

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

CHARTER REVISION COMMISSION 2019

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July 16, 2018
Start: 5:07 p.m.
Recess: 5:30 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: GAIL BENJAMIN
Commission Chair

COUNCIL MEMBERS: Commissioner Sal Albanese
Commissioner Lillian Dr. Barrios-
Paola
Commissioner Lisette Camilo
Commissioner James Caras
Commissioner Eduardo Cordero, Sr.
Commissioner Stephen Fiala
Commissioner Paula Gavin
Commissioner Lindsay Greene
Commissioner Alison Hirsch
Commissioner Rev. Clinton Miller
Commissioner Sateesh Nori
Commissioner Dr. Merryl Tisch
Commissioner Carl Weisbrod

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

2 [sound check] [background comments,
3 pause] [gavel]

4 SERGEANT-AT-ARMS: Quiet please.

5 CHAIRPERSON BENJAMIN: [off mic] We will
6 begin. [on mic] That's better. Good evening and
7 welcome to the first meeting of the Charter Revision
8 Commission of the City of New York established
9 pursuant to Local Law 91 of 2018. I am Gail
10 Benjamin, and I am honored to have been appointed by
11 City Council Speaker Corey Johnson to lead this
12 Commission as its chair. It is my pleasure to call
13 this meeting to order. I have a few opening remarks,
14 and then we'll get down to business, and we have sent
15 all of you packages of what we are going to do today,
16 which is an organizational meeting of the Commission
17 so that we can get officially started on the right
18 foot. Examining the structure of our government may
19 seem academic on its face, but the balance of power
20 among elected officials and institutions and how they
21 function together ultimately affects every aspect of
22 how we live together as a society. How we govern
23 ourselves matters not just in the context of big
24 picture history, but in the everyday interactions we
25 as individuals have with our government, and nowhere

2 is that more true than in the case of local
3 government. As weighty as the issues are that our
4 colleagues in Washington and Albany grapple with, it
5 is hard to deny that the government that most
6 directly impacts the everyday lives of New Yorkers is
7 the city itself. From responding to emergencies to
8 keeping our streets clean to deciding how every
9 precious acre in our city is put to use, it is city
10 government operating pursuant to the framework
11 prescribed in our Charter that performs these vital
12 functions and makes these defining decisions. That
13 is why it is vitally important that we make sure that
14 this framework reflects the times in which we're
15 living. It was Thomas Jefferson who wanted each
16 generation of citizens to have the opportunity to
17 revise the Constitution, and make any needed repairs
18 to ensure that the country's fundamantion—foundament—
19 foundational document reflected the changing times
20 and provided a well functioning government. That is
21 what this Commission has the opportunity to do with
22 our city's Constitution, the Charter. Since the five
23 boroughs became one city in 1897, the City Charter
24 has served as the city's foundational governing
25 document outlining the duties and powers of elected

2 officials, the functions of each city agency and the
3 fundamental processes of local government, and
4 budgeting and zoning to the enactment of local laws
5 and rules. The Charter we know today really dates to
6 the 1989 Charter Revision Commission, which
7 fundamentally re-straight-reshaped the function and
8 structure of our government, mostly notably
9 eliminating the Board of Estimate after the Supreme
10 Court ruled its representational system was
11 unconstitutional, and while that charter has served
12 us well, we have the opportunity now to use our
13 experience over the last 30 years, and to see what
14 has worked well, what can be built upon, and what
15 could use some refreshing and updating to help shape
16 the city for the next 30 years. A lot has changed
17 about the world since 1989. The Internet and social
18 media have revolutionized the ways we communicate.
19 Climate change has transformed the way we think about
20 what it means to have resilient infrastructure, and
21 our conception of what participation and engagement
22 in democracy has evolved. All these transformations
23 have huge implications for how govern ourselves.
24 Making sure that our city is best positioned to
25 reflect these changes and to meet the needs of all

2 New Yorkers in and ever-changing world will be the
3 essence of the work of this Commission. I want to
4 encourage the members of the Commission to begin this
5 process by thinking in visionary terms. If we were
6 advising on the creation of a brand new city of 8.5
7 million people, how would that government be
8 structured in this ideal world to ensure efficiency
9 and accountability? Balance local control with
10 centralized planning, and create effective checks and
11 balances without unduly hindering the city's ability
12 to respond to changes. There are many people current
13 and former government officials, academic experts,
14 city workers, advocates and everyday citizens who
15 know very deeply what works well and what doesn't,
16 and we'll be relying upon all of them as we craft our
17 proposals. That is why we want to hear from as many
18 New Yorkers as possible if we are going to succeed.
19 We're under no illusions that this will be easy, but
20 we're committed to a comprehensive, thoughtful,
21 thorough collaborative and fair process focused on
22 results and concrete proposals that we feel can make
23 a meaningful impact on how our city functions. We
24 anticipated bringing these proposals before the
25 people of the city for their consideration no later

2 than November of 2019. Finally, I want to point out
3 as a former City Council employee, that this is the
4 first City Charter Revision Commission to be
5 established pursuant to Local Law, and to have
6 representation from all of the city's elected
7 officials. With that historic nature in mind, we
8 enter this process with no conceived or preconceived
9 agenda. No one has told us what topics or proposals
10 we should or should not look at and, in fact, we are
11 mandated to look at the entire Charter. I could not
12 be more excited to get started on our important work.
13 I know all of you share that feeling. Now, I would
14 like to introduce the other members of the
15 Commission. I recognize that the—we have received
16 letters issued by the officials duly authorized to
17 make appointments to this Commission appointing the
18 following members of the Commission pursuant to Local
19 Law 91 of 2018. I will call out the names of those
20 who have been appointed. If you would like to say a
21 few words, you should feel free. Sal Albanese who
22 was appointed by the Brooklyn Borough President Eric
23 Adams.

24 COMMISSIONER ALBANESE: [off mic] [on mic]

25 So, I look forward to working with you on the--

2 CHAIRPERSON BENJAMIN: [off mic] You've
3 got to turn on the mic if you want to talk.

4 COMMISSIONER ALBANESE: I forgot. I
5 forgot.

6 CHAIRPERSON BENJAMIN: You forgot?

7 COMMISSIONER ALBANESE: But I look
8 forward to working with you. I think the, your-your
9 introductory remarks capture my great feeling that we
10 have a rare opportunity to really look at the City
11 Charter and make some wholesale changes, and bring
12 the city into the 21st Century. So, thank you. I look
13 forward to working with you.

14 CHAIRPERSON BENJAMIN: Thank you. Dr.
15 Lillian Paoli-Barrios Paoli appointed by City Council
16 Speaker Corey Johnson.

17 COMMISSIONER PAOLI-BARRIOS: I am equally
18 excited to be part of this group, and I really hope
19 that we can do the best for the city—for the citizens
20 of the city of New York.

21 CHAIRPERSON BENJAMIN: Thank you,
22 Lillian. Lisette Camilo appointed by Mayor Bill de
23 Blasio.

24

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2 COMMISSIONER CAMILO: Thank you also and
3 I'm very much looking forward to working with all of
4 you to really impact the city.

5 CHAIRPERSON BENJAMIN: Jim Caras of
6 appointed by Manhattan Borough President Gale Brewer.

7 COMMISSIONER CARAS: I, too, am honored
8 to be working with this group, and I agree with
9 everything Gail said in her opening statement.

10 CHAIRPERSON BENJAMIN: Eduardo Cordero,
11 Sr. appointed by Queens Borough President Melinda
12 Katz.

13 COMMISSIONER CORDERO, SR: I also look
14 forward to working with this group, and I'm honored
15 to be here. Thank you.

16 CHAIRPERSON BENJAMIN: Thank you so much.
17 Honorable Stephen Fiala appointed by Staten Island
18 Borough President Jimmy Oddo.

19 COMMISSIONER FIALA: Thank you, Madam
20 Chair. I just want to start by saying I feel very
21 good about this Commission from the get-go because of
22 the selection of the Chair. I've known you for a
23 long time, and there are very few people in the city
24 of New York or across the nation who could really
25 fill this role, who knows you, and when you talk

2 about someone who knows how to get under the hood,
3 knows everything about city government. So, I'm
4 thrilled to be under your leadership. It's been 29
5 years since the voters really made any substantial
6 change to the Charter. We've had—we've tweaked it
7 over that period of time, but 29 years ago the people
8 of the Court Involved Youth of New York elected to
9 adopt the Charter that we have now, and it's remained
10 largely intact. The precipitating event for those
11 Charter changes was a Supreme Court decision. We
12 don't have such a precipitating event, but I think we
13 do have an earnest desire on the part of nine
14 principals to really take this Charter, look at it
15 earnestly, and try and shape it in such a way so that
16 in the 21st Century we're meeting the needs of a very
17 diverse and different city than it was 29 years ago.
18 So, I'm grateful to be part of the Benjamin
19 Commission.

20 CHAIRPERSON BENJAMIN: Thank you so much,
21 Stephen. Paula Gavin appointed by Mayor Bill de
22 Blasio.

23 COMMISSIONER GAVIN: I, too, am honored
24 and delighted and proud to be a part of this and
25 thinking about our 8.6 million New Yorkers and what

2 works in our Charter, what does not work in our
3 Charter, and how we can achieve the city's goals for
4 all New Yorkers. So, thank you so much.

5 CHAIRPERSON BENJAMIN: Thank you.

6 Allison Hirsh appointed by City Comptroller Scott
7 Stringer.

8 COMMISSIONER HIRSH: I just want to echo
9 what others said. It's an honor to be here with all
10 of you to make sure that the city of New York works
11 for all of the people that call it home, and is as
12 functional as possible.

13 CHAIRPERSON BENJAMIN: Thank you,
14 Allison. Reverend Clinton Miller.

15 COMMISSIONER CLINTON MILLER: Thank you,
16 Madam Chair. It's good to be here to server
17 underneath your leadership.

18 CHAIRPERSON BENJAMIN: I don't know that
19 underneath, but thank you. We're all equals here.
20 Sateesh Nori who was appointed by Public Advocate
21 Tish James.

22 COMMISSIONER NORI: I need the mic. I'm
23 sorry. It's an honor to be here, and I look forward
24 to working with all of you, and I echo all of the
25 sentiments so far expressed. Thank you.

2 CHAIRPERSON BENJAMIN: Thank you. Merryl
3 Tisch appointed by Speaker Cory Johnson.

4 COMMISSIONER TISCH: A smart lady once
5 said to me, when everyone has spoken so well and said
6 just the perfect things, the smart thing to do is say
7 ditto. So, I say ditto. [laughter]

8 CHAIRPERSON BENJAMIN: Thank you. Jimmy
9 Vacca appointed by Bronx Borough President Ruben
10 Diaz, Jr.

11 COMMISSIONER VACCA: Well, after a smart
12 lady just says ditto, I think the smart man better
13 say the same thing, but I will say more. [laughter]
14 Don't forget, I was in the Council for 12 years,
15 though. When you—when you get the mic and you're in
16 the Council you don't give up the microphone too
17 easy. I—I come here with an open mind. I—I
18 appreciate what Steve Fiala said mainly that the last
19 time we looked at the Charter we were under court
20 order to eliminate the Board of Estimate, and as
21 someone who testified before that agency many times,
22 it wasn't exactly know for its transparency or
23 responsiveness, and getting rid of the Board of
24 Estimate by court order made us have City Council
25 that—is a—it's a new day, and it is the contemporary

2 City Council that we have now. So, our work I think
3 is important. We can do constructive things. We can
4 move ahead, and I hope to bring my experience--as a
5 Community Board District Manager, and as Council
6 Person for 12 years--to bear and to work with my
7 colleagues, and to make the changes that need to be
8 made to make our city even better in the years ahead.
9 Thank you.

10 CHAIRPERSON BENJAMIN: [off mic] You did
11 much better these days.

12 COMMISSIONER VACCA: [laughs]

13 CHAIRPERSON BENJAMIN: Thank you, Jimmy
14 and last, but not least--oh, maybe we're finished.
15 [laughs] Carl Weisbrod who was appointed by the
16 Mayor.

17 COMMISSIONER WEISBROD: Thank you, Chair.
18 I've served this city for almost half a century, and
19 I have a deep commitment to it, and hope that--I
20 always want to see it function as best we can, and
21 I've had the honor and pleasure of working with the
22 Chair in a variety of capacities over much of that
23 time, and have a great deal of respect for her and I
24 really welcome the opportunity to serve with her

2 again, but even though I have enormous respect for
3 her, she's not perfect because she missed-

4 CHAIRPERSON BENJAMIN: [interposing] Left
5 out Lindsay Greene.

6 COMMISSIONER WEISBROD: --my colleague on
7 my right. [laughter].

8 CHAIRPERSON BENJAMIN: But she was so
9 important, I put her in separate category.

10 COMMISSIONER WEISBROD: I knew there was
11 an explanation. Thank you, Chair. [laughs]

12 CHAIRPERSON BENJAMIN: Thank you, Carl,
13 and in the special category for only special people
14 whose skills and talents and viewpoint bring more to
15 bear than most of us can on the issues in front of
16 us. I bring you Lindsay Greene, who was appointed by
17 the Mayor. Lindsay.

18 COMMISSIONER GREENE: Thank you, Chair
19 Benjamin. That was probably the most exciting intro
20 I've every received. [laughter] This is a rare and
21 important opportunity. I'm thrilled to serve and
22 looking forward to working with all of you. Thank
23 you.

24 CHAIRPERSON BENJAMIN: Thank you so much.
25 That concludes the introduction of the members, and I

2 would like to say that I really appreciate all of you
3 for being part of this Commission and for
4 participating and for giving us your best thoughts
5 and abilities so that we arrive at a place that will
6 be good for New Yorkers now and in the future. I
7 also recognize that all of the aforementioned
8 Commission members are present, and that we have a
9 quorum. So, we can our official business.

10 Congratulations to each of you. I'm excited to begin
11 our work together on this endeavor and know that the
12 knowledge, strengths and talents we each bring to the
13 Commission will serve the best interests of the work
14 of the Commission and ultimately of the citizens of
15 New York. I do not know all of you personally, but I
16 am looking forward to getting to know each of you as
17 we move forward. Each of you should have received
18 copies of the Proposed Bylaws and Policies of the
19 Commission, and additional copies are available if
20 you haven't been able to open your web page or your
21 email account at the Charter Commission. Has-has-is
22 there anyone who would like another copy? No. Okay.
23 I would also that while we are not proposing the
24 adoption of any specific policies regarding
25 conflicts, all of the members of the Commission are

2 subject to City's Conflict of Interest Law. If you
3 have questions regarding the applicability of those
4 laws or any of the proposed rules or policies to
5 specific circumstances, you may direct your queries
6 to the Commission staff who I will be introducing
7 later, or to the Conflict of Interest Board at any
8 time. If you have any questions before we move to
9 adopt these matters, now, which is the Policies and
10 Procedures including the Bylaws, now would be a good
11 time to ask them. Any questions? Okay, if there are
12 no questions, I will now entertain a motion to adopt
13 these bylaws and policies.

14 COMMISSIONER CARAS: [off mic] I move to
15 adopt the Bylaws in full. [on mic] I move to adopt
16 the Bylaws and Policies.

17 CHAIRPERSON BENJAMIN: Is there a second?

18 COMMISSIONER: I'll second.

19 COMMISSIONER: I'll second.

20 CHAIRPERSON BENJAMIN: Thank you. All
21 those in favor.

22 COMMISSIONERS: [in unison] Aye.

23 CHAIRPERSON BENJAMIN: Opposed? The
24 motion carries. Our first act of official business.
25 Next, I will entertain a motion that the Commission

2 appoint Jeff Metzler as Executive Director of the
3 Commission and delegate to him authority to conduct
4 the day-to-day business of the Commission including
5 the ability to appoint other staff members as may be
6 necessary to assist us in our work to establish
7 policies and procedures for staff members necessary
8 to ensure the professional and orderly conduct of
9 staff work as well as the ability to accept any and
10 all services, facilities or fund on behalf of the
11 Commission in accordance with Section 36 of the New
12 York State Municipal Home Rule Law. Jeff is fabulous
13 as those of you who have read the materials will see
14 that he has gathered a great staff, and they have
15 done incredible work to prepare for this meeting and
16 I urge all of you--and I will be introducing the
17 staff later--to make sure that you get to know them
18 because I think they will be helping us in our tasks
19 in a way that is essential, and Jeff, if you would
20 just stand up so that everybody gets to know who you
21 are. I introduced Jeff Metzler to all of you. I
22 now--is there a motion to approve Jeff Metzler as the
23 Executive Director?

24 COUNCIL MEMBER VACCA: I--I so move--I so
25 move Madam Chair.

2 CHAIRPERSON BENJAMIN: Second?

3 COMMISSIONER: Second.

4 COMMISSIONER: Second.

5 CHAIRPERSON BENJAMIN: All those in
6 favor.

7 COMMISSIONERS: [in unison] Aye.

8 CHAIRPERSON BENJAMIN: Opposed. The
9 motion carries. Thank you all. As I mentioned
10 earlier, I very much look forward to the
11 comprehensive process on which we embark today. We
12 want to engage the public in the process to which we
13 are committed, and to do that, we want to receive
14 input from as many people and organizations as
15 possible in order to best inform our deliberations.
16 We will be conducting a series of public hearings and
17 public meetings through the five boroughs to gather
18 suggestions and ideas. We have also set up a
19 website: charter2019.nyc.--for those of you who would
20 like to look at, it is active--where New Yorkers can
21 submit ideas directly to us. We also encourage
22 everyone to follow us on Twitter where we have--where
23 we are at charter2019.nyc. As of an hour and a half
24 ago, we had 89 followers, which is exciting, and I
25 urge all of you to follow yourselves on Twitter. The

2 more the merrier. Our staff is committing to finding
3 ways to attract the public to our work, and engage
4 with them on an ongoing basis. I hope that after
5 examination of these ideas, the Commission will work
6 to develop a concrete set of proposals, which we then
7 anticipate would be the subject of additional public
8 review and additional input. Finally, the proposals
9 that are developed and approved by this Commission
10 will be presented by referendum to the people of the
11 city for their approval. I look forward to working
12 with all of you to complete the important mission. I
13 encourage all of you to stick around after the
14 meeting to meet Jeff and some of the other staff who
15 helped us prepare for today's meeting. [background
16 comments, pause] Oh, I'm told I skipped a whole
17 section. Sorry. That's why we have really great
18 staff so they're here to tell us when we've screwed
19 up. Finally, I will entertain a motion that the
20 Commission authorize the staff to comply with the
21 public notice provisions of state laws by posting
22 notices of the Commission's public meeting in City
23 Hall. We will--

24 COMMISSIONER: [interposing] Oh, okay.

2 CHAIRPERSON BENJAMIN: --we will also
3 post notices of our meetings on our website:
4 charter2019.nyc in the city record and on social
5 media.

6 COMMISSIONER WEISBROD: So move.

7 CHAIRPERSON BENJAMIN: A second?

8 COMMISSIONER: Second.

9 CHAIRPERSON BENJAMIN: All in favor.

10 COMMISSIONERS: [in unison] Aye.

11 CHAIRPERSON BENJAMIN: Any opposed?

12 Okay, back to-- With the business of the meeting
13 complete, but for one item, I would like to introduce
14 the staff who we have on board so all of you will
15 know who they are, and if the staff could just stand
16 up when I call your name: Ed Atkins, Lewis Brown,
17 Malike Jabali (sp?). She's over there. Janneta Dawn
18 (sp?), Jonathan Masserano, Ann McCoy, Jeff Metzler,
19 who you've previously met, Indiana Porta, David
20 Seitzer, Alli Swaytek (sp?) and Joanne Wasserman.
21 That is the staff that we have on board. There will
22 be some additions obviously, but presently we are
23 located on the 14th Floor at 250 Broadway. We are
24 expecting to move to the 26th Floor of 250 Broadway
25 where I expect there will be space for the Commission

2 members to have an area and phones and access to
3 computers, but that has not yet occurred. With the
4 business of this meeting complete, I will now
5 entertain a motion that this meeting be adjourned.

6 COUNCIL MEMBER CARAS: Move to adjourn.

7 CHAIRPERSON BENJAMIN: A second?

8 COMMISSIONER: Second.

9 CHAIRPERSON BENJAMIN: All in favor?

10 COMMISSIONERS: [in unison] Aye.

11 CHAIRPERSON BENJAMIN: Any opposed?

12 [background comments] This meeting is adjourned.

13 [gavel] Thank you all very much. [background
14 comments] I have one quick thing. I hope all of you
15 have give us the information about where you would
16 like other commissioners to get in touch with you if
17 they wish to.

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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 August 2, 2018