

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

DEMOCRATIC CONFERENCE OF THE COUNCIL
OF THE CITY OF NEW YORK

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December 6, 2021
Start: 10:25 a.m.
Recess: 10:52 a.m.

HELD AT: Remote Hearing (Virtual Room 4)

B E F O R E:

COUNCIL MEMBERS:
Speaker Corey D. Johnson
Adrienne E. Adams
Alicka Ampry-Samuel
Diana Ayala
Inez Barron
Justin L. Brannan
Selvena N. Brooks-Powers
Tiffany Cabán
Fernando Cabrera
Margaret S. Chin,
Robert E. Cornegy, Jr.
Laurie A. Cumbo
Ruben Diaz, Sr.
Darma V. Diaz
Eric Dinowitz
Daniel Dromm
Mathieu Eugene
Oswald Feliz
James F. Gennaro

Vanessa L. Gibson
Mark Gjonaj
Barry S. Grodenchik
Robert F. Holden
Ben Kallos
Peter A. Koo
Karen Koslowitz
Brad S. Lander
Stephen T. Levin
Mark Levine
Farah N. Louis
Alan N. Maisel
Carlos Menchaca
I. Daneek Miller
Francisco P. Moya
Bill Perkins
Keith Powers
Antonio Reynoso
Kevin C. Riley
Carlina Rivera Ydani A. Rodriguez
Deborah L. Rose,
Helen K. Rosenthal
Rafael Salamanca, Jr.
Mark Treyger
Paul A. Vallone
James G. Van Bramer
Kalman Yeger

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

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2 SERGEANT-AT-ARMS: Sergeant Leonardo,
3 please start the cloud.

4 SERGEANT-AT-ARMS: Cloud is rolling.

5 SERGEANT-AT-ARMS: Just give us a second.
6 We're checking on the stream. We are good to go.

7 MAJORITY LEADER CUMBO: Sergeant Perez, are
8 we ready?

9 SERGEANT-AT-ARMS: Yes, we are. You can
10 start.

11 MAJORITY LEADER CUMBO: Thank you. Welcome
12 to this meeting of the New York City Council's
13 Democratic Conference. My name is Laurie Cumbo and
14 I'm the Majority Leader of the New York City Council.
15 We are here today to consider Jodi Morales for
16 appointment as a Democratic Commissioner of Elections
17 for Bronx County. This position is to fill a vacancy
18 that was created when the prior Democratic
19 Commissioner for Bronx County resigned earlier this
20 year. If appointed, Ms. Morales will fill a vacancy
21 and serve the remainder of a four year term expiring
22 December 31, 2024. Commissioners receive a \$300 per
23 diem for each day of attendance at BOE meetings or
24 any of its committees with a maximum of \$30,000 per
25 year. Ms. Morales was subject to a full background

2 investigation. No adverse information, conflicts of
3 interest, or compatibility of office concerns were
4 identified. Under the default appointment process to
5 follow vacancy, pursuant to New York election law
6 section 3 - 204 subsection 5 within 45 days after a
7 vacancy occurs, the County organization must file a
8 proper certificate of party recommendation with the
9 city clerk's office. Then, the full Council can vote
10 to appoint the person designated on the certificate
11 pursuant to the New York election law section 3 - 204
12 subsection 4. However, in this case, the vacancy
13 occurred on September 13, 2021 and the Bronx County
14 Democratic Party still has not properly filed a
15 certificate with the city clerk's office as required
16 by New York election law. As a consequence, pursuant
17 to New York election law section 3 - 204, subsection
18 4, Council members who are members of the Democratic
19 party may appoint any eligible person. Eligibility
20 requirements are limited to being a registered
21 Democrat and a resident of Bronx County. To any
22 Council members have questions? Please raise your
23 hand in the queue and Ebony Meeks Laidley will--

24 EBONY MEEKS-LAIDLEY: Council member

25 Dinowitz?

2 COUNCIL MEMBER DINOWITZ: If there are
3 no questions, I'd like to make a motion for a roll
4 call vote for Jodi Morales to be appointed as
5 Democratic Commissioner of Elections for Bronx
6 County.

7 EBONY MEEKS-LAIDLEY: Thank you, Council
8 member. We have a few more hands. Council member
9 Gennaro? Council member, you're on mute.

10 COUNCIL MEMBER GENNARO: I just heard
11 in the dialog leading up to this that Bronx County
12 hadn't filed paperwork or whatever. I'm sorry. I
13 was a little zoned out when that happened. Why
14 couldn't they do that? Why are we doing this if they
15 couldn't put their paperwork together? I don't
16 follow that.

17 MAJORITY LEADER CUMBO: I apologize. My
18 Internet might've gone out. I'm not sure where I
19 left off where you couldn't hear me any longer.

20 COUNCIL MEMBER GENNARO: Yeah. You
21 made mention of the fact that Bronx County had failed
22 to file the appropriate paperwork or instrument or
23 whatever it is and--

24 COMMITTEE COUNSEL: Yes, Council
25 member. All respond on the procedural question. The

2 procedural question is the counties are allowed to
3 come within a certain timeframe, submit on their own
4 without the need for approval for the full
5 conference. So, if the timely certificate was
6 submitted, it would have been just brought forward
7 through the Bronx County delegation. But because
8 they didn't select someone in that time, it is
9 brought to the full conference. The current
10 Commissioner who just recently resigned to take a
11 different position with the BOE is in a different
12 role at BOE and that may have affected their timeline
13 in terms of submission. So, ultimately, what
14 happened was, procedurally, it didn't go through the
15 delegation and now they bring it to the full body
16 because they weren't timely in the submission.
17 That's it.

18 COUNCIL MEMBER GENNARO: Fine. Fine.

19 No problem. Thank you.

20 MAJORITY LEADER CUMBO: Are there any other
21 questions?

22 EBONY MEEKS-LAIDLEY: Council member
23 Miller.

24 COUNCIL MEMBER MILLER: Good morning,
25 colleagues. Yeah. My question was pretty much

2 consistent with what Council member Gennaro just
3 asked, but I would preface that by asking if, in
4 fact, if there were no formal correspondence, had
5 there been informal conversations with County
6 leadership about their preference for this candidate
7 or any other candidate or just the process, per se,
8 and is there a precedent for the work that we are
9 doing here this morning?

10 JASON GOLDMAN: Let me further elaborate
11 on my response to Council member Gennaro. We have
12 done this in the past. If Bronx had submitted the
13 name on time, it would have gone to Rules and then to
14 the floor, but because the submission was not
15 submitted timely, it then went to the full
16 conference.

17 COUNCIL MEMBER MILLER: Yeah. I kind of
18 get that. So, timely would have been November?

19 JASON GOLDMAN: I think it was a matter
20 of [inaudible 00:06:31]. Chuck can respond to the
21 exact timeline. We received it within a matter of
22 days. I'm not sure of the exact. Chuck, what was
23 the date that we received it in terms of timeliness?

24 CHARLES DAVID: Well, the previous
25 commissioner resigned September 13. The Bronx County

2 should have sent the Certificate of Party
3 Recommendation to the clerk by October 28. They
4 never sent it to the clerk, so the 45 days has
5 expired.

6 COUNCIL MEMBER MILLER: And when was it
7 that the Council took up this charge?

8 CHARLES DAVIS: The Council was made
9 aware of it on November 9 that a certificate was
10 voted on, but it was never sent to the city clerk.
11 It has to be sent to the city clerk within 45 days.
12 So, [inaudible 00:07:17]

13 COUNCIL MEMBER MILLER: So, this is a
14 matter of technicality here?

15 CHARLES DAVIS: Yes. Bronx voted on Ms.
16 Jodi Morales to be appointed as--

17 COUNCIL MEMBER MILLER: They voted on Jodi
18 Morales? Okay.

19 CHARLES DAVIS: It wasn't filed timely--

20 COUNCIL MEMBER MILLER: That's much
21 clearer.

22 CHARLES DAVIS: It wasn't filed timely,
23 so it doesn't go through the full Council. It only
24 goes through the Democrats of the Council. So that's
25 why we're doing a conference vote.

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2 COUNCIL MEMBER MILLER: Okay. Thank you.

3 EBONY MEEKS-LAIDLEY: Council member
4 Dinowitz?

5 COUNCIL MEMBER DINOWITZ: Hi. I think
6 Chuck just addressed it, but we did meet-- I'm less
7 familiar with the timeline-- the legalese of
8 everything, but the elected democratic district
9 leaders of Bronx County, we all did meet and did vote
10 for Jodi Morales. So, yes, Council member Miller.
11 The conversations did happen.

12 EBONY MEEKS-LAIDLEY: Thank you, Council
13 member Dinowitz. Are there any additional questions
14 or comments?

15 MAJORITY LEADER CUMBO: All right. Seeing
16 none, would someone at this time like to make a
17 motion for a roll call vote on Mrs. Morales?

18 EBONY MEEKS-LAIDLEY: Council member
19 Dinowitz?

20 COUNCIL MEMBER DINOWITZ: I think my
21 motion saw the floor, but, again, I'll make the
22 motion for a roll call vote for Ms. Jodi Morales to
23 be appointed as the Democratic Commissioner of
24 Elections for Bronx County.

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2 MAJORITY LEADER CUMBO: Thank you, Council
3 member Dinowitz. Is there a second?

4 EBONY MEEKS-LAIDLEY: Council member--

5 UNIDENTIFIED: Sorry.

6 COUNCIL MEMBER FELIZ: I second Council
7 member Dinowitz's motion.

8 EBONY MEEKS-LAIDLEY: Council member
9 Salamanca?

10 COUNCIL MEMBER SALAMANCA: Yes. I second
11 the motion, as well.

12 MAJORITY LEADER CUMBO: All right. We have
13 been seconded. Counsel, where you please conduct a
14 roll call vote on this nominee? This requires a
15 majority vote of all members of the Democratic
16 Conference.

17 COMMITTEE COUNSEL: There is a motion
18 to appoint Jodi Morales as the Democratic
19 Commissioner of Elections for Bronx County. I will
20 now call the roll. Council member Adams?

21 COUNCIL MEMBER ADAMS: I vote aye.

22 COMMITTEE COUNSEL: Ampry-Samuel?
23 Ayala?

24 COUNCIL MEMBER AYALA: I vote aye.

25 COMMITTEE COUNSEL: Barron?

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2 COUNCIL MEMBER BARRON: I vote aye.

3 COMMITTEE COUNSEL: Brannan?

4 COUNCIL MEMBER BRANNAN: Aye.

5 COMMITTEE COUNSEL: Brooks-Powers?

6 COUNCIL MEMBER BROOKS-POWERS: I vote
7 aye.

8 COMMITTEE COUNSEL: Cabán?

9 COUNCIL MEMBER CABÁN: I vote aye.

10 COMMITTEE COUNSEL: Cabrera? Chin?

11 COUNCIL MEMBER CHIN: I vote aye.

12 COMMITTEE COUNSEL: Cornegy?

13 COUNCIL MEMBER CORNEGY: I vote aye.

14 COMMITTEE COUNSEL: Darma Diaz?

15 COUNCIL MEMBER DIAZ: I vote aye.

16 COMMITTEE COUNSEL: Ruben Diaz Senior?
17 Dinowitz?

18 COUNCIL MEMBER DINOWITZ: I vote aye.

19 COMMITTEE COUNSEL: Dromm?

20 COUNCIL MEMBER DROMM: Yes.

21 COMMITTEE COUNSEL: Thank you, Council
22 member. Eugene?

23 COUNCIL MEMBER EUGENE: I vote aye.

24 COMMITTEE COUNSEL: Feliz?

25 COUNCIL MEMBER FELIZ: I vote aye.

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2 COMMITTEE COUNSEL: Gennaro?

3 COUNCIL MEMBER GENNARO: Yes.

4 COMMITTEE COUNSEL: Gibson?

5 COUNCIL MEMBER GIBSON: Good morning,
6 colleagues. I vote aye.

7 COMMITTEE COUNSEL: Gjonaj?

8 COUNCIL MEMBER GJONAJ: Aye.

9 COMMITTEE COUNSEL: Grodenchik?

10 COUNCIL MEMBER GRODENCHIK: Aye.

11 COMMITTEE COUNSEL: Council member
12 Grodenchik?

13 COUNCIL MEMBER Grodenchik: Rarely accused
14 of not being heard, but I vote aye.

15 COMMITTEE COUNSEL: Holden?

16 COUNCIL MEMBER HOLDEN: I vote aye.

17 COMMITTEE COUNSEL: Kallos?

18 COUNCIL MEMBER KALLOS: Permission to
19 explain my vote? There's always got to be one,
20 right?

21 MAJORITY LEADER CUMBO: We're looking
22 forward to it.

23 COUNCIL MEMBER KALLOS: So it's granted?

24 MAJORITY LEADER CUMBO: Yes.

25

2 COUNCIL MEMBER KALLOS: As I do with nearly
3 every appointment we vote on in the Council, I took
4 my opportunity to interview Jodi Morales who has been
5 nominated as Bronx Democratic Commissioner for the
6 Board of Elections. She is a fellow graduate of the
7 State University of New York at Buffalo and has had a
8 distinguished career for more than a decade at the
9 Bronx Defenders. In our interview, Morales has said
10 she would take on nepotism by reforming the Committee
11 for Ethical Hiring Processes. Morales says that when
12 it comes to patronage qualifications, incompetence
13 matters. Morale shares reports of difficulty
14 registering at pull sites and made a commitment to
15 register more residents in partnership with civic
16 organizations. Morales agreed that no one should
17 have to wait more than 10 minutes to vote and she
18 will at pull sites for early vote and election day to
19 do so. Morales understands the importance of paper-
20 based ballots and will support online voter
21 registration, no-fault vote by mail, and same-day
22 registration. Morales will support foreign language
23 speakers who need translation services beyond those
24 required by the Voting Rights Act. Morales
25 understands that the city Council will be voting to

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2 pass non-citizen voting and not only will agreed to
3 implement on law, but was enthusiastic to do so.
4 Despite Morales's preference for Anchor Bar over
5 Duffs, I vote aye.

6 MAJORITY LEADER CUMBO: Thank you.

7 COMMITTEE COUNSEL: Council member Koo?

8 COUNCIL MEMBER KOO: I vote aye.

9 COMMITTEE COUNSEL: Koslowitz? Lander?
10 Levin? Levine? Louis?

11 COUNCIL MEMBER LOUIS: I vote aye.

12 COMMITTEE COUNSEL: Maisel? Council
13 member Maisel?

14 COUNCIL MEMBER MAISEL: Yes?

15 COMMITTEE COUNSEL: How do you vote?

16 COUNCIL MEMBER MAISEL: You're not hearing
17 me?

18 COMMITTEE COUNSEL: Now we do.

19 COUNCIL MEMBER MAISEL: Yes.

20 COMMITTEE COUNSEL: Thank you.

21 Menchaca? Miller? Council member Miller?

22 COUNCIL MEMBER MILLER: Council member
23 Miller votes aye.

24 COMMITTEE COUNSEL: Moya? Perkins?
25 Powers?

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2 COUNCIL MEMBER POWERS: I vote aye.

3 COMMITTEE COUNSEL: Reynoso?

4 COUNCIL MEMBER REYNOSO: I vote aye.

5 COMMITTEE COUNSEL: Riley?

6 COUNCIL MEMBER RILEY: I vote aye and
7 welcome to our new colleague, Council member Cabán,
8 to our first Democratic Conference.

9 COMMITTEE COUNSEL: Rivera?

10 COUNCIL MEMBER RIVERA: I vote aye.

11 COMMITTEE COUNSEL: Rodriguez?

12 COUNCIL MEMBER RODRIGUEZ: I vote aye.

13 COMMITTEE COUNSEL: Rose?

14 COUNCIL MEMBER ROSE: I vote aye.

15 COMMITTEE COUNSEL: Rosenthal?

16 COUNCIL MEMBER ROSENTHAL: I vote aye.

17 COMMITTEE COUNSEL: Salamanca?

18 COUNCIL MEMBER SALAMANCA: I vote aye.

19 COMMITTEE COUNSEL: Treyger? Vallone?

20 COUNCIL MEMBER VALLONE: I vote aye.

21 COMMITTEE COUNSEL: Van Bramer? Yeger?

22 COUNCIL MEMBER YEGER: Aye.

23 COMMITTEE COUNSEL: Cumbo?

24 COUNCIL MEMBER CUMBO: I vote aye.

25

2 COMMITTEE COUNSEL: Speaker Johnson?

3 The vote to appoint Ms. Morales is 34 in the
4 affirmative, zero in the negative, and zero
5 abstentions.

6 MAJORITY LEADER CUMBO: Thank you, counsel.

7 The majority of the Council members who are members
8 of the Democratic Party have voted to appoint Ms.

9 Morales as the Democratic Commissioner of Elections
10 for Bronx County. The motion passes. This meeting

11 is hereby adjourned. I will also advise we are now
12 going to head right into our Democratic Conference.

13 This meeting is hereby--
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C E R T I F I C A T E

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



Date January 25, 2021