

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES,
PRIVILEGES AND ELECTIONS

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October 9, 2024

Start: 1:17 p.m.

Recess: 2:35 p.m.

HELD AT: 250 Broadway Committee Room
14th Floor

B E F O R E: Keith Powers, Chairperson

COUNCILMEMBERS:

- Diana I. Ayala
- Joseph C. Borelli
- Justin L. Brannan
- Gale A, Brewer
- Selvena Brooks-Powers
- Amanda Farías
- Crystal Hudson
- Rafael Salamanca
- Pierina Ana Sanchez

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

Uttashram Rampershad
City Planning Commission

Dr. Muhammad Khalid
Citizens Complaint Review Board

2 SERGEANT AT ARMS: Good afternoon and welcome to
3 today's New York City Council hearing for the
4 Committee on Rules, Privileges, and Elections. At
5 this time we ask that you silence all electronic
6 devices and at no time is there anyone to approach
7 the dais. If you would like to sign up for an in-
8 person testimony or have any questions during the
9 hearing, please see the Sergeant at Arms, chair will
10 read you again.

11 [GAVEL]

12 CHAIRPERSON POWERS: Good afternoon and welcome
13 to the meeting of the Committee on Rules, Privileges,
14 and Elections. I'm Councilmember Keith Powers, Chair
15 of the Committee. Before we begin, I'd like to
16 acknowledge and introduce the members of this
17 Committee who are present.

18 We have Councilmember Brewer, Councilmember
19 Borrelli, Councilmember Farías, Councilmember
20 Salamanca, and we are joined by Councilmember Sanchez
21 on Zoom, and I think we'll be joined by others in the
22 near future. I'd like to also acknowledge the
23 Committee Counsel, Jeff Campagna, and the Committee
24 staff that worked on the appointments that we will
25 hear today, Chief Ethics Counsel Pearl Moore,

2 Director of Investigations, Francesca Della Vecchia,
3 and Deputy Director of Investigations, Alicia
4 Vassell.

5 Today we will be holding a public hearing on two
6 nominations for appointment.

7 We will be considering the reappointment by the
8 Queensborough President, Avraj Rampersad, as a member
9 of the City Planning Commission, and the appointment
10 by the Council of Dr. Mohammed Khalid as a member of
11 the Citizens Complaint Review Board.

12 Our first public hearing will be on the
13 nomination for the City Planning Commission.

14 By letter dated September 23rd, 2024,
15 Queensborough President Donovan Richards requested
16 the Council's advice and consent pursuant to Sections
17 31 and 192 of the New York City Charter for the
18 proposed reappointment of Avraj Rampersad, a resident
19 of Queens, to serve as a member of the City Planning
20 Commission for the remainder of a five-year term
21 expiring on June 30th, 2028.

22 Before I introduce the candidate, I want to
23 review the functions and membership qualifications of
24 the CPC. The City Planning Commission is responsible
25 for the conduct of planning related to the orderly

2 growth, improvement, and future development of the
3 City, including adequate and appropriate resources
4 for the housing, business, industry, transportation,
5 distribution, recreation, culture, comfort,
6 convenience, health, and welfare of its population.

7 The CPC is also responsible for the review of,
8 and has the veto power over, all proposals to change
9 the zoning map, the city map, and the text of the
10 zoning resolution, site selections for city capital
11 projects, all major concessions, proposed franchises
12 and revocable consents that the Department of City
13 Planning determines would have land use impacts,
14 proposed housing and urban renewal plans pursuant to
15 state and federal law, sales, acquisition, leases, or
16 other dispositions of real property of and by the
17 City, and the granting of special permits pursuant to
18 the zoning resolution.

19 The CPC oversees the implementation of laws that
20 require environmental reviews of actions taken by the
21 City, in particular, the City Environmental Quality
22 Review, known as CEQR, by a common name, State
23 Environmental Quality Review Act, SEQRA, and the
24 National Environmental Policy Act.

1 The CPC assists the Mayor and other officials in
2 developing the 10-year capital strategy, the four-
3 year capital program, as well as an annual statement
4 of needs. The CPC is also responsible for various
5 rules, establishing the minimum standards for
6 certification of applications subject to the Uniform
7 Land Use Review Procedure, commonly known as ULURP,
8 establishing the minimum standards and procedural
9 requirements for community boards, borough
10 presidents, borough boards, and the Commission itself
11 in the exercise of their duties and responsibilities
12 in ULURP, establishing specific time periods for pre-
13 certification review of applications subject to
14 ULURP, establishing the procedures for environmental
15 reviews required by law, including the procedures for
16 the preparation and filing of environmental
17 assessment statements and environmental impact
18 statements, establishing the minimum standards for
19 the form and content of 197A plans, listing major
20 concessions, or establishing a procedure for
21 determining whether a concession is defined as a
22 major concession.
23

24 The CPC also has the power to modify any
25 amendments proposed by the Mayor to change the rules

2 governing site selection and the fair distribution of
3 city facilities. It also has the exclusive power to
4 propose additional categories of land use actions to
5 be reviewed pursuant to ULURP, subject to enactment
6 by the Council.

7 The City Planning Commission consists of 13
8 members with a chair and six other appointments made
9 by the Mayor, one by the Public Advocate and one by
10 each borough president.

11 Members are to be chosen for their independence,
12 integrity, and civic commitment. The appointments of
13 all members except the Chair are subject to the
14 advice and consent of the City Council. CPC members
15 except for the Chair, who serves at the pleasure of
16 the Mayor, serve for staggered five-year terms, which
17 begin the day after expiration of the previous term.

18 For purposes of Chapter 68 of the Charter, CPC
19 members other than the Chair shall not be considered
20 regular employees of the City.

21 CPC members are prohibited from holding any other
22 City office while they serve on the CPC. There is no
23 limitation on the number of terms that one may serve.

2 The member who is designated as Vice-Chair
3 receives an annual salary of \$73,855. The other
4 members receive an annual salary of \$64,224.

5 Today the Queens Borough President requests the
6 City Council's advice and consent to reappoint Raju
7 Rampershad, a resident of Queens, as a member of the
8 City Planning Commission.

9 He has served on the CPC since his initial
10 appointment in October of 2021. If you can come join
11 us up front at the table, we'll ask you when you sit
12 to please raise your right hand so you may be sworn
13 in.

14 We'll give you a second to get ready.

15 COMMITTEE COUNSEL: Do you affirm that you will
16 tell the truth, the whole truth, and nothing but the
17 truth in your statement to this committee and in
18 answer to all Councilmember questions?

19 MR. RAMPERSHAD: Yes, I do.

20 CHAIRPERSON POWERS: Thank you. Great.

21 Thank you. You can sit down. Turn your mic on
22 and we'll allow you an opportunity to make an opening
23 statement.

24 After that we'll take questions from the
25 committee and from myself, but welcome and

2 congratulations on your re-appointment and you can
3 give an opening statement if you please.

4 MR. RAMPERSHAD: Thank you. Good afternoon,
5 Chair Powers and members of the Committee on Rules,
6 Privileges, and Elections.

7 Thank you for allowing me to testify today. My
8 name is Uttashram Rampershad, known to many of you as
9 Raj. Before I begin, I would like to thank
10 Queensborough President Donovan Richards, Jr. for
11 nominating me to serve another term as City Planning
12 Commissioner.

13 If I'm confirmed, I will continue to approach
14 this position with respect, integrity, and
15 independence. It is truly an honor and privilege to
16 be a commissioner.

17 CHAIRPERSON POWERS: Can you just put the mic a
18 little closer? I'm sorry.

19 MR. RAMPERSHAD: Do you want to start back? Do
20 you want to start back? I still feel nervous, even
21 though--

22 CHAIRPERSON POWERS: It's all right. You're a
23 pro at this.

2 MR. RAMPERSHAD: I, like many in the world's
3 borough, am a son of immigrant parents who came to
4 America from Guyana seeking the American dream.

5 They worked hard to create the best life for my
6 brother and me. I'm a lifelong resident of Richmond
7 Hill, Queens. My dad worked at Liberty Line buses
8 and later served in the United States Air Force.

9 My mom worked in Key Food Supermarkets for nearly
10 30 years and eventually opening her own grocery store
11 in Queens, in which I served as a cleaner, cashier,
12 delivery man, helped work the counters for almost 23
13 years.

14 It was there where I was able to develop a sense
15 of community and learn the meaning of hard work and
16 really appreciate the value of having money and not
17 having money. My brother, who also worked there,
18 served in the New York City Police Department before
19 his passing.

20 I was privileged to begin my architectural career
21 at New York City Technical College, where I received
22 an associate degree in architectural technology and
23 then finished my bachelor's degree at Pratt Institute
24 and graduated with honors. My architectural career
25 led me to work for a firm in which I was able to

2 develop an expertise in both zoning and code
3 analysis. I also had the honor of serving for 13
4 years as a member of Queens Community Board 9, where
5 I eventually was elected as chair.

6 It was there where I firsthand saw the importance
7 of community and having meaningful input into
8 important land use decisions, and this principle has
9 guided me.

10 During my term so far as commissioner, this
11 background has informed me in my decision-making.
12 The City Planning Commission is an independent body,
13 and the commissioners should be independent. While
14 my votes at times may not align with the majority, I
15 know my independence fosters public confidence in the
16 planning process. Public service is at the core of
17 who I am, and I will continue to consider each
18 project before the commission on its own merits and
19 vote in what I believe is in the best interest of New
20 Yorkers. I'm happy to answer your questions.

21 CHAIRPERSON POWERS: Thank you. We've also been
22 joined by Councilmember Brooks Powers and
23 Councilmember Brannan as well.

24 I want to ask a couple questions.

2 One of the things we often hear as we deliberate
3 on applications in ULURP, and you guys are part of
4 that process as well, is really how to best
5 incorporate community input and feedback into those
6 plans. We understand the complicated nature of
7 working through a lot of these applications, but it's
8 something we hear frequently. I want to hear-- this
9 is your reappointment. Can you talk about, in your
10 experience, how the CPC can and maybe should-- does
11 presently, but also other ways and opportunities that
12 you might incorporate input and feedback into the
13 process, and any recommendations you have that could
14 improve that, as something we hear kind of frequently
15 from folks.

16 MR. RAMPERSHAD: And I'm speaking from my days,
17 remembering the community board days. I feel
18 community engagement is critical for all these
19 projects, and I do know that the city planning does
20 have scheduled meetings that they meet with community
21 board land use committees and the full board, but I
22 also feel that we should probably also reach out a
23 little further to local civics and other
24 organizations.

2 To me, I would suggest-- it's only a suggestion,
3 that besides using social media and outlets, I think
4 that they should do more community events outside of
5 community board meetings in terms of, like I said,
6 engage with local leaders and local civic
7 organizations to set up meetings so they can have
8 more outreach that way.

9 CHAIRPERSON POWERS: I appreciate it. I wanted
10 to-- I'm going to go to Councilmember Brooks-Powers,
11 because she has to leave shortly, and she is one of
12 your Queens Councilmembers, but I wanted to just ask
13 one or two more questions before I do that.

14 Obviously, the City Council right now is going to
15 be voting on, or having upcoming hearings on the
16 Mayor's proposal, housing proposal, which just came
17 through the CPC. Can you give us your thoughts and
18 feedback on that? You voted on it, and can you give
19 us your thoughts, feedback on it, and talk a little
20 bit about the City Planning Commission's, the outcome
21 of the City Planning Commission? I know they made
22 some modifications around campus proposals and other
23 pieces of it, but I wanted to just, obviously, it's a
24 topic of a lot of discussion, including in Queens

2 right now, and give us your thoughts and feedback on
3 that, and clarify, did you vote in support or?

4 MR. RAMPERSHAD: I voted in support, but I also
5 voted when I voted, because you have to vote on it on
6 a whole. And I had issues in which I stated in my
7 statement, I had main issues with the ADUs.

8 I work in an architectural firm, and when we
9 practice, we file jobs. And one of the big issues I
10 had was: how is someone going to create an ADU in
11 their backyard? How do you file this with the
12 building department? What code regulations are going
13 to be implemented? Besides areas that are prone to
14 flooding, which I know they're not supposed to be in
15 those areas, but I had concern about the cost to the
16 homeowner, the tax implications, the code use, like I
17 said, and I also had issues with the side yards, or
18 the yard requirements, because you have a reduction
19 in the waiver of parking.

20 So those, I know in Queens especially, I have a
21 two-family house, but I still need my car and I need
22 to be able to park.

23 I understand that this relaxes the zoning
24 regulations to waive parking. I get that. And with
25 the side yards, to me, I think limiting the side

2 yards from, say, eight to five feet, I think is kind
3 of not something I agree with, and I know I was kind
4 of vocal internally by when we had these meetings, I
5 always would ask them to give me a briefing or
6 updates of what changes may be happening. That's why
7 during my voting, I had asked, I requested if council
8 could look at these sections of law with the ADUs,
9 with the, I should have it here, sorry, I wrote it
10 down.

11 ADUs, the yard requirements, and actually the
12 parking restrictions, because I do feel that parking
13 should still be required, in my personal opinion.

14 And I feel it leads to a better-- Especially in
15 Queens, because I know in Queens, a lot of the
16 residents were very vocal during our 13, nearly 14-
17 hour hearing that we had.

18 The other thing I was very vocal about also was
19 the transit. I also requested that city planning put
20 those maps on ZOLA, so everyone has access to it to
21 know, because I don't know if I'm in the transit
22 zone.

23 CHAIRPERSON POWERS: You mean the transit-
24 oriented development department?

2 MR. RAMPERSHAD: Yes, I'm sorry, yes. Both the
3 inner and outer, because there's certain areas that
4 are considered in a transit zone, but there's a train
5 that's only running every 45 minutes, 48 minutes.

6 And I can't imagine someone coming home, waiting
7 48, 45 minutes, and having to commute that way.

8 But my biggest issue, like I said, was with the
9 ADUs, and they know how I felt about it. And to me,
10 I personally said that I think that it should be
11 removed, the detached ones.

12 Even the ones where they allow you to convert
13 your attic or a basement into an apartment, I think
14 the code requirements should be more clear. And I
15 didn't see that, and that's what was my main concern
16 with that, and that's why I was voicing my opinion
17 about that.

18 CHAIRPERSON POWERS: Understood. And just to
19 clarify, you said that you think the ADU-- the
20 detached ADUs should be removed and potentially keep
21 in the ones where you're doing it.

22 MR. RAMPERSHAD: Yeah. I think they need to be
23 clear with the code, what state regulations are going
24 to be implemented. I mean, we have to worry about--
25 You're inside a fire district, you're not allowed to

2 have a three-story wood frame, which means if that's
3 the case, then what's going to happen? They're going
4 to have to sprinker their house. Sprinklers can
5 cost up to 30, 40 grand, depends on what you have to
6 do, because you may have to bring in a new line
7 coming in.

8 That was the issue also with the ADUs. How's the
9 sewer connection going to happen? Are you connecting
10 through the house? Where's the code? Where's the
11 section of the law that says you can do that? I was
12 also worried about the fire department's regulations
13 on this. I know they said they had a lot of
14 meetings, but I don't know--

15 CHAIRPERSON POWERS: Can I ask you a follow-up
16 question? This is like a zoning proposal around how
17 to-- and I appreciate the nuances, because this is a
18 complicated conversation we're all having right now,
19 but is the belief that there won't be a DOB or FDNY
20 regulations that will follow, to then answer those
21 questions? Is that the concern, that there won't be?

22 Because it's my sense that if we authorize them,
23 then the DOB will be required and the fire department
24 and other agencies will be required to actually take
25 action to address some of those issues.

2 MR. RAMPERSHAD: I think there will be a
3 regulation. I just don't know how fast the city
4 agencies will work together to make sure a plan like
5 this is successful. I know they were anticipating
6 just a small increment of additional dwelling units
7 through these ADUs, but it would be great to see that
8 sections of the law have already been implemented for
9 this, like right now, because if this does get
10 approved in December and they implement it in
11 January, and people in the professional community
12 start filing, I just don't know how DOB will react,
13 how they review the applications. That was one of
14 the things I was bringing up with them.

15 CHAIRPERSON POWERS: One last question, and then
16 I'll hand it over to colleagues. I understand your
17 concerns with the plan. You voted in support of it,
18 so can you talk about the items in there that you
19 support and what parts of the plan led you to
20 ultimately vote in support of it?

21 MR. RAMPERSHAD: The whole idea, I know we need
22 housing, and I know besides the amount of homeless
23 that are in the city of New York, which is-- I
24 remember when I was on the community board, we were
25 talking about 60,000, then it went up to 70, then 80,

2 90, then you're talking about families, children, and
3 I think there needs to be an opportunity to create
4 more affordable housing, and I truly hope it's more
5 affordable. Because one of the things I'm always
6 concerned with is these jobs get approved, and I
7 don't know what really gets built out there, and it's
8 a big concern, as you can see by the number of people
9 that's out in the street.

10 But I do feel like the plan can help generate
11 additional affordable housing and create an
12 opportunity, both, I guess, in the private sector for
13 developers building and people to have an opportunity
14 to hopefully find new homes within the community that
15 they live in.

16 CHAIRPERSON POWERS: Got it, appreciate it.

17 I'm going to go over to Councilmember Brooks-
18 Powers to ask a few questions.

19 COUNCILMEMBER BROOKS-POWERS: Thank you, and
20 thank you for your testimony and your service. I
21 looked at your attendance record, and it's quite
22 stellar, which shows your commitment to the
23 commission.

24 MR. RAMPERSHAD: I try to make sure I move
25 everything around to make sure I'm there, and it's

2 something that's of great importance, even with the
3 community board, it's the same way.

4 COUNCILMEMBER BROOKS-POWERS: Absolutely, and as
5 a Queens person myself, and seeing a lot of
6 development in my district, obviously appointment and
7 reappointment in this role is critical for the future
8 well-being of our districts there.

9 And so I know you mentioned, like, you don't
10 always vote the same way as the full commission.

11 Can you give a couple of examples of when you may
12 have voted differently, and what was the reason for
13 that?

14 MR. RAMPERSHAD: Sure.

15 COUNCILMEMBER BROOKS-POWERS: And then I'm just
16 going to ask-- Go ahead, and I'll ask my next
17 question.

18 MR. RAMPERSHAD: Oh, sorry. So I'll give you--
19 Borough-based jails, I voted no. Queens, the two
20 bridges, I also voted no.

21 Queens innovation, I voted no. Queens
22 innovation, I voted no because initially I thought
23 they could have put more affordable housing in the
24 project. It was multiple blocks that were involved
25 with the rezoning, proposed rezoning, and I know they

2 were back and forth with the applicant, and I know
3 they always-- You always hear the term, "I'll get
4 back to you", or "we're going to look at this a
5 little further", but at the time of the voting, I
6 didn't see any change that was made with regard to
7 the number of affordable that they were going to
8 increase. So for me, in my heart, I couldn't do it,
9 so I voted against-- voting no, and I ended up
10 passing on the commission that one.

11 Same thing with two bridges, I actually just got
12 on the commission, literally. I was on maybe a few
13 weeks, but the same thing, I was watching my video on
14 that one, and I felt the same way, and that one I
15 felt, like once again, I usually, when I look at the
16 reports that we get, I look at what the community
17 board states, if it's not full community board and it
18 was a land use report, look at that, and listen to
19 the testimony.

20 There have been many times when people come to
21 me, and I brought my books because normally what I do
22 is I write down everyone's name who's testifying, and
23 I jot down little notes, and the one for city-- Yes,
24 by the way, I have a different book for that because
25 there's so many, but I thought it's important

2 because, you know, especially when you're not from
3 the neighborhood or that community, it's important to
4 understand where that person is coming from. And
5 another thing I always would like to do is I try to
6 go to the site prior to the vote just to see it for
7 myself, to see what's happening. Just because you
8 see it on paper doesn't mean you know it. Just
9 because you read it in newspapers doesn't mean you
10 know it. You have to go there.

11 And luckily-- Not luckily, but because I feel
12 like I do that, I feel like a little bit more better
13 in terms of I see what the department's point of view
14 is on it, but I got to get it from my own
15 perspective, and the only way to do that is to do it
16 on my own by going there.

17 COUNCILMEMBER BROOKS-POWERS: Also, just in line
18 with the votes that you've taken, there have been a
19 number of actions taken in the 31st Council District,
20 particularly in the Rockaway community, and I always
21 think it's important for us after we make decisions
22 to take a look back to see how those decisions may
23 have ended up, if there were things that you would
24 have maybe have looked to see done differently, or if
25 you think it was perfect.

2 I'm curious to know about some of the
3 developments that took place, in Rockaway in
4 particular, what your thoughts are on them, and I
5 hear you and your commitment to housing.

6 But with CPC, you have a unique opportunity to
7 look beyond just housing, but looking to a full
8 community development, so I'm just trying to see
9 where those gaps may have been during those votes.

10 MR. RAMPERSHAD: Right. It's a great question,
11 because one of the things I know I've also mentioned
12 internally is I think we should get updates on
13 projects that were approved. That was one of my
14 concerns was: It gets approved, but does it actually
15 get built? And it's not only in the Rockaways, it's
16 citywide.

17 And I know some do get built, some probably get
18 sold to another developer, because we're only
19 approving the zoning, right? Whenever they show us
20 this image, it's not really necessarily what's going
21 to get built.

22 And when I look at a lot of these projects,
23 especially in the Rockaways, I know that there's
24 always, obviously the flooding is totally in a flood
25 zone, I know there's a big issue with emergency

2 services and healthcare. I also look at the schools,
3 the number of seats for children and families,
4 because I take it from my perspective with my nieces,
5 I wanted them to get into a school, I wanted them to
6 get into a charter school, they couldn't get in, all
7 the seats were taken, just as an example.

8 So, I think back about that too.

9 And I really wish, I can't answer specifically on
10 a particular project, because afterwards we don't go
11 back to see that, unless I read something in the
12 papers, or if it's actually in my community, then
13 I'll know it better.

14 COUNCILMEMBER BROOKS-POWERS: But to that point,
15 some of these votes took place maybe a year or so in
16 between one another, so did you ever look to say,
17 "Okay, well we just voted for this large project, and
18 now we have another large project, maybe we should
19 add in transportation or something with
20 infrastructure." Or to your point, schools or
21 healthcare.

22 MR. RAMPERSHAD: And I mentioned that on several
23 applications in the past, when something like that
24 comes up, what is the developer going to do to
25 improve the infrastructure? Or is it something that

2 I guess they're negotiating with the city, whether
3 it's DEB or DOT, and a lot of times we hear the same
4 comment that "we're in talks with them," or "they're
5 aware of it,"

6 I don't necessarily know what happens after that,
7 and that's something, you bring up a great point with
8 that, because a lot of these projects, and Queens
9 Innovation was another one where I also brought that
10 up, because this is major, major constructions on
11 city blocks, and it will have a major impact on all
12 the existing residential, commercial-- all the
13 residents in that community, where we already know
14 the infrastructure, especially in Queens, the DEP,
15 the sewer system is overloaded, as we can see, but
16 every time we get a major storm with the flooding,
17 it's a complete nightmare.

18 I can't even speak to how they would probably
19 correct that, but it's something that needs to be
20 acknowledged, and DEP, I would hope, is able to
21 rectify as best of their ability.

22 COUNCILMEMBER BROOKS-POWERS: And to that point,
23 with the City of Yes, it's going to, as you mentioned
24 before, it's going to lighten some of the guidelines
25 around development, and in light of the

2 infrastructure dynamic in Southeast Queens broadly,
3 not just even in my district, but Southeast Queens
4 that has high water tables, coastal flooding, what do
5 you-- Because the commission approved the City of
6 Yes, how will the City of Yes be able to address that
7 dynamic in Southeast Queens? Did the commission make
8 any amendments to it that would take into account
9 certain communities?

10 And I know you've mentioned it doesn't include
11 certain flood zones, but some of the flood zones are
12 not comprehensive, so it may have like Edgemere on
13 there, but it doesn't have Far Rockaway or Rosedale,
14 so all of the communities are not reflected, or even
15 I would argue in Councilmember Williams' district,
16 where people lost lives about two years ago in
17 Hollis, now in Councilmember Lee's district, how are
18 we going to protect that? Because when we loosen the
19 regulations, the Councilmembers individually, we no
20 longer will have a say on some of this development.

21 MR. RAMPERSHAD: Right, and I know they were
22 saying that-- Well, first of all, at Rosedale, I'm
23 glad you mentioned that. We were doing a job in the
24 office where it's not in a flood zone, they were
25 excavating, they hit water at four feet, and it

2 didn't show up on the boring. They took holes at
3 different locations. So I understand in terms of,
4 just because you're not in a flood zone doesn't mean
5 you're not going to have flooding, or the water's not
6 going to be high.

7 COUNCILMEMBER BROOKS-POWERS: That's why it's a
8 high water table, because we have that.

9 MR. RAMPERSHAD: And it's a great point, and I
10 feel like that needs to be looked at further, 100%,
11 because I do feel that that flood zone map should be
12 investigated further to see locations like Rosedale,
13 as you're mentioning, St. Albans, too, had sections
14 with high flooding.

15 COUNCILMEMBER BROOKS-POWERS: And Ray Park.

16 MR. RAMPERSHAD: Yes, and Ray Park, and all the
17 Rockaways. I'm trying to think of another. Even
18 Ozone Park, as well.

19 It's just spread out, but maps don't capture
20 that, and that can be a real concern, as you're
21 mentioning. And I just hope that the city agencies
22 can work with, I guess, FEMA, to update these maps to
23 properly reflect that.

24 COUNCILMEMBER BROOKS-POWERS: But in the, you all
25 took a vote on City of Yes. Did the commission put

2 anything in there that's going to address that, or
3 ensure that there is, you know, some framing, so that
4 we don't further threaten the resiliency of these
5 communities?

6 MR. RAMPERSHAD: Yeah, I don't recall seeing any
7 modifications to that section. I would have to look
8 back in my notes to confirm that, but I don't recall
9 seeing that.

10 COUNCILMEMBER BROOKS-POWERS: Home ownership is a
11 critical pathway to build generational wealth for
12 families in Southeast Queens and across New York
13 City. What responsibility does CPC have to advance
14 the development of new home ownership opportunities?

15 MR. RAMPERSHAD: Yeah. Well, home ownership--
16 And I think back to my family, my parents, they
17 worked three jobs to get the house that we have
18 today, and my parents are living with me right now,
19 and it's the greatest thing.

20 And I feel like we need to create an avenue, a
21 stronger avenue, to create more affordable housing.
22 And, you know, it's funny, a while back, I went on
23 Housing Connect just to see how to navigate that
24 application. I'll tell you the truth, I struggled.

2 COUNCILMEMBER BROOKS-POWERS: We can have another
3 conversation about that.

4 MR. RAMPERSHAD: I struggled, because I was
5 thinking about, you know, we are creating affordable
6 housing, and people, I know they flood the system to
7 try to apply, but when I look back on it, I think
8 it's very difficult to navigate and try to apply for
9 a home in your community.

10 And I do feel like we need the city in general,
11 I'm speaking, I guess, out of terms, because I think
12 the agency needs to really look at how to make that
13 easier for homeowners, for an everyday person to be
14 able to go through it, whether or not, maybe they can
15 do more seminars, more, or create more events to help
16 train and teach people how to navigate and how to
17 create, how to go in and try to find a place within
18 your community.

19 COUNCILMEMBER BROOKS-POWERS: And I mean, I hear
20 you, and I sense a bit of shift of burden towards the
21 city agencies. But I would argue that CPC also has a
22 responsibility to ensuring and envisioning pathways
23 to homeownership, especially when developers are
24 coming to CPC, because a lot of times when they come
25 to me, they say, "Well, we've gone in with this as an

2 idea, and here's what we got back in terms of how we
3 get prioritized." So CPC is shaping the outcome of
4 these applications, and it may not be in alignment of
5 what the community necessarily wants. At the end of
6 the day, it's looking to rightfully build housing,
7 which we need.

8 And I'm in support of, but it unfortunately does
9 not take into account the type of housing that is
10 needed, where people want pathways to homeownership,
11 being able to afford it, because being able to have
12 the mixed household incomes is important, too,
13 because we have people who are civil servant workers
14 that don't make low enough for deep affordability,
15 but don't make enough for market rate. How do we
16 address that?

17 And then again, going back to the resiliency and
18 the climate change that exists today, it's not even
19 in the future anymore, it's here. And I think CPC
20 has a role to play in ensuring that our
21 infrastructure is future-proof.

22 So sitting there and approving the City of Yes,
23 but knowing that the infrastructure is not going to
24 support certain development, I think CPC missed an
25 opportunity to be able to make those modifications.

2 But it now shifts the burden onto the Council,
3 but it is refreshing to hear your perspective,
4 because I do get a sense that you do look at it in a
5 granular way like that. And so likely you'll be
6 reappointed, but I hope that you're taking in these
7 comments as you move forward in that role, and
8 working closely with the Councilmembers, too.

9 Because we're on the ground, we're talking to the
10 community boards and the members of the community.
11 So that it's not that we have to wait until it gets
12 to the Council to address these things, it can be
13 addressed, and then we can continue to move that
14 needle when it gets to the Council stage of this
15 conversation.

16 MR. RAMPERSHAD: And I appreciate those comments,
17 too, because I really wish-- I know, when I look at
18 these-- First of all, when the project comes to us,
19 we don't know what the-- The project spends probably
20 a year, I guess, going through the whole back and
21 forth with CPC before it comes to us for
22 certification, but I do know there have been times
23 when the project, when it's certified, and it goes
24 through the ULURP process, and they come for a
25 hearing, and they tell us about their project. There

2 have been many times where we-- Well, I know I've
3 pushed back and asked for additional information,
4 whether it's more affordable housing, what are you
5 doing to-- In terms of-- Well, infrastructure was
6 another thing I asked on a lot of the projects. I'm
7 just trying to think of other projects I can just
8 call out to you.

9 COUNCILMEMBER BROOKS-POWERS: And when I talk
10 about infrastructure, just to clarify, I don't only
11 mean the roads and the sewers. I mean health, too.

12 MR. RAMPERSHAD: Yeah, health. That's another
13 big thing. And that was another issue with, say,
14 Queens Innovation. That changes the landscape of a
15 community. And Two Towers would also change the
16 landscape of a community, because I think that was
17 2,700 units.

18 COUNCILMEMBER BROOKS-POWERS: Well, imagine
19 Rockaway. We have Rockaway East.

20 MR. RAMPERSHAD: And Rockaway was another one.
21 Right. Arbor East was a huge project.

22 COUNCILMEMBER BROOKS-POWERS: We have Edgar
23 Commons.

24 MR. RAMPERSHAD: Yes.

2 COUNCILMEMBER BROOKS-POWERS: We have a lot
3 that's going on right now, and no trauma facility
4 there.

5 MR. RAMPERSHAD: I was about to say, I think it
6 was only the St. John's one, but that's--

7 COUNCILMEMBER BROOKS-POWERS: It's not a trauma
8 hospital.

9 MR. RAMPERSHAD: Right. That's not trauma. And
10 when I was looking at the questions, I was thinking
11 back. Two years ago in Queens, they used to have
12 Mary Magdalene Hospital that closed, St. John's
13 Hospital that closed.

14 COUNCILMEMBER BROOKS-POWERS: Peninsula Hospital.

15 MR. RAMPERSHAD: And then Peninsula was the third
16 one I was going to say. And then, you know, now
17 Elmhurst gets overwhelmed. Jamaica Hospital gets
18 overwhelmed.

19 COUNCILMEMBER BROOKS-POWERS: Yes.

20 MR. RAMPERSHAD: And to me, that should raise a
21 red flag, because this should be a top priority to be
22 looked at and developed. Schools and hospitals.

23 COUNCILMEMBER BROOKS-POWERS: Yes. Thank you.
24 Thank you. Thank you so much for your service.

25 MR. RAMPERSHAD: Thank you.

2 COUNCILMEMBER BROOKS-POWERS: Thank you, Chair.

3 COUNCILMEMBER BRANNAN: Thank you, Chair. Thank
4 you, Raj.

5 I appreciate your candor today. I have some
6 questions. I have some questions from the Majority
7 Leader who had to step out that I wanted to ask, but
8 some of them are-- Why are we getting a little Sonic
9 Youth over here? But some of these are relevant to
10 my district as well, so I told her I'd ask.

11 So, there's been a number of instances in which
12 city planning has approved major neighborhood
13 rezonings based on environmental reviews that failed
14 to accurately estimate the reasonable worst-case
15 development scenarios. Most notably, CPC upzoned
16 downtown Brooklyn and LIC with the expectations that
17 new construction would consist of office buildings,
18 but residential use was also allowed. The result was
19 a major influx of new residents without any required
20 environmental mitigation or infrastructure
21 investment.

22 So given CPC's failure to estimate and mitigate
23 environmental impacts on large neighborhood rezonings
24 in the past, why should my colleagues and I, and the
25 public they represent, have the confidence in the CPC

2 and the CPC's environmental review process as it
3 relates to the City of Yes application?

4 MR. RAMPERSHAD: Well, with regards to that, I
5 believe-- Well, I think that-- Well, I would assume
6 this, when-- Before the proposal came to us and
7 before it was certified, that it had gone through the
8 process of, you know, the whole secret process in
9 terms of evaluating for-- I'm going to get my other
10 sheets out here, sorry.

11 I was going back through some of these things,
12 some of these lists of items. I feel like before
13 the-- I would assume, because I wasn't part of that
14 process there, but I would assume the agency has a
15 role in making sure that all these items are
16 evaluated prior to putting out a proposal like this
17 and seeing what the impacts are.

18 And I understand from the community's point of
19 view when they see projects like this. And yeah, I
20 would hope that they would-- Just trying to find the
21 right words to say, because it's something that I
22 wasn't, you know, I don't know what the inner house
23 was before it hit us. But I do know that when the
24 projects are introduced, that I know myself along
25 with other fellow commissioners question some of the

2 proposed zoning areas or proposed projects that are--
3 that may impact certain communities. I'm just trying
4 to find one last comment that I wanted to say about
5 that. I'm sorry. Because I did write stuff down
6 about hitting on one of the questions you just asked.

7 Pardon me a second. Because I know I wanted to
8 say something about that directly. I mean, the more--
9 - the only thing I can really wrap up and say with
10 that is that I hope that the-- through-- I don't want
11 to say the, that's not right here. I don't believe
12 in the one-size-fits-all process.

13 I do believe that every community should be
14 looked at individually and the agency should take it
15 upon themselves with the staff that they have to
16 closely investigate every single community before--
17 especially for a proposal like this and see what
18 they're proposing, how much of an impact it's going
19 to have for them, for the communities.

20 COUNCILMEMBER BRANNAN: So, and this is related
21 in your pre-hearing questions, you wrote about your
22 vote against the Queens Resiliency Project based on a
23 lack of important information in the project summary.

24

25

2 Could you discuss that application and your
3 deliberations with your colleagues about the lack of
4 a project summary?

5 MR. RAMPERSHAD: The Queens Innovation? That one
6 there was primarily because of not enough affordable
7 housing for everything that they were getting,
8 because they were rezoning, I believe it was three
9 city blocks, roughly, near Long Island City,
10 Sunnyside area, and they were creating open space for
11 the community, but I also wasn't comfortable with the
12 type of open space that it was.

13 I know they had multiple designs come up, and at
14 the last second, the 11th hour, they came up with
15 another design based upon feedback or pushback that I
16 know some of the commissioners had. But at that
17 point when I saw it, it was, you know, I said, "You
18 could have done this earlier in the process," so for
19 that, that's one of the reasons, and the affordable,
20 number of affordable that they were proposing was
21 not, in my opinion, something-- I thought they could
22 have gone higher with the numbers on that one.

23 Most recently, the last one we just voted, I
24 voted against was 962 Franklin, which is in Brooklyn
25 across the street from the Botanical Gardens.

2 That one there, they were proposing, it was an R6
3 zone, they were going for R8A, 14 stories across the
4 street. I wasn't comfortable with the height. I
5 also wasn't comfortable with the-- in terms of the
6 feedback we were getting from the applicant in terms
7 of his stating that he was meeting with all the local
8 parties.

9 So that one I felt-- I didn't feel it was right,
10 so I actually, the agency came up with three
11 different scenarios and I had to say the R7A was
12 probably more equivalent to that. It was lower, 10
13 stories, which wasn't casting-- and that one there
14 was about casting the shadow, but it was also about a
15 number of affordable units and what was really
16 affordable.

17 And that community, they're looking for more
18 affordable housing, and the developer, I felt, was
19 doing the minimum at that point, and not really going
20 above that.

21 COUNCILMEMBER BRANNAN: Do you consider the
22 environmental review, environmental impacts, and how
23 that relates to a development project. Is that as
24 consequential to your decision making as the
25 affordable component?

2 MR. RAMPERSHAD: It is, and there have been times
3 where I look at that and read the report-- And it's
4 funny, when they give us these packages, they give
5 us, whether it's on Friday, the day before, it's
6 like, whatever it could be, each section could have
7 150 pages. But when I look at the environmental
8 reports on a lot of these projects, especially if I
9 know it's an area that's-- whether it's flood prone
10 or whether it doesn't have a lack of schools, is how
11 many affordable units have been generated from a
12 certain community? Because I know there are certain
13 communities that carry the weight of others, but that
14 plays a huge role, along with the testimony from the
15 public as well, of course, and listening to what the
16 applicant, their perspective on the project as well.

17 COUNCILMEMBER BRANNAN: Would you propose a CPC
18 rule that the UDAP applications will not be certified
19 as complete or approved, unless they are accompanied
20 by a project summary that includes all the info that
21 the UDAP statute allows us to--?

22 MR. RAMPERSHAD: I don't know if I should speak
23 on that, I would probably leave it up to the electeds
24 to help shape or modify.

2 COUNCILMEMBER BRANNAN: Do you think it's a good
3 idea?

4 MR. RAMPERSHAD: I think it's something that
5 could be looked at, I mean, should be looked at.

6 I don't know if I should-- I believe in full
7 transparency with that. And I always believe in, you
8 know, getting it out to the public and getting
9 feedback, and that it shouldn't just be one, you
10 know, one uniform-- like one agency saying, yes, this
11 is it, don't, you know.

12 COUNCILMEMBER BRANNAN: But is that a rule that
13 you would propose?

14 MR. RAMPERSHAD: Me? I wouldn't--

15 COUNCILMEMBER BRANNAN: It wouldn't be, we don't
16 have that. CPC would have that.

17 MR. RAMPERSHAD: You know, it was something I
18 would definitely have a discussion with and tell
19 them. I think it's something that should be looked
20 at, I mean, I can get back to you and give you
21 specifics. But, you know, that's my suggestion.

22 COUNCILMEMBER BRANNAN: Yeah, look, I appreciate
23 your candor. I mean, I think for those of us in the
24 outer boroughs especially, there's always a concern
25 around the infrastructure that we take for granted

2 underground, and what it-- you know, what all this
3 new development means, and not that that should be a
4 hindrance, but it should absolutely be part of the
5 decision-making process. So, I appreciate your
6 thinking around that.

7 MR. RAMPERSHAD: Thank you, Councilmember.

8 COUNCILMEMBER BRANNAN: Thanks.

9 COUNCILMEMBER BREWER: Just so you know, all five
10 boroughs are concerned about infrastructure. I just
11 want to point that out. My question-- I certainly
12 agree with you, not everybody does on the affordable
13 housing.

14 I represent a very, very dense district, perhaps
15 the densest in the United States of America on the
16 Upper West Side.

17 And so the question is how do you both get
18 affordable housing without just getting height, and
19 it seems to be that in Manhattan, for my many years,
20 nobody wants to give anything but a small percentage
21 for more FAR, et cetera, as opposed to, come on, some
22 subsidies, something else that brings more affordable
23 to a transit-rich, school-rich, you know, convenient
24 location, which needs to be integrated.

2 So those conversations don't-- this is a zoning
3 plan, it's not a housing plan, I mean, just call it
4 what it is.

5 So my question is, do you see any way of making
6 it a housing plan? Do you see any way of having some
7 more discussions, maybe out of silos? I don't know.

8 To your credit, you have articulated, I think,
9 both what the community wants to hear in terms of
10 somebody who's representing them, and also some of
11 the concerns that we're all trying to face. Queens
12 and Manhattan are very different, so I don't want to--
13 - We have different problems. We all need the
14 housing.

15 So, I don't know, is there any way that it could
16 be shaped to have more affordable housing? That
17 question may not be answerable, I don't know.

18 MR. RAMPERSHAD: Yeah, I don't know how to really
19 answer that, other than-- I always ask the question:
20 is this the most that we can get out of them, meaning
21 the applicant? Because I do see that a lot, and it's
22 something that bothers me.

23 So, I really do want to see more housing, more
24 affordable housing units created, and I really don't
25 have the answer to that, but I understand and I

2 completely agree that there's got to be a better way
3 to get that, to create that.

4 COUNCILMEMBER BREWER: Thank you.

5 CHAIRPERSON POWERS: Your testimony and
6 questions, and congratulations again on your
7 nomination.

8 We'll take-- I think at the end, we'll take
9 opportunity for public to testify on both
10 nominations. So for now, you're free to leave, and
11 we'll call for our next nominee.

12 Thanks so much.

13 MR. RAMPERSHAD: Thank you. Thank you, Chair.

14 CHAIRPERSON POWERS: And if anybody from the
15 public wants to sign up, they can fill out a slip
16 with the Sergeant at Arms.

17 We're going to now move on to the Civilian
18 Complaint Review Board. We're now going to move on
19 to the Staten Island Civilian Complaint Review Board,
20 and I want to start by just saying a few words about
21 it.

22 The Staten Island Delegation of the Council has
23 nominated Dr. Muhammad Khalid, a resident of Staten
24 Island, for appointment by the Council to serve on
25 the Citizen's Complaint Review Board. The Civilian

2 Complaint Review Board is an independent body charged
3 with a duty to investigate complaints of misconduct
4 by police officers towards the public.

5 Board members are required to reflect the City's
6 diversity. CCRB consists of 13 members, five
7 appointed by the City Council, one from each borough,
8 five appointed by the Mayor, one appointed by the
9 Public Advocate, and three members of the law
10 enforcement experience designated by the Police
11 Commissioner and appointed by the Mayor.

12 The members designated by the Police Commissioner
13 are the only members who have law enforcement
14 experience-- who may have law enforcement experience.

15 CCRB is a civilian staff responsible for
16 conducting investigations of complaints received by
17 the Board. The CCRB's jurisdiction is limited to
18 complaints claiming excessive force, abuse of
19 authority, discourtesy, or use of offensive language.

20 Pursuant to rules established by the CCRB, the
21 Board operates in panels of at least three members.

22 CCRB's findings and recommendations with respect
23 to a complaint and the basis, therefore, must be
24 submitted to the Police Commissioner.

1 In all such cases where a finding or
2
3 recommendation has been submitted, the Police
4 Commissioner is required to report to the CCRB any
5 action taken with respect to that complaint. In all
6 cases where the Police Commissioner intends to impose
7 a lesser penalty than recommended by the CCRB, the
8 Police Commissioner must include an explanation of
9 how the final disciplinary outcome was determined.

10 All CCRB members are eligible for compensation on
11 a per diem basis. Current per diem rate is \$315.

12 Today's nominee, Dr. Khalid, previously served on
13 the CCRB during the term of Mayor Bloomberg.

14 If appointed by the Council, would serve on the
15 remainder of a three-year term that expires on July
16 4th, 2025. If you can please join us at the table.
17 I want to welcome Dr. Khalid.

18 Congratulations on your appointment-slash-
19 reappointment.

20 If you can, just please raise your right hand to
21 be sworn in.

22 COMMITTEE COUNSEL: Do you affirm to tell the
23 truth, the whole truth, and nothing but the truth in
24 your testimony before this committee, and in answer
25 to all Councilmember questions?

2 DR. KHALID: I do.

3 CHAIRPERSON POWERS: Thank you. I'm now going to
4 recognize you if you'd like to make an opening
5 statement, and then we'll follow that with questions.

6 DR. KHALID: Good afternoon, Chairman Powers and
7 members of the City Council. My name is Dr. Muhammad
8 Khalid. It is a great honor and pleasure to be here.

9 I came to the United States in 1972 from Pakistan
10 as an immigrant with a degree as a dentist from one
11 of the schools there, and then attended New York
12 University Dental School and got my license in 1977.

13 Professionally I'm a dentist, but currently
14 practicing in Staten Island since 1977. Beside my
15 profession, I'm a civic leader in Staten Island for
16 the last 30 years, serving as a president of the two
17 large civic associations as a volunteer, the Iron
18 Hill Civic Association, which covers the Toad Hill
19 and Downhill Colony section of Staten Island, with a
20 population of about 5,000 people.

21 The other association is the Pakistani Civic
22 Association on Staten Island, where we have close to
23 10,000 population.

24 These associations are for the purpose of solving
25 the issue of the quality of life. I have served also

2 in the state government. I was appointed in 2005 by
3 then Governor George Pataki to a six-year term as a
4 member of the Minority Health Council, State of New
5 York.

6 I finished my six-year term in 2011. In 2003, I
7 was appointed by Mayor Bloomberg as a member of the
8 Charter Revision Commission. In 2005, again Mayor
9 Bloomberg appointed me to Civilian Complaint Review
10 Board, which I served nine years and a few months.

11 That is where I learned the process of learning,
12 entering the complaint by the public, and ending with
13 the three-member panel to render our judgment. This
14 time around, I have been asked by my City Council
15 Delegates of Staten Island if I would like to serve
16 again, to which I said it will be a great pleasure to
17 serve again on CCRB.

18 I'd like to thank Minority Leader of the City
19 Council Joe Borrelli, Member of the City Council
20 Kamala Hanks, and Councilman David Carr for their
21 trust and confidence in recommending me to be
22 appointed to the CCRB Board.

23 At this time, I'm ready to answer any questions.
24
25

2 CHAIRPERSON POWERS: Thank you, and again,
3 congratulations on your nomination, re-nomination
4 here as well.

5 You had served under Mayor Bloomberg, have taken
6 a bit of a break, and now are up for a reappointment
7 by the Staten Island Delegation, who have very nice
8 things to say about you and your nomination.

9 I wanted to just talk about-- Can you talk about
10 your desire to serve on the Board again and what you
11 hope to accomplish if appointed again and receive the
12 advice and consent of the Council?

13 Beyond that, there's a lot of attention on the
14 CCRB often, even more recently, including some of the
15 vacancies here. Can you talk about work you-- in the
16 similar vein of what you'd like to accomplish, talk
17 about the work that you see as important to the CCRB
18 at this particular moment, relative to even when
19 Mayor Bloomberg was in office, and if there's any
20 sort of functions or forms of that agency that you'd
21 like to see changed or you'd like to see approved
22 upon if you were to rejoin it?

23 DR. KHALID: I see a lot of stuff in the press
24 that there are certain things which are-- which is
25 more concern to me as well. That there are issues of

1 bypassing the judgments, decisions, not having enough
2 resources for the people working there. I think it
3 will be a good thing that the community relations
4 with the NYPD will really help, and we have to find
5 the ways why there's so much complaints and the
6 reason behind it.
7

8 There should be some more education, some more
9 advertisement about what is the reason behind it.
10 And I think that in every profession there is a
11 continuing of education.

12 So I suggest, I don't know who will do it, the
13 City Council or the Mayor will do it? I think the
14 police officers should also be given a training, a
15 continuing education training regarding the CCRB
16 issue, what their life will be impacted by, and at
17 the same time we can-- Also, the public can be
18 educated in various ways by the media and all that,
19 that they should also respect the NYPD.

20 So, the community, I know in Staten Island we
21 have a very good relationship with the police
22 department, and the result is that there is not much
23 CCRB coming in Staten, although I have to look at--
24 I'm not there yet.
25

2 So, I think that both can work together and at
3 the same time, you know, the law has to be applied in
4 both the cases for equality of the NYPD and for the
5 equality of the public. So...

6 CHAIRPERSON POWERS: Thanks. During the
7 Bloomberg administration, one of the issues that CCRB
8 was dealing with frequently was related to the stop
9 and frisk-- stop, question, and frisk, where I think
10 nearly approximately 30% of CCR complaints were
11 related to that, and obviously there's been findings
12 of that being unconstitutional, and a violation of
13 individual civil rights, which is in contrast to what
14 I think that administration had at times defined and
15 defended. And I know New Yorkers have very different
16 and strong opinions about that issue in different
17 directions.

18 But do you believe that the administration then
19 handled the CCR complaints, properly handled CCR
20 complaints about stop and frisk? Do you have-- Can
21 you share with us your feelings on that practice, and
22 talk about the work CCRB did particularly managing a
23 large influx of complaints that came in during your
24 last tenure on the board?

2 DR. KHALID: I think the stop and frisk issue, it
3 was something at that time that Bloomberg wanted to
4 probably see that maybe a good tool of preventing
5 crimes and all this thing.

6 But going back, I think that Mayor Bloomberg
7 realized at a point that it was wrong thing, and he
8 publicly went and he said that he apologized that
9 stop and frisk should have not been an issue. You
10 know, which there was 700,000 people-- cases were
11 there at that time. So I believe that stop and frisk
12 can be done, but in a different way.

13 We have body cameras now, there's other things
14 that can be seen in doing this type of search which
15 should not be an illegal way of doing it. There's
16 always stop, ask questions, and write down
17 everything, and not searching everyone, stop and
18 doing the frisk.

19 So I don't believe that that's a good way of
20 preventing any ,crime unless it's necessary at some
21 time, at some point.

22 CHAIRPERSON POWERS: I appreciate it. And can
23 you talk about how that-- During your last tenure
24 there, how that, how the board handled those cases in
25 terms of workload, it seems like it was a

2 tremendously high amount of cases that were coming
3 in, and how you and your colleagues then attended to
4 those. And then, yeah-- We'll do that question, and
5 then I'll move on to my next.

6 DR. KHALID: I think that the time I was on the
7 board, we made sure that every case is investigated
8 properly, and three board members will make the right
9 decision. I didn't see that much problem at that
10 time. And so I guess that if everything is done
11 properly, according to the law, then I don't think
12 there'll be any problem. I do not know exactly how
13 the board is working right now, because I'm out of
14 circuit for at least 10 years. But I hope that if
15 I'm approved and I become member, I will make sure on
16 my part that the CCRB does everything in a proper way
17 according to the rules and laws of the city charter.
18 And so that's what I think that will be something
19 that I look forward to.

20 If there is something I can do, I will be
21 definitely part of making a better CCRB.

22 CHAIRPERSON POWERS: Obviously, CCRB is receiving
23 complaints from individuals who, at times, have had
24 serious allegations, or are making very serious
25 allegations, or have had things that happened to them

2 that are quite serious, and also will have police
3 officers coming before you who, the outcome of that
4 case could have a tremendous impact on them with
5 their life and their career.

6 How do you adjudicate those cases? And you in
7 your experience, you of course have served on this
8 before, but you will be seeing cases where you have
9 two sides that have a lot at stake, perhaps is the
10 best way to put it, and they are entrusting you and
11 your colleagues to be fair and judicious, not
12 necessarily one-sided, to be able to see the cases
13 clearly and be balanced. And while I do want to be
14 clear that the colleagues in the Council have praised
15 your ability to be sort of fair and see the
16 complicated nature of these cases.

17 Can you talk to us about your experience or how
18 we are going to entrust that into you?

19 And then the second is, that three-person model
20 that exists right now. Is that, in your experience,
21 the best way to handle those cases? Is that the
22 right number of people? Some cases I think we have
23 had recent reports of some of the vacancies leading
24 to those not being able to be handled appropriately,
25 but is that the right model? Have you found that to

2 be effective in terms of judging and evaluating those
3 cases?

4 DR. KHALID: I think, Chairman, when the case
5 comes in into the CCRB and is properly investigated
6 through the investigators, through the senior
7 investigators, through the legal counsels and all
8 that, finally we all read the cases. I mean, every
9 case comes in, is divided into groups.

10 The panel of three, which is one police
11 department representative, one is the mayor
12 representative, and one is a city council
13 representative. We all three sit down and read the
14 cases and make sure that we all, two of us, agree on
15 a certain judgment that we want to render on a police
16 officer.

17 So, I think that that's a-- in my opinion, I
18 think it's a very fair way of, this way everyone is
19 protected and everybody is doing what is supposed to
20 be.

21 And if one does not agree and two agrees, then
22 that's what we follow. And I think that's a good
23 system. Unless, you know, we change in a different
24 way. But since the structure of the CCRB is like
25 that, that there are 15 members, I know when I was

2 there, there was not-- one member was not there as
3 far as the-- I think there were five from the
4 mayor's office, three from the police department,
5 five from city council.

6 I think there's one added now by the public
7 advocate. So, there are more members now. I don't
8 know if those members also participate in a group. I
9 really-- At this time, I don't know. But I think
10 that time, that certainly worked. Because the three
11 members, we asked questions from each other, we
12 discussed the case, and that's where we made the
13 decision.

14 So, I think that also there was a-- in my time,
15 there was a memorandum of understanding with our
16 group and with Commissioner Kelly. And the cases
17 which we were discussing with the Commissioner Kelly,
18 ultimately the punishment goes from the police
19 commissioner.

20 So lately what I see in the press that CCRB
21 cannot do certain cases because of budget cuts, or
22 whatever, other issues, and some cases were dumped
23 from the police department because they couldn't make
24 a decision. This was in the press, and I'm not-- I
25 mean, I'm just quoting what-- But I think that in

2 both cases, if enough resources are given, and if
3 there's a multiple cases of CCRB complaint, so the
4 staff can handle that, and at the same time, we
5 should have a good relationship with the NYPD council
6 so we can discuss issues.

7 Because I see in the questioning that in one
8 case, the chairman of the CCRB went public about a
9 particular case. And I think in my opinion, instead
10 of going public, it's a better thing to communicate,
11 and ask questions from each other with the CCRB and
12 NYPD, and ask why there's a delay in a particular
13 case, instead of publicly announcing it.

14 And I feel that it will be like an embarrassment
15 to CCRB and to the NYPD when there is a communication
16 channel that should be open, that in this particular
17 case, we need certain things to review it for our
18 decision. So, I think that that should be the case
19 that, you know, we should follow as a model.

20 CHAIRPERSON POWERS: Thanks. And I just wanted
21 to, I think you were touching on this a little bit,
22 but who do you think should have the final say over
23 discipline? The CCRB, or should it, like-- Should
24 the CCRB have final, when they make a recommendation
25 to the police commissioner, of course, there's

2 protocols in place when they want to lesser the
3 penalty or provide an explanation. But do you think
4 that final jurisdiction should stay with the police
5 commissioner or should live within the CCRB itself?

6 DR. KHALID: I think in order to make a better
7 judgment, it is my opinion that if this is an
8 independent agency and making decisions on 33,000 or
9 34,000 police officers, and CCRB spend all their
10 resources and all their employees to work through
11 this investigative process, I think they should be
12 revisiting the memo of understanding that certain
13 cases, we should have the ability to-- we should
14 have the ability to, as a CCRB, independent agency,
15 should solve those issues are sometime we need to
16 discuss with the NYPD.

17 So, if the agency has the authority, I'm pretty
18 sure it will be more effective, but again, I don't
19 want to take away the previous memorandum of
20 understanding. They can be revisited and discussed
21 furthermore. That's what I think.

22 CHAIRPERSON POWERS: Thanks. And we've been
23 joined by Councilmember Hudson here as well.

24 There have been complaints in past of outcomes or
25 proceedings being leaked out to the public or the

2 press. I'm not sure if you had that experience or
3 not, but how does the CCRB prevent that from
4 happening and if you're there, how do you focus on
5 strengthening processes to prevent that, or
6 penalties, I guess, perhaps, to help prevent that?

7 DR. KHALID: Chairman, I would first do to ask
8 the meeting with the staff, whole staff, and ask them
9 the questions that-- Why is such and such is, why is
10 this kind of leak coming to the press and all this
11 thing, has to find the source, and then dealt with
12 them accordingly what the law permits us to do so.

13 So, I think that is the way that we have to find
14 out who is trying to do something illegal. So we
15 have to follow the law.

16 CHAIRPERSON POWERS: Thanks. We've also been
17 joined by Councilmember Ayala. Oh, she's over there.

18 We're going to hop into member questions as well.

19 I'll go to Councilmember Brewer first, followed
20 by Councilmember Hudson.

21 COUNCILMEMBER BREWER: Thank you very much. My
22 question is now we have no-- I mean, this is like,
23 again, we're reading in the press just like you are.

24

25

2 We have no chair. I don't know if we have a
3 quorum. Hopefully you will be joining that will help
4 the quorum.

5 And so was that ever the situation during the
6 Bloomberg administration, where you didn't have a
7 quorum and you didn't have a chair, and therefore you
8 can't conduct business?

9 DR. KHALID: No, there was never ever. This is
10 the first time I also read in the press that the last
11 meeting, there was no quorum.

12 COUNCILMEMBER BREWER: And they have one today at
13 4:00 actually. We'll see what happens.

14 DR. KHALID: So they could not have any quorum at
15 that time, last meeting, which is a monthly meeting.

16 In Bloomberg time, and I was there for nine years
17 and a few months, we always had a chair.

18 And every time the meeting was with the full
19 quorum and everything was done according to what the
20 business of the day was.

21 COUNCILMEMBER BREWER: And then there is a-- You
22 know, the MOU is probably somewhat contentious
23 between the police and the CCRB. Do you think, as
24 time goes on, does that need to be changed? It was a
25 little disheartening to hear that recently, the

2 recent police commissioner dismissed 54 of the
3 suggestions by CCRB.

4 That's a lot of-- that was a big number, at least
5 from what I could see.

6 So my question is, again, this is past, not
7 present, but do you think there are ways that that
8 could be tweaked, or is it just a question of more
9 communication, which is what you've indicated
10 earlier? Because this is a really important topic.
11 It's also, I know I have friends on the board, it's
12 very time consuming.

13 This is not a go to a meeting and leave kind of
14 board. You actually do the work. You're a working
15 board.

16 And so my question is, do you think there are
17 ways that-- is it more than communication that has to
18 improve between police department and CCRB? Or do
19 you think that there has to be a change to the
20 memorandum of understanding?

21 DR. KHALID: I think the-- both cases has to be
22 changed. I believe that in order to have the cases
23 which is just be thrown out, and the agency has done
24 all work on that. It's not fair, I think, to the
25 public. It's not fair to the NYPD.

2 If this agency is in existence, I believe in the
3 beginning, this was installed in 1950 as a small
4 agency. But actually, Mayor Dinkins installed it, I
5 think, 25 years ago.

6 COUNCILMEMBER BREWER: 1989, I was there. Part
7 of the charter I was there.

8 DR. KHALID: So it was made as an independent
9 agency. I think like, this is a very sensitive
10 matter between public and NYPD. NYPD protects us,
11 all public, but at the same time, public has certain
12 rights. I think there should be some change in
13 memorandum as well, and give more power to the CCRB,
14 because investigation is done in a very thorough way.

15 So, what the result comes out, and if that result
16 is not implemented, then what is the purpose of the
17 CCRB then?

18 COUNCILMEMBER BREWER: Thank you very much, Mr.
19 Chair.

20 CHAIRPERSON POWERS: Thank you, and I will now go
21 to Councilmember Hudson.

22 COUNCILMEMBER HUDSON: Thank you so much, and
23 good afternoon, Dr. Khalid.

24 DR. KHALID: Thank you so much.

2 COUNCILMEMBER HUDSON: I just have a couple of
3 questions for you. Earlier this year, Mayor Adams
4 asked Arva Rice to resign her position as CCRB Chair
5 after she criticized the NYPD for delaying its
6 investigation into the fatal shooting of Kowaski
7 Trawick.

8 You were asked about Arva Rice's resignation in
9 pre-hearing questions. You responded that you don't
10 believe that the mayor interferes with the work of
11 any city agency, quote, unless something goes wrong,
12 end quote. Given the current state of the city and
13 the leadership of the police department, it is
14 concerning that a council appointee to an independent
15 review board would have such deference for the mayor.

16 What basis do you have for asserting that Arva
17 Rice did something wrong?

18 DR. KHALID: I read in the press, I do not know
19 what the details about her leaving or resignation or
20 letting her go. I believe that as an agency, any
21 agency in the city of New York, to my knowledge, it's
22 not the right practice to just go to the public, go
23 to the press and talk about certain private issues,
24 internal issues of the CCRB or NYPD, unless there is
25 something wrong with it.

2 So, I beg to differ that if this was an issue of-
3 - This case, which you just mentioned. I think
4 there should have been more communication. Whatever
5 Arva Rice wanted from the police department, the NYPD
6 should have provided that.

7 And so I do not know what condition happened that
8 she went to the press and told that this was not
9 provided by the NYPD. Therefore, she is looking to
10 go to the press and tell that why it's not happening.
11 I don't know.

12 You have to exhaust other issues. And I still
13 believe that communication is the right way to do it.
14 All my life, I have been a civic leader for 30 years
15 in Staten Island.

16 I have always communicated with people and it
17 solves issues better than going into the public and
18 embarrassing the CCRB, NYPD as well. I truly believe
19 that a mayor is head of the city of New York. So if
20 there is some issues which comes to his attention, he
21 should be able to guide the agency, or his employees
22 should be able to guide the agency.

23 So I really don't know what exactly was the issue
24 I read in the press about her resignation and either
25 it was let go or that particular case.

2 COUNCILMEMBER HUDSON: Okay. So let me just make
3 sure I understand clearly, because you started your
4 explanation stating that you don't think matters of
5 internal affairs or particular matters pertaining to
6 agencies should be evaluated based on what the press
7 is reporting. But you said you're not familiar with
8 the details of Arva Rice's case or situation, and
9 that all you know was from what you read in the
10 press.

11 So can you just clarify for me which one is it?

12 DR. KHALID: I'm not in the CCRB. I left about
13 nine, ten years ago.

14 COUNCILMEMBER HUDSON: Right, but you're stating
15 that you would-- you're referring to the situation
16 with Arva Rice as to what you've read in the press.

17 DR. KHALID: In the press.

18 COUNCILMEMBER HUDSON: And then at the same time,
19 you're saying that one should not turn to the press
20 to learn more about a particular case pertaining to a
21 city agency.

22 So, I'm just unclear about-- Do you utilize the
23 press to learn information or do you not? Are you
24 recommending that people don't read reputable press
25 sources?

2 DR. KHALID: I'm sorry. I think that in case of
3 Arva Rice, I really do not know what internal matters
4 were that what it came to a point where she had to go
5 to the press to gain what she was looking for.

6 I really don't know.

7 COUNCILMEMBER HUDSON: But it is your claim that
8 she embarrassed the CCRB and the NYPD, even though
9 you don't know the details of the matter, right?

10 DR. KHALID: No, I don't know that. And I'm not
11 using my word that-- I'm saying, not her
12 particularly, but I'm just saying that it's not a
13 good practice.

14 I would not go to the press unless all other
15 things are exhausted.

16 So, I'm not proposing that it's embarrassment to
17 the CCRB or to the police department. I think--

18 COUNCILMEMBER HUDSON: Okay. That is what you
19 just said. So I'm glad you clarified that. I'm just
20 going to move on to my next question.

21 Are you also aware that the mayor asked
22 Corporation Counsel Sylvia Hines Raddix to resign,
23 allegedly because she objected to the Law Department
24 defending a former police officer accused of sexual
25 harassment?

2 DR. KHALID: I'm sorry. Again? I didn't--

3 COUNCILMEMBER HUDSON: Are you aware that the
4 mayor also asked Corporation Counsel Sylvia Hines
5 Raddix to resign, allegedly because she objected to
6 the Law Department defending a former police officer
7 accused of sexual harassment?

8 I'm not really aware of that case. I'm sorry.

9 COUNCILMEMBER HUDSON: Okay. But you wouldn't
10 necessarily believe that the mayor's interference
11 with the leadership of the Law Department is evidence
12 that Judge Raddix did something wrong?

13 DR. KHALID: I really don't know the details, so
14 I cannot really comment on something-- You know,
15 forgive me on that-- I only believe that the mayor
16 is the elected official of the city of New York.

17 COUNCILMEMBER HUDSON: And so you think he should
18 have sort of unfettered jurisdiction over every
19 single affair pertaining to the city of New York?

20 DR. KHALID: No, I don't believe that. I'm just
21 saying, in this particular case that when I said that
22 I won't do a case like this-- and I don't think any
23 agency in the city of New York. I have not seen that
24 the agency will go public and talk about the issues
25 of that particular agency.

2 I mean, I have never seen DOI, Department of
3 Investigation, publicly going in the press and saying
4 that, you know, "This person should be doing that."

5 COUNCILMEMBER HUDSON: I'm sure they're bound by
6 law, yeah.

7 DR. KHALID: So I do not know.

8 COUNCILMEMBER HUDSON: The Department of
9 Investigation, I would argue, you know, operates very
10 differently from many other city agencies, and just
11 so that you know and that you're aware, many city
12 agencies often feel like-- or agency commissioners
13 often feel like they can't speak out for fear of
14 retaliation from someone like the mayor.

15 And so sometimes the only opportunity they have
16 to get information out is to go to the press or to
17 somehow, you know, share information other than
18 through a more formal means.

19 But with Arva Rice specifically, she's the head
20 of the Urban League and it wasn't a CCRB matter, so.

21 DR. KHALID: But she acted as a CCRB, am I
22 correct? That when she went to the press about this
23 particular Kowalski case?

24 COUNCILMEMBER HUDSON: She was criticizing an
25 investigation that was not a CCRB matter.

2 DR. KHALID: What I read in the paper, I'm sorry,
3 maybe I misunderstood, but I read in the paper that
4 she went public about this particular case.

5 COUNCILMEMBER HUDSON: I don't believe that's our
6 understanding.

7 DR. KHALID: Maybe I misunderstood. But again,
8 I'm not saying that every matter should be going to
9 the press if you can't get your results, but you
10 should exhaust all other avenues before you go, and
11 the whole world has to know about, which if can be
12 solved internally, then I think we should first try
13 that. And if it doesn't work, then an agency has to
14 make a decision, what is the next step we should do
15 to get it?

16 COUNCILMEMBER HUDSON: Yeah. I think that I
17 wouldn't necessarily disagree. I think everybody
18 always, probably-- I would say for public servants
19 and commissioners, certainly we would trust as New
20 Yorkers that they are going through every option
21 internally before taking, maybe the more risky
22 attempts at solving particular issues.

23 So, I don't think it's-- it should be assumed
24 that internal solutions haven't been sought out.

25 But thank you for your answers.

2 DR. KHALID: Thank you. Thank you very much.

3 CHAIRPERSON POWERS: Do we have any other members
4 who want to ask questions? Okay. Thank you.

5 Congratulations again on your nomination,
6 renomination, and we will now move on to public
7 testimony, and ask folks. You're free to go.

8 DR. KHALID: Thank you. Thank you very much.
9 Thank you all the members as well.

10 CHAIRPERSON POWERS: Thank you. We will now open
11 the floor to public testimony. Are there any members
12 of the public who are signed up to testify?

13 And we will check Zoom as well, if we have
14 anybody signed up to testify.

15 I don't believe we do. Seeing no other one out
16 to testify, the public hearing on this appointment is
17 now closed. This concludes today's business.

18 I'd like to thank the nominees and members of the
19 public, my colleagues on the committee, committee
20 council and staff, and Sergeant at Arms. This
21 meeting is hereby adjourned.

22 [GAVEL]

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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 October 12, 2024