complaints, which they are already able to investigate, and have an expanded

purview to include related misconduct, and allegations against peace officers. Related in cases that the CCRB does not already prosecute as it's already documented on the public record—on public record between the MOU and between the CCRB, NYPD—the NYPD commissioner should document and make publicly available the reasons for deviating from the CCRB's disciplinary recommendation. Girls for Gender Equity also calls for the Expansion of the CCRB's authority to explicitly include NYPD's school safety agents and other peace officers. As it stands now, young people when they experience any kind of harm by a school safety agent they are unable to report it to the CCRB, and it gets referred to the very same officers, the Internal Affairs Bureau of the NYPD, and they're expected to offer a fair case, [bell] and I also just want to echo my colleagues' points around the fiscal transparency in units of appropriation at the NYPD. A good example of this is that the NYPD under veiled secrecy launched a drone program and that is actually unaccountable to the very communities who pay tax dollars, and their income and—and we really are hopeful that the City Council has veto power over the—over those appropriations. Thank you.

2 CHAIRPERSON BENJAMIN: Thank you very
3 much, Ms. Grier. Next we have Mr. Rizzo.

4 Hi there, thank you Chair Benjamin and
5 Commissioners for hearing from us today. My name is
6 Nick Rizzo. I'm the Democratic Male District Leader
7 for the 50th Assembly District, which is Greenpoint
8 and Williamsburg and the Navy Yard. I'm a long time
9 fan of this body, but a first time testifier. I
10 really like what you're doing here--

11 CHAIRPERSON BENJAMIN: [interposing]
12 Welcome.

13 NICK RIZZO: --honestly that this is--this
14 is one of the most open and transparent governmental
15 changes in the history of this city, and you really
16 should be applauded for this. Normally--normally city
17 government is--is not this accountable I think and--and
18 so, there's something really incredible. We have the
19 opportunity for something really incredible here.
20 I'd like to speak on three topics today, please. The
21 first one and the most important one is Ranked Choice
22 Voting. Please, please pass Ranked Choice Voting.
23 The staff laid out a series of good questions, which
24 types of elections should be subject to RCV. All of
25 them. I'd like to join the Libertarian and Green

Party representatives in saying that. It should apply to the general, too. I should apply to all municipal offices. It should--implementation should begin in 2021. There shouldn't be a hybrid system and there should be more than--more than three candidates must be available for ranking. Ideally five by why settle? You know, say at least five. I would say if I were in your position, and I'd also like to point out that the other election recommendations, election related recommendations and redistricting related recommendations are really good, too. We need more time. Someone winning a special election should be able to have more time. We've got this absurd situation in the Council to replace Jumaane where there's a special election followed immediately by a primary. They are petitioning at the same time. The second thing I'd like to talk about is the Public Advocate Office. We need to beef it up a little, and I think the recommendations here are really strong. So, I guess Jumaane doesn't want the Department of Investigation. Go figure. The third thing that I'd like to say is a sort of broader strategic or tactical point which is I think the staff has done such an excellent job

laying out recommendations. I don't want to agree with every single one of them in the—in the whole report, but the vast, vast majority. This is probably the last Charter Revision Commission for a number of years. So, so many good ideas have been laid out, and we're not going to be able to get to them all of them. I urge you to be ambitious. I urge you to pass at least five different things the people will be voting on in packages, and I—I urge you to be--

CHAIRPERSON BENJAMIN: Bold?

NICK RIZZO: --bold and mindful Thank you. [laughter] Mindful—mindful of—of which ones are controversial and which ones aren't. I think we all want to see this Commission be a success, and I think the best—obviously, that is not going to happen unless the voters approve these proposed changes, and so some will be controversial. Some will be not. Some will be solitary and some will be omnibus, but I think—I think together this commission is going to do a really amazing thing. Thank you so much.

CHAIRPERSON BENJAMIN: Thank you very much Mr. Rizzo. Mr. Kerr.

JULIE KERR: Yes. Thank you. Good evening. My name is Julie Kerr, and I'm here to voice my support of Ranked Choice Voting. I am a member of Brooklyn Voters Alliance, an all volunteer grassroots community group that in addition to promoting voter participation, and education, works to protect and expand voting rights in New York State. Fortunately, we and other voting reform activists around the state saw some important steps forward this year when a series of new voting laws including early voting were passed by the State Legislature. Really the first update to New York's voting laws in more than 100 years, These new laws affect the entire state. Ranked Choice Voting is something that New York City can do to move the needle forward in approving its elections for city offices. After all, New York City has a voting problem. We don't show up the poles, and certainly not for city elections. In 2017, barely more than 21% of registered New York City voters voted in the city elections that year. In the primary of that year it was even less, about 18%. Special elections to even turn a lower turn-out. February's special election for Public Advocate saw about 8% voter

turnout, and while there isn't one silver bullet reform that will turn the tide in favor of voter participation Ranked Choice Voting along with some of the recently passed state reforms could I hope see those trends start to reverse themselves. Use Ranked Choice Voting to conduct city elections, all city elections meaning citywide, City Council and Borough President could encourage voters to view our elections in a different light. Instead of having to choose between the lesser of two evils or staying home altogether because they don't believe their candidate of choice has a real shot at winning. By allow voters to rank for an office, or rank candidates for an office in their order of preference and that their second choice vote still counts if their first choice receives the fewest number of votes. Ranked Choice Voting can be an important incentive for voters to remain engaged in the process through election day. It means whoever the elected has a consensus of the constituency, that elected official will represent. I would hope to see Ranked Choice Voting used beginning in the city's 2021 elections. At the very least it should be used in all primary and Special Elections. Again, Ranked

Choice Voting should apply to all citywide City Council and Borough President elections. With two-thirds of citywide offices and about 70% of the city Council seats, term limited out in 2021, it's a safe—it's safe to bet that based on past city elections, at least two thirds of these races will seek three or more candidates running in the seats for the primary. Let voters use Ranked Choice Voting to elect our representatives who we—who we look to make important decisions on our behalf. I urge this Commission to include Ranked Choice Voting in its final recommendations and allow it to be put forth [bell] put before the voters of New York City this November to decide. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Ms. Kerr. Are there any questions? Thank you. The next panel I have is Ellen Bolofsky; Mariam from Make the Road New York; Jed Holtz, and Elias Holtz. [background comments/pause] Ms. Bolofsky. Yes, would you like to start?

ELLEN BOLOFSKY: Good evening. My name is Ellen Bolofsky. I am a Brooklyn resident and I want to speak in support of Ranked Choice Voting from my own perspective as a concerned voter. I'm

supporting Ranked Choice Voting in New York City very simply because I believe that elections should be about voting for the candidate you think that—you think will do the best job in the office, and should not be a gambling game requiring voters to calculate the odds on which candidate has the best chance to win. Our current electoral system all too often allows situations such as the recent Public Advocate race where the vote is split among many candidates allowing someone with a minority of votes to win with the plurality. With Ranked Choice Voting, we could vote from our preferred candidate without worrying that our vote would spoil someone else's chances to be elected or steal votes for him or her. If my first choice candidate doesn't receive sufficient votes and is eliminated, then my second or third choice vote will be counted, but my actual preference will also have been heard. The winner is someone who actually receives the majority of the votes counted. Whether or not that person was the first choice of all the voters the majority of the voters voted for that that winner. Ranked Choice Voting would have been helpful for the people of New York when we had some 17 candidates running for Public Advocate

earlier this year splitting the vote. Ranked Choice Voting would help the voters of my own City Council district right now when we have some seven or eight candidates running in yet another special election for City Council in District 45. This shows that we need Ranked Choice Voting for all elections in New York City not just citywide elections. I also support giving New Yorkers the opportunity to rank their top five candidates at a minimum to make sure all ballots will count in races such as these with many candidates. Ranked Choice Voting has been introduced successfully elsewhere around the country, and New York City has the opportunity to help pave the way for improving our voting system nationwide. I believe Ranked Choice Voting will encourage more voters to turn out because they know their votes will count. It will strengthen our elections and our democracy. I support Ranked Choice Voting because voting should be about expressing a preference for the best candidate, and not about gaining the system. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Ms. Balofsky. Mariam.

2 MARIAM: Good evening, Commissioner. My
3 name is Mariam and I'm a Youth Leader with Make the
4 Road New York, a member organization of the Citywide
5 Coalition--

6 CHAIRPERSON BENJAMIN: [interposing]
7 Excuse me, Mariam, can you speak more closely into
8 the microphone?

9 MARIAM: --Communities United for Police
10 Reform. I am here to talk about increasing
11 accountability for NYPD school safety agents by
12 expanding the CCRB's scope of investigation authority
13 to cover complaints against safety agents. Right now
14 in New York City there is no public accountability
15 process to hold safety agents accountable for
16 misconduct and abuse. The only real process youth
17 have to go through is the Internal Affairs Bureau,
18 something that is very intimidating for youth and
19 their families and relies on internal accountability,
20 which we know often means on accountability. Often
21 times at the end of that process, SSAs are simply
22 transferred to another school and not actually held
23 accountable by the NYPD. The need to have better and
24 public ways of holding SSAs accountable is clear when
25 the NYPD doesn't even hold officers accountable for

killing people like in the case of Eric Garner where five years have passed, and officers have been disciplined. For youth in New York City schools, SSAs are often the first point of contact and are often the ones in school who make us feel most unsafe. From their movement, black-young black girls walk into school—from the moment, sorry. From the moment young black girls walk into school, we have to go through invasive policing. SSAs will request young women to remove head wraps—head wraps, pens and even bras that may have wires. Agents often assume the worst of young people and create environment where we are no longer students and can't get our education with respect and dignity. On top of that, SSA never—SSAs never think what they're doing is wrong, and even when they are told directly that they are, they boost an air of confidence knowing that they will get away with whatever actions they commit. Black and brown youth are among the most vulnerable for the violence committed by SSAs. In New York City, Black girls are 10.4 times more likely to be arrested by SSAs. The main line used by—the main line used by NYPD is that young people are dangerous and that's why we need police in our schools. But

what happens when the people sense what keeps us safe are the very ones harming us and walking around with impunity. We can't continue to live in a city where the people who are allegedly responsible for our safety are the most of our— We can't continue to live in a city where the people who are allegedly responsible for our safety—for the safety of our communities—sorry. We can't continue to live in a city where the people who are allegedly responsible for our safety—for the safety of our most vulnerable population continue to harm folks and not be held accountable. Expanding Civilian Complaint Review Board authority to specifically include SSA and other peace officers who operate under the direction of the NYPD is one step to ending the School to Prison pipeline [bell] and providing safety and justice to youth of color in New York City schools. This offers an opportunity to provide actual safety to youth in our schools and make them feel heard respected. This is why Make the Road New York supports this expansion as a priority along with other priorities laid out by CPR, and we hope you do, too. Thank you for listening to me today.

CHAIRPERSON BENJAMIN: Thank you very much. The next speaker is Jed Holtz.

JED HOLTZ: Good evening. My name is Jed Holtz. I'm the New York City Organizer for the Freedom Socialist Party, but tonight I'm here on behalf of the Legislative Working Group of the Campaign For an Elected Civilian Review Board. I'm here in response to questions that were both raised at Tuesday's Queens hearing as well as those in the Preliminary Staff Report as to the legality of the reform, which we have put forward for an Elected Civilian Review Board, and that proposal has been spoken to many times and supported by many throughout this process as you know. As we testified and supported and submitted to you in writing last year, we have specific legal research that says the creation of an elected Civilian Review Board does not violate state law or the collective bargaining rights of offices and that, in fact, it needs to happen through a charter amendment. We disagree with the assertion that this amendment is not within the box you are operating within as charter amenders. In fact, there is other box other than Charter amendment that this can happen. It needs to happen through a

charter amendment. The Charter is the body of law that that's powering the Commissioner to enact discipline over police. Changing that is the only way to change the reality in which the Commissioner has complete power over disciplinary decisions. This is the root of the crisis, which many have spoken to, and what needs to be changed through a Charter amendment. For police discipline, the Charter giveth, and the Charter taketh away. New York State Civil Service Law, in fact, backs that up, which addresses the state question. It empowers local authorities to determine discipline as outlined in Section 75 of Civil Service Law, "The hearing upon such charges shall be held by the officer or body having the power to remove the person against whom such charges are preferred." In that way, Civil Service Law explicitly acknowledges that a governmental body such as the proposed CCRB can have disciplinary authority. To the question: Would an Elected Civilian Review Board infringe on police officers rights to collective bargaining? No, the CCRB would not change their collective bargaining rights. Police officers are already precluded by law from addressing disciplinary procedure and contract

negotiations. The case of New York City versus McDonald in '94 found that disciplinary procedures as outlined in the Charter Amendment and Administrative Code cannot be superseded by contract demands. Our legislation amends the Commissioner's Authority, but he remains intact to carry out the decisions of the Elected Civilian Review Board. It's not at the state level. It is in the Charter. We submit to you for second time [pause] research--sorry--that outlines these points, which I am raising. There's enough copies for you all to read it. After months of this process, though, it seems to us that these rather vague legal questions are a completely inadequate excuse for inaction in the face of a major moral crisis. Prove us wrong and honor the public outcry by putting a real solution on the ballot with an Elected Civilian Review Board or cave to the status quo in which police officers commit murder, assault, and rape with no consequences. The choice is yours. [applause]

CHAIRPERSON BENJAMIN: Thanks. Excuse me. Thank you. Elias Holtz.

ELIAS HOLTZ: Thank you. My name is Elias Holtz. I'm a member of the Freedom Socialist

Party and I'm a Steering Committee Member of the Elected Civilian Review Board Campaign. I'm compelled to join the long list of people testifying for effective community organizing over the police in part because of the 18 years I've been a social justice and anti-war activist, I've witnessed countless incidents of police harassment and assault on people simply demanding their First Amendment rights. I testified for an elected and empowered Civilian Review Board, and independent prosecutor to the Mayor's Charter Commission nearly one year ago today. They passed the buck on taking action, but that's no surprise given that our Mayor has consistently sided with NYPD even in the face of a staggering amount of violence and corruption by the department. With your staff report and excuses that state law prevent you from taking action, it seems at least some of you have take the side of inaction, and when it comes to the police there really are only two sides. On one side you have a belligerent, violent and completely unchecked police force defended by politicians and the laws they hold up as excuses, and on the other side are the people suffering and left defenseless to the violence and abuse of their own

police force. Some of you have made your choice whose side you're on. Others maybe haven't yet. We welcome you to fight with us. If you follow your staff report, instead of standing up for real police reform, you're choosing instead to change the window dressing on a burning house. Making the Police Commissioner issue more reports doesn't take away his absolute power, and that is the main problem that the police are allowed to police themselves and do essentially that, and do whatever they want. No one in the government stands up to them. We know that the Police Union will fight any tiny bit of police reform with tooth and nail. Our campaign is not afraid of them. We know our solution for an Elected Review Board and independent prosecutor is legally found in state and city law. More importantly, it is morally righteous and it's what the public wants. If you pass on bringing community oversight of the NYPD of voters, you in effect do the PBA's dirty work for them. Yet, another instance where the PBA holds our government hostage, we are angry. I don't think you understand how angry we are. Daniel Pantaleo will make six figures after using a deadly illegal choke hold, and Eric Garner is six feet under. You may

choose to do nothing. Many before you have, but we have no such choice. The reality cannot be endured. We are not going away until we win community oversight of our Police Department. We will keep coming back and we will fight until we win. [bell] That you. [applause]

CHAIRPERSON BENJAMIN: Please. Are there any questions? Thank you very much. The next speakers are Kathleen Daniel, Michael Kang Mana (sp?), Daniella Liebling who spoke yesterday didn't you?

DANIELLA LIEBLING: [off mic] Tuesday.

CHAIRPERSON BENJAMIN: Tuesday. I'm sorry, and Mark Fleidner (sp?) [background comments/pause] Oh, I'm sorry. Ms. Daniel.

KATHLEEN DANIEL: Thank you. Good evening. Kathleen Daniel born, bred and boldly Brooklyn and thank you for taking the time to be here tonight, and allow us to speak to this process, which is really the—the spirit I think of Brooklyn and where we should be heading. There can be no conversation about voting and election reform without safety. Across this country 1 in 6 women and 1 in 17 men have experienced stalking. That's according to

the data from the National Intimate Partner and Sexual Violence Survey. As with confidentiality programs known as ACP for Address and Confidentiality Program ensures that survivor information stays safe from abusers and must be included in the City Charter. What is the point of talking about voting register-voting registration in different languages and access to translators if we cannot go to the poles and vote safely? As a domestic violence survivor, I know what it's like to run for your life, and if we run for our lives, we leave everything behind including our voter registration card. Thirty-nine states have programs already and New York City the Empire City the center of the universe like here in Brooklyn, we're far behind. Sanctuary cities must also be safe havens for survivors to exercise their civil right to vote. Section 1054 of the Charter, the Voter Assistance Advisory Committee, Part B, Item 2 we should add: Including but not limited to survivors of domestic intimate partner violence, and violent crime. Section 3 we should be adding when they discuss city agencies and that the Commission-the Voter Assistance Advisory Committee must reach out to city agencies. It lists a plethora

of them, but it does not include the Family Justice Centers. It should be included. We should include create a working group, 50% of which should be survivors. If you've never been to DMV or waited in the line, you're really not qualified to talk about reform. The same goes for survivors of violence and intimate partner violence. Fifty percent of the working group should be survivors to review processes for voter registration, absentee ballots, ballots voting and privacy, and make recommendations to the Voter Assistance Advisory Committee. We should also include that the Board of Election Offices should have all of the available languages for voter registration cards in their office. I called today. I called in Manhattan and in Brooklyn. They couldn't figure out where I could in the month of May Haitian Heritage Month where to get a Creole language voter registration card. I have to order it. An individual is not going to go and order it. The one thing that should be really easy to do is to exercise my civil right to vote. I urge you to include these items in the City Charter. Please do not force survivors to choose between safety and their civil right to vote.

[bell] There are women who are citizens in this

city. You know them, you ride the bus with them, you see them when you drop your children off to school because what does a survivor look like? It looks you and me. This is who we are. We are everywhere. There are people who are allowed by law to vote, but disallowed by the controlling person in their family in their home to exercise their right the law affords them. Please do not leave them out of the discussion. Do not look at reforming a process that doesn't make it safe for everyone eligible to participate.

CHAIRPERSON BENJAMIN: Thank you very much, Ms. Daniel. Mr. Kamada.

MICHAEL KAMADA: Thank you. My name is Michael Kamada. Prior to this year, I was a high school special education teacher in New York City public schools, but I'm here today speaking on behalf of Brooklyn Anti-Gentrification Network, which is a group or organizations fighting against the waves of gentrification here in Brooklyn and across the city. There are many components of the Charter Revision being proposed, but I'd like to specifically focus on land use. While there are some small aspects of this revision that attempt to try to give more of a voice

to local communities, the propose amendments continue to fail to give New York City residents the power they truly need to stand up for themselves and their communities. I and New Yorkers all across the city find it abhorrent that all of these changes are being proposed, and yet community boards are still not being given the actual power to vote on land use actions. For too long, the votes granted to community boards have been advisory, and for the most part dismissed in the larger scheme of development across New York City. It makes no sense that the on group of people who do not get a vote that actually counts when it comes to land use decisions throughout the city are the people actually live in the neighborhoods where rezoning for development are being proposed. The fact that this Charter revision fails to grant this basic power and right to communities across the city shows how our elected and appointed officials continue to disregard the voices of New York City residents. Additionally, the fact that all community board seats are still not elected positions within each community is problematic. The Charter Revision is looking to grant longer-longer terms for some community board members, which will

[coughs] perpetuate a trend of stacking community boards with people who are proponents of development that serve the interest of those who can afford the rising prices that come with development rather than the interest—interest of people who actually live in those communities. We demand that all community board positions become elected positions, and that every community board is granted a right to vote—a vote that has the power to veto any land use action a community deems harmful or not in the best interests of the people who live there. Until our local government makes sure that community boards are democratically run, so as to truly be voices of communities, and the community boards are given actual power and an actual seat at the table when it comes to land use decisions throughout the city, New York City residents will continue to suffer from displacement, homelessness, rising rents, closings of small businesses, and the tearing apart of communities. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Kamada. The next speaker is Ms. Liebling.

DANIELLA LIEBLING: Thank you. Yes, my name is Daniella Liebling, and I did testify Tuesday

night as a member of the Green Party, and I'm compelled to testify again tonight as a member of myself, a member, as a Brooklyn resident, many of my friends who saw that I testified on Tuesday, begged me to come back and explain that I now represent many, many other people who couldn't be here tonight, and I'm—I'm actually amazed that there isn't more notification about this event and the ones that came before it like, you know, on New York 1, you know, announcements, and things like that, and it goes to show to me how disenfranchised our public is from—from civic engage—engagement, and—and I—I think that's—and I want everyone here to know that all the causes that you are here tonight representing could be solved very much with Ranked Choice Voting, which is what I'm here to talk about. You know, there are symptoms of problems, and then there are cures to problems, and Ranked Choice Voting can be one of the biggest cures to all the problems that everybody here tonight is worried about, and I agree with almost every single person here. And that's why we have to have Ranked Choice Voting for the—for the general elections as well as all the other elections. We have to. That is the only way to really democratize

the system, and we have an extremely corrupt system, and as everyone here knows, we have 12 years to solve the climate crisis, and Democrats and Republicans have not done, and they're not going to do it unless we push them with everything that we have, and the one big thing that we have is to get Ranked Choice Voting so that we can have a really competitive process where our candidates push hard on the issues that that are life and death like climate change is. I have a 13-year-old son, and I am not about to go down allowing a corrupt electoral system and a corrupt legal system, political system cause my son to suffer catastrophic climate change in his near future. This isn't 100 years away. It's not 200. It's in our lifetimes, the people sitting in this room and then the lifetimes of the kids that--our children. It's unconscionable that we have a political and electoral system that is just happy to have big donors and with wealthy people influencing--influencing who makes decisions about what, and it's--it's about time we change it, and you all have the power. You all have incredible power to make a huge amazing difference in the lives of every New Yorker, and because New York is the city of the world, you

have the power then to start a domino effect on the entire country, and I really hope you take that seriously, and don't just do a little tweaky fix of special elections, and primaries. [bell] Really go for the gusto, and take the bold, we want, bold last time on Tuesday. It will be—it will be more bold than you can ever imagine, but you have to do it the right way. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Ms. Liebling. Mark Leidner.

MARK LEIDNER: It's Leidner, but now worries.

CHAIRPERSON BENJAMIN: I'm sorry.

MARK LEIDNER: No, that's quite alright. Good evening. I am here as a concerned New Yorker, but I have a unique context for my—context for my interest in one of the particular topics that's already been touched upon by some of my—my new friends, and that is modifications to the Charter that will provide for an elected Civilian Review Board. I have a unique context for my interest in this topic. I was the Inaugural Chief of the Brooklyn District Attorney's Office Civil Rights Bureau. I daily reviewed cases of alleged police misconduct--

allegations that are very serious of police misconduct—for investigation and potential prosecution. I heard over and over and again from witnesses overwhelmingly young witnesses from communities black and brown that they had no interest and—were not considering engaging in the CCRB process because they were aware that ultimate decisions of accountability were made by the Police Commissioner. And they believed CCRB's lack of independence and autonomy and investigating and proceeding with these allegations of misconduct rendered it toothless at best, useless at worst. That's a big problem for the city when as your report eloquently stated there are few if any ways in which government interaction with a person can have a greater effect on that person's life than an interaction with police. The specific prospect of elected review boards catching my attention when I spoke in 2015 in California as a panelist at the Annual Conference of NACOLE. That's the National Association for Civilian Oversight of Law Enforcement where I found that much of the discussion centered around burgeoning national recognition of the need for true, credible autonomy in such oversight. Now,

I was heartened to see that the report recognized that the structure of the board was an issue to be carefully addressed by the Commission. The current manner in which the board members are selected with the Council designating five members—members is obviously meandered—rendered meaningless with the Mayor's ability to reject all of them if she or he so chooses. The Mayor picks the Chair, the Mayor controls the—the Police Commissioner. The Police Commissioner decides on office accountability. The Police Commissioner controls the department, and everybody on the street gets it: We have no voice in this process. It can't stand. I was, however, disheartened when I saw the Commission's proposed solutions. One suggestion: The Public Advocate has one vote on the Commission. That's not going to make any significant impact, and then there was what I perceived to be a vague statement in the report that said: The complexity of various legal structures including state law make other alternative recommendations impossible. I disagree and seek clarification of the committee's position on that. Bottom line: This is a city issue that impacts the residents of this city. It is an issue of

constitutional proportions. It can and should be addressed by this body. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. Are there any questions for this panel? Thank you very much, and I appreciate your testimony. As you know, we'll be discussing it, and Ms. Liebling has heard us on Tuesday going through some of the discussion afterwards. So thank you. The next speakers will be Robin Strauss, Anna Santiago, Quinn Raymond, and Gina Arias. [pause] Is Quinn Raymond not here any longer? Okay. Ray Curry. Okay. Ms. Strauss.

ROBIN STRAUSS: Thank you. My name is Robin Strauss and I'm a social worker. I've been practicing and teaching social work for 40 plus years in New York City, and one of my first positions as a social was on a mobile geriatric team where we visited older people in their homes, people that were suffering from mental illness and other kinds of functional disorders of old-old age, and at the time that I was in this position, Eleanor Bumpurs was killed by Officer Stephen Sullivan in 1987. Eleanor Bumpurs was decompensating. She was scared. She didn't feel safe in her home, but she wanted to stay

in her home, and she needed time, she needed support, and she needed safety. She represented at that time and still represents the most vulnerable people at the hands of police violence. She's an older, poor black woman living with mental illness in public housing. She was killed by Stephen Sullivan. Two shots. The first one to her hand, and the second one nine pellets in her chest that killed her. The police were and they are untrained to deal with matters of mental illness, and they get scared, and they shoot, and I have talked to many police officers in my experience as a social worker doing mobile visits, crisis visits who say they get no training, and they shoot, and they shoot when they feel there is aggression in front of them that they don't understand, they shoot. Officer Sullivan was indicted, but he was acquitted, but everyone else paid. Eleanor Bumpurs paid with her life. Her family, communities throughout New York City paid by having to live with the trauma of a violent police killing. Trauma, I mean trauma affects all communities, and an individual is shot, but the community holds the emotionality of that trauma. So, there are multiple layers of this issue. This is

police violence, unaccountability, trauma and communities that are holding this suffering from it, people who can't develop normatively because of it, and mental health issues just go on and on and on. The taxpayers pay \$200,000 in the civil suit. We're still paying, but we're paying millions now. The taxpayers pay, [bell] and the Social Service workers that really try to approach this issue were demoted and they were told that their--their judgment wasn't good, but Stephen Sullivan got off like so many police officers get off, and are not held accountable.

CHAIRPERSON BENJAMIN: Could you sum up?

ROBIN STRAUSS: I can go on with name and narratives. We hold our posters up. There's Eleanor Bumpers' face. Look at. We hold it up. We've held it up to you. We've been told to keep it below our chin. It's hard. It's painful to look at the truth. The truth is these were innocent people many of whom living with mental illness, black and brown folk, queer folk, homeless people who get shot because the police just react. That's all they do. Now, I joined the Campaign for an Elected Civilian Review Board, and I just want to say this is a great

campaign. It's an excellent campaign. We have really smart people on this campaign from all over the city who do all kinds of things for work, and who live in the city and know what's going on. They know the truth. Okay. We have—we put together a team, a legislative team that researched and worked together to come up with a very logical, legally sound legislation, a proposal that we were hoping you would read, take seriously, look at, okay that could replace the structure of the—replace the CCRB because as so many people have talked tonight, the CCRB is—it—it holds no ability to hold police accountable, and--

CHAIRPERSON BENJAMIN: [interposing] Ms. Strauss--

ROBIN STRAUSS: Yes.

CHAIRPERSON BENJAMIN: Could you begin to sum up, please?

ROBIN STRAUSS: Sum up. Yeah, okay, I'm going to just sum up by talking about--I need another minute—my response to the Staff Report. Very, very angry, and disgusted with the response with—with your response to us. You reduced our comprehensive and well researched proposal to some crumbs that aren't

going to work, and a one-sided debate having to do with fabricated issues of state laws interfering with local laws and consequences unintended or collective bargaining. We've done our homework. The host man has shared tonight on our understanding clarity on this, and we know there is no conflict here. This is the end--

CHAIRPERSON BENJAMIN: Thank you.

ROBIN STRAUSS: --but you persist. You persist to return to this issue at every hearing time and again with defensive weaponry, sword and shield, I you like, ways to control the debate, turn a deaf ear to our progressive reform that the city, the people in this new--in this city need and they support, and it makes us wonder: Who are you listening to? Who is holding you hostage? Who are you aligned with? Because you have turned your backs on a very important proposal, and the people who come hearing after hearing to support our proposal.

CHAIRPERSON BENJAMIN: Thank you. Ms. Santiago.

ANNA SANTIAGO: Okay. Good evening, Commissioner to everyone here. I am a parent and a grandparent who resides in East New York. I would

like to share with you tonight an incident that occurred some years ago. This tragic incident is just one of many that my family and other families are experiencing at the hands of police officers who are behaving worse than criminals. Yes, it is true that not all officers are behaving badly, but all too often even the good officers feel powerless to intervene when their fellow officers are behaving criminally. East New York has the highest complaints against officers. I-I believe along with those who are calling for the dismantling of the CCRB and replacing it with the ECRB that is elected, empowered and with special independent prosecutors should become reality to hold criminally acting officers accountable for terrorizing citizens. As I mentioned before that I would share an incident that I have never shared before, one afternoon my son arrived from school, and confided in me that he was feeling suicidal. My sweet 12-year-old child was experiencing a mental health crisis. As any normal parent would do, I called for EMS. I felt powerless in not knowing how to help him. Somehow, I knew that the professionals knew and trusted that my son will be safe once they arrived. Unfortunately, EMS

arrived after the police arrived. The police who arrived into my home as though they were arriving to an active crime scene. Immediately, I knew that things were not going to go well. As the officer who took the lead opened his mouth to speak to my 12-year-old child, he said, Put your clothes on. The tone and anger and his body language was unbelievable. I immediately knew that I—that I the parent of my child was no longer in control in protect—in the protection of my 12-year-old child. When my son refused because he was scared and confused and he's experience a mental health crisis, the officer said: Look, I don't like you, and you don't like me, but you better hurry and get your clothes on. I was appalled that an officer who came in to supposedly help a 12-year-old child get to the emergency would be treating him in such—in this manner. Fast forward to the Emergency Room. The officer had my child in handcuffs, didn't allow me to ride with him in the ambulance. As I waited for my son to receive medical treatment, this officer jeered at my child, he laughed and made jokes about my child all in my presence. I asked another officer why is he doing this? We are not criminals. All I wanted

was to get my 12-year-old son help. That female officer looked down to the floor, and just shrugged here shoulders as she walked away leaving us to be terrorized by the tyrant who had the authority over us. I was just concerned for my son that night. I didn't know or understand what my rights and child's rights were. So, I've lived all these years with shame because of how that officer made me feel. I couldn't save my child who was ill from a tyrant. I live in fear of that police officer and in fear that the good ones feel powerless to hold them immediately accountable during their interaction with citizens. Another son who was—who has his own family also lived in fear that a bad cop can remove him from society, but most importantly, remove him from his family. Please, do not—please do what is right and stand behind the ECRB.

CHAIRPERSON BENJAMIN: Thank you very much. Mr. Curry.

RAY CURRY: Hi. The last time I was here was 1992, and I think that's the date on the Charter Item. I got in New York in 1967 to do a Master's Degree, and what I learned was the opportunity embedded in disinvestment, displacement, plan

shrinkage and more recently catastrophic resolution, and they remain just as destructive and profitable today. I'd be a lot better if my glasses were on. [laughter] As the '87 Envision process ended, and by the way, when we were here, this room was not this spectacular, believe me. Today the problems are a lot quieter, and possibly desperate. There's are different housing, rent, and transit disasters that are unfolding into the climate/sea crisis. Can we say we didn't see it coming? We now know Ranked Choice Voting expresses the will of the people in a quick way, and I know you will recommend it for elections, all of our elections because it strengthens the problem solving talents of those who seek leadership. The '89 revision was bold. It was unique. It was powerful. But it was emerging from hideous 25-year disinvestment in the engine that is the creativity of the people who live in the city. We saw a voice rise from neighborhoods that expressed the exquisite self-interest, legitimate fears and pressing concerns of ordinary people making localized governments and Democratic elections even juicier it seems to me to be a beautiful thing to try and make happen. We shouldn't betray that tradition. Whether

Fair Share is up or down, 197-A is useful or not, the participation of unlikely voices has grown because you are listening to be heard. The thing is to turn it to power. You have to be bold. Our charter is living good listening thing. There are no originalists in this city. Power and privilege cannot defeat truth and justice. You have to be bold. People know me for saying that no one is as smart as all of us. The skills for the speech should be part of the every agency's staff training from community boards to the Mayor, and you should believe an old planner's instincts the need for continuous improvement, and the responsiveness of government has never been higher. Be bold. Campaign Finance did not destroy incumbents. Voters want civic engagement and support, and they're still waiting for it. [bell]

Board turnover sharpens staff training skills at the City Planning Commission. Last paragraph. Let me close by posing one question for reflection: Should this work, this heard work be so easy? Scholarly references on the 1989 revision are on policy reversals, new approaches, uniqueness and weakness, and the information it offers us are laser focus on the damage that government is likely to do to

ordinary people. Divisions like have and have not now include knowing and unknowing, and in that's age, the haves are not the only ones who know now. My work with Represent Us and I think partnering with Common Cause believes that the least the Charter Revision should do is to find hope in the dark, and I would urge you to have your staff read and digest a little 3-hour read book: Hope in the Dark by Rebecca Solnit, and have them read it before the end of the July deadlines. It will give them courage, and it will help them see through some of the—the fog that the participants here have been talking about. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. Gina Arias.

GINA ARIAS: Hi. Yes, my name is Gina Arias, and I was born in Queens. I live in Brooklyn, and before I begin, I just want to say thank you to this woman for—I'm sorry. I forgot your name, but for talking to us and telling us about that horrible experience that you went through. I want to go off my script just a little bit to say that even though I've been in the city here for 20 years, I grew up in a white community [coughing] in Long Island where I

never saw police. I never heard anyone complain about police misconduct. We never saw police. They just didn't come around. We could be lighting fireworks illegally. It happened every 4th of July. Never saw police. So, when I came back to the city because I was born in Queens, you know, I was shocked to see the things that we do see in our communities. So, one of the things that I have seen in the time that I've been here is the CCRB with enough muscle and power to be an effective, you know, to do its job effectively. People in my community won't go to the CCRB if they even know that it exists because, you know, to-to go and lodge valid complaints about police misconduct because, you know, in many ways as we've heard over and over again tonight, CCRB is a paper tiger. Okay, and this has to change. So, you know, what we have in the CCRB is the nation's largest independent oversight agency. Of the nation's largest police force. So, they should have more authority okay. I'm here as an individual so but before I read my-my testimony, I do want to say that I fully support the reforms being demanded by Communities United for police reform, and what I'd like to focus on today are changes that--to the City

Charter that enable the CCRB to determine discipline in cases that they prosecute, changes that expand the CCRB authority to explicitly include school safety officers. Okay, our children and we heard very eloquently from the sister from Make the Road that, you know, our children don't have much recourse when they're in the schools. Okay, these are things I never had to think about when I was in school. I would like the changes to expand the CCRB to prosecute on other misconduct. For example, when officers provide false statements or lie on official reports, and lastly, I would like to say that changes should require that when the NYPD Commissioner deviates on CCRB findings and discipline recommendations, that the reason for the deviation be made public. You know, the NYPD should not be operating as if it's some sort of feastom. Okay and that's what we have. I believe at a minimum New Yorkers [bell] deserve more transparency with regard to a department that is there that exists to serve the people. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. Are there any questions of this panel? Thank you very much. [background comments/pause]

2 GINA ARIAS: I have a question. Where do
3 we give our written testimony?

4 CHAIRPERSON BENJAMIN: Oh, you can give
5 it to anyone of the staff who are there. The next
6 groups is Steven Smith, Elmo Doig, Richard Van Auken
7 (sp?) and Frank Murano. Frank, are you still--yes, I
8 see you. The hour is getting later, as you can see.
9 We are going to go through all of the slips that we
10 have, but if more people are arriving, we may not get
11 to them tonight. [pause] I know that's you, Frank,
12 and your name, sir?

13 STEVEN SMITH: Steven.

14 CHAIRPERSON BENJAMIN: You're Steven
15 Smith. Okay, so Richard Van Auken, A-U-K-E-N if I'm
16 pronouncing it wrong? He left? Okay, and Mr. Doig,
17 Elmo Doig. He left, too? Okay, Sandy Hornick step
18 right up, and Ralph Yozo. [background comments/pause]
19 Okay, Steven.

20 STEVEN SMITH: Yes, hello. A few weeks ago
21 I watched city officials testify, City Planning
22 officials testify there are no changes on the city's
23 land use review process because the current system is
24 working just fine. The Charter review discourse has
25 been very heavy on things that would make it probably

harder to build housing. So, I understand why they said that, but they are wrong. The current system is not working fine. Last year, New York City permitted housing at a slower rate than Baltimore. This is all housing market rate and affordable. New York is consistently in the bottom of big cities in terms of units permitted per capita and we have the ever—we have the ever accelerating housing cost to show for it. What his region desperately needs is for the state to step in as states on the west coast have been and force municipalities especially in the suburbs to permit more housing. That is not within this commission's purview, but setting housing permitting targets is for the city. I know that's not the kind of comprehensive planning that a lot of people have been talking about, but it's what we need. The city desperately needs housing production targets. They should not be tied to population growth. Population growth can be stopped or even reversed with under-production housing as we've seen in many wealthy Manhattan neighborhoods, and last year in the city as a whole. Instead, production targets—production targets should be tied to market rents and aimed at keeping them stable or at least

reversing them. I know, you know, the majority of people in the city are not market renters or market housing buyers, but everybody—almost everybody is. At one point all rent stabilized housing units were at one point market rate housing units. People are paying the market rates plus allowed increases. So long as rents are turning ever upwards, the city should be—the city should be made to revise its housing growth targets upwards. This could be enforced through the Board of Standards and Appeals. If an applicant's rezoning application is rejected and growth targets are not met, they should be able to use this as evidence at a BSA hearing. Having a quasi judicial body step in and approve housing permits is done in Toronto with the Ontario—with the Ontario Municipal Boars and in New Jersey with Mount Royal court cases. Both do a much better job of keeping rents affordable than New York does and these are successful ideas we're emulating. I've heard that this commission doesn't feel it has the capacity to suggest changes like this or comprehensive planning to the City Charter. Even if you don't feel you can suggest something binding, I would strongly suggest you do something—you suggest at least

something advisory so that the next time a Charter Review Commission is impaneled, they better understand the magnitude of the work ahead of them to fix that. Thank you.

CHAIRPERSON BENJAMIN: Thank you, Mr. Smith. Sandy.

SANDY HORNICK: Good evening. Thanks for being patient to all these folks tonight. My name is Sandy Hornick, and I'm an urban planner now in private practice, but for 38 years I was an employee of or consultant to the Department of City Planning. I would love to address the previous topic, but it's not really on the table for today. How the—I'd like to just have ULURP and Pre-ULURP process might be revised on how to best encourage planning that takes place in the context of the best possible balance of citywide and local concerns. As currently structure, the ULURP process is intended to give communities meaningful voice, but not authority, which often means that sooner or later everyone is frustrated, but I believe that is by design. The public can only voice its opinion or as is often the case, opinions and hope that its reasoning resonates or it's numbers overwhelmed. Community Board members give freely of

their time, but their recommendations are only advisory. Staff at the public agencies has the luxury of being paid for its time, but no voice in the decision making process. The Planning Commission neither develops proposals nor controls the final decision making, and the City Council has final decision making authority, but does not control what comes before them, and not that they are subject of much sympathy, but private applicants often feel that they must invest substantial time and money in the process with no certainty other than that ULURP timeline, other than the ULURP timeline, and that they are at the mercy of everyone else in the process. This is generally a messy process, but one that is designed to promote balance. I believe this is generally good, and should generally speaking not be changed. I do think community boards are disadvantaged, however, because while they get 60 days review ULURP Calendar, the interactions with dates of certification with the congress of community boards often means that communities boards effectively have less than their allotted time to do the review. Changes in ULURP that promote advance notice may be workable without adding too much

difficulty to the process. Changes to try to change the carefully crafted balance among the various participants in the process are likely to cause more problems than what they would solve. On balancing the city on local concerns I want to say that the staff report does an admirable job in highlighting and explaining the 12 planning documents. But of all these documents, the lot brings the same issues. This is just too many documents. The process needs to be simplified. Planning and planning issues are not static. New York is fortunately a dynamic place and a consequence the city is constantly confronting evolving issues as the city reinvents itself. The history of the past 30 years of requiring all these reports is not that these mandated and extensive processes remain precise guidance documents for the future. As an example, PlaNYC was an innovative document that focused the city on a host of issues [bell] that the city would confront, but the issues did not stay the same, and the arrival of a new administration with new and revised policies inherently changed the emphasis and sometimes the recommendations of the plan. There should be fewer planning documents, and they should focus on

identifying important issues and priority for planning and broad strategies to address them rather than detailed descriptions of specific actions. They cannot be expected to detail specific proposals that do not yet exist such as what future rezonings are needed or where specifically they should be. Even if this could be done, it would run counter to the desire for meaningful local engagement, which is the Commission's consideration -informing the Commission's consideration of the pre-ULURP process. As this Commission considers potential revisions, I would encourage you to also consider the temporal implications of all these reports. Obviously, they take a lot of time and allocations of limited resources to prepare, but it's important to consider that governance commences with inauguration, reports that take years to prepare especially when based on other reports that also needed to be prepared. With automatic things we've completed--

CHAIRPERSON BENJAMIN: [interposing]

Could you sum up, Sandy

SANDY HORNICK: --well into the and perhaps at the end of the term. This was the case with the old (sic Planning and Zoning Report that

took years to prepare, and was actually issued after the Dinkins Administration was voted out of office. These mandated reports are most likely to affect the Administration that prepares them, and the more detailed they have to be, and the more complicated process making them means that they will take more time to prepare and, therefore, have less impact on that Administration. The following information of the same goals as it presented, but more frequently it wants to show that it is the Charter mandated reports that proved an ineffective tool, demand taking an agenda with the subsequent administration, and then I just want to say one personal thing. If you're going to do Ranked Choice Voting, as a voter, please don't give me more three choices. It's—it's just my mind-numbing to think that people are going to have giant ballots and have to choose between five or ten choices going down a ballot. It's just not the way humans other than the political junkie class operates.

CHAIRPERSON BENJAMIN: Thank you, Sandy. I'll have a question for you later about the question about that. Frank.

FRANK MURANO: Good evening. You know, there are certain movies, again television shows that you have a pretty good idea of how they're going to end even if you haven't seen them before, maybe even just on the title. Titanic for instance. We had a pretty good idea the ship was going to sink even if we didn't know every aspect of the love story. You are the sixth Charter Revision Commission that I've had the opportunity to testify before. Each one of those commissions I have testified to multiple times for Commissioner Fiala has had the dubious distinction of serving on three of those commissions, and I thank him especially for his patience, and each Commission I know exactly how it's going to end. I don't know exactly what questions you're going to put on the ballot, but I know, it's going to be an incredibly intelligent, incredibly hardworking group of individuals who are really dedicated to the public good who volunteer of their time to get yelled at by people like me for not doing what we want. And at the end of that, whether it's a one-year commission or a two-year commission, you guys are left frustrated wishing you could have done more that you could have take a deeper dive into certain issues.

So, I'm here tonight to reiterate a suggestion that I made to you in September, which was one of the suggestions that was omitted from the otherwise comprehensive Preliminary Staff Report, which is that you do something which is not without precedent either in terms of purpose or in terms of structure, and that is you create in the Charter, at least give the opportunity to the voters to create a permanent Charter Revision Council. Mr. Sateesh Nori, is the first person ever to be appointed to a Charter Commission by Public Advocate. Now that's only because there's nothing in the Charter that says that. That's only because the City Council deemed it appropriate that the Public Advocate should have an appointee. Now, what if you were able to continue your work or have the current Public Advocate, the current Comptroller, the current Speaker of the City Council, the Borough Presidents, the Mayor and maybe even the Minority Leader of the City Council appoint a body like you that can study issues for two years, and at the end of one year, you make a series of recommendations only on governance issues. You make it to the City Council, you make it to the State Legislature, and then whatever is not enacted after

the second year of your study, you have the ability to put those questions before the voters. We see the Public Advocate gets to and other city elected officials I just alluded to, get to make all sorts of appointments, all sorts of different boards. Everything from the Redistricting Committee to the, you know, to the Youth Board. Why wouldn't we enshrine this in the Charter that there is a mechanism? We're not taking anything away from the Mayor. We're not taking anything away from the City Council. We're just adding a diversity of area of study. Listening to you guys after your last meeting was the most instructive moment of this Commission because I could hear that you wanted to get to more. So, get to it. Just give the Charter, give the voters the ability to keep going. And then lastly, completely unrelated, the fact that Jumaane Williams, our city's top ranking and only minority citywide elected official came out in favor of non-partisan election publicly. I don't know how you don't put that question on the ballot this year. The person he's running against, Joe Borelli was also elected in the non-partisan elections just like Jumaane Williams was. The person he beat for that election, Eric

Ulrich, was elected through a non-partisan election just like Jumaane Williams was. The city's first openly gay Speaker was elected to her position in a non-partisan election. We've seen time and time again that non-partisan elections especially when coupled with Ranked Choice Voting give the public an especially under-represented groups the opportunity to beat back the forces of the political status quo. Why won't you just give the voters the right to choose. Let pro-partisan elections make their argument and let non-partisan elections make their argument. Don't take that decision away from voters. Give it to the voters.

CHAIRPERSON BENJAMIN: Thank you, Frank.
Now, Ralph Riozzo.

RALPH RIOZZO: Yeah, Riozzo. I-I agree with this gentleman, and I just want to speak about— first of all, I want to thank you, the commission because you actually have a Twitter account unlike the Property Tax Commission that has absolutely no feedback from the users, and also has promised to report that they haven't produced at all. I don't know what they're doing, but I wish Mr. Albanese

would join the Property Tax Commission. I'm going to speak about Ranked--

CHAIRPERSON BENJAMIN: [interposing] Just Mr. Albanese? [laughter]

COMMISSIONER ALBANESE: He has good taste.

RALPH RIOZZO: Yes, Ranked Choice Voting non-partisan open general election. That--like this gentleman is saying that what we're talking about is not going far enough. I ask these questions: Why do the taxpayers pay for the Democratic Primary? Why? I have no idea. It's their primary. Why shouldn't they pay for it? Let's get rid of primaries and have a general election non-partisan. Look at the special election. The U.S. Constitution doesn't talk about political parties at all. So, why do we have all these political party influences? Brooklyn is owned by the Brooklyn Democratic Party. We have up to no power at all and so every candidate has its own party line. I agree with Mr. Manny and Sal Albanese about Democratic vouchers. That just makes sense, and if we want more civic engagement, let's enact Resign to Run. Why do--if you are running for office, and you go into your employer or your own business and say,

I'm going to run for office, and I want to get paid—continued to get paid, they're going to say thank you, goodbye. But our City Council or whatever, Speaker is running for Mayor. They're all running for another office. Jumaane Williams is running for another office as he's the Council. Let's get rid of that. Put it in the Charter that you can't be running for another office while—can two people—can one person do two jobs at the same time? No, and also a direct initiative process. I hear all these people coming up here begging the Commission to put something on it. We should have a direct Initiative process just like most western states, just like Switzerland where it's an objective standard where you meet that standard and you get to put things on the ballot. Look at California. I know people might not agree, but Propositions—Oregon has ballot measures. It's just ridiculous that New York State—that's an insult to the people that we're too stupid to organize our own government. That doesn't make any sense. I believe that people are—are intelligent, and so we could get term limits for the Governor. That's what we should do and—but I love the Governor, and then another—I always like

solutions. So, going back to the budget, I want to note that the OMB just runs right out of the door after they testify, right? They should be here. Maybe make them testify last so that they have to stay, right? Because the Budget is a mess. We need transparency in the school allocation memorandums for the Department of Education. They—they have something called Gallick (sic) fee. We need that in open data. There is something we already paid for. I'll close because I don't want to be rude to other people, but—but the Department of Finance the way they put their assessment role in public is hidden in a zip file inside of a Microsoft Access Database. Who even uses Microsoft Access any more? That's how they publish these things. I have created a website where you can actually see your property tax history. Why is property tax going up at 6%, 8% for Class 2 property. Why? In—inflation is near zero and our property tax is going through the roof. The budget is going up at 5%. What in the world is going on? We have to wake up, and—and I've proposed a budget—Community Budget Council so that we have real say on this. Thank you.

CHAIRPERSON BENJAMIN: Thank you. First, I'd just like to ask Sandy, what do you do with the judges? You said that you should—you can't get beyond three choices that most of the time that we, in Brooklyn when you look at your ballot, and there are judges, they're telling you to vote for 10 of them.

SANDY HORNICK: Yes, and—and I never, have ever known who those ten people are, and what the differences are between them. I've got, you know, three little handout cards that say I work for such and such, a civic organization and I've worked at the District Attorney's Office. I have no clue what those ten judges are going to be like on the bench, but I--

CHAIRPERSON BENJAMIN: [interposing] And in the old days with the Community School Boards and--

SANDY HORNICK: [interposing] I vote for that, yes. It kind of investigates electives so--

CHAIRPERSON BENJAMIN: With Community School Boards and the Anti-Poverty Boards?

SANDY HORNICK: Well, the Community School Boards are a good example. You know, back in

the 1970s there were two experiments of Community Boards I'm sure you're aware of.

CHAIRPERSON BENJAMIN: Right.

SANDY HORNICK: One was the Community Planning Boards, and they were appointed and they-- they exist to this day, and they play an important role, and then there are Community School Boards, which were directly elected, and never achieved the dismal 21% turnout that somebody described earlier. In the Mayoral Election if they got 5% of 7%, that was a--

CHAIRPERSON BENJAMIN: [interposing] They were also in May and not in November. So, that's a plus.

SANDY HORNICK: Well, they--they don't-- they don't get the attention. I mean there's sort of a generic problem in New York, which is that we have citywide media and the citywide media covers sort of the top tier, and it doesn't really pay an enormous amount of attention with all due respect to the people who serve on the City Council with what they're doing everyday, and let alone what the number of candidates might be that are--that are challenging, and it's very hard for an electorate to be informed

about it. I have no problem with 10 people running, but I don't, you know, I don't think that people—I—I think that people—I—I think if people are concerned about—attracting people to vote, I—I don't think overwhelming them [coughs] with, you know, ask them— It's like getting a survey and the survey has 50 choices on it, people just stop doing a survey—organize a survey, you—you have limited answers, and I—by the way, you know, the British, the Bregits (sic) have figured the perfect example of why Ranked Choice would be—they can't solve a problem because they can't agree amongst three or four choices, and they're slowing going off a cliff. So, there clearly is a role for—for that, and it's fine to do that in general elections, but keep the—keep the traditional (sic) because it's now why I came here tonight, but keep the—the choices to something that attracts people to vote, and not something that I think would discourage people from voting

CHAIRPERSON BENJAMIN: Are there any other questions for this panel?

CHAIRPERSON BENJAMIN: Yes.

COMMISSIONER ALBANESE: So, I'm not going to ask a question. I just want to say, Frank, I'm

going to look at this material you submitted again,
and go into a deeper dive with you at a future
hearing, but I'm sure I speak for all of my
colleagues when I say thank you for your statement
that we're dedicated to the public good. I think we
all in this room are. We may not all agree on the
means, but we're all dedicated in the end, and I hope
because now you have I am absolutely certain in your
Charter jump (sic) that you have now—you are the
person who has testified at more Charter meetings
than anybody in the history, and I think—I'll tell
you something. Not that my opinion is worth a damn,
but I hope a future mayor or a public Advocate, a
borough president or a comptroller if there is a
future commission like this you be sitting here
instead of me. I think you got a breadth and depth
and a passion, and I think your voice—I want you to
know we're listening. We have listened to all of
you, but I appreciate very much that you take the
time to show up over and over again.

SANDY HORNICK: Thank you, and I'll just
add that anybody that saw the marathon 8-hour hearing
that you all endured at City Hall, leaving at 2:00
a.m. for a job that you're not being paid for nobody

can question that you're doing this with the best integrity and the best values and even if I disagree with your ultimate conclusions, I can't help but admire the work that you've already put into this.

CHAIRPERSON BENJAMIN: Thank you very much, and now I just want to make an announcement. I had said before we weren't taking any more slips. We are closing the process of accepting any more slips for a hearing, but we were going through all the slips that have already been submitted. The next panel is Roxanne Delgado, Andrew Brown, Alex [pause] Okay, Kuzenchesco (sp?). Is there an Alex here who can tell me how badly I mangled his name.

ALEX COSENICO: Really badly. [laughter]

CHAIRPERSON BENJAMIN: Can you just say it for me so I---

ALEX COSENICO: Alex Cosenico (sp?)

CHAIRPERSON BENJAMIN: Cosenico?

ALEX COSENICO: Yes.

CHAIRPERSON BENJAMIN: Okay. Robert De Mello. Is there a Robert De Mello? Okay. Andrew Brown, are you here? No. Andrew Brown is not here. Okay. Laura Domer. No, Laura Thomas. I'm sorry. [pause] Okay. Ms. Delgado.

ROXANNE DELGADO: Hi. Hello, I'd like to apologize. I didn't have a chance to make any notes. I just found out about this hearing, but I'd like to say first that what happened to "*Of the people, by the people, for the people?*" Because I noticed on the handouts on the desk it's about this recommendation about increasing the responsibility of or powers of the Public Advocate yet post after post overwhelmingly the public wants to eliminate that office. So, I would to say that if you put that suggestion on the ballot, you should also put the other side of the coin to provide people to eliminate the office of Public Advocate, and this nothing against Jumaane Williams. It's about the office itself. Second, regarding term limits, I recall at your first hearing in the Bronx last year, and I spoke about term limits. I—I mentioned something to my former City Councilman Vacca who didn't care much for it, but I still like him. Nonetheless, the issue is that I mentioned that in my opinion there's a loophole where those who have been termed out, after a brief time they can return to that same office, and I just found out recently. I read that Gale Brewer who was City Council Member termed out in 2009 and

now is currently VP from Manhattan is to express her desire to return to her old City Council seat. Again, this against the—I think the spirit of when people voted for two terms for a specific office. I think this should be addressed because otherwise if they continue having people returning to their old seats and basically undermining the people—the opinion or will of the people that they want a change or new blood, but again I'd like to express my—my support to close like—I can say a loophole, which you would say is not, but a loophole on the two four term limits for each office. Regarding campaign financing. Since 2013 I've been testifying at every CFB and voter assistance public hearing about how people continue to say this is the best system in the—in the world, and in the nation. I disagree. Why is it? Why is it not the best system? Because it tends to—and I mentioned it. I didn't even know Mr. Gasterner (sic) used my testimony in his report. Why I mentioned it is that it continues to increase the gap between the front runners of the incumbents or the elected officials against the underdogs, the challenge of a grassroots advocate, and you're going to see that in this recent Public Advocate race. The

top seven people were either who hold current elected position or a former elected officials. They were the top seven. The remaining ones that were not, never held an office were in the bottom five of the 17 candidates. So, it just shows that not only are we public financing elections that are not challenge-competitive, we also tend to fund those who are--have fundraising ability, which tend to be those who are in elected positions or were in former elected positions. So, again, I even said that--I even said especially for CFB. Where I did it before, it didn't help me finance these races. The gap was much smaller, but after you publicly finance those races you have to increase the gap between the incumbent and those are the--are likely winners or opponents or challengers. And lastly, with RCV, I do have my concerns about that but if they do in primary, please do in the general. I discussed that at the Bronx hearing. Thank you so much. [bell]

CHAIRPERSON BENJAMIN: Thank you. You can--if you want to--

ROXANNE DELGADO: Or basically, I could give--my issue with RCV is because of fusion voting we already have people in my community in the Bronx

who have difficulties because they see the same name let's say with Governor Cuomo. They love him. They vote for him, every part, and then the ballot has to be ripped up and sometimes they have frustration, and I only think this will complicate the issue, and discourage people from voting. Unless fusion voting is off the table to make this process more complicated, and also BOE tends not to be best. Every time they have something to implement new, it always falls apart like the two-page ballot. I was—it was a disaster. We can't have more destruction. It discourages people from voting. We want more people to vote not less. Thank you again to the Chair.

CHAIRPERSON BENJAMIN: Thank you very much Roxanne. I'll see you next week?

ROXANNE DELGADO: Yes, yes, definitely.

CHAIRPERSON BENJAMIN: Alex Cosenico(sp?).

ALEX COSENICO: Yes. Good evening. We all know New York City has a housing crisis. New York keeps adding jobs, but built enough housing for a long time. We build housing per capita in San Francisco, we built 4 times less housing per capita than even Jersey City. While we've heard understandable testimony from groups and

neighborhoods experiencing gentrification, they want more power of their neighborhood. This power cuts two ways. Giving people in rich neighborhoods the ability to prevent rezonings that are right now pushing people out of those neighborhoods into gentrifying neighborhoods. In light of this, any comprehensive plan must take the needs of the entire city and region into account rather than just neighborhood interests or we will keep getting the same results we have now or worse. As Council Member Brad Lander testified earlier, neighborhood control through the elected Council Member has resulted in 90% of rezonings happening in poor neighborhoods. The recommendation to incorporate key indicators into our plan is heartening and on the topic of specific indicators, I think we should include the market rate price of housing, the amount of housing consumed as well as commute time in these metrics. But after we have these indicators, we need to ensure that these indicators cause action rather than just getting stuck in the same political and legal process we have now where we largely do nothing. In general, we must ensure that the city is zoning for growth to meet the demand from people who would like to live in New York

City, otherwise the least of all from among us are those who are going to be squeezed the most. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. Robert De Mello.

ROBERT DE MELLO: Yes. Thank you. Good evening. Thank you for the time, and thank you everybody who's come out and has stayed out through this evening. It's really important to democracy in general. So, a shout out to everybody I the building. So my name is Robert De Mello, and I'm a volunteer member of Represent Us in New York. It's a non-partisan anti-corruption sic) organization. Sal would be familiar with us. How are you? [bell] So, as I'm sure it isn't a surprise, our group supports Ranked Choice Voting. It's numerous benefits such as no more candidates winning elections with less than half the people voting for them, saving-saving money by voting in off elections, allowing people to vote for their favorite candidate as opposed to a lesser of two evils. I know we've seen a few elections like that in our time. So, with that being said, I-I do want to take a little bit of way away from the classic here's a bunch of stats to you, and talk a

little bit about the domino effect that was mentioned earlier because I think this is an issue that is much bigger than even just New York City. We have an opportunity to be sort of a guiding light in this. So, it's no exaggeration to say that our country is democracy is under attack by special interests, dark money, perks and gerrymandering. The list can go on and on. Many of the groups that advocate for Ranked Choice Voting put a lot of resources into curing those problems, and this is identified as a key element in that fight. So, by increasing representation and participation, changing the structural incentives of both candidates and voters, we can revitalize our democracy and help protect it from those problems that I mentioned before. But yet, Ranked Choice Voting remains sort of in its infancy in terms of adoption in the United States. This body and, therefore, the city has an opportunity to immediately thrust Ranked Choice Voting deep into the national spotlight. This is—again it's—it's—it's not just improving voting in New York City, it could very well lead to improving the way that many Americans vote in the near future. We've seen it in San Francisco. We've seen it adopted in Maine. It

made some headlines, but it's still suffering from a little bit of lack of exposure. So, putting the system in place in New York City would immediately more than triple the amount of people using it. It-it is a vast expansion of the program. What I'm really getting at it's simple. It's improving the way we do elections in the five boroughs. It could ultimately propel Ranked Choice Voting to widespread adoption. Couple that with the fact that there's already best practices to be taken from the places like San Francisco and Maine that we've mentioned, and it offers us an opportunity to really get it right, and not have to be the first ones at the doorway, but also the ones that really propel it onto bigger and-- and a bigger stage in general. So, at a time where many are worried about our democracy as a whole, let's be the city upon a hill that will inspire New Yorkers to participate more, and then also others around the country to chose a better way of voting. Thank you very much for your time.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. De Mello. Ms. Thomas.

LAUREN THOMAS: [coughs] Good evening, Commissioners. I'm Lauren Thomas, and I'm a resident

of Brooklyn. I don't think I need to remind anyone here that New York City has been gripped by an affordable housing crisis, exacerbated by the housing shortage that New York has allowed to occur. Since 2009, the city has added over 700,000 jobs and half a million people, but only around 135,000 new housing units. May of which have come in the outer boroughs further from the job centers of Midtown and the Financial District. This lack of supply and the restrictive zoning laws in much of the city particularly in desirable neighborhoods near jobs centers can be directly traced as the cause of higher rents in the parts of New York City with more affordable housing like Williamsburg in the early 2000s or Bushwick, Bedstuy and Astoria today. A failure to accommodate growth will not prevent people from moving to New York City nor should we want to prevent that. Rather, it would only—it will only harm the most vulnerable. When young professionals can't move near their jobs because of high rents, they'll move to lower-income neighborhoods instead. Thus, bidding up the price of rents in those neighborhoods. It is imperative that any change to the Charter fully recognize the importance of housing

not only for those who already—not only for those who already live here, but all of those who come to New York City to take advantage of and add to the dynamic nature that makes this city so great. Any comprehensive plan must first and foremost consider the importance of allowing New Yorkers to live where they want to, which judging by the high land prices in these neighborhoods are often low density centrally located places like Greenwich Village, SoHo, the Upper West Side, etcetera. I'm very concerned that some of the potential tools identified by the commission to engage the community like the pre-Pre-ULURP Certification or a potential comprehensive plan could be hijacked by politically powerful wealthy neighborhoods to delay or prevent new housing from ever being built in those neighborhoods. Any delays to ULURP could add a significant cost to those projects, which will be borne by those living in those homes down the road, if the project is even able to be built at all. As Council Member Lander said, nine of the ten rezonings in this Admin--Administration are in poor and low-income neighborhoods. Moreover, I'd like to add that I oppose giving extra time to community boards during

the summer. Joining the community board is a privilege that many would love to have as seen by the five-fold increase in community board applications this past cycle or so I've heard, and members make a commitment to when they join these boards. They should be able to make a once a month meeting, twice if they're on the Subcommittee for Land Use, to discuss any ULURP applications before the community board. I believe this may also be used as a delaying tactic to prevent housing, which again does have real human costs. Thank you for your time.

CHAIRPERSON BENJAMIN: Thank you very much. Are there any questions? Thank you very much for your time. I appreciate your staying. The next panel will be Andrew Hess. Are you here?

ANDREW HESS: [off mic] Yes.

CHAIRPERSON BENJAMIN: Okay. Lester Davidson. Lester, are you here? Okay. Marianne Yen. Marianne? Amy Platzmeyer. [background comments/pause] Amy Platzmeyer. No. Betty Davis. Step right up. Mr. Hess.

ANDREW HESS: Okay. Thank you very much to the Commission for the opportunity to testify. My name is Andrew Hess and I'm a fourth generation New

Yorker, and I'm here to speak today in favor of the Ranked Choice Voting with the hope that the city's Charter Revision Commission will recommend its adoption in the future. I'll start by talking about a larger general election, and then talk about why the same principle applies to city primaries and special elections. We saw the concept of voting for the lesser of two evils or voting strategically mainly in the 2016 Presidential Election. You heard a lot of talking heads on TV talking about it all the time. We see this happen where a voter's favorite candidate is not one of the top two vote getters, and so they have to, you know, either vote for one of those two top candidates or their vote might be wasted. In this election, you know, people would have to hold their nose and pick one of the top two, and that this election is clear, is a clear example of voters not being able to vote their conscience for the fear that the worst of the top two candidates would win. It play spoiler. Ironically, in any election the prevalence of this view makes it nearly certain that one of these top two candidates will win, and the same principle applies in this city. Voters should be able to vote their conscience without fearing that

their least preferred candidate will win due to these wasted votes. Ranked Choice Voting would allow voters to register their preferences beyond their top choice permitting voters to vote—vote strategically and vote their conscience. Another issue is runoffs. In the—for—just for an example, in the 2013 Democratic Primary Election for Public Advocate, 18.5% of eligible voters turned out, and Letitia James and Daniel Squadron were the top two vote getters, but neither one crossed the 40% threshold necessary to avoid a run-off. So, they go to the run-off, about a month later, and Letitia James wins by 18 percentage points, but turnout dropped from 18.5% to 6.9%. Such low turnout can result in a future lack of faith in our elections, and can also reduce the mandate given to an elected official by the voters. How does that voter know they are really representing the people who they are supposed to represent if only less than 7% of people voted in those elections? Ranked Choice Voting would solve this issue of low turnout in runoffs by allowing voters to rank the remaining candidates. Thereby, allowing runoffs to occur automatically if nobody reaches the 40% threshold. Now, besides the earlier—

the earlier view against Ranked Choice Voting or voters might get confused, I'm not going to focus on that. Another opposing viewpoint that I have heard against Ranked Choice Voting is that voters would rather know the top two vote getters before making the decision between them, and Ranked Choice Voting would take that decision out of their hands. Now, this might seem fair on its surface, but Ranked Choice Voting reveals a voter's relative preferences as well as their absolute preferences. It's not just who they're top choice is. It's how each voter—how each candidate rather ranks in relation to all of the other candidates, and so all possible runoff matchups are accounted when all the candidates [bell] are ranked. And so, this problem is somewhat mitigated by design, and has the added benefit of not needing to hold another election, which will inevitably reduce turnout, and so I hope that the Charter Revision Commission will consider adopting Ranked Choice Voting for city primaries and special elections, and eventually go a step further if not in this particular review, and adopt Ranked Choice Voting for all city elections. Allowing voters to express their opinions and desires more fully will

lead to a better function-functioning Democratic system. Thank you for your time.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Hess. Mr. Davidson.

LESTER DAVIDSON: Thank you so much and I want to echo the comments of earlier speakers who commended the Commission as-as we head past my bedtime. It's remarkable the work you've all put in on this. My name is Nester Davidson and Hold the Albert A. Law Chair in Real Estate, Land Use and Property Law at Fordham Law School. I'm also a member of the New York City Bar and Charter Revision Task Force--though they aren't here--entirely in my capacity as a proud Brooklyn resident tonight. What I want to speak very briefly to is the question of comprehensive planning. As I read the staff report, it recommends coordination and adding objective benchmarks and consistency across the dozen or so existing plans we have, and I think that's a commendable first step although I would make one small technical recommendation, which is the staff report talks about time, time horizons to terms, and I think there's something to be said even if the timing--

CHAIRPERSON BENJAMIN: [interposing]

Could you speak into the mic, please.

LESTER DAVIDSON: Sorry. How is that?

CHAIRPERSON BENJAMIN: That's better.

LESTER DAVIDSON: Okay. Speaking just in terms of short, medium and long-term not tying that so much to the electoral cycle, there are certain plans that might need to have a different cycle, and I was—may think about syncing those up. Elective terms might not be the right framework. I do applaud the staff's recommendation as a first step. I do want to make a couple of suggestions. First, even if there isn't a new comprehensive plan, I think that any articulation of goals that would combine and sort of bind all of these plans together should have clear, common citywide objectives. So, that in that balance between the incredible value of community input and the need to recognize communitywide—citywide goals, we have a benchmark that is citywide. It's much easier to determine that you have or have not changed a community, but it's in the Charter to keep track of what is happening on a citywide basis, and those are very difficult trade-offs. I also want to say that I think it's really critical, and we've

had several speakers this evening talk to this. I think eloquently that—that as we think about the goals, I think it's important to balance community needs and stakeholder engagement, but also make sure that whatever system we create does ensure that we can meet the demand that we have and meet the need for housing growth, and I think there are some positive things to be said about the current system. There are obviously areas for reform, but I think it is clear that we are not meeting housing demand. And for those of us who are concerned about equity and inclusion, I think others speakers have spoke eloquently to why there is ripple effect, and that if we cannot ensure housing—sufficient housing stock across the city, and just in low-income communities of color. There isn't a spillover effect. There's a ripple effect and that's exactly what a citywide view should be able to help us understand. Obviously, planning carries risks, and other experts have testified [bell] to some of those risks, but I encourage the committee—no the Commission as you think about your work, to take all of the great work you've done so far, and keep this conversation going. Thank you very much.

CHAIRPERSON BENJAMIN: Thank you very much, Mr. Davidson. Ms. Yun of Yen.

MARIANNE YEN: Good evening. Thank you for holding this hearing. My name is Marianne Yen. I'm a Licensed Real Estate Broker and a Green Infrastructure Professional. Last year I submitted some input for you all to urge the Commission to take on nature as our friend and partner. Today, we are in 2019, and scientists tell us that there are about 12 years before our planet's climate would very likely cross an irreversible threshold. This Commission has the unique opportunity to feed all its work not just the Land Use matters, in the context of environmental degradation and global climate change. You have the historic responsibility to recommend a 2019 version of the Charter of the Forest. As you all know, in the Year 1217, the English Charter of the Forest was confirmed as a complement to the Magna Carta, and a lot of American Law is descended from that kind of law. The City Council's Intro 1399 to create the Department of Sustainability and Climate Change is a wonderful start. At the same time, the totality of this year's Charter Revisions needs to be seen in the context of the existential challenges

that irreversible global climate degradation and climate change bring right up to our faces. Last—last week at a town hall a well-intentioned and highly regarded elected official in this town promised to fight until climate change is no more. Now such formulation is based on really a mistaken understanding that climate change is something or some guy that we could beat up if we just work hard enough. Really, a changing climate is part of nature, but human actions have pushed our climate's—our—our planet's climate out of balance to a runaway pace. Legislation to reduce greenhouse gas emissions might slow down the pace of this change a bit. As we approach the irreversible threshold, we find that more and more aspects of our lives are impacted by the rapid climate change including public health and increasing inequity. It is impossible to pre-define which and our municipal services [bell] would be disrupted. Therefore, I urge the Commission to adopt addressing climate change and restoring our city's relationship with nature as the rubric, the headline of this year's Charter Revision. Thank you.

CHAIRPERSON BENJAMIN: Thank you very much, Ms. Yen. Ms. Davis.

BETTY DAVIS: First of all, thank you for allowing me to speak. As always, I'm juggling several roles, and I'm always late to every meeting that I go to, and finally I think we ought to--

CHAIRPERSON BENJAMIN: [interposing] Are you an elected official? [laughter]

BETTY DAVIS: I think we ought to mandate that when people come up to this panel we all stay to hear what each has to say, and listening and interact with each other. But having said that, I appreciate they may have had another meeting to go to, and I want to thank everyone that was here. It gives me hope in terms of humanity, and as someone who just turned 75, I have lost most of my hope in humanity watching this country descend into Barbarism, but I will start with my last colleague, and, but what I want to speak to because your friend asked me not to give up, and to come and speak, and she couldn't be here and that's Connie. She wanted me to speak on behalf of the Brooklyn Botanic Gardens, and keeping them accessible for people who do not make--why is it not bigger salaries? So, one of the things I wanted to speak to is that public space is disappearing, and the less economically fortunate have few if any

alternatives, but at least a decent society that calls so our progressive can do is to make accessible the public space that is left, and make it accessible to those who are less fortunate. And lastly and within this—I would like to say to you remember education and culture has its own dividend, and allegedly within a democracy these values are supposedly important. I'd like to then reference what the young man to my far right was speaking about in terms of Ranked Voting. When people feel that no matter who they vote for, the outcome will be the same, they're not going to come to community board meetings. They're not going to come for any of your other meetings. Then when they finally think they have a candidate that makes a difference, and 300,000 votes suddenly disappear, and nothing is done, and no one is held accountable for the fact that all of a sudden, 300,000 New Yorkers lost--their votes just disappeared because they had the nerve to vote for Bernie Sanders. I mean this does not lead to trust, and I was raised to believe that you have good government when the government fears the people and not the other way around, but apparently the government fears us so much that no matter who we

vote for, our voices do not count. Finally, I would like to say in terms of having public space. The warehousing in New York City with regard to NYCHA is clear to everybody. Everybody knows about it. You don't have a housing shortage. [bell] You really don't. If you enforced your own rules with regard to the real estate people, and made them pay their taxes, but then again, you can't make President pay his taxes. So, why shouldn't you give the real estate people a 10-year break on paying their taxes. If they didn't get that 10-year break, you could afford more income affordable housing in New York. So, I've come to the conclusion--and I know I'm running over--that we need to study history, and that's my last comment in terms of a police review board. The origin of the police in New York City is that New York--is based on the fact that New York City was either the number one or the second largest slave state in this country. The police are not police. They are slave catchers. That is how they originated. You cannot expect the slave catcher to have compassion for people they still consider slaves. So, until we have a decent society, and have decent school and have decent parks, you can't expect

the police to be decent. They don't come from that in this culture. And with the concept of public space, I don't see why we can't keep our public schools especially P.S. 125 that did everything right, and now you're letting a charter school take it over. So, you're letting the corporations have our housing. You're letting the corporations have our schools. You're letting the corporations and the rich have our parks, and then you wonder why people don't like the police and don't like rich people.

Thank you.

CHAIRPERSON BENJAMIN: Thank you very much. [applause] Are there questions for this panel? Thank you very much for staying and for sharing your thoughts with us. We do appreciate it even if we seem a little tired. The last two slips I have are Ken T. from Open New York and Stephanie Zimmerman. [background comments/pause] Ken, the floor is yours.

KEN T: Thank you. Can you guys hear me?

CHAIRPERSON BENJAMIN: Yes.

KEN T: I think you guys might recognize me from Tuesday night. I made it all the way out to Queens, but I live right here in Downtown Brooklyn. So, that came into my hometown. Oh, I'll say I

haven't been to my town since 9/11. (sic) I'm still advocating for comprehensive planning and with my friends, Steve, Alex, Lauren and the lawyer who just spoke. I agree with all of them.

CHAIRPERSON BENJAMIN: Could I just ask you, you signed in on Tuesday as Ken A.

KEN T: So, you called me Mr. A, and I was really hoping that you would call me Mr. T so I can say we need to afford to support housing, but you already did—you earned a joke from me. [laughter/applause] So, I was really hoping that you would call me Mr. T. Yes, it is Ken A. I'm—I'm surprised you remember me. So, anyhow, I'm glad that you remember me and you remember what I said. I just want to give a personal story since I've living in the area since Chapter 11, (sic) and the reason why I'm advocating for more supply and comprehensive planning is that this is not enough supply for the demand in the neighborhood. I used to live in Dumbo. I got really lucky, and I just found an amazing year and number, which I couldn't—I still can't believe I've got that, but most of you remember it went up. So, I had to move out, and then I ended up in Brooklyn Heights at 75 Pineapple Street and then the

landlord tried to raise my rent again, but luckily my timing couldn't be perfect from end because a lot of new supply came in in Downton Brooklyn and I was able to not only negotiate a rental decrease because of that new supply and all that new competition in the market, but the rent in my new unit is now cheaper than even the rent the decrease in my old unit. It's a new and nicer building, too. So, this is why having a comprehensive plan that is creating enough supply and has enough teeth to create that supply, it's extremely important to New Yorkers like myself. So, on a side note, out side of my Open New York, I-I do want to agree with everybody who came here about the Citizen Review Board on the Police. I think that is extremely important. I wasn't aware of that issue until I saw at today's meeting, but I agree with them wholeheartedly. My girlfriend is African-American as well as Latina. Actually, I'm Latino myself even though I don't look it, but I know that she may be treated differently that I would be just because of how I look. So, I think having a Citizens Review Board is important. I'm happy to take any questions. [bell] My timing is perfect.

CHAIRPERSON BENJAMIN: You did spend your time. Thank you very much, [bell] and our last speaker is Ms. Zimmerman.

STEPHANIE ZIMMERMAN: Good evening. My name is Stephanie Zimmerman, and I serve as Chair for the Civic Engagement Committee for the Brooklyn NAACP. As you are aware, the NAACP is the oldest and the boldest civil rights organization in the nation. Today, I'd like to talk to you about the CCRB as well as the Public Advocate position and the Department of Investigation. I want to talk a little bit about the midterm elections. I happen to live in Bedford-Stuyvesant. I'm a third generation Bedford-Stuyvesant resident, and there were a number of us that were dismayed and we decided that we were going to sit down and look at what happened during that election and specifically how did three proposals pass that we were adamantly against. So, during those discussions, of course, we came across what was going to be happening here today, and submitted a proposal to have the CCRB and the Department of Investigation under the auspices of the Public Advocate. I applaud the fact that everybody believes that the Public Advocate is a check and balance to

the Mayor. I absolutely believe that we need that check and balance, but sometimes we get lost in acronyms. So, CCRB and DOITT and people do not remember why those agencies were created. Now, I happen to live in the neighborhood where I am a friend of the police. I have—I'm a card carrying member of the Police Department in my car—in my wallet. My friends at the 77th the 79M81. However, we and I'm going to go back to the statements made by Betty Davis that we absolutely need these agencies, and we need these agencies to be independent, and I do not believe giving just two seats, the Public Advocate the ability to appoint just two members is going to provide the protections that people need. We have a problem in our agencies across the board in terms of cultural competency and, of course, we've all seen racism take front and center stage in the last couple of years. Well, let's be truthful, since President Obama was elected, and because we cannot erase that, every day we have to have in protections. So, I really wish that you would consider strongly giving the CCRB and the Department of Investigations over to the Public Advocate, which would strengthen that office, give it more teeth and be a bit more

independent than it is right now, and finally, I don't know how much time we have, but I do want to say something about term limits. I believe in institutional memory. I'm also a-a long-time advocate. I know how to get people elected [bell] and I think that if you want to get someone out of office, you just have to do the work to get them out of office and out of term limit. When we get to the point that we actually term limit volunteers, volunteers. When the people who appoint them are already term limited, I don't know where we've come as a country. We have to get industry, talk to our neighbors, do the work and then we can get our elected officials. We've seen it election after election. Yes, we've seen some bad elections, but we've seen what can happen when people get together and decide that they don't want someone in office any more. Thank you very much for the time to speak.

CHAIRPERSON BENJAMIN: Thank you. Are there any questions? I just have one question for you. You were not here.

STEPHANIE ZIMMERMAN: Oh, no, I was not here.

CHAIRPERSON BENJAMIN: Jim. I'm going to ask mine first. It is--

COMMISSIONER CARAS: [interposing] Very good.

CHAIRPERSON BENJAMIN: You weren't here when—I don't believe when Public Advocate Williams was here--

STEPHANIE ZIMMERMAN: No, I wasn't.

CHAIRPERSON BENJAMIN: --but he didn't—he was interested in the proposal for the CCRB and—but he was not interested in having jurisdiction over DOI.

STEPHANIE ZIMMERMAN: Hm, did he say why?

CHAIRPERSON BENJAMIN: He--

STEPHANIE ZIMMERMAN: I have to go by the-what the conversation was.

CHAIRPERSON BENJAMIN: Yeah, you may want to talk to him.

STEPHANIE ZIMMERMAN: Yes, I will okay.

CHAIRPERSON BENJAMIN: Jim.

STEPHANIE ZIMMERMAN: No, he just has to hire some more people. He can get it done.

CHAIRPERSON BENJAMIN: [laughter]

COMMISSIONER CARAS: I just wanted to thank you for your testimony. On a theoretical level, I just sort agree with a lot of what you said. I—I think some of the changes in the time we have left are—are probably too large to consider. You know, when—when started here I had, you know, in my head maybe we should have, you know, the Public Advocate should be an elected sort of legal office or for the city, and—and that sort of goes along with some of what you're saying. I do have a question off your testimony.

STEPHANIE ZIMMERMAN: Okay.

COMMISSIONER CARAS: Does the NAACP have a position on Ranked Choice Voting?

STEPHANIE ZIMMERMAN: Yes, and you will be hearing about that soon, [laughter] but know that Madam did have that conversation with you.

COMMISSIONER CARAS: Okay.

STEPHANIE ZIMMERMAN: Absolutely.

COMMISSIONER CARAS: Thank you

STEPHANIE ZIMMERMAN: Alrighty, but I do want to say that I—I was the Director of an Adult Literacy Program for about 14 years, and we have—I think we're still about 16% of our adult population

have literacy issues. So, having said, I'm going to put a pin in that.

COMMISSIONER CARAS: Thank you.

CHAIRPERSON BENJAMIN: You are clearly not one of them. [laughter]

STEPHANIE ZIMMERMAN: Thank you very much. I would like to thank everyone who came out today. Whether you spoke, whether you listened, whether you had some ideas, and may call us or go on our website or Tweet at us, we really appreciate all of your participation, and we want to thank you for that. As I mentioned earlier, we can open the floor for discussion although I have a sense that it might be best if we do that at our next meeting if that is the will of the Commissioners who are here, I would close the meeting. Are there any objections?

COMMISSIONER CARAS: None.

CHAIRPERSON BENJAMIN: The meeting is closed. Thank you very much.

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date May 8, 2019