

# DRAFT



## THE CITY OF NEW YORK 2022-2023 DISTRICTING COMMISSION

### PUBLIC MEETING -Virtual via ZOOM

Thursday, October 6, 2022

11:00 a.m. - 12:25 p.m.

#### **Attendees:**

##### *Commissioners*

Dennis M. Walcott, Chair	Hon. Marilyn D. Go	Michael Schnell
Kevin John Hanratty	Maria Mateo, Esq.	Joshua Schneps
Lisa Sorin	Msgr. Kevin Sullivan	Kai-Ki Wong
Maf Misbah Uddin	Kristen Johnson	Gregory W. Kirschenbaum
Marc Wurzel	Yovan Samuel Collado	Dr. Darrin K. Porcher

##### *Staff (remote):*

John Flateau, Ph.D., Executive Director, New York City Districting Commission

Joseph Maligno, Deputy Executive Director, New York City Districting Commission

Grace Pyun, General Counsel, New York City Districting Commission

#### **Minutes by:**

A. Michael DeCillis, Esq.

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The Chair convened the virtual public meeting so that the Commission could vote on whether to submit updated revised plan to the New York City Council for inspection and consideration. The Chair explained that the meeting was being held virtually pursuant to the Mayor's emergency executive order regarding COVID-19.

The Chair asked for a motion to approve the September 22, 2022 meeting minutes. Commissioner Maf Misbah Uddin made the motion, Commissioner Lisa Sorin seconded the motion, and the motion was approved unanimously.

The Chair noted that Commissioners have spent 77 hours total in mapping sessions during this entire redistricting process and thanked the Commissioners for their dedication to the process.

Joseph Maligno, Deputy Executive Director, New York City Districting Commission conducted the roll call for the public meeting, and a quorum of Commissioners was present.

The first order of business was to hear the Executive Director's report from Dr. John Flateau, Executive Director, New York City Districting Commission. Dr. Flateau read a report of the updated revised plan of the fifty-one council districts, highlighting changes that were made to the plan that was rejected by a vote of the Commission at the September 22, 2022 public meeting.

Next, Dr. Lisa Handley presented her Racial Bloc Voting analysis of the updated revised plan and its compliance with the Voting Rights Act. Dr. Handley gave an overview of the affected districts and stated that the updated revised plan complied with the Voting Rights Act in maintaining the voting strength of protected minority groups and increasing the number of opportunity districts for Asian voters, the fastest growing minority group in New York City.

The Chair then asked if Commissioners had any questions or comments. Commissioner Joshua Schneps made a motion to amend the updated revised plan, and Commissioner Kai-Ki Wong seconded the motion.

Commissioner Uddin asked Grace Pyun, General Counsel, New York City Districting Commission about whether the Commission must consider testimony received after the two public mapping sessions conducted on September 29<sup>th</sup> and 30<sup>th</sup>, 2022. Ms. Pyun stated that the Commission had considered public testimony until September 28<sup>th</sup>, just prior to the two mapping sessions, and that the Commission was required to submit a map, and to finish the work on the updated plan to submit it to the City Council.

The Commissioners then discussed Commissioner Schnep's motion to amend the updated revised plan.

Commissioner Schneps stated that during the mapping sessions of September 29 and 30, 2022, three out of five buildings from Warbasse Houses were moved to district 48 from district 47. Because of this move, part of Midwood was moved into district 44 to adjust the population of district 48. Commissioner Schneps stated that this move divided the Warbasse Houses and proposed moving the three buildings of Warbasse Houses moved into district 48, and move them back into district 47, and to return the few blocks of Midwood from district 44 to district 48.

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Commissioner Schnall stated that not moving all five buildings of Warbasse Houses into district 48 was a technical mistake, and that the Commission should follow the intent of the mapping sessions and move the remaining two buildings from district 47 into district 48.

Grace Pyun, General Counsel stated that staff could be authorized to make technical adjustments to the map if the Commission voted to adjust the maps.

Commissioner Schnall asked to honor the intent of the original move, and to not open the maps to more changes prior to the vote on approving the Updated Revised Plan.

In response to the Commission's discussion regarding public testimony on the subject, Grace Pyun, General Counsel, stated that public testimony regarding Warbasse Houses is split whether the residents want to be in district 47 or 48, but that the general consensus of testimony is that the residents of the Warbasse wished the housing complex to remain whole.

The Commissioners continued to discuss whether Warbasse houses should be placed in district 47 or 48. The Chair further clarified that the Commissioner has responded to public testimony continuously, and that it is time for the Commission to approve the current maps and present them to the City Council for consideration.

The Chair then asked for a vote on the motion made by Commissioner Schneps, and seconded by Commissioner Wong, to amend the updated revised plan to move three buildings of Warbasse houses to district 47, to move blocks from Midwood from district 44 and place them back in 48, and that the staff be delegated the authority to make these technical adjustments.

The Chair and Commissioners Sorin, Collado, Go, Uddin, Schnall, Johnson, and Kirschenbaum voted no. Commissioners Hanratty, Schneps, Wong, Wurzel, and Porcher voted yes. Commissioner Sullivan abstained. Commissioner Mateo had to leave the meeting prior to the vote due to work commitments that had already been scheduled for which she had notified the Commission beforehand.

The motion to amend the Updated Revised Plan was not passed, with a vote of 8 no votes, 5 yes votes, and one abstention.

The Chair then asked for a motion to call for a vote to approve proposed Updated Revised Plan, to submit to the New York City Council. Commissioner Maf Misbah Uddin made the motion to call the vote, and Commissioner Collado seconded the motion.

The Chair voted yes.

Commissioner Sorin voted yes. Commissioner Sorin stated she wished that the Commission could have fixed the technical issue with Warbasse Houses but approves of the maps as they are being submitted to the City Council.

Commissioner Collado voted yes.

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Commissioner Go voted yes. Commissioner Go stated that redistricting comes from the notion of political equality, which is important to a healthy democracy. Commissioner Go stated that this redistricting process has been as open and transparent as possible.

Commissioner Hanratty voted yes.

Commissioner Schneps voted yes.

Commissioner Sullivan yes.

Commissioner Wong voted yes.

Commissioner Uddin voted yes. Commissioner Uddin stated that the Commission has accomplished what it set out to do.

Commissioner Schnall voted no. Commissioner Schnall stated his no vote was only directed at the fact that Staten Island had to have a cross-borough district appendage in Brooklyn, and that the three Staten Island districts did not remain wholly contained on the island. He stated he had no other reasons to oppose the maps.

Commissioner Johnson voted yes.

Commissioner Kirschenbaum voted yes.

Commissioner Wurzel voted yes. Commissioner Wurzel thanked the mappers, staff, and general public who submitted testimony during the redistricting process. He further stated he is satisfied with the work product, and that if the general public didn't agree with the maps, they should look to the state law requiring 5% population deviation for districts instead of 10%.

Commissioner Porcher voted yes.

The final tally for the vote to submit the updated revised plan to the New York City Council for consideration was 13 votes yes, 1 vote no, and one Commissioner absent.

The Commission agreed that Commissioner Mateo, who was unable to participate in the votes, could submit a statement regarding her position and thoughts on the vote. The Chair then clarified the next steps for the Commission, and that the City Council has three weeks to inspect and consider the submitted updated revised plan.

With all business concluded, the Chair requested a motion to adjourn the meeting. Commissioner Sorin made the motion to adjourn, Commissioner Wurzel seconded the motion, and the motion was unanimously approved. The meeting was adjourned at 12:25 p.m.

\*Commissioner Maria Mateo, Esq. submitted a written statement after the meeting was adjourned that she would have voted yes to advance the maps to City Council.