1   CRC Hearing

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6   Moderated by Carlo Scissura

7   Thursday, June 27, 2024

8   5:05 p.m.

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11   Medgar Evers College

12   1650 Bedford Avenue

13   Brooklyn, NY 11225

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19   Reported by: Thea Popko

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1   A P P E A R A N C E S

2   List of Attendees:

3   Jackie Rowe-Adams, Commissioner

4   Christopher Lynch, Commissioner

5   Diane Savino, Executive Director

6   Edward Kiernan, General Counsel

7   Ken Ngai, Commissioner (by videoconference)

8   Reverend Herbert Daughtry, Commissioner

9   Kyle Bragg, Commissioner (by videoconference)

10   Patricia Ramsey, Medgar Evers College President

11   Michael Garner, New York City Chief Business Diversity

12   Officer

13   Robert Holbrook, Executive Director of Get Stuff Built

14   Initiative, Mayor's Office of Policy and Planning

15   Anna Diaz, President, Diaz Electrical

16   Barbara Blair, President, Garment District Alliance

17   David Golliher, Founder, Maximum New York

18   Rodneyse Bichotte Hermelyn, Chair, Kings County

19   Democratic Committee

20   Kwame Amoaku, Deputy Commissioner, Film Office

21   Karl-Henry Cesar

22   Jarryd Rauch

23   Andrea Biro

24   Mona Davids, Founder, New York City School Safety

25   Coalition (by videoconference)

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

2   Irene Estrada-Rukaj, Minister (by videoconference)

3   Melkis Antigua

4   David Turner

5   Frank Morano (by videoconference)

6   Jay Sorid (by videoconference)

7   Special Hagan (by videoconference)

8   Heba Khalil, Executive Director, Emgage New York Metro

9   Chapter (by videoconference)

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

2   THE CHAIR: Okay, good afternoon,

3   everyone. I will start by saying welcome to Brooklyn,

4   my home borough. And it's always fun to have events

5   in -- I like to call it the center of the world. So

6   those of you not from Brooklyn, sorry.

7   And it's our eighth public hearing of

8   the New York City Charter Review Commission. I'm

9   Carlo Scissura, Chair. And let me again say thank you

10   for being here. Thanks to the Executive Director,

11   General Counsel, and the entire team for making this

12   process really good. And I thank you all.

13   A couple of our commissioners have

14   joined us today. Jackie Rowe-Adams, thank you.

15   Christopher Lynch, thank you. And I believe Kyle

16   Bragg is on Zoom, so thank you.

17   And actually, while I have you, why

18   don't you give us a welcome? Christopher, start with

19   you.

20   MR. LYNCH: Good afternoon, Brooklyn.

21   This is my home borough as well.

22   THE CHAIR: All right. I knew I liked

23   you.

24   MR. LYNCH: -- in Brooklyn. So I'm

25   super excited about being here this evening. Looking

1 forward to the testimony that's going to be presented

2 to us this evening. Thank you, thank you, thank you

3 for participating. And thank you.

4   THE CHAIR: Commissioner Rowe-Adams?

5   MS. ROWE-ADAMS: Yes, good evening.

6 First let me say, you know, I am proud of all of you

7 that are here. And that's going to count tonight

8 because you recognize how important it is for our city

9 and our communities to know what's going on in their

10 city and their borough. So with that, I am so proud.

11   And this is an education piece. Being

12 on this charter, first of all, I'm proud to be a

13 servant on your charter. And it has been a real

14 education for me as well as you.

15   And it better helps us decide and make

16 the decisions along with you. With all the things

17 that you are saying to us, we hear you. And your

18 testimony and you testifying has really, really helped

19 us and helped me as a citizen and as a community

20 person.

21   It has helped me understand better

22 where we live in and how things happen and the

23 concerns of the people. So I just need to let you

24 know that and thank you for that.

25   THE CHAIR: Thank you very much.

 1 | Commissioner Bragg, would you like to say a few words?

 2 | MR. BRAGG: Thank you. Well, it's

 3 | great to be on this -- of my fellow citizens of New

 4 | York of Brooklyn, where I was born in Crown Heights.

 5 | So I'm sorry that I could not be there in

 6 | person -- personal conflicts.

 7 | But I promote you that are here today

 8 | both just to witness but also to give testimony of how

 9 | we're trying to make our city better and provide

10 | government that works for everyone. So thank you.

11 | THE CHAIR: Thank you, Commissioner.

12 | Let me thank Dr. Patricia Ramsey, President of Medgar

13 | Evers, for hosting us today. This is a gem of a

14 | school. I've spent a lot of time here. It's really a

15 | wonderful place for all New Yorkers. So it's great to

16 | be back.

17 | So we are here to continue what I like

18 | to call the Charter Revision Citywide Listening Tour.

19 | It's not as sexy as MWBE. But CRCLT. Somebody write

20 | that down so we remember it.

21 | We've traveled to all five boroughs

22 | multiple times. We've heard suggestions from elected

23 | officials, community leaders, members of the public,

24 | and experts on how we can change our charter to

25 | improve the lives of all New Yorkers.

1   Our charter, for those of you that

2   don't know, is like a constitution. It is the

3   constitution for New York City. It impacts our daily

4   lives in many ways, from public safety to sanitation

5   and everything in between. This is why it's important

6   to hear from all of you.

7   And what will happen is we hear

8   testimony, we consider ideas, and then we will come up

9   with a report that will hopefully make some changes

10   and create some good questions for the ballot. And

11   then New Yorkers will vote on a number of them.

12   If you have not looked and read our

13   preliminary report, I encourage you to do that. We've

14   got some great recommendations in there. I'm just

15   going to borrow this one second -- the report -- in

16   case you haven't seen it.

17   But they are recommendations. It is

18   not the final. The final will be voted on at our

19   final public hearing, which is going to be on July

20   22nd back here in Brooklyn. Is that right? July

21   22nd.

22   UNIDENTIFIED SPEAKER: 25th.

23   THE CHAIR: So July 22nd we have a

24   public hearing in Queens. And our final hearing will

25   be July 25th in Brooklyn.

1   Check out our website. It's got all

2   the information -- www.nyc.gov/charter. And you can

3   submit testimony and comments in writing to

4   charter@citycharter.nyc.gov between now and July 12th.

5   Let me begin with public testimony.

6   I'm going to call up Michael Garner, New York City

7   Chief Business Diversity Officer, to start. Michael,

8   thank you for coming out again.

9   MR. GARNER: Thank you, Mr. Chair and

10   members of the Commission. I'm happy to once again

11   testify on the importance of the City of New York

12   creating an MWBE agency.

13   The advantages will be more focus, more

14   cost-effective, more centralized in driving the City

15   of New York's and Mayor Adams' MWBE goals.

16   And quite frankly, the Mayor has done

17   everything that he said he was going to do on the

18   campaign trail with regard to creating equity in

19   communities of color -- awarding contracts not only in

20   a cost-effective manner because it's taxpayers'

21   dollars being spent, but also in an inclusive manner -

22   - making sure that for the first time that the City of

23   New York is going to lead the nation in creating the

24   most effective MWBE program.

25   And why is that important? It's

1 important because taxpayers' dollars, like I said,

2 should be spent cost-effectively but inclusively. For

3 far too long emerging and smaller minority-owned

4 businesses and woman-owned businesses have had a

5 difficult time in ascertaining government contracts.

6   They pay taxes but yet they cannot have

7 access to the government contracts. And it's

8 important for us that we drive equity in creating

9 opportunities for those business owners to purchase

10 homes, to create jobs in those communities, to afford

11 better healthcare options and educational

12 opportunities with their respective families.

13   And so this recommendation of creating

14 a citywide agency is going to eradicate the overlap

15 that currently exists in three different agencies and

16 offices, more focus, more cost-effective, and once

17 again driving the results of Mayor Adams.

18   Which his goals are simple. By

19 the year 2026 the City of New York will award not less

20 than $25 billion to minority and woman-owned

21 businesses. And by the year 2030 that number

22 increases to $60 billion.

23   And last year the City of New York

24 awarded $6.3 billion to minority-owned firms and

25 woman-owned firms last year. There is no other

1   government entity or private-sector corporation that

2   has achieved 6.3 billion in contract awards in one

3   year to minority-owned businesses and woman-owned

4   businesses.

5   And so we encouraged and we actually

6   were supported in fulfilling the goals of Mayor Adams

7   and the MWBE community and the city of New York -- the

8   largest, most diverse city in the nation -- to approve

9   and bring this to the ballot in November so that the

10   people in the city of New York can vote on this very

11   important initiative of creating a single place where

12   MWBE will be driven and giving us the ability to be

13   held accountable from transparency and accountability

14   and so that the City of New York will work for all of

15   its citizens and all of its businesses. Thank you.

16   THE CHAIR: Thank you, Michael. Do you

17   have a proposed name for the agency?

18   MR. GARNER: Not yet.

19   THE CHAIR: Okay.

20   MR. GARNER: But we will come up with a

21   very effective name for this revolutionary initiative.

22   THE CHAIR: And do you envision it

23   being, like, basically a city agency of SBS? Whatever

24   the agencies are in New York City --

25   MR. GARNER: Yes.

1   THE CHAIR: -- this would be a new one?

2   MR. GARNER: Absolutely. And it would

3   focus on MWBE --

4   THE CHAIR: Got it.

5   MR. GARNER: It would report in to City

6   Hall. It would report in to me and to the First

7   Deputy Mayor and to the Mayor himself.

8   THE CHAIR: Great. Questions from our

9   panel or comments?

10   MR. LYNCH: So it would have the same

11   hierarchy like all the other city agencies with a

12   commissioner and --

13   MR. GARNER: Yes. A commissioner, a

14   general counsel, procurement operation, and the MWBE

15   contract compliance focus and a section in there that

16   will come up with innovative solutions like when the

17   Mayor went to Albany and got all of his MWBE bills

18   passed.

19   And now we are creating innovative

20   programming to allow the City of New York to award

21   contracts in a more inclusive manner.

22   THE CHAIR: Great.

23   MS. ROWE-ADAMS: So first of all, I

24   love your testimony. And I thank you. And it's very

25   important. It's a very important message. And it's

1 very important for us as a commission to hear that.

2 The question is how many MWBEs --

3   THE CHAIR: You got it.

4   MS. ROWE-ADAMS: Yeah, I've been

5 practicing.

6   THE CHAIR: She's been practicing.

7   MS. ROWE-ADAMS: Yeah, I've been

8 practicing. So how many -- just right off your head

9 that you know -- is actually active or happening or

10 that you all have created?

11   MR. GARNER: Yes. So you know --

12   MS. ROWE-ADAMS: I'm not going to say

13 since you started. But I'm going to say just give a

14 lowball figure.

15   MR. GARNER: Yes. So there are 11,500

16 certified MWBE companies in the city of New York.

17 Your question is an on-point question. Out of the

18 11,500 firms that we have certified, about 1,600 have

19 won contracts at a prime level or are working as

20 subcontractors and subconsultants.

21   And so it's one thing to certify

22 companies. It's a different thing to engage them in

23 procurement opportunities where they start winning

24 contracts.

25   And so that number is increasing since

1   Mayor Adams's first day. More MWBEs are getting

2   contracts. But the question is not how many firms you

3   have certified but how many of those firms are getting

4   business.

5   And with a centralized focus, once

6   again of an MWBE agency holding the other agencies

7   accountable for how they award contracts to be more

8   inclusive, that's the reason why we need this agency

9   to be approved.

10   THE CHAIR: Thank you.

11   MS. ROWE-ADAMS: Thank you.

12   THE CHAIR: It sounds like an agency

13   whose time has come to be quite honest.

14   MR. GARNER: Absolutely.

15   THE CHAIR: Great. Let me welcome

16   Reverand Daughtry. Thank you for being here, sir.

17   REV. DAUGHTRY: Delighted.

18   THE CHAIR: All right. Thank you, Mr.

19   Garner.

20   MR. GARNER: Thank you.

21   THE CHAIR: Thank you. I'm going to

22   call up Anna Diaz and Robert Holbrook to come on up.

23   And if you could just state your name and if you're

24   representing someone -- an entity or a firm.

25   MR. HOLBROOK: Good evening,

1   Commissioners. My name is Rob Holbrook. I do not

2   live in Brooklyn but --

3   THE CHAIR: But you wish you did.

4   MR. HOLBROOK: That's right. I'm a

5   member of the Mayor's Office of Policy and Planning

6   where I serve as the Executive Director of Get Stuff

7   Built Initiative.

8   In 2022, the Mayor released the Get

9   Stuff Built report identifying policy recommendations

10   aimed at streamlining building approval and permitting

11   process by cutting red tape and streamlining the

12   City's construction approval and permitting

13   administration process.

14   Tonight I would like to speak in

15   support of one of those recommendations from the Get

16   Stuff Built report related to permitting activities

17   and our waterfront.

18   New York City has over 520 miles of

19   waterfront that play a vital role to all New Yorkers

20   in ways that may not be obvious. More efficient

21   administration of construction and occupancy of our

22   waterfront benefits a wide range of everyday New

23   Yorkers.

24   Many private property owners must

25   maintain their shoreline bulkheads and structures that

1   protect their outlying property and those behind them

2   from coastal waters.

3   In addition to private property

4   interests, the public use of our waterfront is

5   excellent. Our working waterfront moves critical

6   goods and supplies over our many wharfs and piers.

7   The waterfront provides an important

8   transportation option to many New Yorkers and tourists

9   via our ferry landings and ship terminals.

10   Public access to the waterfront through

11   the Parks Department facilities and public waterfront

12   access areas provide New Yorkers recreational

13   opportunities that are the best in the world.

14   Finally, many of our agencies and

15   utilities have vital facilities at the waterfront. If

16   you live or work in New York City your garbage,

17   sanitary waste, stormwater runoff, road asphalt, and

18   energy supply either travel through a waterfront

19   facility or is created and stored in them.

20   And that facility must be maintained,

21   as we have learned at great cost. Climate change has

22   made shoreline storm protection at our waterfront

23   imperative, as flood level rise increases the risk of

24   storm surge and frequency and intensity of storm

25   activities degrades and undermines the integrity of

1   our existing shore protections.

2   Ironically, the successes of our

3   environmental protection work to improve the water

4   quality in New York Harbor over the last 50 years has

5   also accelerated the decay of many of these in-water

6   structures in our built environment.

7   As our harbor's water quality has

8   improved, the native animals that feed on those wooden

9   piers and bulkheads have also returned to happily eat

10   away at the waterfront built structures, shortening

11   their already limited lifespan.

12   All of this highlights the need for an

13   efficient system to administer construction permits,

14   which is not what we have.

15   A customer must go to two different

16   agencies -- one to receive a permit for a bulkhead

17   structure or pier at the water's edge, and a separate

18   permitting agency for the building that sits above it.

19   That makes no sense and is archaic vestige handed down

20   from changes of agency jurisdiction that no longer

21   exist.

22   I support, as recommended in the Get

23   Stuff Built report and as mentioned in Commission's

24   preliminary staff report, combining the waterfront

25   permitting function of the Department of Small

1 Business Services, which issues these permits today,

2 with the functions of the Department of Buildings to

3 provide a consistent and comprehensive administration

4 oversight by the Department of Buildings.

5   This change would provide a better

6 customer experience and a more efficient use of agency

7 resources. The waterfront permitting process would

8 have access to the much more significant information

9 technology system at DOB, access to their robust and

10 experienced team of field staff, and reduce

11 redundancies between agency staff. Thank you.

12   THE CHAIR: Thank you very much.

13 Comments or questions? I can tell you that in my

14 three -- in my current role and in my last two roles,

15 which were President of the Brooklyn Chamber of

16 Commerce and Chief of Staff to former President Marty

17 Markowitz, we never understood why SBS had waterfront

18 permitting.

19   And I have asked many people. And no

20 one has ever been able to figure it out. So I think

21 you're right in agency changes over the decades it

22 just probably was not a big issue and got lost in the

23 shuffle.

24   So appreciate you bringing it up. I

25 know it's not -- doesn't sound as sexy, but it

1 actually affects a lot of folks. Thank you. Now --

2   MS. DIAZ: Thank you. Good afternoon,

3 all on the panel. And thank you for having me.

4   THE CHAIR: Just bring the mic a little

5 closer to you.

6   MS. DIAZ: Sorry.

7   THE CHAIR: No, it's okay.

8   MS. DIAZ: Is this better? Today I'm

9 here on behalf of pushing this initiative by my

10 partner and the Mayor. I believe it's extremely

11 important.

12   My name is Anna Diaz. I am the

13 president of Diaz Electric, an MWBE electrical

14 contracting company based in Brooklyn. We love

15 Brooklyn. We do most of our jobs in Brooklyn.

16   But mostly I'd like to talk about our

17 journey and how we got here and am I sitting here.

18 Diaz Electric has been in business now for over 12

19 years.

20   As I reflected on our journey I

21 realized someone posed the question to me over 12

22 years ago, "How does a construction company become

23 successful in New York City? Especially a woman-owned

24 company."

25   Great question. So 12 years ago I

1   googled that question. And I actually came up with a

2   Forbes magazine article that gave me the steps. It

3   had many steps in that article.

4   But the one important step it had in

5   the article was find a mentorship program. Ironically

6   enough, I googled that and, sure enough, there it

7   was -- School Construction Authority Mentorship

8   Program and MTA Mentorship Program.

9   Well, at the time Diaz Electric wasn't

10   really even born yet. I couldn't qualify for either

11   or. I had to build up the company resume. And

12   unfortunately for the city of New York but fortunately

13   for Diaz Electric, Hurricane Sandy happened.

14   And yes, I received my license in 2012.

15   And there it was. We worked through the city's path

16   of Build It Back and did many homes to recover in the

17   Rockaways.

18   We quickly applied for our MWBE

19   certification because that was one of the steps in the

20   Forbes magazine. We quickly achieved that. They

21   fast-tracked it.

22   We continued to work and build up our

23   resume until we met the requirements for those two

24   mentorship programs. Unfortunately, we only met the

25   requirements -- we were only able to meet the

1   requirements for the School Construction Authority.

2   And our goal was to be in the MTA Mentorship Program.

3   But not to say anything for anything,

4   but it was a godsend for us. We entered the School

5   Construction Authority. And from there we were able

6   to become equipped to work in other mentorship

7   programs. And yes, two years later we were in the MTA

8   Mentorship Program doing well.

9   If it wasn't for these programs itself

10   directed for minorities and being targeted for our

11   companies, I don't know where Diaz Electric would have

12   been. It would have been extremely rough.

13   Throughout this time I'd like to

14   quickly tell you although we've been in business for

15   12 years now, half of that time has been through both

16   mentorship programs gaining contracts from the city

17   agencies.

18   Through that time we've won -- this is

19   still counting -- 43 SCA projects and we've won and

20   worked on 12 MTA projects.

21   What does this mean? In that time

22   we've gained -- when Diaz Electric first opened up

23   with $250 -- we've done over $10 million worth of work

24   until this day. And that's just School Construction

25   Authority work.

1   I'd like to say how important this

2   agency is because as my company has grown we have been

3   able to serve the community; have our team members,

4   our electricians and office members, purchase homes,

5   send kids to private school.

6   Not only that, we're looking to go into

7   the energy sectors. And so we keep building and

8   growing and learning. We're at the level where when

9   these programs are over for contractors that have what

10   they call topped out -- it's time for us to move

11   on -- companies can cease.

12   And this agency that we're

13   proposing -- they could see our capacity. They could

14   see our experience. And they could see what we've

15   created in the community.

16   We'd like to thank you for this time.

17   I'd like to thank you all for hearing my story. I

18   will be submitting it online in much more detail

19   because there's more detail.

20   THE CHAIR: Thank you.

21   MS. DIAZ: But --

22   THE CHAIR: Thank you very much.

23   MS. DIAZ: -- I'd like to say thank you

24   so much and I appreciate your time.

25   THE CHAIR: Great, thank you. Any

1   comments or questions? No. Thank you very much.

2   MS. DIAZ: Thank you.

3   THE CHAIR: Let me welcome Barbara

4   Blair and Daniel Golliher. Barbara, it's nice to see

5   you in my borough.

6   MS. BLAIR: It's very --

7   THE CHAIR: I generally never --

8   MS. BLAIR: -- in my borough.

9   THE CHAIR: I know, that's true.

10   That's true. Michael, before you head out I just have

11   one question that just hit me. Do you envision this

12   new agency taking over the certification of firms or

13   will that still be done separately?

14   MR. GARNER: Yeah, the certification

15   will be done at SBS.

16   THE CHAIR: Got it.

17   MR. GARNER: But our role is going to

18   be once they're certified bring the firms over and

19   then we'll integrate them to procurement processes at

20   each one of the 45 different agencies.

21   THE CHAIR: Perfect. Thank you. Okay,

22   Barbara and then Daniel.

23   MS. BLAIR: Thank you, Chair Scissura.

24   I need to speak up --

25   THE CHAIR: Just, Barbara, speak into

1 the mic.

2   MS. BLAIR: Okay. Thank you, Chair and

3 committee members, Commissioner, for having me here

4 today. My name's Barbara Blair, president of the

5 Garment District Alliance and a resident of Brooklyn.

6   Although I previously addressed the

7 Commission on June 13th, I feel compelled to reiterate

8 primary -- my primary concern about establishing a

9 framework of enforcement for fair share appraisals.

10   The current charter includes a

11 statement about fair share -- the equal distribution

12 of desirable assets and challenging facilities

13 throughout the city.

14   Despite the enormous impact of these

15 operations on our communities, there is no requirement

16 that the City have centralized oversight over fair

17 share compliance, criteria, or concentration.

18   Additionally, although the charter

19 mentions city facilities as included in fair share, it

20 does not include private facilities that are

21 contracted by the City, such as shelters, harm

22 reduction, and other uses. As such, facilities are

23 being placed without regard to the totality of

24 circumstances.

25   The Garment District of Manhattan is an

1   example of how the lack of fair share guidelines can

2   adversely affect an area.

3   Midtown has a dense and diverse

4   population, including office, retail, manufacturing,

5   residential, hotels, transportation hubs, sports

6   arena, and tourist attractions.

7   All of this is intertwined with a

8   myriad of public and private shelters, supportive

9   housing, agencies, and other social service providers.

10   The fact that many of these are not

11 city-operated but funded by a variety of city, state,

12 and private sources means they are not considered when

13 a new facility is proposed.

14   The importance of the City Charter

15 Revision Committee in addressing this topic cannot be

16 overstated. Fair share is a city-wide concept. And

17 if left to the City Council to formulate the

18 regulations it would be compromised by the competing

19 NIMBY interests of local neighborhoods.

20   Only the Charter Revision Commission

21 can ensure public process with tracking and

22 transparency and a required analysis of the

23 neighborhood impact to close a loophole that requires

24 nonprofits contracted to perform city services be

25 included and counted as a city facility.

1   Finally, an agency proposing a siting

2   should be required to demonstrate that the facility

3   serves the needs of the population in the immediate

4   geographic community except where that need was

5   created by the unfair overconcentration of similar

6   existing facilities by the City and State. Thank you.

7   THE CHAIR: Thank you, Barbara. And

8   I've just asked my general counsel to look into this a

9   little bit further.

10   MS. BLAIR: Thank you so much.

11   THE CHAIR: Yeah, thanks. Sir?

12   MR. GOLLIHER: Good evening. My name

13   is Daniel Golliher. I'm the founder of the civic and

14   governmental school Maximum New York. My students

15   include city and state employees, software engineers,

16   lawyers in a widely variable cross-section of New York

17   City.

18   It is from this perspective teaching

19   government and law as well as my own participation in

20   these fields that I offer this suggestion to the

21   Commission for its consideration.

22   Change the title of the city's

23   comptroller to the Chief Financial Officer, or CFO.

24   While the suggested change might seem trivial to some,

25   it would serve the interests of a free and democratic

1 electorate as well as the city.

2   It also fits the spirit of the

3 modernization section of this Commission's preliminary

4 report. Why? Because almost no one in New York City,

5 resident or voter, knows what comptroller means. It

6 is an archaic term.

7   While they do not understand the

8 manifold audit and control functions the office

9 performs, this is understandable and arguably not

10 their job.

11   The actual problem is that they don't

12 even vaguely understand what the office does, which

13 means they can't do their job of effective voting

14 among other things.

15   Multiple TV shows rely on the oddly

16 specific fact of comptroller inscrutability for jokes.

17 My own personal media consumption has highlighted this

18 in season two of NBC's Super Store and season three of

19 HBO's Sex and the City.

20   I will note that even as I type this

21 testimony Google Docs underlines the word

22 "comptroller" as a misspelling and suggests the

23 alternative of "controller", which was the original

24 name of the office in the 1898 consolidation charter

25 before it was altered in the 1901 charter.

1   Comptroller inscrutability means that

2   the general public cannot possibly vote for the office

3   in anything resembling good faith. This is quite

4   distinct from something like the mayoral race.

5   While citizens will again not know the

6   full description of the job description of the mayor,

7   they directionally understand that the mayor operates

8   as an executive and is in charge of getting things

9   done.

10   If the comptroller were the CFO,

11   citizens would directionally understand that the

12   office was in charge of overseeing the city's money.

13   And that itself is already a huge leap in

14   understanding.

15   Changing the name of the comptroller to

16   Chief Financial Officer serves the interest of voter

17   education and electoral legitimacy and would do more

18   for these causes than millions spent in any kind of

19   broader citizen education effort.

20   It is in fact how many in the civic

21   sphere already explain what the comptroller does.

22   They say, "It's New York City's Chief Financial

23   Officer." And this includes the comptroller's own

24   website.

25   On the candidate side of the equation,

1   the title Chief Financial Officer of New York City is

2   a little bit more compelling that comptroller and

3   would change the rhetorical and competitive landscape

4   of comptroller elections.

5   People would be more inclined to vote

6   for the office on the basis of sound financial

7   experience and competency in money management. And

8   perspective candidates in the worlds of accounting,

9   banking, and finance would be more compelled to run.

10   This suggestion is not without

11   precedent. In 1993 in the wake of the Board of

12   Estimates dissolution, the City Council passed Local

13   Law 19, which changed the name of the president of the

14   City Council to the public advocate.

15   Legislative testimony in favor of this

16   law highlighted the confusing nature of the council

17   president's title and the need to clarify its role

18   relative to the speaker of the council.

19   Although there are obvious

20   considerations when changing the name of a principal

21   city office in the law, including the many references

22   to it in state law, I urge the Commission to study

23   this potential charter change as expeditiously as

24   possible with an eye to implementing it in time for

25   the City's 2025 election. Thank you very much for

1   your consideration.

2   THE CHAIR: Thank you very much.

3   Wasn't Carrie dating the guy running for comptroller

4   that year?

5   MR. GOLLIHER: Yes, she was.

6   THE CHAIR: Okay. I got my Sex and the

7   City right.

8   MR. GOLLIHER: Yes, you did.

9   THE CHAIR: Okay.

10   MR. GOLLIHER: It didn't go well.

11   THE CHAIR: Let me, before I ask

12   questions, Commission Ken Ngai has also joined us via

13   Zoom. Thank you. Any questions or comments? Okay.

14   Thank you very much.

15   It's my honor to welcome -- I like to

16   call her my leader. But she is the Chair of the Kings

17   County Democratic Committee. She is an assembly

18   member representing parts of central Brooklyn.

19   She is a proud mom, a recent law school

20   graduate. Rodneyse, I could go on about you all

21   night. I like to call her my sister. But let me

22   welcome Assembly Member Rodneyse Bichotte to the

23   table.

24   MS. BICHOTTE: Thank you so much,

25   Chair.

1   THE CHAIR: Thank you, Chair, Madam

2   Chair.

3   MS. BICHOTTE: Thank you so much. It's

4   such a pleasure to be here on this nice, hot day. But

5   I'm happy that you all are doing this in Brooklyn. So

6   I certainly want to thank you and the whole Commission

7   for doing this. This is a very, very, very important

8   thing that we need.

9   As we talk about equity, inclusion --

10   and you heard from our Chief Diversity Officer Mike

11   Garner -- this is something that we've been trying for

12   a very long time, as many of you know. And Chair

13   Scissura, we worked on a number of initiatives in

14   terms of promoting MWBE.

15   I first want to say -- just give a

16   little bit of historical background on all of this and

17   get you a sense of where we came from and where we are

18   now.

19   As you know, all of this in terms of

20   the MWBE program started with the landmark case of

21   City of Richmond v. Croson, which was in

22   constitutional equal protection, strict scrutiny,

23   decision that was made by the Supreme Court.

24   That said in order for us to have a

25   program -- race-based program, gender-based program --

1   we have to show quantifiable and verifiable data to

2   show that there is consistent disparities.

3   Well, and then that decision allowed

4   all the local entities like New York City to have

5   disparity programs to show that data because you have

6   to show that data. And when you have that data you

7   create a program that's narrowly tailored.

8   We want to make sure we protect this

9   program, okay? There's a lot that's going on in our

10   Supreme Court where they are dismantling things and

11   rights that we've fought for.

12   And so we want to make sure that we

13   secure this. And having an MWBE agency will help

14   secure that. It will help continue to get those data.

15   It will help continue to provide the resources and

16   show why we need to continuously have this

17   programming.

18   And I don't know how long it will take

19   for us to get to where we need to as it relates to

20   equity. Again we know that this city -- the city of

21   New York has a population of more than 60 percent of

22   minority and women residents. Minority and women

23   residents.

24   Yet the percentage of participants as

25   it relates to procurement and contract -- I want to

1   say it's still in the one digit, okay? Less than 5

2   percent. That's billions of dollars that's being

3   procured. And it's been very difficult to try to

4   reach those margins.

5   After the landmark case in 1998, 1999,

6   the State of New York had established their Article

7   15A. New York City had started their Department of

8   Financial Opportunity in 1991.

9   In 1992 Dinkins Administration expanded

10   with a disparity study. And then it was dismantled in

11   1994 under Rudy Giuliani. Then in 2004 Michael

12   Bloomberg, mayor then, reestablished the disparity

13   study and then adopted some goals in 2005.

14   Then in 2010 under Governor David

15   Paterson the Article 15A was enhanced tremendously,

16   allowing us to pass a number of bills. And I will say

17   under Mayor Adams we have passed the largest number of

18   bills as it relates to MWBE, which is why we need this

19   agency now.

20   And I want to thank our Chief Diversity

21   Officer for paving that way and helping that path.

22   Never in history did we pass bills like increasing a

23   threshold to 1.5 million.

24   When I started as a chair of the MWBE

25   we had a discretionary of 20,000. Now it's 1.5

1 million, allowing minorities and women business

2 enterprise not having to compete against these big

3 firms but compete amongst themselves and get an

4 opportunity to 1.5.

5   We also passed in the city bill to

6 introduce a city-wide mentorship program. And I tell

7 you the mentorship program's going to be huge. You

8 can't do this without an agency. It's just too

9 massive.

10   That means that we are going to

11 implement, you know, the Mayor and the Chief Diversity

12 Officer Garner are going to implement a program in

13 each agency. That's, like, Department of Education,

14 Parks, Department of Transportation.

15   Each and every one of these -- and we

16 did one for DDC -- just like CSA, School Construction

17 Authority will have an opportunity to build a capacity

18 program for our MWBEs. And we cannot do that without

19 an MWBE agency.

20   Now I'm not going to read my whole

21 testimony. I just want to say that one of the reasons

22 why I think establishing this agency is also for

23 oversight.

24   I know we have the commissioner, the

25 controller's office, that does some level of oversight

1   when, you know, grading policy. But it's not enough.

2   It's just not enough.

3   I think the MWBE agency would be a

4   great way and a great agency to do the reporting and

5   grading of all agencies both on awards and actual

6   spending.

7   It would be able to monitor and manage

8   an internship program throughout the city. It would

9   streamline and help outreach and certification

10   programs.

11   As you've heard, the city of New York

12   has about 11,000 certified. Only about 1,600 were --

13   and that's a big job from what it was before where 82

14   had contract. But we want to get the 11,000 to get

15   contract.

16   We also want to make sure that we have

17   an alternative financing arm. As you know, minority

18   business enterprises especially has been definitely

19   excluded from the -- getting access to capital for a

20   very long time.

21   So traditional banks just don't want to

22   lend to minority-owned businesses. And so this would

23   be a way of housing a financing arm like the Housing

24   Development Corporation form of billing in New York

25   City.

1   So we'll have one for these MWBEs, you

2   know, things like a working capital, bridge loans, and

3   monies for borrowing and things of that nature. And

4   it talks about bonding contracts. It's very

5   important.

6   And just so many other things. I'm not

7   going to read everything. I just want to say that

8   this is a great opportunity for a very long time. And

9   I think New York City has been at the forefront in

10   terms of increasing the goals.

11   We have paved the way for all the

12   cities across the United States. And this is another

13   opportunity for us to serve as an example.

14   So with that said, I am, as the

15   assembly woman, as the Chair of the Minority Women

16   Business Enterprise, a subcommittee for the State of

17   New York -- because I do represent the State of New

18   York and all the people of the state of New York as it

19   relates to MWBE -- we are 100 percent in pushing this,

20   in supporting this.

21   One more thing I want to add is also

22   the workforce -- to implementing more workforce goals.

23   Our last disparity study showed that we don't have

24   enough minorities and we don't have enough women who

25   are working in the construction field in particular.

1   And so again another arm to make sure

2   that there's more equity in hiring more women and more

3   minorities in contracting opportunities.

4   THE CHAIR: Thank you, Madam Chair. I

5   really thank you for, you know, not just for the

6   assembly but many years of advocacy on this issue.

7   Comments?

8   MS. ROWE-ADAMS: Yes.

9   THE CHAIR: Comments or questions.

10   MS. ROWE-ADAMS. Hi. I really enjoyed

11   your presentation.

12   MS. BICHOTTE: Thank you.

13   MS. ROWE-ADAMS: And so you said

14   that -- first of all, let me thank you for really

15   pushing this and giving Michael Garner -- you know, I

16   can't say enough about him being in the position.

17   And now learning about you -- I'm

18   learning so much. I'm getting an education. But you

19   said you were pushing it and you all were reaching

20   out. What kind of outreach and -- that you're doing

21   with the MWBE?

22   MS. BICHOTTE: So I've been in this

23   role for almost ten years. And over the past years

24   we've passed legislation to allow breaking some of

25   those barriers.

1   So you know, I have a newsletter. I

2   consistently stay in touch with a lot of MWBEs as well

3   as agencies. Whatever opportunities that are out

4   there we try to promote it at least through my

5   channel.

6   But we do have a number of forums. We

7   have an MWBE advocacy day in Albany where we invite

8   people to come up to Albany and advocate for a lot of,

9   like, the legislation pertaining to MWBEs. And that's

10   what we did this year.

11   We did it last year. Last year I think

12   we had a record number of ten MWBE bills passed, which

13   is why we are in this position, right?

14   Now we need to move forward with

15   implementing these things like the mentorship program,

16   which is a very massive initiative which will allow

17   all of these mayoral agencies to have a program that

18   would invite MWBEs to learn for a year or two.

19   And after learning they graduate from

20   the program and they become part of a prequalified

21   list so that they can work directly with the agencies.

22   And that's what we want to do. You know, we want to

23   provide capacity and resources and experience.

24   Because very often our prime

25   contractors are complaining that there's not enough

1   MWBE who can either hold -- have the capacity or they

2   just don't -- they just can't find anyone who can do

3   that specialized work.

4   Which is why we want to make sure that

5   under this agency we look at policies like unbundling

6   sometimes.

7   I can tell you that there was a recent

8   project in my community, which was the Shirley

9   Chisholm Recreational Center, which is still being

10   built. And it was a -- it's a $141 million contract.

11   We were quite disappointed at the fact

12   that the leading contractor was not a MWBE. And it's

13   in a predominately Black community. It was fought by

14   public advocate Jumaane Williams, Council Member Farah

15   Louis, and myself.

16   And we felt that and the community felt

17   that the reflection of the people who were managing

18   the project was not a reflection of our community. We

19   don't want that.

20   If we're fighting for resources for our

21   community we certainly want to make sure that the

22   people, especially the local people, are

23   participating. It's about building wealth. It's

24   about job creation. It's about economic equity.

25   So we certainly want to see the future

1   projects to be a lot more inclusive, a lot more

2   opportunities that would help a lot of these more

3   rural communities who's been systematically excluded

4   from economic opportunities for a very long time.

5   MS. ROWE-ADAMS: I have one more

6   question.

7   THE CHAIR: Yeah, please.

8   MS. ROWE-ADAMS: I know your work.

9   Really good work. And I know that you're definitely

10   an advocate for the young people. And also Michael.

11   Is it an age gap? Is it an age --

12   MS. BICHOTTE: Well, yeah.

13   MS. ROWE-ADAMS: -- a certain age that

14   you have to reach out to or to educate? Or when do

15   you start, you know --

16   MS. BICHOTTE: We just start right out

17   of high school or during high school. I mean, I think

18   there are programs in place that the Mayor, the

19   Chancellor are implementing so that students can be

20   aware and be prepared for the workplace.

21   And so we, you know, with

22   internship -- I know that the School Construction

23   Authority -- I would say they're a very good model,

24   which is -- I think that's where -- our Chief

25   Diversity Officer who implemented the minority program

1   mentorship program.

2   But I participate in their high school

3   program where the students go out, they intern, they

4   get to learn a little bit about the construction

5   world.

6   And it gives them an opportunity to

7   think about what they want to do. Some of them are

8   hired right after high school. Some of them are hired

9   after college. But again we start the programs in the

10 school --

11   MS. ROWE-ADAMS: Thank you.

12   MS. BICHOTTE: -- so that they're

13 prepared.

14   MS. ROWE-ADAMS: Thank you.

15   THE CHAIR: Thank you. Yes? And then

16 I know, Kyle Bragg, you have your hand up to ask a

17 question as well.

18   MR. LYNCH: Madam Chair, thank you

19 again for that testimony. It was very insightful. So

20 I just want to -- in conjunction with Ms. Diaz's

21 testimony as well, she had mentioned about the

22 mentorship program.

23   So is that mentorship program a barrier

24 for you to get certified, with the requirement to get

25 certified? I think she only mentioned that it was,

1   like, two agencies that were available.

2   MS. BICHOTTE: So it's not about that.

3   So the certification program is a complete thing of

4   itself. It's a complete process of itself. You go

5   through the Small Business Services and they help you

6   get certified.

7   Once you're certified you're on a list,

8   a certified list, where all the agencies across the

9   city of New York can solicit for work, for bids, and

10   things of that nature.

11   The mentorship program is a separate

12   entity for the purpose of taking some of those people

13   who are on the list to train them, to better prepare

14   them, and build capacity to work with that particular

15   agency.

16   For example, School Construction

17   Authority and I think DDC are the only two city

18   agencies that have the program right now. And MTAs

19   the only state program that has the mentorship

20   program.

21   You have a number of MWBEs who come in

22   for two years. They go through a training. Training

23   meaning they get to know how to estimate, bid.

24   Many of them learn how to get

25   unionized, how to operate their business, but also for

1   whatever technical part that they're interested,

2   whether it's electrician, whether it's painting,

3   whatever it is, they will get to work on how that

4   particular agency does business.

5   Schools obviously is very different

6   from construction of an office building or residential

7   or hospitals. School is a very particular niche. So

8   if you're going to go through that program you're

9   going to learn how to participate in building schools.

10   But those skills are transferrable,

11   okay, because once you have experience in working in

12   an agency like the School Construction Authority many

13   of them are transferrable to working with hospitals or

14   working with other type of big things that the City

15   procure for -- paving, you know, paving the ground,

16   streets, things of that nature.

17   So it's just a good experience. And

18   once you get certified the sky's the limit.

19   MR. LYNCH: Okay. Thank you so much.

20   MS. BICHOTTE: And I will say that

21   what's good about the program is that you are kind of

22   guaranteed in a sense to work to have some type of

23   work with that agency.

24   And then you can even go to the second

25   program -- it's called Rapid Program -- where you can

1   earn a higher contract. And I think the SCA -- I

2   don't keep up with it.

3   But I think, let's say, the

4   undergraduate program is about a million dollars'

5   worth of contract. Maybe the graduate program is

6   about $3 million worth of contract.

7   But that's good because you'll have

8   experience in terms of obtaining insurance, bonding,

9   and all of that stuff in preparation for your next bid

10   or your next business opportunity.

11   MR. LYNCH: So it's a preparation

12   vehicle for them?

13   MS. BICHOTTE: Exactly.

14   THE CHAIR: Kyle Bragg? And I think

15   Michael wants to add something.

16   MR. BRAGG: There we go. Thank you.

17   THE CHAIR: I was going to say you

18   should have just sat up here, Mike.

19   MR. BRAGG: Well, thank you to the

20   brilliant assembly woman for her testimony. I

21   apologize again to you for not being there in person.

22   I learned yesterday -- and actually

23   having experience and knowing so many MWBE contractors

24   and subcontractors -- there's something that came up

25   yesterday that I think is very important that I didn't

1   hear tonight.

2   And that's expediting of payment.

3   Because MWBEs are challenged with making payroll and

4   all their expenses and then being forced to go to

5   banks at high interest rates, which eats into their

6   profitability.

7   And I think the centralization of this

8   work of MWBE, as I heard last night, would be another

9   great value added here. And I didn't hear it

10   mentioned tonight.

11   But I just wanted to make sure that

12   people understood that as well that through what's

13   being proposed that they have a much better

14   opportunity to expedite payments than MWBEs who

15   sometimes wait long periods of time and again are

16   forced to go to banks at high interest rates. So

17   thank you again, Rodneyse -- I mean, Assembly Woman

18   Bichotte, for your testimony.

19   MS. BICHOTTE: Thank you so much, Mr.

20   Bragg.

21   MR. GARNER: And let me just add to

22   that.

23   THE CHAIR: Yeah.

24   MR. GARNER: Because both at the School

25   Construction Authority and at the MTA and the mentor

1   program what we did was that we drafted policies for

2   both of those mentor programs, which mandated that

3   when a contractor submit an invoice it's required for

4   the agency to pay them in ten days.

5   And that's a written policy. And so

6   those two agencies have that written policy. Once we

7   get it invoiced and the invoice is correct, we pay the

8   contractor in ten days.

9   Now here's the beauty of the mentor

10   program. And my assembly lady here is being too

11   modest because the reason why the Mayor was able to

12   get all of his MWBEs bills passed up in Albany was

13   because of the assembly lady --

14   THE CHAIR: I concur.

15   MR. GARNER: -- State Senator Conroy,

16   State Senator Parker, and State Senator James Sander,

17   who is her co-chair of the MWBE Committee in the State

18   Senate and State Assembly.

19   And so with the $1.5 million

20   discretionary, the speaker had to call a special

21   session in order to get these bills passed.

22   The $1.5 million discretionary -- the

23   assembly lady stood on the floor for one hour on the

24   last day of session and got that bill passed for the

25   Adams Administration.

1   Now the mentor program that she's

2   referring to -- one of the bills that they got

3   passed -- what's going to happen is that we're going

4   to take ten New York City construction agencies, put

5   them under one umbrella, and this centralized

6   construction mentoring program that is working

7   effectively at the MTA and the SCA will now be

8   implemented at the City of New York.

9   And here's the beauty of this, right?

10   The contracts that will be awarded out of this program

11   will be prime construction contracts. And so these

12   MWBE firms who win a contract -- they will get the

13   award directly from the agency.

14   No longer are they working for a large

15   construction organization as a subcontractor. They're

16   working as a prime contractor for the City of New

17   York, for the School Construction Authority, for the

18   MTA. And so now they are in control of their own

19   destiny.

20   And I just came back because I have to

21   personally thank the assembly lady for her hard work

22   in Albany and getting these bills passed and giving us

23   the opportunity now to drive equity and to treat our

24   MWBEs the way that they should be treated -- by paying

25   them on time and creating an environment that's

1   conducive to their growth and development.

2   THE CHAIR: I will say -- and I

3   personally agree with everything you both have said.

4   It may not sound like a big deal, but to me a prime on

5   a contract like Shirley Chisholm Recreational

6   Facility --

7   MS. ROWE-ADAMS: Yes.

8   THE CHAIR: -- or the Obama Library of

9   Chicago as opposed to being a sub is the difference

10   between, you know, X amount or 30 percent max.

11   And then putting money aside -- and

12   it's hard to put money aside, but putting money aside

13   for a minute -- it also changes the trajectory I

14   believe of your construction, engineering,

15   architecture firm as then you start looking for larger

16   projects going forward. So --

17   MR. GARNER: We just heard it from

18   Diaz.

19   THE CHAIR: -- it's a big deal.

20   MR. GARNER: You just heard it from

21   Diaz Electric. I mean, giving her the ability to work

22   as a prime at the SCA and the MTA is a gamechanger.

23   MR. LYNCH: Agreed.

24   MR. GARNER: You know, and she didn't

25   mention how many employees she started out with and

1 how many she ended up with. She did mention that she

2 started her company with $250.

3   And she is now doing $10 million worth

4 of work because we created an opportunity and an

5 avenue for her to enter the construction industry.

6   THE CHAIR: Great.

7   MS. ROWE-ADAMS: Thank you for your

8 work.

9   THE CHAIR: Okay. Thank you very much.

10   MR. GARNER: Thank you.

11   UNIDENTIFIED SPEAKERS: -- two

12 questions?

13   THE CHAIR: No, those are people I've

14 signed up for testifying.

15   MR. GARNER: Great, thank you.

16   THE CHAIR: Thank you both. Appreciate

17 you.

18   MS. BICHOTTE: Just want to thank you

19 again. And I will put my law degree into good use. I

20 had the opportunity of working with two fine firms,

21 Peckar & Abramson and Zetlin & De Chiara.

22   And these are two firms again that gave

23 me the opportunity to understand the construction

24 field, the architect and the engineering field, and

25 I'm just very grateful of that.

1   And so even though I have my law

2   degree, I will continue to be a public servant. But

3   you know, maybe help legally on the construction and

4   engineering and architect side. So I want to thank

5   you, Chair --

6   THE CHAIR: Assembly Woman, thank you.

7   MS. BICHOTTE: And I thank all of you

8   who have given me this opportunity.

9   THE CHAIR: Thank you very much. Thank

10 you. Appreciate you. This was a really great

11 discussion, by the way.

12   MS. ROWE-ADAMS: Absolutely.

13   THE CHAIR: Very, very needed. Let me

14 call up Kwame Amoaku and Karl-Henry Cesar. Did I say

15 your last name right?

16   MR. AMOAKU: Yeah, you did.

17   THE CHAIR: I did? Okay, good.

18   MR. AMOAKU: Kwame Amoaku. Thank you,

19 Commissioners. I appreciate you having me here today

20 from Flatbush. So I appreciate this being in

21 Brooklyn.

22   My name is Kwame Amoaku, K-W-A-M-E,

23 A-M-O-A-K-U. I'm the Deputy Commissioner for Film

24 Office, a division in the Mayor's Office of Media

25 Entertainment, also known as MOME.

1   The Mayor's Office of Media

2   Entertainment urges the Charter of Recommission to

3   consider a proposal to amend the New York City Charter

4   to give MOME direct authority to issue film permits.

5   It is important that film permitting

6   process be as efficient as possible because film and

7   television is an important part of New York's economy.

8   Film and television production supports approximately

9   185,000 jobs, 18.1 billion in total wages, and 81.6

10   billion in total economic output.

11   In most recent years MOME issued over

12   11,000 filming permits annually so that productions

13   can shoot on city property like streets and sidewalks.

14   Currently, Charter Section 13.01-1R

15   provides that the New York City Department of Small

16   Business Services has the authority to issue film

17   permits.

18   This arrangement dates back to 1947,

19   where the Commissioner of Commerce and the City's

20   Coordinator of Motion Pictures were both the same

21   person.

22   Back in the 1940s as the meaning of

23   television was just starting to catch on, the City

24   issued a relatively small amount of permits for film.

25   Over the decades the scope and size of MOME's work has

1 expanded but the legal permitting authority has not

2 changed along with it.

3   Consequently, the MOME Commissioner

4 must be an SBS employee simply to maintain

5 jurisdiction over film permitting. But the other MOME

6 staff are employees of the Office of Technology and

7 Innovation, due largely to our television and radio

8 operations.

9   This isn't a trivial issue. Charter

10 Section 13.01-1R has the potential to create problems

11 during mayoral transitions where there may be a period

12 without a commissioner. Also it's inconsistent with

13 the sections of the administrative code that refer to

14 film permits issued by MOME.

15   Providing MOME with direct authority to

16 issue permits would allow MOME to seamlessly continue

17 operations during times of transition and it would

18 update the charter to accurately affect the agency

19 that issues film permits. We urge you to consider

20 this change to the charter.

21   THE CHAIR: Thank you very much. You

22 know, it's hearing about your issue and then

23 waterfront -- there must have been somebody in an

24 agency at one point who just said, "Put everything at

25 SBS and we'll figure it out someday." Right?

1   And so it sounded good but now it needs

2   a little clean-up. By the way, I like to call

3   Flatbush the heart of New York City --

4   MR. AMOAKU: I agree.

5   THE CHAIR: -- so it's good to see a

6   Flatbush down here.

7   MR. AMOAKU: Thank you.

8   THE CHAIR: All right. Thank you. Any

9   questions, by the way, and comments?

10   MR. LYNCH: Thank you for your

11   testimony.

12   MR. AMOAKU: Thank you.

13   MR. CESAR: What's up, folks. Good

14   evening. Folks can hear me all right, right?

15   THE CHAIR: Yes.

16   MR. CESEAR: Okay, great. So thank you

17   very much for giving me the chance to testify. My

18   name is Karl-Henry Cesar. And I have lived in

19   Flatbush for just over a decade.

20   And so I am here to respectfully

21   testify against this specific Charter Revision

22   Commission because I find the engagement process has

23   been disrespectful and I believe that the premise is

24   flawed.

25   And so the reason why I'm saying I

1   think the engagement process is disrespectful is

2   because two and a half months is not enough time to

3   collaboratively collect feedback from the eight

4   million citizens of New York through 14 public

5   hearings and writing written testimony.

6   Personally having gone through the City

7   of Zoning text amendments, I feel that this process of

8   engagement feels as disrespectful as that engagement

9   process has been.

10   Secondly, I believe the premise of this

11   specific commission is flawed because I believe that

12   recommendations made without people to guide,

13   implement, and enforce them are empty. And I believe

14   that the City does not have enough employees to do

15   that work right now.

16   So I am looking specifically at a

17   report by the State Comptroller from May of this year

18   that said that New York City is projected to end June

19   of this year with just over 283,000 full-time

20   employees, which is a 2,000 employee increase from

21   last June. So that's great.

22   But the same report also notes that

23   that's still about 5 percent less than the pre-

24   pandemic levels around June 2020 of about 300,446

25   full-time employees. And the same report also notes

1 that the staffing is still uneven across city

2 agencies.

3   For example, the report notes that the

4 Department of Buildings turnover has increased just

5 over 68 percent compared to its pre-pandemic average

6 of vacancies.

7   So given that data point, I do have

8 concerns about the recommendation of merging

9 waterfront permitting from the Department of Small

10 Business Services to Department of Building because my

11 question is are there enough people to actually do

12 that work.

13   And so in my opinion has the Department

14 of Buildings and every other city agency proven that

15 every single day they are giving New York City

16 residents the highest quality of service? That answer

17 is no.

18   Every day are there city employees who

19 are breaking their backs to deliver the best service?

20 Yes, there are. Does the City need to improve its

21 service and its delivery and quality to the people of

22 New York City? Yes, it does.

23   But me personally, I do not believe

24 this Charter Revision Commission is the right solution

25 at the time to do so. Instead what I believe the City

1   should be doing to get at that right now -- I believe

2   it should be trying to get its staffing back to the

3   pre-pandemic levels around June 2020.

4   They should pay the employees. They

5   should give them professional development. And they

6   should do true community engagement and they could see

7   what a respected, motivated, and empowered workforce

8   in tangent with an engaged community could do.

9   And in my opinion, if after that's done

10   we are still not getting the outcomes that we desire

11   then it makes sense to have a Charter Revision

12   Commission because at that point the question of the

13   quality of the people doing the work has been spoken

14   for. It's now a question of the processes are still

15   working.

16   And so I'm not against Charter Revision

17   Commissions. But these are the two reasons why I'm

18   specifically against the formation of this commission.

19   So thank you for taking the time to hear my testimony.

20   THE CHAIR: Thank you very much.

21   MR. LYNCH: Thank you.

22   MS. ROWE-ADAMS: Thank you.

23   THE CHAIR: Questions or comments?

24   Okay. Thank you.

25   MR. CESAR: Thank you very much.

1   MS. ROWE-ADAMS: Thank you.

2   THE CHAIR: Jarryd Rauch and Andrea

3   Biro. Did I say your last name right?

4   MR. RAUCH: Yes, you did.

5   THE CHAIR: All right, good.

6   MR. RAUCH: All right. Good evening,

7   Chairman, Commissioners. Thank you. I'm here to

8   voice my strong support for these central reforms

9   aimed at clarifying and expanding the Department of

10   Sanitation's jurisdiction and responsibilities as

11   detailed in the preliminary report.

12   Over the past two decades New York City

13   has made significant strides in enhancing the

14   cleanliness of our public spaces. This progress has

15   reached new heights with the Adams Administration's

16   introduction of trash containers issued in various

17   parts of the city.

18   The preliminary report highlights the

19   need for a mandate on containing waste refuse, noting

20   that DSNY's current mandate in the charter does not

21   fully address this.

22   Currently DSNY's authority is limited

23   and does not cover all city properties, including

24   medians in the perimeters of properties. This gap can

25   hinder efforts to keep our city clean.

1   By broadening DSNY's jurisdiction we

2   can significantly improve our city cleanliness. New

3   Yorkers have expressed a strong desire for cleaner

4   streets and better solutions than the current practice

5   of placing garbage bags on the sidewalk.

6   Updating the charter to clearly define

7   and expand the Department of Sanitation's

8   responsibilities when it comes to this will help us

9   meet the expectations of all New Yorkers and maintain

10   a cleaner city.

11   My great-uncle was a Deputy Commission

12   in Department of Sanitation in the early 20th century.

13   And the stories I'd hear from him compared to what I

14   see today -- it's like night and day. And it's great

15   progress. And we need to continue that progress.

16   We should build on that progress and

17   enhance the effectiveness of the Department of

18   Sanitation. Clearly over the past 20 years DSNY has

19   consistently demonstrated its ability to make visible,

20   meaningful improvements for everyday New Yorkers.

21   Extending its jurisdiction enforcement

22   capabilities will enable the agency to continue this

23   important work and improve the quality of life in our

24   city. Thank you for your attention and your

25   consideration.

1   THE CHAIR: Thank you. Questions,

2   comment?

3   MS. ROWE-ADAMS: No. Thank you.

4   THE CHAIR: That's another loophole

5   that people can't understand -- why Department of

6   Sanitation can't do this. Well, they're not

7   authorized to.

8   MR. RAUCH: Exactly.

9   THE CHAIR: Thank you. Andrea Biro.

10   MS. BIRO: Good evening. My name is

11   Andrea Biro. I'm originally from Bushwick, now a

12   resident of Coney Island. There's a couple of

13   revisions that I would like to address in the charter

14   report.

15   One of them is the public safety aspect

16   of it. My suggestion is that we remove the sheriff

17   from the Department of Finance and actually restore

18   our original law enforcement.

19   Because right now the biggest lie New

20   York City -- the men and women of New York City are

21   being told -- is that we have law enforcement. We

22   don't.

23   We have policy enforcers under the

24   guidelines of corporation counsel. That's what we

25   have. If we actually had law enforcement we would

1   never have stop and frisk.

2   We never would have had the mask

3   mandates turn into a stop and frisk, especially in

4   minority neighborhoods, and then have corporation

5   counsel turn away from their own policy.

6   We do not have any form of law

7   enforcement in New York City at all. If we actually

8   had law enforcement most of those politicians would

9   probably be -- end up in jail at this point.

10   But we actually need law enforcement

11   that caters to the men and women the way that they

12   were originally designed before the greater of New

13   York City was created, when the sheriffs of New York

14   City actually cared to the men and women when they

15   brought their complaints to them.

16   There was an independent investigation

17   and claims have to be backed up by facts. You

18   couldn't just go and make a false claim. You actually

19   had to prove your claim. And that's how law works.

20   And this is not what's happening in New York City.

21   That's one that I'd like to suggest

22   because as of right now with our New York City

23   sheriffs that are under Department of Finance, we have

24   glorified tax collectors.

25   That's what they do. They go out and

1 collect for what is ultimately New York City

2 corporation -- not to enforce what is needed to the

3 public.

4   Everybody relies on NYPD. NYPD

5 enforces policy. We have our city council members

6 writing legislation under the guise of law that has

7 been reviewed and approved by corporation counsel.

8   Why are lawyers, a separate agency that

9 is designed to protect the public servants as well as

10 the agencies of this corporation, reviewing what is

11 being submitted by those we employ and have elected?

12   We can't have that anymore. We need

13 enforcement. And it has to come from a separate

14 department that answers to the men and women -- not to

15 lawyers. That's one aspect.

16   The second one is the surety bonds. Do

17 not do away with them. If we do in any way, even, you

18 know, in small amount contemplate the idea of changing

19 the comptroller to CFO, it's even more of a reason to

20 have a surety bond.

21   A surety bond is nothing more than an

22 insurance policy that says that if that elected

23 official or appointed official with an oval office

24 does something outside of the scope of his duties that

25 is in the charter and the constitutions that they took

1   an oath to -- they're covered to then basically be

2   paid retribution or to -- and this way we don't need

3   the money from the city purse.

4   If every elected and appointed official

5   had a surety bond, paid out of their pocket -- not the

6   City, not the public, because otherwise we're paying

7   for their policies. That's not how it should work.

8   They should pay for their own insurance

9   policy the same way we have corporations that pay for

10   their liability insurance because that's what a surety

11   bond is.

12   Then if that official steps outside of

13   his duties we the people can make a claim with that

14   insurance company who should be available to the

15   public. And no FOIA response should have we searched

16   and can't find. And I've seen plenty of those. It

17   should be readily available to the public.

18   Because if they step outside the scope

19   of their duties the men and women should be able to

20   file a claim with that surety bond to be then made

21   whole for the harm that was caused by whatever policy

22   that official created instead of running to court,

23   filing class-action lawsuits against the City paid by

24   the taxpayers.

25   It's a never-ending loop of lawsuits.

1   And that can be stopped. There was a reason that the

2   surety bonds were put in place. And the fact that it

3   said that it prevents hard work from being done --

4   that's a fallacy.

5   Public Office of Law 14 allows public

6   officials that need surety bond but don't have it to

7   continue working until they step out of line, at which

8   point they need to be held personally and criminally

9   liable.

10   Which one has actually seen that

11   happen? None of our DAs have ever filed a 409. And

12   if any of the men and women bring that up, it's

13   brushed aside under prosecutor tool claiming, "We have

14   the right of whether or not we will even look into

15   it." Once again, no one looks into it. Thank you for

16   your time.

17   THE CHAIR: Thank you very much.

18   MS. ROWE-ADAMS: Thank you.

19   THE CHAIR: Any questions or comments?

20   MR. LYNCH: The Sheriff

21   Department -- again you were saying we have to get rid

22   of the Sheriff's Department?

23   MS. BIRO: No, no, no. Just remove it

24   from under Department of Finance. Restore it back to

25   what it originally was, which was the enforcement for

1   the people by the people.

2   And they were elected for every county,

3   right? And they actually upheld the law. We saw a

4   small sample of it when the sheriffs throughout New

5   York stood up against Cuomo during the Thanksgiving

6   Executive Order where grandma couldn't sit at the

7   table.

8   Now imagine if they were able to do

9   that without fearing of being removed from their

10 position because they're not going to enforce a

11 policy.

12   MR. LYNCH: Okay.

13   MS. ROWE-ADAMS: Thank you.

14   THE CHAIR: Thank you.

15   MR. LYNCH: Thank you.

16   THE CHAIR: Okay. On Zoom, Mona

17 Davids.

18   MS. DAVIDS: Okay, hi. Good evening.

19 Can you hear me?

20   THE CHAIR: Good evening. Yes, we can.

21   MS. ROWE-ADAMS: Good evening.

22   MS. DAVIDS: Good evening. My name is

23 Monda Davids. And I am speaking on behalf of the New

24 York City School Safety Coalition. I'm here this

25 evening to ask the Charter Revision Commission to put

1 on the ballot in November for voters to decide whether

2 to repeal New York City's Sanctuary City Laws.

3   These laws are protecting criminal

4 migrants who are committing crimes throughout the

5 city. These laws are protecting criminal gang members

6 from these countries in their organized crime

7 syndicates that are bringing drugs into New York City,

8 running sex trafficking and human trafficking

9 operations.

10   New York City Sanctuary Laws are

11 protecting criminal migrants who are raping children

12 and women in New York City and other states. New York

13 City Sanctuary Laws protected the criminal migrant

14 rapist who went on to rape and kill Laken Riley.

15   He was arrested here in New York City.

16 And he was released. And because of our laws Laken

17 Riley is dead and a family has lost their daughter.

18 Parents are worried if it's safe for their kids to go

19 to the park or the corner store. Families want their

20 children safe.

21   These criminal migrants are terrorizing

22 New Yorkers and other migrants as well. Migrants

23 living in shelters are also living in fear because the

24 criminals they fled from are in New York City as well.

25   Migrants that shoot at our police

1   officers must be deported. The NYPD corrections and

2   probation must communicate and release the information

3   of any migrant that illegally walked over the border

4   purportedly seeking asylum.

5   Any migrant that assaults, rapes, robs

6   in New York City must be handed over to federal

7   immigration authorities. It's time to let New Yorkers

8   decide with our vote if we want to continue protecting

9   criminal migrants who have no problem shooting at our

10   police officers and breaking our laws.

11   It is time to put the safety of New

12   Yorkers, our families, and our children first before

13   criminal migrants. Let us decide in November whether

14   we want to keep New York City Sanctuary Laws. Thank

15   you.

16   THE CHAIR: Thank you very much.

17   MS. ROWE-ADAMS: Thank you, Mona.

18   THE CHAIR: And by the way, thank you

19   for so many times that you've come out and testified.

20   I know everyone's busy. But we appreciate it.

21   MS. ROWE-ADAMS: Absolutely.

22   MS. DAVIDS: Thank you.

23   THE CHAIR: Next on Zoom, Minister

24   Irene Estrada-Rukaj. I hope I said that right.

25   MS. ESTRADA-RUKAJ: Hello. Can you

1   hear me?

2   THE CHAIR: Yes, we can.

3   MS. ESTRADA-RUKAJ: Okay. God bless

4   you. New York Sanctuary City Law has to be on the

5   ballot in November. Let the people vote whether we

6   want New York City to continue to be a sanctuary city

7   or have sanctuary status be removed from the city

8   charter.

9   Put sanctuary city back on the ballot

10 in November. It should be repealed or amended. And

11 our NYPD should notify immigration when illegal

12 immigrants commit crimes.

13   Stop shielding migrants that commit

14 crimes for the public safety that New Yorkers deserve

15 in the city of New York. We want this new charter to

16 allow our Mayor Eric Adams and NYPD Commissioner Caban

17 to only dictate public safety.

18   Never should the power be given to City

19 Council, who have defunded the police and created laws

20 that have allowed criminals great access to repeat

21 crimes. City Council are not law enforcement experts.

22   We support our NYPD officers. And they

23 should do their jobs. My two daughters are NYPD

24 officers. One's a sergeant for the Commissioner. The

25 other one is a detective. My son-in-law is a

1   detective. My two grandchildren are on the job now.

2   So as a parent, an NYPD mom, and to the

3   blue, we have to stand and support our police

4   officers. We have a duty to support them and to back

5   them so that we can have a safer New York.

6   Any illegal immigrant assaulting any

7   officer or any New Yorker should be deported for

8   committing their crimes. Keeping our children as the

9   safety net that aren't -- that New Yorkers have a

10   responsibility to do.

11   We need to close dangerous loopholes

12   that place the city in chaos. We cannot continue to

13   import criminals and shield them. Our city agencies

14   must work with the federal law enforcement to weed out

15   criminals that bring national threat.

16   Put this on the ballot. These policies

17   are dangerous to the residents of our city. We need

18   to put New Yorkers first. Not only as a minister, as

19   a national activist for immigration, we have worked

20   with many immigrants in New York City since 1982.

21   We do believe in diversity. We do

22   believe in giving everybody an opportunity. But what

23   is coming into our city have not been vetted. And we

24   are dealing with gangs. We're dealing with criminals.

25   And we need to make sure that we need

1   to put a stop to it. So I'm asking the City Charter

2   Revision to go ahead and put this on the ballot in

3   November and let New Yorkers make their choice.

4   We cannot allow them to seek refuge,

5   allowing them to break laws which threaten the life of

6   New York City. It is our responsibility to take our

7   power back.

8   And I am asking you today to remember

9   all 8.3 million New Yorkers who say no to this chaos

10   that we have with the migrants. And we're asking you

11   to put it on the ballot in November.

12   Let us decide what we want -- if we

13   want to have New York stay as a sanctuary or to be

14   removed. Let the New Yorkers decide. Thank you.

15   THE CHAIR: Thank you very much.

16   MS. ROWE-ADAMS: Thank you.

17   THE CHAIR: Melkis Antigua.

18   THE INTERPRETER: Quick question. Is

19   he speaking in the microphone -- the man coming after

20   me?

21   THE CHAIR: Yeah. Do that.

22   MR. ANTIGUA: (Speaking in Spanish).

23   THE INTERPRETER: Thank you so much for

24   inviting me to this hearing, this very interesting

25   hearing. In my portal account with NYSHA I received

1   an invitation to come here and that this was being a

2   revision of the statutes.

3   So I would like to say thank you. I

4   appreciate very much what NYSHA has done to me and my

5   family. They have provided me and my family an

6   apartment with my wife and my two kids.

7   So this issue is in regards to the

8   administrators of NYSHA apartments. I don't

9   necessarily mean to sanction them economically.

10   But you know, when you have issues in

11   your apartment such as, you know, your closet is

12   broken or the toilet is clogged or if your apartment

13   is suffering damages, and then when you go to the

14   administrators and you report them -- these issues --

15   there's a lot of -- something should be done because

16   it occurs often that you have to go to the office many

17   times.

18   THE CHAIR: So let me just interrupt

19   one second just to make sure he understands. So the

20   Charter Revision is not -- would not be able to really

21   do something about that. But there are people from

22   the Mayor's office here that you can speak to. And I

23   think someone's coming here to give you her card.

24   UNIDENTIFIED SPEAKER: Yes.

25   THE CHAIR: And we appreciate it. That

1   would be able to follow up for you.

2   THE INTERPRETER: Great.

3   MR. ANTIGUA: Thank you very much.

4   THE CHAIR: Thank you very much. David

5   Turner --

6   MR. ANTIGUA: Sorry.

7   THE CHAIR: No, don't be sorry. This

8   is what we're here for. You know, I've said this at

9   several meetings. Even though issues come to us that

10   are not really related to the charter and to our

11   commission, it's important that we use this

12   opportunity.

13   We have folks from the City of New York

14   that are able to hear and hopefully follow up and get

15   something done. David Turner. Thank you, sir.

16   MR. TURNER: Oh, hello. Hello, good

17   evening. I'll keep this very brief. I think it was

18   commented that the Charter Revision Commission to this

19   point to be the shortest charter revision since 2002

20   when the Bloomberg Administration tried to put forth a

21   proposal to have nonpartisan election.

22   Ultimately they decided not to put

23   forth that charter because of it being too short. I

24   believe there was even a public pushback to say, "Hey,

25   we don't want to do this. It's not going to look too

1   good."

2   All I want to ask tonight, looking at

3   this crowded audience right before us, is that there

4   is just no -- nothing before the people of New York.

5   I've been watching these charter revisions over the

6   last couple weeks.

7   I have mostly heard a lot of the same

8   people who've spoken. I just got here a few minutes

9   ago and I've already heard multiple speak who I've

10   heard in other commissions.

11   So my main question -- not question but

12   comment to put forth is just there should not be

13   something put in front of the voters.

14   This is a very, very important election

15   where there will be millions of New Yorkers going to

16   vote for not only our state senate, our state

17   assembly, our congressional, but also the presidential

18   election. So I just want to say that there not be a

19   question put forth. Thank you.

20   THE CHAIR: Thank you very much. Frank

21   Morano, I believe on Zoom.

22   MR. MORANO: All right. Sorry. Can

23   you hear me okay?

24   THE CHAIR: Yes, we can.

25   MR. MORANO: Thank you. Just to

1   piggyback off of the last speaker, I want to

2   respectfully disagree. I think that there absolutely

3   should be questions put on the ballot this year.

4   And I think the fact that there are

5   millions of voters voting this year and the fact that

6   they'll have from August until November to review

7   whatever proposals you come up with -- this is the

8   perfect year to put proposals on the ballot.

9   And as far as this whole theory of not

10   having, you know, a lot of time means that somehow the

11   work product that you come up with is

12   insufficient -- I really take issue with that.

13   The whole constitution of Japan was

14   written in something like six days. That's still the

15   constitution they use today. The length of time

16   didn't have any correlation to how effective the

17   governing document that they came up with was.

18   And the 2002 Commission, which I

19   testified before that the gentleman mentioned, they

20   came up with some very, you know, very viable

21   proposals in terms of mayoral succession which the

22   voters implemented.

23   The fact that it happened in

24   accelerated timeframe didn't do anything to change the

25   fact that the voters passed those questions

1   overwhelmingly. And we still use those today.

2   Now I wanted to comment briefly on the

3   Community Board issue. And I appreciate Chairman

4   Scissura making clear that the staff should look into

5   that and the Commission's going to make this a

6   priority.

7   The two suggestions that I wanted to

8   make which I really think will serve to empower the

9   Community Boards is, one, right now, as most of you

10   know, the Community Board members are all appointed by

11   the borough president, half based on the

12   recommendation of the City Council.

13   But that city council member

14   recommendation is just that -- a recommendation. It's

15   non-binding.

16   What I'm encouraging the Commission to

17   consider is making those recommendations from the

18   council member a binding appointment so that in any

19   community district half of the community board members

20   are appointed by the council member and half are

21   appointed by the borough president.

22   Because we have seen in Staten Island

23   and Manhattan and probably other boroughs as well

24   borough presidents rejecting council member appointees

25   and I really think that is against the spirit of what

1   the existing charter stands for.

2   Additionally I think we should look at

3   other methods to empower the Community Board,

4   including potentially that if the Community Board

5   rejects a land use application and then the City

6   Planning Commission considers that land use

7   application that it has to be approved with at least a

8   two-thirds vote by the land use application. And let

9   it escalate.

10   In addition to the current model of

11   appointments by the council member and the borough

12   president one thing that you guys may want to

13   consider -- and this is probably not going to be right

14   in time for this year -- but if there are future

15   commissions, which I sincerely hope there will be, I

16   hope that you'll put this on their agenda item

17   list -- is perhaps a portion of the Community Board

18   members could be elected.

19   Now why would you elect an entity that

20   is largely advisory? One, the commission that you

21   served on in 2017, Mr. Chairman, you actually

22   implemented term limits for 2018 --

23   THE CHAIR: 2019.

24   MR. MORANO: Term limits for the

25   Community Board. The 2019 Commission was a two-year

1   commission appointed by the City Council -- the one

2   that you served on was the 2018 Commission.

3   But the 2018 Commission implemented

4   term limits for the Community Board. So if we can

5   implement term limits I think to have actually

6   elections would increase a lot of public awareness

7   that Community Boards exist, that they can play a

8   pivotal role.

9   And I think just the increased

10   awareness of these community boards would lead to them

11   being empowered significantly more than they are now

12   and not run roughshod over by the developers that

13   appear before them. Thank you.

14   THE CHAIR: Thank you very much.

15   MS. ROWE-ADAMS: Thank you.

16   THE CHAIR: Any comments or questions?

17   Okay. Jay Sorid, also on Zoom.

18   MR. SORID: Hi. Can you hear me

19   clearly?

20   THE CHAIR: Yes, we can.

21   MR. SORID: Okay, great. Actually,

22   ironically my comments are very similar to the

23   gentleman before. I wanted to first say that the

24   written testimony ends July 12th -- my

25   understanding -- for this charter revision.

1   And in terms of public engagement I

2   would ask that the Commission can -- extends the

3   period of time to at least 30 days after the Community

4   Boards come back from recess.

5   This is the single worst time that if

6   you want to do public engagement and hear from

7   Community Boards and hear from the public and

8   everything -- Community Boards are in recess right

9   now.

10   And there's people who are on Land Use

11   Committees, Euler Committees, the whole City of Yes,

12   which do tremendous amounts of work -- they're not

13   going to be able to give any input to this.

14   So I think picking a few days after

15   this city -- after Community Boards go into recess is

16   the worst time when you could pick it. It gives the

17   appearance that you really don't want the Community

18   Boards to be part of it.

19   Section 28 of the charter. I would

20   respectfully request if the Community Boards can be

21   elected -- directly elected. There is no

22   accountability if you have appointed.

23   A lot of people on the Community Boards

24   are political hacks. They're the friends of real

25   estate developers. What they should do is they should

1 directly elect it.

2   And I'll tell you how. The way they

3 should directly elect it is they should take the

4 census-tracked areas. Community Board 9 in Brooklyn

5 in Crown Heights has approximately 43 census-tracked

6 areas. There's 50 Community Board members.

7   If you do elections based upon each

8 census-tracked area and you have at least one you

9 could have 43 seats. And then you have a second round

10 where some of the census-tracked areas will have a

11 second one.

12   That's an example of how you can do

13 direct elections if there's less than 50 census

14 tracks. If there's more, just pick the top ones to do

15 it. So I would ask for that in terms of the direct

16 elections.

17   Number two, I agree entirely with the

18 gentleman before me. The Euler process should have

19 some sort of veto. Some sort of veto exactly where

20 when it goes to the City Planning City Council there

21 should be a certain percentage that it has to pass

22 because there's a Community Board veto.

23   Additionally with regard to the Euler

24 process, what is not in the chart that most people

25 here are aware of that's online is that when you go to

1   the -- if the City Planning Commission wants to change

2   the existing Euler application it should be required

3   to go back to the Community Board.

4   There is a real problem on a lot of

5   these Euler applications that you could basically have

6   a ghost in a Community Board. The Community Board

7   says, "Okay, we don't want it."

8   Then what happens is the City Planning

9   Commission can make a little change and then the City

10   Council person could say, "Okay, we're going to

11   approve something" that the city -- that the Community

12   Board did not vote upon.

13   So in sections of the City Planning

14   Commission rules, 2-06C1, instead of it -- after

15   there's a City Planning Commission change, instead of

16   it simply being referred -- and I'm talking about the

17   modification of an application.

18   Instead of it simply being referred

19   back to the Community Board there should be required

20   to be a hearing so at this point you can't have a City

21   Council person who basically can disregard the will of

22   the community and say, "Listen, we didn't vote against

23   you. I'm voting upon something different."

24   So with regard to the Euler process I

25   would respectfully ask that the City Planning

1   Commission, if they make a change, it's required to

2   have an additional hearing that comes back to the

3   Community Board.

4   Lastly on the fair share process, there

5   should be something where the fair share process -- a

6   prior commentor said it -- it should include not only

7   city-run, let's say, homeless shelters for the

8   residential heads. And it should include not just the

9   private but also the New York State.

10   There has to be something that takes a

11   look at the oversaturation of homeless in certain

12   neighborhoods. And what goes on is a lot of Black

13   neighborhoods are dumping grounds for social services.

14   It affects the neighborhood. The neighborhood doesn't

15   like it. It reflects displacement.

16   Brooklyn is an example how you're going

17   to lose a tremendous amount of the population because

18   the ratio -- the percentage of social services that

19   they're bringing in is around 50 percent.

20   So Brad Lander, the comptroller, gave a

21   report that the only example was homeless shelters.

22   You have to also consider supportive housing because

23   when somebody leaves a homeless shelter they go into

24   supportive housing.

25   And it's the same type of situation

1   economically where the person who's in supportive

2   housing -- it's a residential bed. There has to be a

3   residential beds analysis that includes supportive

4   housing from also New York State and also private on

5   the different districts.

6   Because what you're doing is, you know,

7   it's segregating. It's segregating certain

8   neighborhoods. And they just changed -- there was a

9   lawsuit on affordable housing for community preference

10   where the community preference for affordable housing

11   went from 50 percent to 15 percent.

12   And what they should have is there has

13   to be something that says, "Look, we're segregating

14   certain neighborhoods."

15   If the New York City Law says that we

16   require on homeless in buildings of 40 units that we

17   are 15 percent, they should apply the same thing for

18   the new buildings for the supportive housing that we

19   don't have more than 15 percent supportive housing --

20   not just homeless. Because the issue is --

21   THE CHAIR: Thank you.

22   MR. SORID: -- it holds up economic

23   diversity. That's the issue. And I would ask you

24   please extend this period of time so that we do not

25   exclude the Community Boards like you're doing right

1   now.

2   THE CHAIR: Well, I would disagree that

3   we are excluding anyone. I served on a Community

4   Board for almost a decade and I was never on recess.

5   So I think anyone --

6   MR. SORID: They're all on recess.

7   They're all on recess.

8   THE CHAIR: I think anyone who wishes

9   to submit testimony or come on Zoom the way you are or

10   be here has a right to. But we'll take that into

11   consideration.

12   MR. SORID: But there's no meetings.

13   There's no Community Board meetings in the summer.

14   We're in recess. Please don't disagree with that.

15   That's incorrect.

16   THE CHAIR: Well, I disagree. But

17   that's okay. Thank you.

18   MR. SORID: In Community Board time

19   when are their meetings in the summer?

20   THE CHAIR: It doesn't mean they're in

21   recess. It means that people still -- whether there's

22   a meeting or not people still can come and testify.

23   MR. LYNCH: That's right.

24   THE CHAIR: Or come on Zoom.

25   MR. SORID: That's people. That's not

1   the Community Boards. That's people. It's not the

2   Community Boards. The rest --

3   THE CHAIR: Well, the Community

4   Boards -- I don't think Community Board Office is

5   closed for two months.

6   MS. ROWE-ADAMS: No --

7   THE CHAIR: At least the one I was on

8   did not.

9   MR. SORID: There's no meetings.

10   There's no meetings.

11   THE CHAIR: Great. Well, we'll agree

12   to disagree on this. Thank you. Special Hagan?

13   Special Hagan, I believe virtual.

14   MS. HAGAN: Can you hear me now?

15   THE CHAIR: Yes, we can.

16   MS. HAGAN: Okay. Good evening,

17   everyone.

18   THE CHAIR: Good evening.

19   MS. HAGAN: I'm speaking again. I'm

20   sorry. I tend to be really interested and passionate

21   about, like, employment -- equal opportunity and

22   employment law in general.

23   And I had some, I guess, concerns about

24   the actual Office of MWBE. But one of the things I

25   wanted to ask at first is is there -- are there, like,

1   agendas for these meetings generated beforehand?

2   Like, one-page agendas where we know

3   exactly what's going to be discussed and what specific

4   provisions of the charter are going to actually be

5   revised.

6   Because in this instance when you're

7   talking about centralizing the MWBE program, you're

8   looking at, like, Chapters 13 and Chapters 56 of the

9   City Charter.

10   How would the Office of MWBE affect

11 the, I guess, the current mandate of, let's say, the

12 Office of Procurement or MOCS or the Department of

13 Small Business Services?

14   The other piece is something that I

15 actually worked on almost 20 years ago. What is the

16 actual amendments to the executive orders,

17 specifically Executive Order 50, Executive Order 94,

18 Executive Order 108?

19   These things were in place -- the most

20 recent amendment I know of was in 1986. So you know,

21 I guess to have a more robust and informed

22 conversation I think the public should know about

23 these specific executive orders, how they come into

24 play, and exactly the types of fiscal ramifications of

25 having an agency dedicated to MWBE.

1   How does that -- what does that look

2   like? How much money are you contemplating? How many

3   staff persons? I'm going to be very frank. When I

4   worked at Small Business Services I worked on this

5   specific thing.

6   This is not the first time that, you

7   know, a mayoral administration has entertained having

8   an office -- I guess a commission, a city agency,

9   dedicated to MWBEs.

10   They were talking about this in 2006.

11   And for whatever reason it didn't come to fruition

12   under subsequent -- under Mayor Bloomberg at that time

13   and then subsequent mayoral administrations.

14   And I think what's being lost in this

15   discussion are specifics. And then not having the

16   specifics -- how does that play out?

17   My last point goes to Mr. Garner's

18   discussion of the mentorship programs and the actual

19   MWBEs that actually get awarded. Back in 2006 even

20   only a limit -- there were only a limited number of

21   mentors -- mentees in this mentorship program.

22   And that number stayed the same for

23   decades. And the question is how many mentor -- how

24   many mentees are in the mentorship program? How has

25   that number grown since 2006?

1   And then what, you know, benchmarks are

2   going to be placed with this -- the city agency now

3   that's being contemplated with the MWBE?

4   Like, the question he posed to the

5   Commission tonight that was not asked back of the

6   Commission was how many MWBEs are getting contracts

7   today?

8   And then I would dare ask how many of

9   them were getting contracts back in 2006 and are they

10   same MWBEs and are they politically-connected MWBEs?

11   These are the questions I think that need to be asked.

12   And what measures are going to be put

13   in place to ensure that the same MWBEs, same political

14   affiliations or fraternal affiliations are not getting

15   the contracts over and over again? Well, thank you

16   for your time --

17   THE CHAIR: Thank you. Appreciate it.

18   So just a couple comments. First of all, anyone can

19   speak about anything at any Charter Commission

20   Hearing. So there's really no agenda because we're

21   here to listen.

22   So people come testify. We've had

23   certain folks on panels throughout this time. But it

24   doesn't matter what the panel is on that evening.

25   People can come and speak about anything they want.

1   And we'll continue to do that. And then --

2   MS. HAGAN: That wasn't my question.

3   When I asked about the agenda I was asking about,

4   like, the topics that the Commission planned on

5   addressing on a given day. I understand that --

6   THE CHAIR: So there is no -- that's my

7   answer to your question. There is no agenda. We will

8   listen to any topic that people bring up. So tonight

9   we heard about sanctuary cities.

10   We heard about MWBE. We heard about

11   Community Boards and a couple of other items -- fair

12   share. So we'll hear everything at every meeting. So

13   my point is anyone can come and speak about anything

14   they want.

15   MS. HAGAN: Oh, okay.

16   THE CHAIR: Yeah, that's just the

17   nature of charters. At least, I've been on three of

18   them. We've done that --

19   MS. HAGAN: Right.

20   THE CHAIR: -- on all of them. We

21   listen to everyone's comments.

22   MS. HAGAN: Okay. Well, thank you for

23   answering my question.

24   THE CHAIR: You're welcome. No

25   worries. Okay. Do we have any additional -- we have,

1   yeah, bring him on up. Thank you. Okay. Heba

2   Khalil, also on Zoom.

3   MS. KHALIIL: Hi. How are you? Sorry,

4   just give me one second to settle in here. Thank you

5   so much for calling me. My name is Heba Khalil. And

6   I'm Executive Director of Emgage's New York Metro

7   Chapter. It's the country's largest civic engagement

8   organization for American Muslims.

9   I also want to thank you so much for

10   delaying the decision on RCV, on ranked choice voting,

11   to allow for more research. Ranked choice voting

12   represents significant improvement over traditional

13   voting. And I think it offers numerous benefits to

14   New Yorkers.

15   RCV promotes majority support. RCV

16   ensures that the winning candidate has broad support

17   and requires them to secure majority through voters'

18   ranked preferences.

19   And it prevents candidates from winning

20   solely because of vote splitting among similar

21   opponents -- when there's multiple people running in a

22   race that have similar platforms.

23   Secondly, RCV encourages more civil

24   campaigns. Since candidates benefit from being the

25   second or third choice of their opponent supporter

1   there is greater incentive to appeal to a broader

2   audience. And it can lead to a greater focus on

3   policy issues rather than personal attacks.

4   RCV allows voters to express their true

5   preferences without the fear of wasting their vote.

6   They can rank multiple candidates in order of

7   preference, which mitigates the problem of switch

8   agent voting.

9   Voters no longer have to choose the

10   lesser of two evils because they can vote for their

11   preferred candidate without fear of inadvertently

12   helping their least-favorite candidate.

13   RCV also can mean some more diverse

14   representation. It enables voters to support a wider

15   array of candidates, including those from minor

16   parties or underrepresented groups. RCV can result in

17   a more inclusive and representative government.

18   The diversity can bring perspectives

19   and solutions to governance. As we know, we're very

20   much bottled into a two-party system right now. RCV

21   can at least help alleviate that by allowing many

22   people with different platforms to run for office.

23   Finally, RCV can result in cost-saving

24   for election administration. In jurisdictions that

25   use runoff elections RCV eliminates the need for a

1 separate runoff, which saves money and increases voter

2 participation and consolidates the election into a

3 single event.

4   In summary, I think that ranked choice

5 voting strengthens democracy and ensures majority

6 support, encourages civil discourse, provides more

7 voter choice, and promotes diverse representation.

8   I think it's superior to regular -- to

9 the regular way that we vote. And it aligns more

10 closely with democratic ideals of fair and

11 representative elections. Thank you so much again for

12 your time.

13   THE CHAIR: Thank you very much. Thank

14 you. Okay. Any more Zoom comments or testimony?

15 Anybody else here in the audience that has not

16 testified still wish to testify? Okay, Commissioners,

17 any final thoughts before we close for the evening?

18   MS. ROWE-ADAMS: Just want to thank

19 everyone for coming out. Please spread the word.

20 Tell people to come out and have their voices be

21 heard. And that way the Commission will get a better

22 idea of what they want. It's so important that the

23 city and the community's voices be heard. Thank you.

24   MR. LYNCH: Just want to add to what my

25 colleague's saying. It's, like, please get the word

1 out to the communities.

2   Even if you have friends that live in

3 any of the other boroughs, please let them know when

4 the next meeting is because obviously from the room we

5 have people who came in tonight who gave testimony,

6 people who came out just to hear the testimony. So

7 the word is out there. It's just a matter of

8 spreading it.

9   So if you've heard about it, please

10 share it with your friend, share it with your

11 neighbor, share it with your families and ask them to

12 also come out to share.

13   And once again also when we have these

14 hearings it's open to anyone. If you want to come and

15 share your thoughts, your opinions, whatever you'd

16 like the Commission to hear from you, please come on

17 out and bring that message forward.

18   THE CHAIR: Great. Thank you.

19   REV. DAUGHTRY: Appreciate it. Thank

20 you, Mr. Chairman. Appreciate all who made their

21 voices heard. Continue to do so. It's an opportunity

22 that we should avail ourselves of. Looking forward to

23 hearing more as time goes on.

24   THE CHAIR: Thank you very much. Our

25 next public meeting will be Monday, July 8th, at the

1   Shamberg Center for Research. And that will be in

2   Harlem. I wish you all a safe and happy Independence

3   Day and 4th of July.

4   Motion to adjourn?

5   MS. ROWE-ADAMS: Motion.

6   THE CHAIR: All in favor?

7   MULTIPLE SPEAKERS: Aye.

8   THE CHAIR: Thank you very much.

9   (Whereupon, the meeting

10   concluded at 6:50 p.m.)

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