**CIVIC ENGAGEMENT COMMISSION**
**Minutes of Commission Meeting**
**(Subject to revision and approval by the Commission) Monday, October 23, 2023 at 12:30 PM**
**Spector Hall (Ground Floor)**

**22 Reade Street**

**New York, NY 10007**

**Members in attendance:**

Sarah Sayeed, Chair/Executive Director

Eve Baron, Commissioner

Murad Awawdeh, Commissioner

Amy Breedlove, Commissioner

Mark Diller, Commissioner

Edwin Maxwell, Commissioner

Giovanni Barcenes, Commissioner

Donna Gill, Commissioner

Ishrat Jahan, Commissioner

Anthony Harmon, Commissioner

Mitchel Wu, Commissioner

Natalie DeVito, Commissioner

\*Anastasia Somoza joined via WebEx Video Conference during the meeting, but it did not count towards quorum

**Business Conducted**

**Agenda items discussed**

1. Attendance
2. **Approval of Minutes**: Minutes of the July 25, 2023 meeting and the September 26, 2023 staff meeting were distributed to the members of the commission and approved by those present.
3. Proposed Resolution Authorizing the Use of Remote Technology:

“**Whereas,** section 103-a of the Open Meetings Law (“OML”) authorizes the use of videoconferencing to conduct public meetings subject to certain requirements; and

**Whereas,** section 103-a of the OML addresses remote participation by members of public bodies who are unable to attend meetings in person due to a physical or mental impairment (a “Qualifying Disability”); and

**Whereas,** section 103-a of the OML allows members with a Qualifying Disability to attend public meetings remotely and still fully participate in the meeting, including counting towards quorum and casting votes; and

**Whereas,** while the OML is silent as to how Qualifying Disability determinations should be made and whether documentation must be provided to support a claim of a Qualifying Disability, should a public body elect to implement the Qualifying Disability option, it must state its intention to permit the option, and the methodology for doing so, through an amendment to the bylaws or by a resolution; and

**Whereas,** the Civic Engagement Commission now wishes to authorize videoconferencing and to extend the use of remote technology to also permit its use by board members with a Qualifying Disability.

**Therefore, be it resolved that:**

1. The Civic Engagement Commission may use videoconference for its meetings and the meetings of its committees and subcommittees consistent with the requirements of section 103-a of the OML.
2. The public will be able to view meetings by video in real time, and remote participants, including the general public, will have the same real time opportunity to participate as in-person attendees.
3. If a quorum of the Commission is present in person, another Commissioner may join the meeting remotely from a location that is not open to the public if that Commissioner is unable to join in person due to:
	1. Extraordinary circumstances, such as disability, illness, or caregiving responsibilities; or
	2. Significant or unexpected events that preclude the Commissioner’s physical attendance at the meeting.
4. The Civic Engagement Commission elects to permit its members the option to claim a Qualifying Disability and participate using remote technology at any meeting of the Civic Engagement Commission, provided a remote option is generally available at such meeting.
5. The Civic Engagement Commission will recognize that a member has a Qualifying Disability, provided such member attests to their status by completing a copy of the form attached hereto, which copy shall remain on file in the Commission’s office.
6. Commissioners of the Civic Engagement Commission claiming a Qualifying Disability shall not be required to produce documentation, medical or otherwise, to support their claim.

**Request for Remote Participation Pursuant to NY Public Officers Law Section 103-a(2)(c)**

**and Self-Certification of Qualifying Disability**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, request to participate in meetings of the Civic Engagement Commission remotely pursuant to New York Public Officers Law section 103-a(2)(c).

I certify that I have a physical or mental impairment that prevents me from attending meetings of the Civic Engagement Commission in-person and otherwise meet the definition of disability found in section 292 of the New York Executive Law.[[1]](https://gbc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=en-us&rs=en-us&wopisrc=https%3A%2F%2Fnycdoitt.sharepoint.com%2Fsites%2FCECTeam%2F_vti_bin%2Fwopi.ashx%2Ffiles%2Fc88ccdf4e9b84f3f9ba0cd429af4547f&wdenableroaming=1&mscc=1&hid=908b4cdc-0f05-43ba-88b0-ad324d1743ae.0&uih=teams&uiembed=1&wdlcid=en-us&jsapi=1&jsapiver=v2&corrid=7bcbffed-ae77-41ee-9b81-adb558243cd7&usid=7bcbffed-ae77-41ee-9b81-adb558243cd7&newsession=1&sftc=1&uihit=UnifiedUiHostTeams&muv=v1&accloop=1&sdr=6&scnd=1&sat=1&rat=1&sams=1&mtf=1&sfp=1&halh=1&hch=1&hmh=1&hwfh=1&hsth=1&sih=1&unh=1&onw=1&dchat=1&sc=%7B%22pmo%22%3A%22https%3A%2F%2Fwww.microsoft365.com%22%2C%22pmshare%22%3Atrue%7D&ctp=LeastProtected&rct=Normal&wdorigin=TEAMS-ELECTRON.teamsSdk.openFilePreview&wdhostclicktime=1698094523247&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush#_ftn1)

[ ] The above-referenced disability is permanent.

[ ] The above-referenced disability is not permanent, and

[ ] I anticipate that I will be able to resume participating in-person at meetings of the Civic Engagement Commission beginning \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

[ ] I am unable at this time to determine when I will be able to resume participating, but when knowledge of my condition changes, I will inform the Civic Engagement Commission of when I anticipate resuming in-person attendance.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[[1]](https://gbc-word-edit.officeapps.live.com/we/wordeditorframe.aspx?ui=en-us&rs=en-us&wopisrc=https%3A%2F%2Fnycdoitt.sharepoint.com%2Fsites%2FCECTeam%2F_vti_bin%2Fwopi.ashx%2Ffiles%2Fc88ccdf4e9b84f3f9ba0cd429af4547f&wdenableroaming=1&mscc=1&hid=908b4cdc-0f05-43ba-88b0-ad324d1743ae.0&uih=teams&uiembed=1&wdlcid=en-us&jsapi=1&jsapiver=v2&corrid=7bcbffed-ae77-41ee-9b81-adb558243cd7&usid=7bcbffed-ae77-41ee-9b81-adb558243cd7&newsession=1&sftc=1&uihit=UnifiedUiHostTeams&muv=v1&accloop=1&sdr=6&scnd=1&sat=1&rat=1&sams=1&mtf=1&sfp=1&halh=1&hch=1&hmh=1&hwfh=1&hsth=1&sih=1&unh=1&onw=1&dchat=1&sc=%7B%22pmo%22%3A%22https%3A%2F%2Fwww.microsoft365.com%22%2C%22pmshare%22%3Atrue%7D&ctp=LeastProtected&rct=Normal&wdorigin=TEAMS-ELECTRON.teamsSdk.openFilePreview&wdhostclicktime=1698094523247&instantedit=1&wopicomplete=1&wdredirectionreason=Unified_SingleFlush#_ftnref1) Section 292(21) defines disability as follows: “The term ‘disability’ means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.”

**For “Request for Remote Participation Pursuant to NY Public Officers Law Section 103-a(2)(c) and Self-Certification of Qualifying Disability,” Commissioners proposed to add a third sub-bullet after “I am unable at this time to determine...” as follows:**

**“[] My attendance in person from time to time as my health allows does not preclude my need to participate remotely at other times.” The resolution was adopted with this edit by unanimous voice vote of those present, with no abstentions nor recusals.**

**Citing that the current form focused primarily on disability, Commissioners proposed a second resolution related to the creation of a second form focused on the extraordinary circumstances that may prevent in person attendance. The resolution cites the appropriate section of the Open Meetings Law and has a form that reads “I hereby request the opportunity to participate remotely at the upcoming \_\_\_ meeting based on extraordinary circumstances per OML Section 103-a2c. My extraordinary circumstance is \_\_\_” along with the signature of the Commissioner.**

**Commissioners voted that a resolution on the proposed second form would be drafted with a unanimous voice vote of those present in favor.**

1. Proposed Amendments to the provisions of the Resolution adopted by the Commission on September 30, 2020:
	* Addition of Sections 8,9, and 10:

“8) Coordinate with the Chief Democracy Officer [or equivalent] to develop and implement initiatives to be undertaken pursuant to Executive Order No. 88, dated December 13, 2021; report to the Commission regularly on such initiatives; and respond to the Commission’s comments, if any, in response to such reports.

 9) Make the final selections among recommended local projects that are the subject of the participatory budgeting process, where the Commission is authorized by the Mayor to make such selections, and report to the Commission on which such local projects were selected to receive funding.

10) Implement and report to the Commission on any additional functions or mandates that may be assigned to the Commission and are not otherwise set forth in this resolution.”

**The resolution provisions were adopted by unanimous voice vote of those present, with no abstentions nor recusals. For section 8, the Commissioners proposed to add “or equivalent” to the reference to the Chief Democracy Officer.**

Rescind the resolution provision: “And be it further RESOLVED that the Civic Engagement Commission hereby ratifies and approves actions taken by the Chair prior to the date of adoption of this resolution to recruit and appoint members to the participatory budgeting and language assistance advisory committees established pursuant to section 3202 of the Charter.”

1. Annual Report

**The Annual Report, with proposed amendments, was adopted by unanimous voice vote of those present, with no abstentions nor recusals.**

Proposed amendments include clarifying a graph in the Participatory Budgeting section of the Annual Report related to race/ethnicity to include the Latinx community in that graph or a separate graph. In the Poll Site Language Assistance Program section of the report, including information on the nature and nuance of the elections and how people voted. Thirdly, linking the map in the body of the report or in the Appendix to show where the poll sites are. Fourthly, in Community Boards section, add language that community boards do not receive adequate funding to cover language interpretation services.

1. Program Updates
2. Discussion of next meeting date
3. Public Comment

**The meeting was adjourned at 2:30 PM.**