

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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February 24, 2014
Start: 02:45 p.m.
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HELD AT: Committee Rm- City Hall

B E F O R E:

BRAD LANDER
Chairperson

COUNCIL MEMBERS:

MARGARET S. CHIN
INEZ E. DICKENS
RAFAEL L. ESPINAL, JR.
DANIEL R. GARODNICK
VINCENT IGNIZIO
MARK LEVINE
MELISSA MARK-VIVERITO
YDANIS A. RODRIGUEZ
DEBORAH L. ROSE
JUMAANE D. WILLIAMS

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

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2 [gavel]

3 CHAIRPERSON LANDER: Good afternoon.

4 Thanks to everyone for attending. My name is Brad

5 Lander and I'm honored to chair the City Council

6 Committee on Rules, Privileges, and Elections.

7 Before we begin I would like to introduce the other

8 members of the committee and other members of the

9 council who are here with us. I'll introduce

10 committee members first; Council Members Margaret

11 Chin from Manhattan, Jumaane Williams from

12 Brooklyn, Mark Levine and Inez Dickens from

13 Manhattan, Rafael Espinal from Brooklyn. And then

14 we're also very pleased to be joined by other

15 members of the council; Council Members Carlos

16 Menchaca, Darlene Mealy, Andy King, Rory Lancman,

17 Chaim Deutsch, and Liz Crowley. Sorry who's... And

18 Ruben Wills and Ben Kallos is also here. So thanks

19 to all of you for attending. I also want to

20 acknowledge the committee's attorney Amonta Labooth

21 (SP?) as well as Michael Freedman-Schnapp and

22 Rachel Goodman for their help in preparing for this

23 hearing. And I also want to thank Scott Melvin and

24 Marlin Foreman for their help in creating the

25 website for public comment on this issue. And I

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2 appreciate both the, the flexibility of both, all
3 of you and of the staff who helped us manage the,
4 the, the switch from upstairs to downstairs.

5 There's a lot going on at the council so that's a
6 good sign that there's already more energy, and
7 openness, and activity, and some really good
8 hearings taking place that overfilled our hearing
9 rooms today. So I appreciate everybody's
10 flexibility. And we've also been joined by Council
11 Member Andy Cohen and I think some other Council
12 Members will be coming in throughout. Today's
13 hearing will be addressing changes to the council's
14 rules to make the council a more responsive,
15 transparent, and effective legislature. And to kick
16 us off in that regard I would like to call on the
17 speaker Melissa Mark-Viverito for her opening
18 statement.

19 SPEAKER MARK-VIVERITO: Thank you Chair
20 Lander and thanks everyone that is here today to
21 participate in this important hearing. The Rules
22 Committee today is continuing a dialogue with
23 members of the council and the public on how to
24 make the City Council a more transparent,
25 inclusive, and effective legislature. The council

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2 has already begun to implement reforms that will
3 better reflect the diversity and plurality of
4 voices on the council. Our new leadership team
5 appointed last month hails from all five boroughs
6 and will help insure that all of New York City's
7 neighborhoods are fully represented. And that's
8 just the first step. In collaboration with my
9 colleagues on the council good government groups,
10 community based organizations, and New Yorkers both
11 here today and those who have submitted testimony
12 online, we will continue to build on our efforts
13 and make the council accessible and responsive to
14 all. Serving our city is an honor and a privilege
15 none of us take lightly. Above all else those in
16 government have an obligation to uphold the promise
17 we made when we were first elected, to be a voice
18 for the voiceless, and to stand up for the rights
19 of all New Yorkers. And that core principle must
20 clearly be reflected both in the rules that govern
21 our body and in the culture of the council. Our
22 council must be one of unity, equality, and
23 fairness, a legislative body that welcomes debate,
24 encourages discourse, and is open not just to all
25 51 members but to all New Yorkers. So I look

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2 forward to hearing thoughts from my colleagues. I
3 think those who have taken time out of their day to
4 testiby[phonetic], testify before us. I know the
5 other meeting and hearing ran a little late but
6 this is a process. We are having this as our first
7 hearing. There will be others. And we look forward
8 to hearing from the public and the work that will
9 result out of this process. So with that thank you
10 Chair Lander, I thank my colleagues again, and I
11 look forward to hearing from the different panels.

12 CHAIRPERSON LANDER: Thank you Madam
13 Speaker. I just, I do want to start by giving you
14 credit. It's not often that those in power are
15 willing to think about giving some of it up in the
16 public interest but in my, I believe you've already
17 started the process of including many more New
18 Yorkers in how the Council Operates and including
19 Council Members more in that process and we're
20 appreciative to have that opportunity. At the
21 opening of this term the City Council under the
22 Speaker's leadership pledge to undertake a rules
23 reform process to make the City Council more
24 effective, responsive, and transparent. That work
25 begins but does not end with today's hearing. The

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2 Rules Committee is going to open the floor up today
3 for questions and comments to begin a dialogue
4 regarding suggested changes to the council rules
5 which will pick back up in this committee in the
6 near future and then hope to continue throughout
7 this term in the council. By way of background
8 first. Pursuant to section 46 of the New York City
9 Charter the council's required to adopt rules for
10 our body at the beginning of every legislative
11 session during the charter meeting. Those rules
12 govern the body of the council addressing an array
13 of, an array of areas, meetings, and hearings, the
14 legislative process, council committee duties and
15 powers, and at the charter meeting on January 8th
16 we voted to reapprove the existing rules of the
17 council, the rules from last session and those
18 rules for Council Members who are here are attached
19 to the briefing materials and they're available to
20 anyone that seeks them on the City Council's
21 website. We adopted those meaning with the
22 intention of returning to them later in the session
23 and making amendments that reflect some of the
24 changes that people have been calling for both
25 members of the council as well as good government

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2 groups and members of the public. Today's hearing
3 is the first step in that process. The rules can be
4 amended by the council at any time to address needs
5 or concerns. Amendments come through this
6 committee; the Committee on Rules, Privileges, and
7 Elections or by resolution introduced by Council
8 Members and changes to the rules require a majority
9 vote on the floor of the council. The rules aren't
10 all that governs the council that charter itself
11 under an array of other local laws and on matters
12 that the rules are silent on Robert's Rules of
13 Order also govern the body. But what we wanted to
14 do here was open up the process for people to talk
15 about what amendments to the rules they think would
16 make us more responsive, more transparent, more
17 inclusive. We therefore decided rather than bring a
18 specific set of changes to have an open hearing.
19 And one other thing we're going to do in a slightly
20 different way than usual we are going to take
21 testimony from everyone in the public who signed up
22 to testify. We got a website set up at
23 Council.NYC.Gov/Rules where people can give
24 testimony on line. As usual you can email it in.
25 But we're going to start by offering members the

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2 opportunity if they have priorities or things that
3 they want to say since these are the rules that
4 govern the operations of the council and one goal
5 that we've had in this process is to make it more
6 inclusive of its members to offer the opportunity
7 from members who are interested in doing so to make
8 opening statements. So I'm going to start with a
9 brief opening statement and then open the floor for
10 Council Members who wish to do so and then we'll go
11 ahead and call our first panel and continue from
12 there. Now most New Yorkers will probably tell you
13 they don't have an opinion on the rules of the City
14 Council, at least those who are not here with us
15 today, but I believe if the question were should
16 the funding to each council district be dependent
17 on how its Council Members vote on a hot button
18 issue or should legislation with wide support get a
19 chance to come to the floor of the city council for
20 an up or down vote that most New Yorkers would in
21 fact have strong opinions on those questions. And
22 that really is what we're talking about when we
23 discuss rules reform. In the past many of the rules
24 and customs of this body have prevented us as
25 members from doing the work that we were elected by

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2 our constituents to do. Those rules have prevented
3 the city council from fulfilling its duties in many
4 cases as a deliberative legislature bringing
5 together representatives from those diverse
6 communities across the city to debate the important
7 issues of the day. When a widely supported bill
8 like the paid sick days law languishes for years
9 without a vote the rules of the body aren't
10 working. When Council Members are afraid to vote
11 their conscience or to advocate for their
12 constituents because they fear that funding to
13 their district will be cut the rules of the council
14 are not working. And when committee chairs cannot
15 set the agenda for their committee or call hearings
16 on issues that their hearing from their
17 constituents and members of the public are
18 essential the rules of the council aren't working.
19 The goal here therefore is to reform the City
20 Council rules to make the body more effective, more
21 responsive, and more transparent. The end result
22 won't just be a new set of rules to sit on the
23 website but a council that as the speaker said is
24 more a place where every member and every community
25 has voice where we're able to debate the issues

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2 that matter to the future of the city and we

3 believe that the council will be stronger for it

4 when we stand together. Last year as some of you

5 know several Council Members including a few who

6 are here, Council Member Williams, Council Member

7 Greenfield, Council Member Cabrera and I put

8 forward a proposal that, for rules reform that 32

9 returning and incoming Council Members signed on to

10 and for Council Members that's in the back of the

11 briefing package as well. And 34 of us were able to

12 come together behind some shared principles that

13 are just a starting point. That discretionary

14 funding for a district should not have, that the

15 politics should be removed from it, that how much

16 funding goes to dis, a district needs to be either

17 based on need or a principle of equality rather

18 than on politics that widely supported legislation

19 should be able to get a vote, that committee chairs

20 should be empowered to hold hearings on issues that

21 they believe, that committees believe are

22 important, that the council should provide members

23 with the support and resources necessary to be

24 effective legislatures and representatives, and

25 that a grievance procedure should be in place if

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2 the council's rules are not followed. More details
3 of that platform are contained in the package. But
4 today is just the starting point. We didn't want
5 that to be the proposal that we brought to the
6 floor without first listening to the members of the
7 public, to good government groups, and to other
8 members of the council themselves. So what we're
9 going to do today and in the coming months is
10 gather that input and after today's testimony,
11 after some additional research we will then come
12 back to the committee with a proposal for specific
13 changes. If you're watching online today or if you
14 want other opportunities to give testimony as I
15 mentioned before you can go to
16 Council.NYC.Gov/Rules and if folks are watching
17 online we're watching the twitter stream at
18 @NYCCouncil and I know some people in the audience
19 plan to testify about matters of open government
20 transparency and the way the council does business
21 to be more responsive and more interactive in the
22 way that we work with New Yorkers. So I want to say
23 thank you for your indulgence in this opening

24 statement and now I want to open it up to Council
25 Members who would like to make an opening statement

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2 before we go ahead and hear testimony. So yeah
3 we'll just let, well you know we, I know that both
4 Council Member Kallos and Council Member Levine
5 signed up. If other members have signed up please
6 just go ahead and raise your hand and we will put
7 you on the list. Alright so let's do, let's do
8 members of the Committee first. So we'll do Council
9 Member Levine and then Council Member Williams and
10 then we'll do Kallos and Lancman.

11 COUNCIL MEMBER LEVINE: Okay. Thank you
12 Chairman Lander and thanks to so many members of
13 the public who show you care today about coming
14 out. As one of only a couple new members, freshman
15 on this committee I thought I'd give the
16 perspective of someone who of for better for worse
17 has not been shaped by the status quo here in the
18 council. In the case of Council Member Espinal he
19 can talk about his experience in the assembly. The
20 closest I've come to legislative experience was in
21 my community board. And while that may not be the
22 loftiest and most powerful lawmaking body I think
23 there are lessons for the City Council there. At
24 Community Board 12 in Manhattan we frequently have
25 translation available at our meetings, can be

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2 requested by anybody, and the cost is covered by
3 the Community Board itself. Translation services
4 are not covered as part of the budget here in the
5 city council and advocates sometimes have to pay
6 for it out of their own pocket. This could be a
7 reform which I think would make this a more
8 democratic and open chamber. As flawed as it is the
9 process of moving forward resolutions in community
10 boards is actually more open and transparent than
11 it is here in the City Council. Here you submit a
12 legislative services request and that's like
13 putting something into a black box. You have no
14 information about where your request is in the
15 process, how long it'll take. You have no
16 information about what other members have
17 submitted. And that's of course relevant because if
18 two members submit similar requests the one who
19 submitted it first uh, gets the role of lead
20 sponsor. But it's very difficult to get a full
21 picture of that without more information. And the
22 last point I'll mention quickly is on participatory
23 budgeting. Those of us who are just coming in don't
24 have time to implement this for this fiscal cycle
25 but this is a truly democratic and open way of

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2 assigning capital funding in our districts and it's
3 work intensive and challenging for small city
4 council offices. Think it would be critical for
5 more central support to make it possible for
6 ultimately every member of the city council to open
7 up the capital grant process through participatory
8 budgeting. Thank you.

9 CHAIRPERSON LANDER: Thank you very much
10 Council Member Levine. Council Member Williams.

11 COUNCIL MEMBER WILLIAMS: Thank you very
12 much Mr. Chair. I too also want to just say
13 congratulations to the speaker for not only
14 allowing us to go forward but supporting it going
15 forward. And I want it to be clear that I, I was,
16 and still am very, very big in pushing this
17 forward. But it's important to note there had been
18 a lot of discussion about weakest speaker,
19 strongest speaker, and all, all of this crazy talk.
20 The, what's important to me is that there is a
21 strong speaker in the City Council to counteract
22 what we're supposed to counteract which is a lot of
23 times with the Mayor. Sometimes we agree, sometimes
24 we won't. We want to make sure that this body is
25 independent. I do not believe that making sure that

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2 all 51 members are able to do their job the way
3 that people hired them and elected them to do means
4 that we can't have a strong speaker. Both of those
5 things are not mutually exclusive. Also just making
6 clear that I'm, I'm looking forward to discussion
7 most particularly in, in deciding what are the
8 things that we want to change and, and realizing a
9 lot of the things that actually Council Members
10 were empowered to do but did not choose to do for
11 one reason or the other because the way the body
12 historically has been run. This is not necessarily
13 a knock on the previous speaker or any one
14 particular speaker. I think there has been a
15 historic running of the council that made members
16 feel they could not exercise some of the beliefs
17 they already have. So it'll be interesting to see
18 and note what actually powers already exist that we
19 don't really need to change. This is about
20 enforcing and letting people know the powers that
21 they have and then additional changes that I think
22 do have to be made particularly around member items
23 and perhaps how legislation is written and things
24 of that nature. But I'm looking forward to this
25

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2 discussion. I want to thank Brad Landers well for
3 pushing this forward.

4 CHAIRPERSON LANDERS: Thank you very
5 much Council Member. Council Member Kallos.

6 COUNCIL MEMBER KALLOS: Good afternoon.
7 I'm Council Member Ben Kallos. Feel free to tweet
8 me @BenKallos. I want to thank our Chair Brad
9 Lander for his inclusive leadership and for his
10 soliciting my participation as well as so many who
11 are here for this hearing. I also want to take a
12 moment to thank our speaker Melissa Mark-Viverito
13 whose leadership has meant that the rules reforms
14 that were at the center of the speaker's race will
15 actually become a reality. Most importantly thank
16 you to those of you who are testifying today and
17 members of the public watching from the gallery and
18 the webcast. After so many years of fighting for
19 good government reform I'm proud to be a part of a
20 City Council that is doing so voluntarily in a
21 process that is open. We have a mandate for reform
22 with more than 30 Council Members who signed on
23 last October who I'm sure will join us in passing
24 these new rules. This afternoon you'll hear from
25 leading international, national, and local

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2 advocates who'll be suggesting how we can change
3 the City Council's rules to use technology that can
4 make a more responsive, transparent, and effective
5 legislature that will empower our city's working
6 families. Whether it's making legislative process
7 more open with an open ATI with software that the
8 city has the freedom to modify and redistribute to
9 other legislatures, software that puts everything
10 from the legislative process in one place like the
11 legislation testimony and the hearings, empowering
12 members of the council to provide better services
13 through more interactive websites, tracking
14 constituent service requests openly, or more
15 transparency for application and distribution of
16 member item discretionary grants to community
17 organizations. When technology is done right it can
18 work seamlessly to restore trust in government.
19 There's an enormous demand for more public
20 information and that's a good thing. The more we
21 empower our city's residents the more likely they
22 are to be active in civic life. This is a win for
23 all involved and I look forward to hearing today's
24 testimony.

25

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2 CHAIRPERSON LANDER: Thank you very much
3 Council Member. Council Member Lancman.

4 COUNCIL MEMBER LANCMAN: Thank you very
5 much Brad and let me also thank the, the Speaker
6 for having this hearing and, and, and going through
7 this, this process as the, the chairman said
8 earlier it's not easy or, or often that, that
9 people with, with power consider voluntarily. The
10 possibility that those powers will be curtailed.
11 But the speaker recognizes as, as I've seen over
12 these many months the importance of strengthening
13 the City Council as a body and doing so by
14 reforming the, the process by which the city
15 council considers the city budget, considers
16 important legislation, and makes policy. You know
17 all of us come to this process with their own
18 background and experience. One Council Member
19 references experience as a Community Board Member,
20 I happen to spend six years in, in the State
21 Legislature so I come to the, this process for that
22 particular background of, of what works and what
23 doesn't in the, in the legislative process. And in
24 fact the, the, the hearing before this on vision
25 zero someone made reference to Albany's Three Men

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2 in a Room and it just sent a shudder down my, my
3 spine. So anything that we can do to improve the
4 process here in the City Council I think is, is for
5 the better to empower Council Members so many of
6 whom were just elected with new ideas and, and an
7 eagerness to serve and, and many who have you know
8 been in the body for some time and, and felt a
9 sense of frustration. I'm convinced that a more
10 democratic, open, active City Council that solicits
11 the, the input and, and takes advantage of the
12 strengths that all Council Members bring to the
13 table will ultimately be a stronger City Council.
14 And that has to be our priority. So I look forward
15 to, to the hearing and to this process and I thank
16 you for the opportunity.

17 CHAIRPERSON LANDER: Thank you very
18 much. Council Member Crowley and, and after Council
19 Member Crowley if there are any other members who
20 have opening statements please let us know
21 otherwise we'll proceed to testimony.

22 COUNCIL MEMBER CROWLEY: Thank you Chair
23 Lander. I want to thank the speaker for her
24 commitment to building a more fair and just
25 council. I want to thank Council Member Lander for

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2 championing the reform during the previous
3 administration. The greatest inequity in the, the
4 previous council had to do, I believe, with the
5 unfair practice of dis, of distributing
6 discretionary dollars. Now I fully understand and
7 support the need for discretionary dollars to be in
8 communities because they support programs that the
9 city can't support otherwise. And they somewhat
10 very much depend on it whether it's to operate or
11 after school programs or, or senior centers. There,
12 we need to make sure that the council is
13 distributing these funds equally, that politics is
14 taken out of the process. And so I'm, I look
15 forward to working together with my colleagues to
16 make sure that we put reforms in place to make sure
17 that the allocation of discretionary dollars is
18 fair and equitable and transparent to better serve
19 the tax payers of this city because it is their
20 money and they deserve to know how communities get
21 the amounts that they get each budget. So I look
22 forward to working together and I thank again the
23 Speaker and the Chair for their commitment to a
24 fair council. Thank you.

25

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2 CHAIRPERSON LANDER: Thank you very much
3 Council Member. We've also been joined by Council
4 Member Rodriguez, Council Member Gentile, so thank
5 you guys very much. I announced Council Member
6 Wills before I think right? Council Member Dickens
7 do you have an opening, do you have an opening
8 statement?

9 COUNCIL MEMBER DICKENS: Thank you so
10 much Mr. Chair and thank you Madam Speaker for this
11 opportunity. There are definitely needs that need
12 to be addressed in making changes to make the, this
13 process more transparent and open to the public.
14 However I, I want to warn that politics is a part
15 of what drives this entire city and this country.
16 And for me to sit here and tell you that politics
17 is not a part would be lying and I will not lie to
18 the public. You may not always like what I say but
19 I will not be a liar to you. Politics is a part of
20 it. However, in saying that, that to remove from
21 the ability of the speaker and to remove from the
22 ability of the Council Members who know the small
23 uh, community based organizations that actually do
24 the work in their districts would be a tragedy and
25 would therefore mean that only the larger

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2 institutions that also provide quality and
3 effective work in all of our districts. Only they
4 that hire big name lobbying firms would be able to
5 stay in existence and get the funding. The small
6 community based organizations that also participate
7 are sometimes a part and actually give information
8 to the bigger community organizations. They would
9 not be able to get any funding if you or, or if we
10 remove from the speaker and remove from this
11 institution the ability to help choose those that
12 work in our district. So although changes are
13 needed, although I must keep an open mind I'm also
14 asking the public to also keep an open mind. Thank
15 you. And thank you Mr. Chair and Madam Speaker.

16 CHAIRPERSON LANDER: Thank you very much
17 Council Member Dickens and actually that, I'm going
18 to respond to that briefly because I, we talked
19 when we developed the platform that I mentioned
20 earlier in the fall about the question of member
21 items. And I think we're going to hear from some
22 members of the public today and I think we'll,
23 that'll be interesting to see how people speak to
24 them. But we very specifically felt that we were in
25 fact defending the ability of the council to

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2 support small community based organizations,
3 community groups, and the needs of our district and
4 that the goal of separating them from the question
5 of how people vote on particular bills is part of
6 actually making it more possible for us to stand up
7 as a body and say the council's got an essential
8 role here. And so I, I really appreciate that
9 reminder. I think it will be interesting to hear
10 what other people say. And I actually thought
11 Council Member Williams also put it very well that
12 this question of what makes a stronger body and
13 what are in fact stronger models of leadership can
14 really include those models that are more
15 inclusive, that are more transparent, that are more
16 collaborative, participatory budgeting that Council
17 Member Levine spoke of and that the Speaker and
18 Council Member Williams and I and Council Member
19 Ulrich pioneered a few years ago. At least in my
20 experience though in a certain way it looks like a
21 giving up of power actually turns out to be a model
22 of community leadership that I think renders us
23 much stronger. So it was great to have those
24 perspectives to kick off the hearing. We're now
25 going to move to... Oops I apologize. We're about to

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2 move to testimony but Council Member Rodriguez
3 first is going to make the final opening statement
4 and then we'll have our first panel.

5 COUNCIL MEMBER RODRIGUEZ: Thank you. I
6 also like to thank the leadership of Speaker Mark-
7 Viverito and Brad because I said before and I say
8 today we have the more progressive city council
9 that we will, that we have, have in the history of
10 New York City. An invitation that we got today to
11 start this discussion on how we equalize the
12 distribution of resources. I know that you will
13 have an impact not only during the year that she
14 will serve as a speaker but also he will create a
15 precedence for whoever's going to be the next
16 speaker at the council that we need to have a
17 better system of distributing resources based on
18 the differing need of our community. I mean I love
19 politics more than being in government. I believe
20 that politic is something that is always changings
21 and I love the dynamic of politics. But we have to
22 first be responsible to tell all New Yorkers that
23 there's a legislative body as the speaker has said
24 before. What Council Member will be have the
25 opportunity to pass a legislation based on the

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2 merit, no base on politics. That we will be
3 distributing recourse[phonetic], resources based on
4 the need of the different communities not based on
5 whoever's, is close to the speaker. I believe that
6 she's doing, she's showing her leadership and I
7 congratulate speaker Mark Viverito and Brad Lander
8 for opening this discussion bringing more reform of
9 this body. Thank you.

10 CHAIRPERSON LANDER: Thank you very much
11 Council Member. At this time we're going to call
12 our first panel which is, will be Gene Russianoff
13 from NYPIRG, Susan Lerner from Common Cause, Dick
14 Dadey and or Alex Camarda from Citizens Union and
15 Maggie Williams from the Advocacy Institute. As
16 they're coming up I will say that a goal of this
17 hearing is to think of good government that's not
18 just in quotes that's not something if you're only
19 from an organization that says we support good
20 government and we've got a lot of other groups who
21 signed up to testify who recognize that good
22 government is helping folks on the ground get their
23 important goals achieved. None the less we thought
24 for those people who have spent a lot of time
25 thinking about these questions that we could listen

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2 to them first so... Yeah, and we do have, we have a
3 lot of people signed up to testify so we are going
4 to ask people to stick to a three minute testimony
5 limit. I know a lot of folks will have much longer
6 written testimony and we really will, we always
7 take the written testimonies seriously but in this
8 case we really will be paying close attention to
9 the details as we come back to the floor with a
10 more specific proposal. So we're going to start the
11 clock with a three minute and we'll do Q&A after
12 the end of the, of the first panel.

13 [background conversation]

14 CHAIRPERSON LANDER: Yes, yes, not three
15 minutes for all of you. That would...

16 [laughter]

17 CHAIRPERSON LANDER: And if you have
18 written testimony just please go ahead and give it
19 to the Sargent of Arms so members can be looking at
20 it now so... Okay, take it away.

21 SUSAN LERNER: Okay so...

22 [crosstalk]

23 CHAIRPERSON LANDER: Hang on one second
24 we don't have the clock set up yet. Oh, welcome
25 Council Members Greenfield and Rosenthal. Thank you

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2 for joining us. And Mazel Tov to Council Member
3 Greenfield who became a, his, his wife had a baby
4 boy yesterday so...

5 SUSAN LERNER: Ah,... [crosstalk]

6 CHAIRPERSON LANDER: Yes, that marriage...
7 [interpose]

8 [applause]

9 CHAIRPERSON LANDER: Okay, sorry. Go
10 ahead, excuse... [cross-talk]

11 SUSAN LERNER: No problem. I'm Susan
12 Lerner from Common Cause New York. And I wanted to
13 start by complimenting the council and the members
14 who worked in the past session and during the
15 intercession on, on the issue of rules reform which
16 I think can truly be transformative for this body.
17 I'd like to start by saying that Common Cause
18 strongly endorses the five areas which the reform
19 agenda that Chairman Lander mentioned highlight. We
20 believe that these are indeed the right areas to
21 concentrate on. And we think that if adopted these
22 reforms would make a transformative difference for
23 the council. I'd like to focus on a couple of areas
24 where I feel that the agenda could be, could go
25 further or areas where we have expansive

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2 suggestions. And the first has already been alluded
3 to Common Cause is not a fan of member items. But I
4 won't belabor that discussion. I, I'll go right to
5 if we are going to have member items then we
6 believe it is appropriate to have a needs based
7 system. We also believe that the suggestion
8 regarding the speaker's list is an interesting one
9 and we think it should go further. We think that
10 the speakers list the amount should be
11 circumscribed. And we think also that there should
12 be restrictions on how speaker's list funding
13 should be spent. We don't believe that the
14 speaker's list funding should be spent in the
15 speaker's district. We believe that the speaker's
16 list funding should go for projects that are
17 multidistrict or serve an entire borough or serve
18 the city as a whole. And I have specific examples
19 but I'm not going to take up time on that. Also we
20 believe at Common Cause that it is important that
21 once the funds are allocated on whatever basis that
22 there be a culture whether it's a, a rules reform
23 or a culture that encourages that within district
24 distribution should also be done on some objective
25 basis. And we are, we point to some of the

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2 suggestions, some of the procedures which passed
3 Manhattan Borough Presidents got Stringer used in
4 allocating his member items as a way in which to
5 use if not directly participatory budgeting, which
6 we think would be a great idea for discretionary
7 funding as well as capital funding but at least
8 community input and a more objective set of
9 standards. Because the politicization of the
10 process comes from the public's feeling that it is
11 just one person who gets to decide. In the
12 legislative process we spent time looking at the
13 way in which bills are drafted in other
14 legislatures and I go into this in some detail in
15 my written testimony. But I believe that there are
16 two threshold issues that you need to be thinking
17 about. The first is should there be any control on
18 who and when a member gets to introduce a bill.
19 There's an interesting procedure in Los Angeles
20 where anything that is introduced other than by the
21 Committee or the body as a whole has to be seconded
22 so you can't have a one member bill that's there
23 perhaps just for show that's not going to go
24 anywhere. The second question that I believe you
25 need to address is if you are going to set up an

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2 independent body of some sort or unit to draft
3 bills, which we recommend, there are models where
4 the drafting is done not just by a council
5 department but that that same body also has
6 advisory and analytical responsibilities and is a
7 nonpartisan objective resource for analysis and
8 reports for individual members as well as the body
9 of a whole. I have comments about fast-track and in
10 my written testimony. My time is up and I will say
11 thank you for listening.

12 GENE RUSSIANOFF: [off mic] Good
13 afternoon.

14 GENE RUSSIANOFF: Good afternoon. My
15 name is Gene Russianoff and I'm with the New York
16 Public Interest Research Group. If someone had told
17 me five years ago, ten years ago that the City
18 Council Rules Committee was going to engage in an
19 open process of revising the rules for the council
20 I would have expressed some skepticism. But I, I
21 think you embarked on a very important mission for
22 the council, one that will allow your institution
23 to be taken more seriously by the public and the
24 other actors in government. NYPIRG lobbies in a lot
25 of issues; everything from health care, consumer

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2 protection, mass transit. And I have, NYPIRG's been
3 around 40 years and I've spent decades since 1984
4 lobbying this institution. And I've had a chance to
5 be here when it's done great things. Like in 1988
6 it passed the, the best campaign finance law in the
7 nation way ahead of, of many other states and
8 localities. And here for some of its biggest
9 mistakes like the extension of term audits (sic)
10 which will continue to haunt this institution
11 fairly or unfairly. It is true that politics and
12 personality make up the lion's share of what goes
13 into the government process but rules do matter.
14 Rules do matter. I might feel the need to make sure
15 that the speaker has sufficient authority to
16 represent the council and foster consensus. I
17 believe the rules could be written in a way that
18 strikes a better balance than they do today. Now
19 you'll be happy to hear that my testimony will be
20 largely substanceless[phonetic] and you won't have
21 to memorize a whole series of rules. I think we
22 support many of the ideas that are kicking around
23 certainly on discretionary spending or member items
24 taking the politics out of that process. Your
25 constituents deserve not to be punished for things

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2 that the speaker approves or disapproves of. And I
3 think the age we live in has the technologies that
4 didn't exist 10, 15, 20 years ago that allow you to
5 be in much better communication with your
6 constituents and allowing them more opportunities
7 to engage in the civic process. So with substance
8 cut out I'm going to focus on the process. This has
9 already been said but I really want to stress it.
10 The process of adopting these rules can and should
11 be transparent. So you know gather, gather draft
12 rules from this hearing and from other members in
13 the public, post them on the council website, and
14 solicit comments, develop draft rules and hold the
15 hearing or two or three who's had the full council
16 think on the final rules and commit to a, a
17 biannual review of the rules so that they don't go
18 stale. Anyway we look forward to working with the
19 members of this council on, on rules reform. Thank
20 you.

21 DICK DADEY: Good afternoon members of
22 the City Council, Chair Lander, Speaker Mark-
23 Viverito. My name is Dick Dadey and I'm with
24 Citizens Union and we also are pleased and enthused
25 about this first ever public hearing to solicit

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2 feedback on how best to structure the rules and
3 operations of the City Council. It's a momentous
4 moment and we congratulate you for that. Our
5 testimony goes into great detail about many of our
6 recommendations that have been long standing and
7 date back to our first rules reform report in 2006.
8 And out of that over the last eight years the
9 council has adopted nine improvements over the last
10 eight years which we've been very pleased to see.
11 We're also pleased to see that 32 members of this
12 City Council stood on the steps of City Hall which
13 we were pleased to take part in last October and
14 announce a commitment to a number of reforms that
15 are articulated in my testimony as well that deal
16 with the allocation of discretionary funding. And
17 Citizens Union has put forward a number of
18 recommendations that suggest that you know the base
19 level funding for each of the members be raised and
20 that the remaining be allocated according to a
21 needs based formula and that the Speaker's pot
22 still be included but become much smaller and be
23 based on those assessment of needs. Also you know
24 we do concur with you that an independent bill
25 drafting entity within the city council that is

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2 nonpartisan, that is available to all members be
3 established. One idea might be to have independent
4 lawyers who are assigned to each member. You might
5 have five or six lawyers who work closely with
6 those individual members of the council and not
7 only to help draft a legislation but to help
8 evaluate and analyze and construct it in a way that
9 is appropriate. We also agree that you should
10 appoint a task force to review the committee
11 structure and scheduling of meetings that leads to
12 sprawling committee assignments. I mean we are
13 concerned about how thinly spread members are by
14 having to serve on so many committees and we think
15 that the council's interest would be, would be
16 better held if they reduce the number of
17 committees. We believe that they should actually be
18 reduced by half. You know the other thing that I
19 think is important is that you need to enforce
20 existing roles. There were seven major improvements
21 over the last eight years. Some of them have been
22 followed. Some of them have been not. It's about
23 changing the culture. And so we're also happy to
24 see that the council is committed to changing the
25 culture to see that the rules of the past and the

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2 rules that it's adopting going forward will be
3 abided by. In terms of additional needed reforms
4 obviously Citizens Union has been clear about its
5 desire to see lulu's (sic) banned all but for
6 leadership. You know we do acknowledge that some
7 progress was made last month when you know the, the
8 scope of the lulu's (sic) and the amount of lulu's
9 (sic) were made more equitable and that was an
10 important step. We'd like to see them ultimately
11 banned and you know the fact that 35 members of the
12 council indicated support for that should make that
13 a pretty easy lift. And that could be accomplished
14 through the establishment of a quadrennial
15 commission as required by the charter that takes a
16 look at compensation for all elected officials that
17 has, when it was last held back in 2007. We believe
18 that the time has come for that to be looked at
19 again. And as a part of that to look at part time,
20 full time, outside income. And if outside income is
21 still allowed obviously there needs to be much
22 greater disclosure and we make a number of
23 recommendations in our written testimony. Also
24 establish more meaningful party caucuses to
25 establish, you know to, to create more discussion

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2 and consensus within your caucus as you move
3 forward on legislation and public policy. Thank
4 you.

5 MAGGIE WILLIAMS: Good afternoon. My
6 name is Maggie Williams and I'm with the Advocacy
7 Institute. Thank you to the, to the Committee and
8 to the Council and to Chair Lander and the Speaker
9 for holding these hearings. I think it's a really
10 amazing opportunity to invite the public and
11 advocates to come in and actually be a part of this
12 process. Am I not loud enough? Louder? Okay, thank
13 you. So I've worked as an advocate on Criminal
14 Justice Issues both in New York City with Bronx
15 Offenders and the Correctional Association
16 advocating on legislation in New York City and New
17 York State. And then I actually worked in the state
18 Senate for two years. And I realize drawing on
19 Albany as an example for positive reform might seem
20 ironic I think that there's much that Albany could
21 learn, the state legislature could learn from this
22 body here. And Councilman Lancman has already
23 referenced the chills that he got when Three Men in
24 a Room were referenced or Four Men in a Room as the
25 case may be. But I do think that the Independent

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2 Bill Drafting Commission that Albany has serves a
3 really important purpose. And I don't think that
4 the Council needs to go to that great of an extent.
5 It's a much smaller entity, there are fewer Council
6 Members, there's no need to have as expansive as an
7 entity. But I do think actually having independent
8 lawyers who are very well trained in the bill
9 drafting process can actually enhance the
10 institutions expertise over the long term. And
11 really also enhance the autonomy of Council Members
12 to introduce legislation. So having an independent
13 office would mean that Council Members could go to
14 that office, staff from their office could go to
15 the independent office and have a legislation
16 drafted confidentially. And it would mean that that
17 process would, there would be confidential work
18 product with the independent office and it would
19 mean that that information wouldn't be public until
20 it was actually introduced and it had an intro
21 number. And I think what we'll see is we'll
22 actually see more nuance legislation being drafted
23 in house. We'll see the legislation, we'll see the
24 council actually increase its autonomy and we'll
25 see more ideas being introduced and then debated

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2 openly right... It's really hard as an advocate to,
3 to debate and advocate on an issue when it's just
4 an idea on a piece of paper and it doesn't actually
5 have an intro number. We need legislation to have
6 intro numbers so we can actually debate it and
7 advocate and push for it to have a hearing if it's
8 meant to have a hearing or amend it if it needs to
9 be amended. So I think actually having that
10 independent entity will also increase individual
11 Council Member's Autonomy. I think that it also
12 serves staff's interest to have this independent
13 office. Working for an individual member and
14 meeting all of that member's needs is very
15 different than the art and science of actually
16 drafting legislation. And this actually provides
17 opportunities for staff in the council to
18 specialize in the areas that are more interesting
19 to them. So again I realize that it's not normal to
20 be referencing things that Albany does well but I
21 think this is something where the Council could
22 actually learn and take some specific things and
23 institutionalize them here. And I think this is a
24 really exciting opportunity to think about how
25 changes that we create today can actually lead to

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2 truly transformative legislative outcomes in the
3 future. So thank you for involving all of us in
4 this process.

5 CHAIRPERSON LANDER: Thanks very much to
6 all of you for the, well let's go with... I think
7 there may be a few questions. Don't, don't leave
8 just yet. By the way I was just thanking you for
9 the time that you've put in, on these issues over
10 the years and then also to come forward and talk to
11 us today. If members have questions please let
12 Amanta Labooth (sic) know. And we'll start with
13 Council Member Williams.

14 COUNCIL MEMBER WILLIAMS: Thank you very
15 much. And thank you for coming to testify. I did
16 want to piggyback on something that was said by
17 Council Member Dickens first of all which is one,
18 the very, very big importance of discretionary
19 funds and allowing the discretionary funds to be
20 put out there has been coming from the nonprofit
21 world understanding five, 10, 15 thousand dollars
22 can be the difference between a program happening
23 and not happening. And our friends in the daily
24 news tend to think a little different. But I would
25 say that if it, these discretionary funds were not

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2 there, there would be small groups that will not
3 get funding through RFB process. It is just plain
4 and simple but they would lose that funding and not
5 have access to it. It would only go to the, to the
6 big guys and we're seeing a lot of that now as they
7 took away discretionary funds from the federal,
8 from the state, everybody's running to the city and
9 it's a big problem. But I want to make sure that
10 that's put out there. I'm hoping nonprofits that
11 can hear my voice will begin to step up and speak
12 about how this discretionary funds are important to
13 them and that as our friends in the daily news call
14 it pork many of us call it a baseball field or call
15 eviction prevention. So there's a lot of different
16 things that I think are much better than are what
17 are called in the papers. And what I first wanted
18 to ask not particularly to Susan but anyone can
19 answer. The, the, the needs base which I think
20 would be base, best is a problem with trying to
21 figure out what that formula is. Do you have a
22 formula that would accurately put out what needs
23 based would be?

24 SUSAN LERNER: Well there, there are a
25 lot of different factors. I don't have one that

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2 I'm, that Common Cause New York is recommending at
3 the moment but it's definitely something that we're
4 looking at and we're interested in helping you
5 develop because there are different metrics and
6 tracking statistics. And it's simply a question of,
7 I think, not relying on only one but perhaps a
8 number of different markers; population size, the
9 average income... There are a lot of, of, of
10 indicators which are tracked and I think that it
11 would be possible through a collaborative process
12 among our groups with the Committee and the public
13 to come up with a mix of indicators that could then
14 make a formula. And, and is it alright if I respond
15 to your comment and to Council Woman Dickens'
16 comment which is I do believe that there are
17 procedures which can be set up which allow for the
18 Council Members to have a very significant role in
19 an objective criteria process designed to serve the
20 needs of small organizations on a district basis. I
21 have seen other cities that have done that... giving
22 grants as small as 10, 15, or 20 thousand dollars
23 through agencies where the criteria are clear and
24 one of the criteria is the input of the Council
25 Member and the funds are given on a district by

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2 district basis. So I do believe that it is possible
3 responding to Council Woman Crowley's concerns to
4 take politics out of it to have a more objective
5 process that still serves small startup groups.

6 COUNCIL MEMBER WILLIAMS: I think... want
7 to respond... I have some more question but go ahead.

8 DICK DADEY: Sure I, I just want to
9 point out that Citizens Union believes you should
10 take the expense pond and divide it in half. Half
11 of it's for discretionary funding by the individual
12 members based on a application process and the
13 other half is needs based. And in our report that
14 we issued on discretionary funding last year we
15 laid out a number of criteria that are actually are
16 currently available to the city that are
17 highlighted on pages three and four of our
18 testimony here. You know you can look at
19 individuals receiving for your reduced price school
20 lunches, Medicaid recipients, the poverty line,
21 availability of public transportation, etcetera,
22 etcetera. So they're all metrics that I think that
23 you can use in trying to come up with a needs based
24 formula.

25

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2 GENE RUSSIANOFF: I just wanted to add
3 that during Speaker Quinn's era some really serious
4 reforms were made to the process to make sure that
5 it would be ethical and avoid legal issues. And the
6 Mayor's Office of Contracts play a real role and I
7 think, I think you know those people who criticize
8 the council for member items and discretionary
9 spending are not entirely aware of the [crosstalk]
10 safeguards that are in place.

11 COUNCIL MEMBER WILLIAMS: You mentioned
12 I think one place, are there, you mentioned when
13 you talking about legislative writing and the fact
14 that people have to second bills but do you have
15 examples of all of the city's, how all the city's...

16 SUSAN LERNER: Yes.

17 COUNCIL MEMBER WILLIAMS: ...doing it's
18 discretionary funding?

19 SUSAN LERNER: Discretionary funds?

20 COUNCIL MEMBER WILLIAMS: Yes.

21 SUSAN LERNER: There's a program that I
22 was aware of, it's not in my testimony that had to
23 deal with arts allocations in Los Angeles city
24 where the allocation was made on a district basis,
25 council district basis. There was a clear set of

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2 criteria and the applicants were encouraged to
3 receive letters from their council members for that
4 district and that was an important part of the
5 evaluation process in deciding how to allocate
6 those relatively small grants, some of which went
7 to very small organizations.

8 COUNCIL MEMBER WILLIAMS: And also, I
9 get a little overly concerned when I hear,
10 sometimes I describe them as platitudes but I, I
11 mean when I hear we're going to take politics out
12 of this, we're going to prevent all of this, I like
13 to use the word minimize. So I want to minimize
14 politics. I want to minimize a lot of the issues.
15 And I'm wondering one if, if there's a belief, real
16 belief in the panel that we will or should get rid
17 of all the politics in any of this and or should we
18 get rid of all discretion and make it all
19 formulaic. Those are, those are my two questions..
20 [crosstalk]

21 DICK DADEY: Citizens Union would not
22 support that. And from our point of view you cannot
23 take politics out of governing. It's a, it's an
24 important part of how important objectives get
25 accomplished. And as you just mentioned Council

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2 Member you can minimize the, you know, negative
3 consequences of politics when decisions are made
4 solely on the basis of politics. But you know think
5 that you can take politics out of government
6 decision making among 51 members of a very diverse
7 legislative body is you know, it, it, it, it's not
8 correct. And so we would not urge that we would
9 just urge that the you know, that you minimize the
10 negative consequences of those who may not go along
11 with you, that's all. And... yeah, that's...

12 SUSAN LERNER: I was going to say that
13 the system that I described I think has a political
14 element in that it's highly unlikely in that
15 program that any applicant who did not have the
16 support of the Council Member was going to get the
17 grants. Now they're people who went through the
18 process, there were organizations that went through
19 the process, didn't get a letter of support from
20 the Council Member and that told the, the agency
21 something and none of those groups quite honestly
22 got, got grants. So I think it can be built and I
23 agree with Dick that the term really is minimizing.
24 At the end we don't have enough money in the city
25 to provide grants for everything that I know

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2 Council Members would like to support in their
3 district. There has to be some degree of
4 discretion. What we're suggesting is a more, is a
5 process where there's more balance than
6 objectivity.

7 COUNCIL MEMBER WILLIAMS: Alright, and
8 I'll wrap up before I see the button's about to be
9 pressed on me by the chair. But, so I'll just say
10 thank you for the, for the great work that you, you
11 are doing and I, I do, as we go through this
12 process, will continue to have your support with
13 the realization that the plan here is to minimize
14 it. I'm all for the, and in favor of the reforms
15 but I want to make sure we're pragmatic also as
16 we're going forward with this. Thank you.

17 CHAIRPERSON LANDER: Thank you Council
18 Member. We've been joined by Council Member Rose
19 and by the Minority Leader Council Member Ignizio
20 and Council Member Vallone. Next up to ask
21 questions is Council Member Greenfield.

22 COUNCIL MEMBER GREENFIELD: Thank you
23 Mr. Chairman. You know I just want to open, didn't
24 have a chance to make my opening remarks. I just
25 want to quickly say that I think that today's

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2 really a great day as was mentioned by many of the
3 panelists not just because there's another, a new
4 Greenfield in New York City, that of course makes
5 it a great day for me...

6 [laughter]

7 COUNCIL MEMBER GREENFIELD: And just
8 want to state for the record Jumaane contrary to
9 the rumors that you're propagating on Twitter my
10 son's name will not be Jumaane Greenfield. The, the
11 best of the Jewish tradition he will be named next
12 Monday God willing at his Bris. But seriously
13 speaking I think what makes today so unique is that
14 we have a Rules Committee which is meeting
15 transparently where we have the Speaker who is here
16 as well who has embraced rules reform and I can
17 just tell you that quite frankly just serving on
18 leadership for the last few weeks some of us who
19 have served we've seen an incredible amount of
20 transparency and interest from the Speaker in
21 bringing all of her colleagues together and in
22 leading together with consensus where I think is
23 something that's very impressive. And we're in week
24 I guess six or seven of this council and already
25 having this conversation which shows the importance

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2 that the council has placed on this. So I think
3 that's significant and just certainly needs to be
4 recognized. And I want to thank of course Chair
5 Lander and the Speaker for their leadership on this
6 issue and all of our colleagues. Specifically I, I
7 just, I just want to ask a specific question
8 because there's a lot of ground over here to cover.
9 As was mentioned before back in October 32 members
10 of this council including those who were elected
11 and who were already here signed onto a, a series
12 of five rule reform items. And in fact I'm told
13 that over the coming days we'll actually have even
14 more members who are going to sign on. I won't
15 steal their thunder but we expect that that group
16 will expand. I just want to quickly just run
17 through those items and I, I specifically want to
18 point to them because I, I understand that in the
19 world of good government there's always more that
20 we can do and I respect that and I certainly am
21 welcoming that feedback. I just wanted to know
22 where you are on these five items and if you're
23 good with these items or if you have any changes
24 you'd like to see specifically to these items. So
25 just to, to refer you. I don't know if you have an,

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2 if you have the same document that we have. It's in
3 the last, it's in the last few pages. It says New
4 York City Council Rules Reform Agenda. So basically
5 the first item is we're taking hopefully much of
6 the politics out of the member item allocation,
7 funding for the council districts based on a fair
8 and objective basis, whatever that basis would be.

9 That's item one. Item two would be to

10 enshare[phonetic], ensure fair consideration of

11 legislation by establishing an independent

12 legislative drafting unit at City Council. Item

13 three would be to further empower Chairs to run

14 their committees. Item four would be to dedicate a

15 greater share of the council resources to enable

16 members to provide effective service to the public.

17 And item five would be, and this is actually very

18 unique when you think about it, which is well what

19 happens when we're not following the rules right,

20 and that is well we now have a mechanism where a

21 full procedure where a member could file a

22 grievance with the Rules Committee if they believe

23 that the council is not following the rules. So

24 these are five items which, I'm not going to lie as

25 someone who co-authored these items along with

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2 several of my colleagues, we thought they were
3 pretty good. And so I specifically want your
4 feedback on these five. Do you like them? Do you
5 not like them? Do you think they could be improved?
6 What do you think about these five items? Just
7 because we already have significant consensus on
8 these items.

9 GENE RUSSIANOFF: Well I'd start by
10 saying number one we think it should be minimized,
11 the uh, politics... member items. So we... convinced by
12 Council Member Williams that is a better way of
13 putting it. And you know we were around in 1989
14 when the City Charter Revision Commission offered
15 control of the Independent Budget Office to the
16 council leadership. We thought then and we think
17 now that the council would have a lot more
18 credibility if it was getting data from an agency
19 like the congressional budget offices is you know
20 their, their, their commitment is to find what they
21 believe is the truth or the accurate thing. But
22 the, there was no talking the council into doing
23 the independent budget office and it, it, it gave
24 away an opportunity that I think would have greatly
25 enhanced its ability. So I, you know I, I've heard

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2 some discussion about whether they're, how this
3 office should be structured and I really haven't
4 thought those things through but I certainly think
5 that Council Members make, have made a good point
6 that they often get, things go into the abyss
7 sometimes around here. You know it just so, you see
8 the, the legal folks take your, your idea and then
9 it's six months later and they're still working on
10 it. So you know that, that strikes me as a very
11 good reform and I'll let my colleagues deal with
12 the other ones and may come back.

13 SUSAN LERNER: So in the beginning of my
14 presentation I said we strongly endorse the five
15 areas. We think they are the right areas. I tried
16 to focus in on the areas where we feel there's some
17 disagreement on number one. You know our
18 preferences for need base, not equal distribution.
19 I expanded on the Speaker's list which I think
20 should be more clearly defined as to what's
21 appropriate. The legislation I spend a fair amount
22 of time in my written testimony talking about ways
23 in which other councils and other legislative
24 bodies write legislation and we've testified in
25 earlier hearings about the need for a, a more

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2 sophisticated internet presence on the part of the
3 council that allows the public to track bills and
4 to receive documentation of real time in machine
5 readable form. And the question of the committee
6 functioning. We did an analysis of the comparative
7 size of other city council, city councils and the
8 ratio of committee to council members. We found
9 absolutely no uniformity and no best practice. But
10 we agree with Citizens Union that the number of
11 committees should be cut down. And we think that
12 it, the idea of giving Committee Chairs authority
13 is extremely important in regularizing how the
14 committees will function is important. The share of
15 council resources, we are enthusiastic supporters
16 of that. We particularly support the idea that
17 there would be a dedicated unit among central staff
18 to support participatory budgeting. And finally as
19 to the fifth point it's something that we at Common
20 Cause suggested very early on in this discussion
21 process so we're very pleased to see it included in
22 the recommendations.

23 COUNCIL MEMBER GREENFIELD: We're going
24 to call it the Common Cause Roll. Thank you.

25 SUSAN LERNER: Thank you.

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2 COUNCIL MEMBER GREENFIELD: Any, anybody
3 else? Any other feedback? I, I guess the question
4 is just is there any objection. I understand that
5 there have been suggestions on building on one, on
6 some of the things. I just want to make sure that
7 there is at least unanimity among the good
8 government groups that were happy with these five
9 points. We think it's a good, good place and then
10 perhaps we can expand on that but certainly that
11 you're pleased with where we've started... And even
12 Susan to your point just, just to be clear we
13 specifically said in terms of discretionary fund
14 that either equally or via need base so we didn't
15 choose that one. So still they're just sort of
16 trying, we were trying to sort of go for the common
17 denominator that everybody could find acceptable.

18 DICK DADEY: To answer your question
19 Citizens Union does support these five initiatives
20 and some of the very specific recommendations were
21 laid out in our testimony as to how you might
22 achieve them. But I think the devil is in the
23 details. And if you drill down in your five points
24 and look at your very specific recommendations as
25 to how to achieve for example number three further

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2 empowering Chairs, it would be great if there was a
3 task force that looked at how committees function
4 that could come back later in the year or next year
5 with future recommendations on how to reduce the
6 number of committees, how to you know allow
7 individual members to drill down on issues and be
8 able to spend more time on, on, on the issues as
9 opposed to running back and forth between committee
10 hearings.

11 GENE RUSSIANOFF: And you, you, our M.O.
12 exactly right. We always want more. And the, the
13 more I would want is a sixth principle which takes
14 what's already in the, in the paper which is can't
15 find any ways to communicate with your constituents
16 in a more effective way providing more information
17 on the legislative land use and budget processes. I
18 think using technology to get information out would
19 be a good thing to do. So I, I would add that
20 explicitly as opposed to you know you can find it
21 by hunting through the document.

22 CHAIRPERSON LANDER: And I just want to
23 flag on that point. I'm sorry to interrupt [cross-
24 talk] Council Member. We have a whole panel, I
25 think the third panel is on open government and

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2 technology so it's certainly something that we're
3 going to be paying attention to as part of this
4 process.

5 COUNCIL MEMBER GREENFIELD: So I, I want
6 to thank you and I just want to conclude what the,
7 the point I think that was made earlier which is
8 that you know years ago you may not have expected
9 to come to this point but I do, I do want to thank
10 you because in the end of the day I think the, the
11 challenges that we have as elected officials is
12 that our day starts very early and ends very late
13 and there's a lot of different balls that we're
14 juggling and the one, two, three, four, five of you
15 and others who are involved, you provide a service
16 to us as elected officials and to the community by
17 focusing on these issues where we may not have as
18 much time and resources as you would. So I want to
19 thank you for the suggestions and the
20 recommendations and we certainly would not be here
21 today without your input and your support so thank
22 you very much.

23 CHAIRPERSON LANDER: Alright I'm going
24 to let Council Members know there are seven, six
25 more Council Members who have signed up for

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2 questions and I didn't start putting folks on the
3 clock so I'm not going to do it for the remainder
4 of this period of time but obviously we've got
5 quite a lot of people signed up to testify. So
6 Council Member Lancman.

7 COUNCIL MEMBER LANCMAN: Thank you. I
8 definitely agree with Ms. Williams when it comes to
9 what would make sense to import from, from Albany
10 and that is the ability of, of Council Members to
11 introduce bills, have them drafted and introduced
12 as easily as possible. When I started looking at
13 the council rules when I was contemplating
14 switching teams that was one thing that struck me
15 as, as, it was almost unbelievable. And then I
16 started reading about how that process was, was
17 abused here in the council and in some
18 circumstances people felt that they were denied the
19 opportunity to introduce legislation. Apropos of
20 that I, I would like to, to, to ask Common Cause
21 why you think it would be a good idea to make it
22 more difficult for members to introduce legislation
23 by imposing for example a, a, a co-sponsor rule...

24 [crosstalk]

25 SUSAN LERNER: Well I could...

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2 COUNCIL MEMBER LANCMAN: I, I...

3 SUSAN LERNER: This is...

4 COUNCIL MEMBER LANCMAN: I could tell
5 you that, that the act of, of introducing a bill
6 of, of the ultimate goal with every bill you know
7 should be that it be passed and, and signed into
8 law is it, is itself a very, very important part of
9 the, the process that yields results beyond just
10 you know ultimately passing the bill. Why would you
11 want to restrict that?

12 SUSAN LERNER: Well I think this is
13 where the flip side of the ease of introducing
14 legislation in Albany becomes apparent. We have a
15 legislature where I think the last session 16,000
16 bills of which 900 passed. It's very difficult for
17 the public to keep track of, of what is being
18 introduced. And I think that it really
19 unnecessarily complicates the administration of the
20 process where you have a lot of one person bills
21 that are really statements of principle rather than
22 of you know likelihood of legislation resulting.
23 And therefore an easy to draft process but some
24 collaboration in the body to introduce a bill, a
25

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2 meritorious bill it seems to me is very likely to
3 find a second.

4 COUNCIL MEMBER LANCMAN: Not every, I
5 would just point out, that not every bill that ends
6 of being viewed as meritorious and becoming the law
7 of the land starts out, perceived that way. And you
8 have the potential where there might be members of
9 a body who through the political process end up
10 being marginalized and ostracized would find it
11 very difficult to find a sponsor for a bill either
12 because of the politics of, of their own place in
13 the council or because of the unpopularity of that
14 idea at that particular moment... [crosstalk] and
15 time. And introducing a bill is a great way to
16 start a conversation and start a process where you...
17 [crosstalk] may never, you don't, you don't know
18 where it will end up.

19 SUSAN LERNER: But I would still hate to
20 see this body flooded with a large number of, of
21 you know bills which are there solely for
22 conversation as opposed to using other means,
23 hearings, discussions of issues, going through the
24 process of drafting a bill, having it introduced,
25 and then not having it really move or be the, the

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2 basis of a conversation because with 16,000 bills
3 in Albany that's not the basis of any conversation.
4 It's the bills that are, that have co-sponsors that
5 get hearings whether they move forward in the
6 process or not that are starting a discussion and,
7 and I think just from an administrative point of
8 view what we would like not to see are a large
9 number of bills that aren't actually going to turn
10 into law. This body has other means of starting a
11 conversation and we'd like to say the, those
12 utilized as they are being utilized today.

13 COUNCIL MEMBER LANCMAN: Well...

14 [crosstalk]

15 MAGGIE WILLIAMS: May I respond? I mean
16 I think there's always this tension when we're
17 talking about the legislative process in terms of
18 how many, how open and transparent do we want it to
19 be and how many ideas do we want generated in
20 legislation. And how many of those move how far in
21 the process versus there are bills that should not
22 become law right... There are bills that should not
23 actually pass the council. There are bills that
24 should not be signed by the Mayor. I think what's
25 interesting to think about as, as much as I am a

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2 proponent of easing the introduction process and
3 drawing on some of the lessons from Albany that I
4 mentioned I think it's also interesting that, that
5 Albany has two houses and this is only one house
6 and Albany also has the calendar which is where
7 bills sit when they move out of committee. They go
8 to the calendar and many bills actually die on the
9 calendar right. There are, along with the thousands
10 of bills that Susan's mentioning there are even
11 thousands more that sit on the calendar that never
12 make it to the floor. Now I'm not as familiar with
13 the ins and outs of the council process but it is
14 my understanding that you all don't really have
15 something similar to the calendar that it really
16 it's two hearings and a committee and then bills
17 often do move to a stated meeting for a vote. So I
18 think it is interesting just to think about if
19 there is going to be more ease of introduction
20 where might there need to be more checkpoints along
21 the way to, to make sure that as legislation is
22 moving that it is getting the airing and the debate
23 time and the hearing time that it needs. So I'm not
24 necessarily endorsing one specific proposal right
25 now for that. But I do think it, it will raise a

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2 question because there will be more pressure on the
3 committee hearing process for instance.

4 COUNCIL MEMBER LANCMAN: On the subject
5 of checkpoints, this is my last question.

6 MAGGIE WILLIAMS: Mm-hmm.

7 COUNCIL MEMBER LANCMAN: Other
8 legislative bodies and, and now I'm thinking of
9 Congress allow for a process of marking up,
10 amending in a bill...

11 MAGGIE WILLIAMS: Mm-hmm.

12 COUNCIL MEMBER LANCMAN: ...through the
13 process. Between its being introduced and it
14 reaching the floor and then even when it is on the
15 floor would you agree that, that some kind of
16 marking up process, some kind of amendment process
17 would be important to weed out bad bills, develop
18 mediocre bills into, into good bills and also give
19 members an opportunity to, to, to improve and, and
20 develop legislation?

21 SUSAN LERNER: Yes.

22 MAGGIE WILLIAMS: Absolutely.

23 SUSAN LERNER: At, at Common Cause we're
24 strong proponents of that in my written testimony I
25 recommend precisely that, an active markup process

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2 in the hearing process, a dialogue between
3 proponents and the sponsor of a bill and committee
4 members with an, with an open mark up and amendment
5 process. The memo that we recommend travel with the
6 bill is a particularly good vehicle for starting
7 that discussion and making recommendations from a
8 committee to the bill's sponsor of specific issues
9 that need to be improved.

10 GENE RUSSIANOFF: I just...

11 MAGGIE WILLIAMS: I think a, a bill
12 drafting office will ensure that what comes out is
13 a technically sounder bill but I absolutely think
14 there should always be the opportunity to amend
15 that legislation through the process.

16 GENE RUSSIANOFF: And I agree with
17 Maggie's point. The, that isn't the culture of this
18 council at the moment. There are markup sessions
19 and it's a, a rare thing for someone to come in
20 with amendments to a bill that's being considered.
21 So I, I think it's worth exploring it's just it's
22 very different than the way business is conducted
23 now.

24 CHAIRPERSON LANDER: And I just want to
25 add two points to this here because they were

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2 interesting to me around the market process in the
3 last session. First was that there were a couple of
4 times when an amended version of a bill appeared on
5 the website that I had signed onto the original
6 version of and continued to appear as the cosponsor
7 of a then amended A or a B version of bills I no
8 longer supported. And on the flip side of that
9 Council Member Williams and I have the challenge
10 and the bio space profiling...

11 COUNCIL MEMBER LANCMAN: And, and
12 probably had no role in amending.

13 CHAIRPERSON LANDER: Well... didn't know
14 we were being amended. Yes, and then when Council
15 Member Williams and I worked on the bio-space
16 profiling though we also have the challenge that
17 the lack of clarity for a process of getting that
18 bill amended prior to bringing it out to the floor
19 was part of the challenge in the, in that as well.
20 So thank you Council Member. Council Member Mark
21 Weprin has joined us. And I'll just, I'm going to..
22 let me, let me tell the list, name the whole list
23 of Council Members who have signed up to ask
24 questions of this panel. Council Member Wills,
25

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2 Rosenthal, Ignizio, Dickens, and Gentile. Council
3 Member Wills.

4 COUNCIL MEMBER WILLS: Good afternoon. I
5 want to say thank you for all of the work that you
6 do and I'll definitely want to thank the speaker
7 and Chair Brad Lander for all the work that he's
8 done with these reforms. I do just want to add some
9 comments. Politics is the art of government and to,
10 just to be clear we've had elections and we've had
11 reelections of a lot of members and the same way
12 we've stood here and had an election for the
13 speaker that was unanimous. There was no floor
14 contest, anything else which just expresses the
15 confidence that our constituency has in us and the
16 confidence that we have in the speaker to award
17 something that every good government is saying is a
18 brand new day, is a great day. So with that being
19 said I think that these rules reforms that we're
20 doing has to be tempered with that confidence that
21 we have in our Speaker and the Chair, our Chair
22 Lander. With that being said since these rules
23 reforms were proposed well before the elections I
24 would have been asking about a specific topic. If
25 we're going to do needs based where is that formula

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2 going to come from and now we fast forward to five
3 or six months later and we still haven't seen one
4 formula presented. We've seen a lot the metrics
5 that would go into it but the formula hasn't been
6 seen and with that I'm asking even with a needs
7 based formula or with every Council Member being
8 brought up which I think is fair and a needs based
9 formula being applied. How does that fix or are we
10 even going to drill down and look at how we fix the
11 inequities of the last five, ten, or 15 years to
12 different districts that traditionally because they
13 had a member here for 12 years and was outspoken,
14 got nothing? Like what are we doing to look at
15 those things because we're looking for now? But
16 even these two proposals, how does that look to
17 fixing the things that we've gone through? Also
18 when we're looking at the member items or the
19 discretionary funding that the, the members have
20 are we looking at the agency spending also right?
21 Because we have members that have districts that
22 need a lot of help. And when we're looking at
23 constants like the flooding in Siutheast Queens or
24 we're looking at schools through the DOE that never
25 get any technology money from the DOE except for

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2 the member items that the, the members bring home.

3 How are we looking at that also? Because there's

4 two sides to this. I know you said there was only

5 one house instead of like in the state but there

6 are two sides to this. There's a legislative side

7 and there's the executive side. Are we starting to

8 take into account for that because you know I'm

9 under the opinion and a lot of people may not agree

10 with me? A lot of people are screaming competitive

11 grant, competitive grant but I think that's code

12 word for moving minorities and small groups out of

13 the equation. You know we've have competitive

14 grants and earmarks were removed from congress. And

15 minority districts all around the country suffered.

16 We did that the same with the, with the state

17 legislature. And minority districts have accepted

18 also because those grants that were brought in

19 through these, these, these electives actually now

20 suffered because they didn't get the money. A lot

21 of these smaller groups that do so much work and

22 they do a bunch of work with, with a razor thin

23 margin for error with their personnel and their

24 staff. If they, they weren't trained or they don't

25 have the infrastructure to be able to have somebody

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2 on full time to do the grants and complete these
3 RFPs. What are we looking at with those, I know I
4 just mentioned a lot, but how are we looking into
5 those things? Thank you.

6 [laughter]

7 DICK DADEY: Sure I mean that's why
8 Citizens Union supports the continuation of member
9 items because we believe that individual members
10 know very well the needs of their neighborhoods and
11 communities that they represent. And that's why we
12 also support increasing the amount of money that
13 individual members have over which they have
14 discretion as opposed to having to go through the
15 speaker in order to get that money. And splitting
16 that pot in half between needs based and the
17 discretion of the, the City Council. In terms of
18 the formula it's a, it's a perplexing question. And
19 you know as I mentioned earlier Citizens Union put
20 forward through a, put forward a number of
21 suggested metrics that you could evaluate. But I
22 think it might behoove the City Council and
23 actually hold a hearing on that very topic. You
24 know to have the public guide you in answering that
25

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2 question and getting some information. So that's,
3 that's what we would recommend.

4 GENE RUSSIANOFF: And I, I think part of
5 your question was to what extent this is the
6 executive branch being monitored and held
7 accountable for its decisions that may have an
8 impact on particular groups or particular areas of
9 the, of the city and you know I would say to you
10 the council has the, the power of oversight, call
11 the agencies in here and if you're think they're
12 doing things that are wrong or unfair you have the
13 power to expose it to the public. But I, I would
14 also acknowledge that we live in a strong mayoral
15 form of government. And the council has a very
16 limited set of tools at its disposal of, in the
17 budget process. So I'm, I'm making this point
18 because like, like Dick you know we come out in
19 favor of discretionary spending because we've lived
20 through mayors who have used their powers in ways
21 that if the rest of the actors in the political
22 system weren't able to act... like... the discretionary
23 items it would be very, a very uneven... situation.
24 And, and not a healthy one for democracy in New
25 York. So I, you know, oversighted the budget

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2 process and keeping after these agencies to make
3 sure they're doing what you think is the best thing
4 by your constituents.

5 COUNCIL MEMBER WILLS: Thank you.

6 CHAIRPERSON LANDER: Thank you Council
7 Member. Council Member Rosenthal.

8 COUNCIL MEMBER ROSENTHAL: Thank you
9 Chair Lander and to the Speaker for holding this
10 hearing. It's really interesting and thanks for
11 coming here. You know I, the one that I just want
12 to focus on for a minute is discretionary items.
13 And Council Member Wills and, and Gene you were
14 just talking about some of the tradeoffs and the
15 things that we're weighing between it. You know
16 representing a district like the upper west side
17 which one could say there isn't as much need in our
18 district is a tricky one right because of course we
19 have our pockets of poverty. But also we have
20 institutions that help people, schools, and
21 institutions, not-for-profits that he helped people
22 from all over the city. So I've got LaGuardia High
23 School and Martin Luther King High School. I've got
24 the West Side Campaign Against Hunger which has
25 been able to go through the city and by zip code or

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2 by Council Member district. Say how many people are
3 coming from that district to you know the West Side
4 Campaign Against Hunger which at the end of the day
5 I, you know the district six Council Member ends up
6 giving some discretionary money to. That's one
7 problem. Another problem I have is that you know we
8 all saw, I'm assuming we all saw the problems that
9 happen when the OST about six years ago the mayor
10 changed the formula for how we're going to allocate
11 OST funds. And basically it was an opportunity to
12 use a formula to, a needs based formula to justify
13 the fact that he had less money and he had just
14 taken you know a 50 million dollar cut out of after
15 school programs. You know my, my neighborhood
16 suffered terribly with that. We lost two thirds of
17 our after school programs because we didn't meet
18 the targeted zip codes. Meanwhile you know the kids
19 in NYCHA project lost, to this day don't have the
20 after school programs or the summer programs
21 because of cuts. And the Council Member has not
22 been able to meet that demand. We're talking about
23 you know a couple hundred thousand dollars. So
24 it's, it's I think we're on, I think it's

25

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2 difficult. I wouldn't make any of these decisions
3 easily.

4 SUSAN LERNER: So that's one of the
5 reasons why at Common Cause we've been recommending
6 the use, a very targeted use of the Speaker's list.
7 Because I, actually I live in Fort Green and I live
8 in the district which has a large number of large
9 cultural institutions including the central branch
10 of the Brooklyn Public Library which served borough
11 wide and citywide. And I have had discussions with
12 my colleagues in smaller neighborhood based
13 nonprofit organizations which are not arts based.
14 I'm thinking of one important affordable housing
15 group that is, has their primary headquarters in
16 fort Green and then save discretionary funding for
17 affordable housing in Bed-Stuy is much higher than
18 discretionary funding for affordable housing in
19 Fort Green. Now we have significant challenges for
20 affordable housing in, in that council district and
21 yet the large cultural institutions are taking, are
22 getting a large amount of the discretionary
23 funding. That's why we believe that the Speaker's
24 fund should be dedicated to those sorts of
25 situations and institutions like the West Side

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2 Coalition for Hunger that is serving a
3 multidistrict population. It should not be coming
4 out of the district based member items however they
5 are allocated. That's our position.

6 DICK DADEY: Yeah and you know one day
7 we'll get to a point where the council actually has
8 far greater authority over the city budget and is
9 able to you know spend and advise on how that money
10 should be spent. It's interesting last year with
11 the 51 member items there, you know the, the 51
12 different pots, member item, items handed out to
13 the individual Council Members 46 of the City
14 Council Members got less than the average. So that
15 means that there, there were five members of the
16 City Council that got these supersized member item
17 pots. And that really created inequity. And I think
18 that if there was more equitable distribution you
19 would see that problem that your identity,
20 identifying go away.

21 COUNCIL MEMBER ROSENTHAL: Yeah I mean,
22 I agree with you. And there's no question. You know
23 the first part of the sentence is Thank you Chair
24 Lander and Speaker Viverito...

25 DICK DADEY: Right.

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2 COUNCIL MEMBER ROSENTHAL: ...for bringing
3 this to discussion. There's no question in my mind
4 that the council's going to come up with a more
5 equitable...

6 DICK DADEY: Right.

7 COUNCIL MEMBER ROSENTHAL:
8 ...distribution. It's just once we get, I, my point
9 is when we get to the needs based formulas it gets
10 tricky because a district like mine ends up losing
11 funds both from the mayor's side, from the
12 executive budget, and, and the council side.

13 DICK DADEY: Yeah.

14 COUNCIL MEMBER ROSENTHAL: But I
15 appreciate your comments.

16 DICK DADEY: And hopefully with the
17 mayor now being a former City Council Member he'll
18 appreciate the, an outsized roll for the City
19 Council in determining the city budget.

20 CHAIRPERSON LANDER: Thank you very
21 much. Council Member Ignizio.

22 COUNCIL MEMBER IGNIZIO: Thank you very
23 much Mr. Chairman and thank you for, all for
24 attending and I'm up here by the way. It's a rare
25 occasion when you see a republican up here. You

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2 know I think the umbrella of today is a, is a
3 somewhat of a historic one though. You know to
4 borrow a line from Billy Joel the good ol' days
5 weren't always good and tomorrow ain't as bad as it
6 seems, I think that's the umbrella of which we're
7 trying to negotiate amongst all of us reform right.
8 Because I want to each one of my members of the
9 council, my colleagues to, to be the person in
10 their district that knows it best. And that's
11 really why we have a city council. And I want to
12 applaud the speaker for basically what she's saying
13 is I'm okay. What did, diminution as, am I saying
14 the right word, of my power to give it to the, to
15 the rest of the body. And, and we speak of going
16 terms of, of, of other folks who have run this body
17 but I could tell you back in 1997 when I was a
18 staff member republicans just were not allowed to
19 pass bills, period, as a general rule. Steve Fiell
20 [sp?] had a great idea for no, no standing on
21 school busses in 1998, 1999 and he went on a whole
22 public conversation about not having children stand
23 on school busses and pen legislation based on it.
24 And got much media fanfare on it. What the great
25 leaders of that body did at that time was they took

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2 the bill away from him, they gave it to Noach Dear
3 and they passed the bill under his name. That's not
4 what this body is about. And having served in
5 Albany I could speak to the fact that this body is
6 far more democratic with a small D than, than most
7 bodies I've seen. The quality that we have here is
8 a waiver to pass bills based on the quality of
9 ideas not the relationship we have with the
10 speaker. And, and that's what the minority party is
11 looking to do as well. Because in most cases we
12 agree with our colleagues and there are times when
13 we disagree and you need to disagree respectfully
14 but you need to have the ability to hear the voices
15 of decent. And my colleagues have all... including
16 our Chairman who said the voice of decent is one
17 that we deem a very important lesson here, which is
18 why the minority as a general rule, myself included
19 sign onto the reforms here. I was in Albany and we
20 had the Independent Bill Drafting Commission and it
21 worked fine. You don't, what basically having the
22 authority to hold up bills is saying we're not
23 going to hear from you, you're not an equal member
24 to this house. But when, in Independent Bill
25 Drafting you're able to write bills that you want

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2 and I think, I understood about the 16,000 bills
3 but in this body it, it's not a two house
4 legislature so it's a little bit different. And I
5 think sometimes when you pen a bill you don't only
6 pen them just for the porous of passing them.

7 Sometimes you do it to encourage public debate on a
8 given issue and, and that in itself is a worthy
9 endeavor. And I know, I'm speaking but I didn't get
10 time to speak before because I was with the Mayor
11 on, on Sandy related issues. But with regards to
12 allocating funding my district is larger than the
13 island of Manhattan, my district. So think about
14 how many members you have in the island of
15 Manhattan and I represent, I'm one of them in the,
16 in the great island of Staten. You know we have
17 huge districts. So when you're speaking about need
18 that's the concern I have. Who defines need. And
19 nobody is hatched from an egg right. You're not
20 hatched and then all of a sudden I am totally
21 independent, I'm blind to everything that's gone on
22 previously in my life which is why I think the only
23 equitable formula the people are discussing is an
24 equal formula if that's where the body wants to go.
25 With regards to the empowering Chairman I think a

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2 Chairman can be a friend or a foe if you will and
3 should be allowed to be a friend or a foe to the
4 speaker thus protecting the body from a tyrannical
5 Speaker. So you know I'm, I'm supportive of that as
6 well. Uhm, what I wanted to do just as, is to come
7 out and let people know and the public watching and
8 you all is that this is a bipartisan effort to try
9 to improve this house. And people are willing to
10 say I'll lay down my arms, I'll lay down some of my
11 authority, autonomy or power in order to create a
12 better body and I applaud people for it. I'm sure
13 you have others, other priorities that you would
14 like to see but with regards to the equal
15 distribution of funds I just wanted to caution and
16 to advise you for those who don't know. Many years
17 ago arts funding was a portion, was a portion that
18 the Staten, that members can allocate on their own.
19 There was a separate pot of money for arts funding.
20 And what they did in, in the, in their inherent
21 wisdom they said well we're going to take that away
22 and, and we're going to have a, a board that's
23 going to decide. Well Staten Island has never
24 received its equitable share of arts funding since
25 they did away with that formula. And it should have

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2 been reviewed once again to say hey the, we did not
3 fulfil what we needed but that is a legitimate
4 concern. Boroughs such as mine also are unique in,
5 in that we don't have the population but we have
6 the size, Staten Island being 62 square miles. And
7 when we, when we speak about reforms I just want to
8 make sure that my colleagues appreciate that
9 there's a difference in, in, in boroughs as well.
10 So I guess it was more of a soliloquy than a
11 question and I apologize for that. But I just, I
12 wanted to get any of your takes on anything that I,
13 that I had said and I appreciate your, your
14 concern.

15 SUSAN LERNER: Well I, I wanted to point
16 out that the idea of a second for introducing
17 legislation actually comes from the Los Angeles
18 City Council. I've looked at only very few
19 legislatures just because of the requirements of
20 time. I'm not aware of state legislatures that have
21 that particular requirement. But it was interesting
22 to me that Los Angeles city which as far as I know
23 is pretty much the most powerful City Council in
24 the nation. It's exactly the mirror image of the
25 system in New York who the mayor of is very, very

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2 weak and until the 2000 charter revision the

3 Charter actually said that the governance of the

4 city was reposed in the council, not in the Mayor.

5 So it was interesting to me that that body which is

6 very, very strong has chosen procedures which allow

7 the body as a whole, not anyone individual, it's

8 not the president, it's the members themselves who

9 decide of what moves forward to consideration by

10 the body. And it, for the kind of issues which

11 Council Member Lancman were talking about, they use

12 resolutions which are debated, which are the

13 members of the public suggest and that are very

14 vigorous discussion. So I, what I wanted to say is

15 that it's not a desire to slow down the process but

16 rather interesting to me that a very powerful

17 council would feel that the council needs some

18 control over what's before it.

19 COUNCIL MEMBER IGNIZIO: That's fair.

20 GENE RUSSIANOFF: I just wanted to

21 commensurate with you and say that if you and your

22 colleagues have a difficult challenge coming up

23 with a formula that's acceptable to so many

24 different parts of the city. And, but I think you

25 can do it and I think it's something that would

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2 strengthen, would strengthen the council and that I
3 would argue that doing it in a transparent way in
4 allowing your constituents and the public to
5 comment on what you're thinking about will put you
6 in a stronger position.

7 COUNCIL MEMBER IGNIZIO: Thank you Mr.
8 Chairman. And I'm eager to hear more but I, since I
9 missed my opportunity I just wanted to...

10 [crosstalk]

11 CHAIRPERSON LANDER: No that was great...
12 [crosstalk] We really appreciate the bipartisan
13 sentiment of this, of this effort which I know the,
14 the speaker referred to in her opening remarks as
15 well. So thank you. I will make a note for the, for
16 the majority members that I'm told that the
17 democratic conference meeting has begun and so...

18 UNKNOWN MALE: I object Mr. Chairman. Oh
19 sorry.

20 [laughter]

21 CHAIRPERSON LANDER: We are going to
22 stay here for the... I'm, the Chair will certainly
23 stay here but I did want to let members know. So we
24 have Council Member Dickens, Gentile, and Weprin
25

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2 and then we'll move on to the next panel and I
3 really appreciate... [crosstalk, interpose]

4 COUNCIL MEMBER DICKENS: Thank you to
5 all of you for, for, for staying here and listening
6 to our questions and, and answering our, you know
7 so many of our concerns. And, and Susan I, I, I
8 find it interesting that it's LA because LA has
9 what 10 Council Members? It's a very small Council,
10 the Mayor is... [crosstalk, interpose]

11 SUSAN LERNER: 16. [crosstalk]

12 COUNCIL MEMBER DICKENS: ...is, is, I...
13 [crosstalk, interpose]

14 SUSAN LERNER: 16... [crosstalk]

15 COUNCIL MEMBER DICKENS: ...oh it's 16.
16 That, and, and it is very political, the council
17 in, in LA very political. The Mayor in LA does not
18 have much power... [crosstalk, interpose]

19 SUSAN LERNER: No... [crosstalk,
20 interpose]

21 COUNCIL MEMBER DICKENS: ...if any.

22 SUSAN LERNER: ...not much at all.

23 COUNCIL MEMBER DICKENS: Which is
24 totally different from New York City. And so you
25 know I find it interesting that you're using that

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2 as, as one of the barometers to, to use to make
3 changes which you know when, because everybody's
4 sitting up, you know sitting and, and that's been
5 elected on all three levels. You know we all get
6 elected through politics and then we turn around
7 and run from and say that I don't know politics, I
8 don't know politics. So I find it interesting that
9 you're using a council that is so political.

10 SUSAN LERNER: It's political but also
11 very, very powerful and one that takes its
12 responsibility very seriously. I did good
13 government work in Los Angeles for 10 years before
14 coming back home to New York. So I know the Council
15 and its members quite intimately and, and have
16 advocated for both resolutions and ordinance
17 changes. And I thought it would be interesting to
18 look at a powerful council to see procedural ideas.
19 That, that's why I looked into LA.

20 COUNCIL MEMBER DICKENS: Thank you. It's
21 unfair for me to say because I cannot read while
22 I'm here what all of you have written. I'm going to
23 read each of your testimonies to see what you have
24 to say. Dick, one question for you. Is, you have
25

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2 some suggested metrics as it relates to, of a needs
3 based formula...

4 DICK DADEY: Yes.

5 COUNCIL MEMBER DICKENS: ...based upon
6 socioeconomic factors of different things, food
7 stamps etcetera. However, you know for my district
8 that sounds great because my district is, is, is,
9 is on the poverty level. It, it may be on the
10 upswings shortly due to gentrification. However it
11 would unfair to say Park Slope or, or the upper
12 West side or some of the other districts that have,
13 that their, their needs are not as great because
14 for instance in, in Council Member Rosenthal's
15 district she has Jazz at Lincoln Center. That
16 district, district six may be considered a richer
17 district than mine however, the programs that come
18 out of Jazz at Lincoln Center are citywide, they go
19 throughout the city and go into all the schools. So
20 for them to not receive fundings because we're
21 using a needs based formula needs to be amended.
22 And I'm not against it because I gain by it. So
23 I'm, I'm interested in it. So I'm just asking that
24 question because these things are, need to be

25

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2 tweaked and considered based upon the individual
3 needs and not always upon the needs of the entire...

4 DICK DADEY: And they may not be just
5 economic needs. They may be cultural needs, they
6 may be open space needs, I mean this list is just a
7 partial list of the kind of factors that we would
8 suggest. It's not meant to be an all-encompassing
9 list and I think we list more in our actual report.
10 But you know being a good government advocate you
11 know we, we enjoy the luxury of recommending and,
12 and you have the, the joy of deciding. So you've
13 got many options in front of you. And let me just
14 quickly go back to the idea of requiring a second
15 co-sponsor. That's something probably Citizens
16 Union would not support because we, we didn't want
17 to see you know there be any hindrance to a
18 legislator introducing a piece of legislation which
19 we think is core to that responsibility.

20 COUNCIL MEMBER DICKENS: Thank you so
21 much and thank you Mr. Chair for allowing me to ask
22 a second question.

23 CHAIRPERSON LANDER: Thank you very much
24 Council Member. Council Member Gentile.

25

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2 COUNCIL MEMBER GENTILE: Thank you. I'm
3 glad to see Ms. Williams that you're not totally
4 wed to the independent drafting commission because
5 my experience has been an... I know it's a little bit
6 different now I see Senator Savino has joined us
7 here in the audience this afternoon. But my
8 experience as a member of the democratic minority
9 in the state Senate was that it, it didn't matter
10 how many bills you, you had drafted through the
11 independent drafting commission they were not
12 getting to committee, they were not getting
13 hearings in committees, and they certainly were not
14 getting to the floor. So it, it really didn't
15 matter the fact that there was an independent
16 drafting commission. I think this plan where
17 members have an ability to get things on the floor
18 is a much better, at least in, on the face of it,
19 is a much better plan than what my experience has
20 been in Albany. And as again I know it's better
21 this, now with Senator Savino and, and what's going
22 on now. But, but it does have flaws in it or
23 potential flaws if the politics comes into it. I
24 certainly agree with a lot of these reforms here. I
25 am the poster boy for, for having, having my member

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2 items and capital money cut. In, in exchange for
3 some of the positions I've taken over in the
4 previous leadership, on some of the votes I've
5 taken. So I have, I've had to deal with that over
6 the, at least the previous eight years. And so
7 definitely these, these reforms are things that I
8 think will help me and help my district in terms
9 of, in terms of the funding issue. But I'm also
10 happy to hear and want to reiterate and put my
11 words in with my colleagues like Ignizio and, and
12 Ruben Wills and some others that are said that if
13 this distribution of member item money is based on
14 a needs driven formula you will, we will end up
15 with much inequality instead of an equal, equal
16 distribution of money because there are districts
17 in every borough of this city as my colleague
18 Councilman Ignizio has mentioned and some of the
19 others have said that do not benefit from that kind
20 of an analysis in that we don't meet a lot of the
21 needs based formulas. And the fact is that if you
22 don't have that multi district bam or some other
23 big organization if that, that speaker's money were
24 restricted to that kind of group then we'd lose out
25 on that area too. And when you're talking about, I

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2 think it was you Ms. Lerner who said you know small
3 groups would get 10,000 dollars. My small groups
4 get 1,500 dollars, they get sometimes a thousand
5 dollars to a senior center. And that makes the
6 difference for that. And so yes, absolutely that
7 type of member item money has to continue. But if,
8 if it's done on a needs basis those senior centers
9 would not even get that thousand dollars. If
10 anybody want to...

11 GENE RUSSIANOFF: I think we're getting
12 a preview of what your discussions will be like in
13 the Rules Committee about how to, to figure out
14 this money. And it, I guess it... base... it's
15 political it's you know... should, should a state
16 have two votes or 20 votes or... You know so I... you
17 know I, I... I've, I'm doing mindful we've had this
18 afternoon. You, you, you do, you do have a formable
19 task ahead of you but having some logic and
20 rationality to how the funds are dispensed as
21 opposed to who's in and who's out. It seems to me
22 something that will make the council a stronger
23 institution.

24 DICK DADEY: I mean that's why Citizens
25 Union supports this balanced approached of you know

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2 raising the amount of money that each individual
3 council member has for discretionary purposes and
4 then doing it on a needs based formula so that you
5 can get at both of those important objectives. And
6 remember 46 of the members of the last council got
7 far below the average. And the average was so high
8 because there were five supersized member items
9 awarded to the leaders of the council.

10 CHAIRPERSON LANDER: Thank you Council
11 Member. Alright, I have one question of my own at
12 the end but I will ask Council Member for this
13 panel and I'll make one note about this panel as
14 well. And, and after Council Member Weprin.

15 COUNCIL MEMBER WEPRIN: Thank you Chair
16 Lander. So just o, I want to, you guys are now sort
17 of the, well we're, we're... we're testifying to you.
18 We're each getting on the record to get to have you
19 hear our ideas. You know...

20 GENE RUSSIANOFF: We're enjoying it.

21 COUNCIL MEMBER WEPRIN: Good. I'm glad.
22 It, you know it is great that we you know, our
23 Speaker has agreed to rules reform as part of, you
24 know during the process. And we thank you for being
25 a big part of getting people on the record as well

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2 as Brad and Jumaane and David and whoever else
3 organized the, Fernando, the rules reform package.
4 The ones that we, we agreed to you know that we're
5 definitely signed onto, I think make a lot of sense
6 the idea that people should not be punished as, as
7 Vinny was talking about for just doing their job,
8 for stating what their community wants or what they
9 believe. Obviously that is, has been a problem in
10 the past. So I'm all for that. And, and the idea of
11 trying to make sure member items are not used to
12 punish people and that they're given out so people
13 can use them in their districts fairly I, I do feel
14 strongly that this formula we talk about it, it
15 should be one that's just, when it comes to member
16 items which we have to remember is a small amount
17 of money compared to the city budget, teeny amount
18 of money. I mean Vinny's talking about 1500 to a
19 thousand, five thousand. It just seems to me it's
20 too complicated to try to come up with a formula
21 that, a needs based formula... Because we're not
22 talking, these are not necessarily needs need, like
23 the needs that you would talk about when you're
24 talking about needs. These are things that people,
25 communities want. They're more wants than needs

very often. Like senior centers that wouldn't exist otherwise. If you didn't have the senior centers... world wouldn't come to an end but the neighborhood would be a worse place to live and to grow up and to get, grow old. So my point is I just think this is so much easier to do that equally and it solves the problem that we're trying to get to which is the idea of people being punished and not coming up with a crazy formula for this small amount of money. There should be a needs based formula on the city budget. You're going to use the, the money out of the city budget is given to places that need money. And needs should be for those who are in neighborhoods that have needs for whatever the particular budget item is. You know whether it's a, whether it's a you know daycare slots or whether it's you know money for, for homeless, a homeless shelter or for homeless families. Whether it's money for schools and other things. I mean it should be based on need for that particular community and so that's a big difference. So I mean I feel very strongly, it should be equal and, and I just think it's too complicated for us to get into the idea of trying to figure out what, what's the

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2 best needs based formula. I mean Inez made a good
3 point. Depending on what happens to be in your
4 neighborhood that might throw off you know the
5 kilter what is a need, what needs are there in that
6 area. The second thing on, on bill drafting this
7 has been one of my pet peeves since I got here. And
8 I've talken to a couple of you about this, is the
9 frustration that we have that our bill drafting is
10 done by staff people who have other jobs. They have
11 very important other jobs to do with committees and
12 doing committee work. And I don't know this for a
13 fact from the people but when I call up to get a
14 bill it's almost like we're a headache in a way.
15 Like we'll get to you but we can't get to you too
16 quickly on drafting a bill. In Albany because
17 there's an Independent Bill Drafting Commission.
18 They put in bills within 24 hours. I've seen it a
19 lot faster than that. Where the next day you'd have
20 a bill in prints. And just because you have a bill
21 in print doesn't mean you have a law. You have a
22 bill in print, that's an idea, and it's an idea
23 that should be discussed and it is complicated, and
24 it's going to be complicated for us here in the
25 council and the Rules Committee and the Rules

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2 Committee Chair in particular. I finally figure out
3 now... we have bills out there how do we decide which
4 ones actually get hearings and how fast. You can't
5 have hearings on everything and members get very
6 personal about their bills and say oh this is my
7 bill I want to see it passed no matter what. And so
8 we got to figure out a way to, to put a system in
9 place. We can't hear every hearing on every bill.
10 It's just not going to be that way. But what we
11 should do is, the bills that we are going to bring
12 to the floor need to have a discussion before they
13 go to the floor. I've also been frustrated by the
14 fact that sometimes bills pop up on the floor and
15 I'm embarrassed to admit I didn't know they were
16 coming because I wasn't on the Committee, I didn't
17 hear about it. And it's almost like you don't want
18 to admit I didn't know so you don't even fight it
19 on the floor. And we don't have a lot of fights on
20 the floor. So then, and there needs to be some
21 public discussion, I felt like sometimes they were
22 rushed to the floor and like the parking permit one
23 comes to mind that, that came up on the floor that
24 day and I had people in my neighborhood who didn't
25 like that and I... I have questions like well how

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2 does this affect my neighborhood. But it's already
3 on the floor and I felt like I would have been an
4 idiot sitting there asking these questions at that
5 point which is the wrong attitude but I felt like,
6 was I supposed to have known this ahead of time and
7 we shouldn't be in that situation is my point. So I
8 want to thank you all for, for, for your help
9 you've been in this process. You know we obviously,
10 I'm excited because you know in the end the victors
11 were all people who talked about, you know talked
12 about change. And it's something that... So that's
13 like something I expect to see and hopefully it'll
14 be done fairly. I, I am a big believer in, in
15 talking things out in, in a hearing wants and all
16 plusses and minuses. And in order to have that free
17 conversation there can't be punishment attached to
18 you disagreeing with me. And I find that if you
19 work together closely you no longer take everything
20 so personally, every disagreement. So with that in
21 mind there is a democratic conference going on
22 downstairs. Newly named conference as opposed to
23 caucus and that's where a lot of our fights are
24 going to be. So I'm going to go downstairs and join
25 that debate as well. So I apologize to the panel

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2 and to everyone else that I'm running out. Thank
3 you Mr. Chairman.

4 CHAIRPERSON LANDER: Thank you Council
5 Member Weprin and I just, I want to flag and I,
6 we're, I'm sticking around, I'm not going down to
7 democratic conference so everyone who's here and
8 wants to testify we, you know we're still
9 webcasting, we're recording and we're taking good
10 notes and... But I do, I think, one thing I want to
11 reflect on before Council Member Weprin leaves and
12 my last question to this panel is I think part of
13 what you saw here is the, the work of the body
14 which hasn't been a place where members essentially
15 debated, where we sat here on the floor in our
16 committees or on the floor with things that hadn't
17 been pre-decided with some hard questions to try to
18 figure out and try to work some of it through and
19 we, you know it's sort of funny to have done it in
20 relationship to the first panel. But in a certain
21 way we don't have, we we're trying to figure out
22 ourselves how do we have these debates and
23 dialogues so I really appreciate how many members
24 were here and will... again we're not ending the
25 hearing but I, I do think it's been a, a useful

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2 just first hour and a half of this hearing. And so
3 I really want to appreciate the patience of the
4 folks who came to testify, and will testify. But
5 you're, and, and again yes we're still going to
6 bringing a proposal to the floor but I just, I feel
7 like part of what you're seeing here is our work to
8 figure out how do we become that body. So I also
9 want to welcome State Senator Savino who I didn't
10 see sneak in on the floor. So welcome to you. My
11 last question before we then conclude this panel is
12 just, we spent a little time talking about this
13 independent or in some cases a, a better word may
14 be dedicated drafting commission and one challenge
15 for us is it's not clear to me that we could create
16 by local law outside of a charter amendment someone
17 that was independent of us. So there's some legal
18 questions. But it sounds like there were a... it
19 sounds to me like a few of you were saying, and I
20 think Maggie you especially, but, but Susan and,
21 and Dick as well that having a, a dedicated
22 drafting unit is something that both improves our
23 ability to take ideas seriously but also
24 strengthens the council as a body in terms of how
25 we figure out what's in our powers to do, how do we

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2 get bills that can survive you know legal
3 challenge. That I know has been a particular issue
4 here is this question of the evaluation of what our
5 powers are relative to Albany, relative to the
6 charter. So one of you just give some final
7 reflections on, on that, on that particular
8 question.

9 MAGGIE WILLIAMS: Sure, yeah thank you.

10 I mean I think that's probably right. A dedicated
11 bill drafting unit is perhaps a better name for it.
12 It doesn't necessarily have to be independent to
13 the entire council. But I think just having staff
14 who really see it as their main job and their
15 career to really understand the powers of the
16 council, really be able to negotiate on behalf of
17 the council. It's my understanding that sometimes
18 when technical and complex bill drafting issues
19 emerge that corporation council is sought. There
20 may always be reasons to go outside of the council
21 and seek outside advice but I think the more that
22 that expertise can actually be here in the council
23 embedded and, and really in some ways those... the
24 folks who are most interested in that kind of a
25 career are also the folks who tend to be slightly

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2 less political in my estimation right. Which
3 there's always going to be politics, people are
4 always going to have preferences but I think that
5 those people really build up an expertise around
6 drafting itself and will often stick around as we
7 see council members go and as we see individual
8 council member's staff go. And that really means
9 that over time the institution is getting stronger
10 and smarter and more effective. Is that, does that
11 answer your question council member?

12 SUSAN LERNER: But also I'd like to
13 point out that there's a continuum, that there are
14 intermediary steps, or intermediary entities
15 between a fully independent chief legislative
16 analyst as you have in the, in Los Angeles and in
17 the California legislature which are set up by your
18 founding constitution or charter documents and just
19 a unit within the centralized staff. There are
20 legislative council offices. There are legislative,
21 there are separate units that have a certain amount
22 of autonomy even though they are directly employed
23 by the legislature set up in a culture that rewards
24 true independence even though the organizational
25 chart puts that entity under the legislature.

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2 GENE RUSSIANOFF: And I want to make a
3 point that goes far beyond the issue of the rules.
4 We've discovered the really big issue which is the
5 New York City charter gives this council limited
6 powers to affect the city's budget. And the mayor,
7 it's why we come up with a consensus budget every
8 year because they could just walk away from it in
9 the middle of the year and say we can, we amend it,
10 we, we, we impound the money and the past councils
11 have tried to do something about that... Peter,
12 Vallone they sued the city for, for more authority
13 and, and lost. And so you know my advice to the
14 council in general again, beyond this committee is
15 to take, take a new look at that see whether it's,
16 it's, it's... cast into stone as it is because it, it
17 does. It, it, it, you know whatever rules you have
18 you know you only have so much power to, to really
19 affect the lives of people in the city so...

20 CHAIRPERSON LANDER: Thank you and it's
21 a very good point. Alright thank you very much for
22 all the time that you spent. We're going to move
23 onto our next panel and like I said I will stay
24 here as long as anyone is, is going to stay and I,
25 I'm really eager to hear the ideas that folks who

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 100
2 have come had so please stick around if you, if you
3 possibly can. For our next panel we'll have Sandy
4 Myers from UJA Federation, Esteve Andorra from El
5 Puente, Carmen Pineiro and/or John Medina from
6 Community Voices Heard, Hilary Cline from Make the
7 Road New York, and Sarah Ludwig from the New
8 Economy Project.

9 [pause]

10 CHAIRPERSON LANDER: Great. Go ahead.
11 Thank you.

12 SANDY MYERS: Great, thank you. Hi. My
13 name is Sandy Myers. I'm here testifying on behalf
14 of UJA Federation of New York. And I know you're
15 familiar with UJA Federations so I'm not going to
16 give that, give that spiel. But I want to focus my
17 testimony today on the importance on member items
18 and just first to say that we are supportive of
19 reforms to make the process more inclusive and more
20 efficient. But we do want to focus on need. And
21 specifically I want to also just give epilog that
22 we want to make sure that member items do continue
23 in the city budget. We recognize that they are a
24 lifeline for nonprofits throughout the city. And
25 one thing I'll get to a little bit later is how

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 101

2 they help support the Jewish Port community and the
3 near poor community throughout the whole setting.

4 So I know you're familiar with this but just to
5 give a plug to member items as a whole that we know
6 is actually, as Council Member Williams pointed out
7 before that they fund organizations that are
8 culturally and community competent but are often
9 times too small to qualify for a city RFP.

10 Sometimes they also fulfil services and provide
11 services that aren't necessarily provided by an RFP
12 and member items allow them that more flexible
13 funding stream to be able to provide those service.

14 And we also know that I'm sure you remember well a
15 couple years ago in this city, when ACS released
16 the early one RFP we heard from a lot of providers
17 in particular about how that rate wasn't sufficient
18 to meet the needs of the increased amounts for the
19 early learn system. So member item funding allowed
20 the providers to either hire a qualified staff or
21 meet another need that the program required. So we
22 want to make sure that they continue and just want
23 to be on record supporting that funding stream. So
24 we are concerned with moving to a more needs based
25 allocation system as I said. We're happy to explore

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 102
2 other options that are more equitable but we're
3 concerned that when the city, we want more
4 information about what a needs based system would
5 like. But we want, and we know that the city needs
6 some sort of metric to divide up the funding but we
7 are fearful of moving towards zip codes which is
8 what the city has done in the past when there have
9 been limited resources. So to quote one of my
10 colleagues; zip codes are a means to deliver mail
11 and not social services. And using zip codes fails
12 to neglect the pockets of poverty that exist
13 throughout the city, that in every neighborhood
14 throughout the city often times a provider might be
15 based in a more middle income community or upper
16 middle class community but serves NYCHA community
17 that just happens to across you know Atlantic
18 Avenue or 96 Street or whatever the case may be.
19 And it serves the community that is in need and zip
20 codes really don't account for those neighborhood
21 throughout the city. So another concern of ours is
22 if the city were to move toward that system and
23 look at other traditional metrics of poverty such
24 as either Center for Economic Opportunity or the
25 census. The, those metrics fail to account for

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 103

2 areas of Jewish poverty which often don't
3 necessarily overlap with areas of poverty more
4 broadly. So UJA Federation did a study of Jewish
5 Poverty a couple years ago which I'm happy to go
6 into a little bit with more detail with you later.
7 But we found that there are a number of districts
8 that areas of Jewish poverty don't match up to
9 areas of poverty citywide. We found actually one
10 example which was one of the highest discrepancies
11 in the district 33 where we found that 53 percent
12 of Jews are either poor or near poor. But C, with
13 CEO's data it only represents about 10% to 14%
14 district poverty rate in that district. So we want
15 to make sure that whatever metric is developed
16 accounts for areas of Jewish Poverty and at that
17 point it's important to note that our agencies that
18 obviously focus on Jewish poverty are recipients of
19 government funding and do serve everyone who walks
20 through their doors and at times they're located in
21 neighborhoods where it's not just an exclusively
22 Jewish population. So we want to make it known that
23 if member items are cut and these agencies lose out
24 it would be a detriment to the larger community as
25 well. We also want to make... Okay, I'll wrap up

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 104
2 quickly. You know a lot of the member items also go
3 to support entitlement reform program, or sorry not
4 entitlement but enrollment programs. And we found
5 in our study from, from the UJA Federation study on
6 poverty that entitlement enrollment is one of the
7 main programs that's supported through member
8 items. And we want to make sure that those programs
9 can continue since it is a major lifeline for those
10 communities. And with that thank you for the
11 opportunity to testify. Happy to be here.

12 CHAIRPERSON LANDER: You don't think it
13 would be good to have the formula for the
14 entitlement enrollment programs be how many people
15 were enrolled in the program already.

16 SANDY MYERS: Right, right. Exactly.

17 CHAIRPERSON LANDER: Thank you.

18 SANDY MYERS: Thank you.

19 ESTEVE ANDORRA: Good afternoon. My name
20 is Esteve Andorra. I'm a community organizer for El
21 Puente and on behalf of El Puente I would like to
22 first thank the committee's members and its Chair
23 Brad Landers. Thank you for this opportunity and
24 privilege to present today. So, as a nonprofit
25 human rights driven organization serving

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 105
2 Williamsburg and Bushwick for over 30 years El
3 Puente knows firsthand what it means to serve at
4 the direct constituency level. We hope that our
5 experience in serving diverse and expanding
6 communities of color we'll offer this body some
7 perspective on what changes to city council rules
8 might help make the council be more transparent,
9 effective, and reflective of the city it serves. So
10 initial of particular importance to El Puente; I
11 know the grassroots organizations like it is the
12 City Council's process for awarding discretionary
13 funds to its, to its members. El Puente has applied
14 for and received discretionary funding in the past
15 and receipt of these funds is a privilege we hold
16 sacred and we work to meet our seated goals with
17 fidelity. So with as much scrutiny as organizations
18 might face during the, the discretionary funding
19 period there is no such scrutiny to determine how
20 funds are allocated. And there is no evidence of a
21 formula for equitable distribution of funds among
22 council district much less were there any such
23 formulas based on measurable indicators of need.
24 The public does not know how individual
25 applications are evaluated much less where there

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 106

2 applications are evaluated by the same scale or
3 standard across all council districts. The public
4 does not know where the City Council's
5 discretionary expense and capital funding
6 priorities lie much less whether these priorities
7 meet any agreed upon standards for effectiveness or
8 ethicality. And I provide in my testimony a good
9 example of it that you, that you could read
10 precisely regarding that gap. So without a fair and
11 equitable process let's trust in both our community
12 institutions and in our political leaders may be at
13 risk. We humbly ask this committee to consider the
14 following changes for the city council. So the
15 first is required that Council Members develop and
16 publicize all, all of their district and out of
17 district funding priorities not just those targeted
18 by funds set aside for participatory budgeting. And
19 the determination process develop and implement
20 objective formulas for discretionary funding
21 allocations particularly formulas that take into
22 account socioeconomic indicators and other
23 objective measures and develop and publicize
24 uniform standards for discretionary application
25 evaluation as well as allow applicants to review

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 107
2 their score sheets. I'm sorry I said, I meant three
3 not four. But in implementing changes such as these
4 we hope that the people can better trust that their
5 elected leaders and their local institutions are
6 working together with integrity for the community's
7 best interest and for the betterment of our great
8 city. And I also have some information regarding we
9 did participate in participatory budgeting last
10 cycle so we, we definitely have some input that we
11 could provide there as well if you have any
12 questions. Thank you.

13 CARMEN PINEIRO: Good afternoon. My name
14 is Carmen Pineiro. I'm one of the organizers with
15 Community Voices Heard. I will be reading the
16 testimony of one of our members and I will make a
17 short commentary at the end as well. Thank you
18 elected City Council Members for allowing me to
19 testify today. My name is John Medina, board member
20 of Community Voices Heard and a district eight
21 registered voter. First I would like to briefly
22 mention certain areas that need improvement during
23 the City Council's public hearings on the proposed
24 city budget. The registration of testimony needs to
25 be heard before the City Council, should be listen

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 108

2 and heard according to actual time intended
3 speakers signed in and not when the City Council
4 selects random speakers. The public hearings on
5 proposed city budgets should be held at various
6 hours and days in order to allow public more access
7 to participate. The public hearings on the city
8 budget should also be located at different sites
9 throughout the five boroughs allowing all New
10 Yorkers to be heard. This specific commissioner
11 signed to attend the public hearings should remain
12 throughout the session and not depart prematurely
13 before all testimony is heard and recorded.

14 Secondly, recently New York City introduced
15 participatory budgeting which entails a democratic
16 process where community members directly decide how
17 to spend part of a public budget. I strongly
18 recommend participatory budgeting to be expanded
19 and utilized by all council members because
20 ordinary people have a real input in projects
21 improving their communities and politicians build
22 closer relationships with their constituents and
23 community members develop greater trust in
24 government. The United Nations as well as the white
25 house has promoted participatory budgeting as a

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 109

2 best practice of democratic governments. Please
3 consider participatory budgeting to be practiced
4 also and the New York Public Housing Authority.

5 Considering the increase in cuts to federal
6 government continues in public housing stock. This
7 process would allow residents to reengage in
8 decisions affecting their communities and bridge
9 the divide between NYCHA and its tenants. The New
10 York City Public Housing Authority has 400 thousand
11 registered residents all of which are potential
12 registered voters. Now separately as a community
13 organizer who directly works in doing outreach and
14 mobilization for participatory budgeting one of the
15 only comments that I could definitely make is that
16 it is something that definitely defines what power
17 looks like. No longer is it power for but it is
18 power with your constituents. It's actually
19 deciding how to spend a piece of a budget that even
20 it could, if it was a hundred dollars it actually
21 allows residents to make decisions which they
22 normally could not do before. And not only that but
23 does it break down class divides. I challenge
24 anyone who is not gone to a participatory budgeting
25 meeting to go and view one. They are now in the

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 110
2 phase of budget delegate expos where they're going
3 to be showing what people in their community, what
4 ideas that they've actually come up with and it
5 comes directly from the people. There's no such
6 thing as class. What it is, is that opportunity for
7 people who have never had the opportunity to have
8 conversations, to have real conversations and be
9 part of civic engagement. Some people which have
10 never done it in their lives and in districts where
11 there are anywhere between 165 thousand to 175
12 thousand residents and where some elected officials
13 have been voted in were anywhere between 400 votes.
14 You now have people that are now making 3,000 votes
15 and better that didn't vote before. Thank you.

16 SARAH LUDWIG: Good afternoon. And thank
17 you so much for the opportunity to testify before
18 the Committee today. My name is Sarah Ludwig. I'm
19 the founder and co-director of New Economy project
20 which is an economic justice organization that
21 works with community groups to build a just economy
22 that works for all New Yorkers. I'm here today to
23 register our organization's strong support for the
24 proposed rules but also to enter into the record a
25 real life example of important public policy

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 111
2 changes that we need in our city that have gotten
3 bottled up in legislation because under the
4 previous council before we had these rules that we
5 really hope will get adopted were, were in play. So
6 our organization first hand saw how needed change
7 can get, can get stymied we facilitate citywide
8 coalition called the New York City Coalition to
9 stop credit checks in employment. It's a broad
10 coalition of community and labor organizations
11 that's dedicated to ending the growing and
12 discriminatory use of credit information in hiring
13 and other employment context. The coalition has
14 strongly supported Introduction 857 which was
15 introduced by Brad Lander. And also though had co-
16 sponsorship of the 35 other members of the City
17 Council. It was a veto proof majority. And yet it
18 was surreal if not deeply problematic that this
19 bill got held up all along the way because we
20 didn't have transparency, we didn't have fairness,
21 and we had the powers that be holding up bills
22 because they didn't like the bill rather than
23 letting there be the debate, transparency,
24 fairness, and effectiveness that everyone's been
25 talking about today. This is a bill that would have

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 112

2 been a practice that's routinely blocking lower
3 income New Yorkers, recent graduates, people of
4 color from jobs. It's not just harming huge numbers
5 of New Yorkers it's also perpetuating poverty and
6 inequality in New York City neighborhoods. And yet
7 we heard, we didn't hear it directly, but we did
8 hear it directly but we did hear reportedly that
9 the Speaker would not allow the bill to be brought
10 to the floor for a vote and it took an extremely
11 long time for the bill, even to get a hearing. It
12 felt like a minor miracle when we heard a hearing
13 was calendared for this bill. We had a hearing, the
14 hearing got national attention. It was an amazing
15 hearing which you recall Council Member Lander.

16 From the Civil Rights Committee Council Member Rose
17 at the time was the chair of that and then nothing
18 happened. So we had tremendous testimony from
19 different stake holders, there was lots to hash
20 out, lots of good conversation to be had, and yet
21 it never took place. So we believe that the
22 provision around once you have two third
23 sponsorship in the city council triggering a
24 committee vote on whether or not to have a hearing
25 is basic good government. We believe that having an

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 113
2 independent bill drafting staff is basic good
3 government. And that addressing really pressing
4 public policy issues should not be something that
5 gets waylaid because of pretextual[phonetic] legal
6 concerns were other powerful political interests
7 that put the kybosh on change that needs to happen
8 in this city. So thank you very much for the
9 opportunity to share our story today.

10 HILARY CLINE: Good afternoon Council
11 Member Lander. Thank you so much for having us
12 testify here today. All the other Council Members
13 and Members of the Committee and although Speaker
14 Mark-Viverito's not here anymore I want to just
15 acknowledge her role in, in moving this whole
16 process forward. My name is, is Hilary Cline and
17 I'm Chief of Staff at Make the Road New York. And
18 at Make the Road we do see this process, the fact
19 that it's happening in the first place is very
20 momentous, is very historic as representing not
21 only what the City Council can do right now but
22 things that can be put into place that will you
23 know impact New York City for years, maybe you know
24 decades, generations to come. Make the Road New
25 York is a membership based organization. We have

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 114
2 about 15,000 members. We have community center type
3 offices in Brooklyn, in Queens, in Staten Island,
4 and in Long Island we are one of those groups that
5 is not a good government organization but has seen
6 firsthand the ways that the rules of the City
7 Council really do make a difference in terms of how
8 the city is governed. And because we work most
9 closely with the Latino and Immigrant working class
10 community we also have seen firsthand how
11 especially underrepresented groups historically are
12 even more marginalized when the rules are not fair.
13 So on behalf of our members and underrepresented
14 communities you know we would like to say how
15 important this, this conversation is and you know
16 the proposed rules could be in terms of leveling
17 the playing field making City Council more
18 accountable and responsive to communities
19 throughout New York. In particular some of the,
20 some of the changes that have already been
21 mentioned that we support we, we, we also do, have
22 received discretionary funds. We do think that the
23 process is very you know like... I'm sorry. Instead
24 I'll mention you know we go through a lot to
25 demonstrate that we're using the money fairly and

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 115
2 accountable to it. And so we support changes that
3 would make the process of allocating money more
4 fair, more equitable, at the same time as
5 maintaining that the, the, the direction of smaller
6 organizations that are really putting those funds
7 into the good practice. The other sort of general
8 area of, of proposed changes that we support is, is
9 the ones making legislation to be considered,
10 brought to a vote in a timely manner... Sorry forgot
11 your name as well.

12 SARAH LUDWIG: Sara.

13 HILARY CLINE: Sara. Also gave, brought
14 up this point. I think that the, the, the, the
15 example that's most well-known I think that is most
16 often referred to is the paid sick days
17 legislation. That was one that Make the Road worked
18 very hard on, was very close to our hearts, so I
19 feel like is, you know doesn't need to be repeated
20 more. I'm just putting out there that certainly the
21 process of having good bills that'll have strong
22 support on council brought to a, a, a vote in a
23 transparent way. We fully support that. The last
24 thing I wanted to mention that is not on the, the
25 list of proposed changes that we've come across is

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 116
2 having access, language access here at City Council
3 would be fantastic. City Council has done a lot to
4 promote language access in terms of legislation. It
5 is something that we often times are sitting up
6 there providing translation to our own members. If
7 it was something that City Council provided on its
8 own would, you know would just make City Council
9 accessible to a whole other range of communities.
10 Thank you so much.

11 CHAIRPERSON LANDER: Thanks to all of
12 you. And I think having after the, you know the
13 formal good government groups all of you come in
14 and talk about the ways in which it matters in
15 communities for the council to function is very
16 helpful. And I just want to especially underline
17 the point about deeper forms of engagement whether
18 that's providing translation which I know is
19 something that's near and dear to the Speaker's
20 heart and she's already thinking about how we could
21 do. It's not lost on us that we're so proud of the
22 law that we passed to require the administration to
23 provide translation services but that we haven't
24 succeeded in doing that ourselves and that
25 participatory budgeting but also a range of other

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 117
2 forms of opportunity for people to engage is
3 something that really links the first panel and to
4 this one. Some of those things may be things that
5 we do by rule which is what the kind of formal
6 nature of this hearing is and other of those may be
7 things that we look at as a council for other ways
8 to do even if they aren't specific rules changes.
9 But that can we hope characterize this term of the,
10 of the council as well. So I really appreciate all
11 that time. Council Member Levine or Kallos do you
12 have questions for this panel?

13 COUNCIL MEMBER LEVINE: Ms. Meyers is
14 that right, from UJA, very compelling point you
15 made about the way Jewish Poverty is often masked
16 within zip codes which might not otherwise appear
17 to be poor. I wonder whether if we broaden the
18 frame and allocated based on level of poverty in an
19 entire council district whether that would bring
20 these pockets of poverty to the surface or will
21 that still be a problem.

22 SANDY MYERS: We would probably need to
23 look at it a little bit more closely and we do have
24 some data that I'd be happy to follow up with you
25 afterwards about each... We did interviews in almost

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 118
2 every single council district. Though unfortunately
3 in some we didn't get as many interviews as we
4 would have liked to determine levels of poverty and
5 benefit use, usage and other types of metrics to
6 measure the need in the district. So there is
7 definitely a way to bring those pockets of poverty
8 to the surface and that's where we really look to
9 the council to say you know I have this one block,
10 or I have this one building that you know went co-
11 op years ago but I have one rent stabilized senior
12 on the 12th floor who needs access and like needs
13 to make sure the elevator is working and we really
14 need to help support them. So I think it needs to
15 be a very collaborative process where we work with
16 the community based organizations and the members
17 of the City Council to flush out where those
18 pockets of poverty are and obviously looking at
19 data is one way of doing it but also that knowledge
20 of your district is a good way to approach it as
21 well.

22 COUNCIL MEMBER LEVINE: Just one more
23 question for the broader group. I'm a strong
24 proponent of participatory budgeting, plan to do it
25 in my office for sure. The one push back I've

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 119
2 gotten from it is that perhaps in districts like
3 mine which have a very wide spectrum of communities
4 at different social economic levels that just
5 participatory budgeting could reinforce the usual
6 patterns in voting that we see and that typically
7 hire... as much show up more and participate more.
8 And I'm wondering whether that's been your
9 experience in this and how we can counteract it.
10 Perhaps CBOs could play that role in bringing
11 people out in equal numbers.

12 CARMEN PINEIRO: I'm actually very glad
13 you asked that question. Because what actually ends
14 up happening is in doing participatory budgeting
15 one of the criterias is, is that you work already
16 with community based organizations. Then there's
17 something called a district committee and the
18 district committee is made up of actually as many
19 community organizations within that community that
20 could actually come together to talk about the
21 different logistics, the different things that are
22 happening, and the different nuances within those
23 specific areas because every City Council district
24 is distinctly unique right. And so that's one of
25 the things that you use to, you use as a criteria

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 120
2 to ensure that there's more equitability across the
3 board. The whole purpose of participatory budgeting
4 is transparency and accountability. And this is one
5 of the only ways that regular citizens actually
6 have an opportunity to talk to city agencies. So
7 it's actually bridging a gap between
8 transportation. Between, you have education between
9 youth. I mean people that can vote in this process
10 is anywhere between 16 and over. That's not in the
11 normal process where it's 18 and over. And you also
12 have youth anywhere between 12 and 14 that are
13 actually coming up with ideas and talking about. So
14 this is a unique opportunity that's coming to New
15 York City. I mean I commend Mr. Land, you know
16 Council Member Lander, Jumaane Williams and Melissa
17 Mark-Viverito for actually spear heading this. And
18 we hope that it can be in all 51 City Council
19 districts one day. And of course there're going to
20 be issues along the way but it's something that we
21 had to learn and process and therefore little by
22 little the mistakes that are happening or anything
23 that's going on that people don't agree with it's a
24 conversation to really talk about, well how do we
25 improve it and how do we make it better as the

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 121
2 years come along. This is its third cycle and
3 hopefully between the fourth and the fifth it will
4 get better along the way.

5 COUNCIL MEMBER LEVINE: Thank you.

6 ESTEVE ANDORRA: I have some
7 recommendations as well too. I definitely agree
8 that it, it is very powerful, participatory
9 budgeting. And one of the things is that provide
10 greater city or central council support for
11 communities and CBOs and the Council Member Offices
12 because the process requires significant investment
13 of time and energy and resources. So it, it's
14 always good to be able to know what, what kind of
15 grass root support you'll be getting. And that,
16 that's an area that would make it even stronger,
17 participatory budgeting. And also provide
18 programming support and even funds tied to
19 successful capital projects to ensure that the
20 resources are effectively utilized. So as an
21 example my colleague mentioned that Kensington
22 Library, like the multi-media room making sure that
23 you know sometimes a library staff it, it, it,
24 they're not trained in it or it might, you know
25 that might cost something so make sure that capital

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 122
2 projects also, there's some type of support to make
3 sure that the capital improvements have, have real
4 deep impacts in the community by, by supporting it
5 that way.

6 CHAIRPERSON LANDER: I'm going to shout
7 out Karen Atlas who signed up to testify but I
8 think must have had to leave but she's going to be
9 glad that you got her very important point in...

10 [crosstalk]

11 ESTEVE ANDORRA: Thank you.

12 CHAIRPERSON LANDER: Thank you.

13 COUNCIL MEMBER KALLOS: Thank you. I'm
14 going to try to make this quick because we have
15 another panel after this one. I, I was actually in
16 the, the democratic conference watching on the
17 stream and then saw the illustrious panel that we
18 have here right now and, and ran back upstairs. So
19 I wanted to thank all of you for coming and waiting
20 through the first panel. First comment's to, to
21 Make the Road New York. I'm committed to making
22 sure that every one of my hearings is available in
23 Spanish. We've already put the request in with the
24 Speaker's office. I believe it's been granted. But
25 in any event we have a hearing on the 28th on Board

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 123
2 of Elections and one on March 3rd on the community
3 boards and I'd love to have Make the Road there
4 translating into Spanish if the City Council's not
5 able to provide that in time. One quick point I,
6 I'm doing participatory budgeting because, mostly
7 because of our, our Chair of this committee Brad
8 Lander. It was the number one thing he asked me for
9 when I started running for City Council and it's
10 also something that our Speaker has been doing. And
11 I think it's going to be a great success. What
12 kinds of things that, that, can the City Council's
13 central staff provide in order empower members who
14 are doing participatory budgeting? Is it mailings?
15 Is it robocalls[phonetic]? Is it advertising? How,
16 how is it that we can get the message out there and
17 what research do we need to change the rules to
18 provide?

19 CARMEN PINEIRO: So one of the biggest
20 challenges that participatory budgeting is having
21 is actually the median communications aspect of it.
22 So again it's about Twitter blast, mass emails,
23 Facebook, you know all the different venues and you
24 can use to get it out there. I mean the best
25 practice would be to have the perfect commercial,

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 124
2 be on every channel you know at least once a week
3 or every day would be of course amazing. But of
4 course there're, there aren't enough budgets to
5 actually accommodate that but again it's working
6 with community organizations that have the capacity
7 to go out and do outreach. I've had anywhere
8 between in a, in a two month period in between like
9 75 to 100 volunteers come out. So it's actually
10 doing a call for volunteers to go out because
11 there's nothing much more important than doing door
12 knocking and talking to people face to face. It's
13 the face to face contact that we get in talking
14 about participatory budgeting that gets people
15 excited. So I think that's one of the number one
16 things that we have to continue to push forward in
17 doing and try to encourage more people to volunteer
18 in this way.

19 COUNCIL MEMBER KALLOS: Thank you.

20 ESTEVE ANDORRA: Thank, Council Member
21 Kallos so you're question I think I definitely
22 agree with those, with those recommendations. There
23 is like a, a significant amount of energy and
24 resources needed. And any help of coordination with
25 central staff to go out there and do these blast,

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2 publicity, and, and, and targeting of, of multiple
3 areas in the district what would be quite helpful.
4 And in, again the other area of make sure that it,
5 it's combined with capital with whatever capital
6 improvements that they're looking to make in the
7 district, make sure that, that it's kind of
8 lockstep with the planning. We already
9 participatory budget.

10 COUNCIL MEMBER KALLOS: Thank you.

11 CHAIRPERSON LANDER: Thank you very much
12 to all of you. Really appreciate your taking the
13 time and, and for your patience in, in sticking
14 around. Our, our third panel is a, is a somewhat
15 thematic one. It's with folks who have been
16 thinking on these questions specifically about open
17 government and participatory and inclusive
18 government. So I'm glad that Council Member Kallos
19 who's been a leader on these issues is back as well
20 and includes John Kaehny from Reinvent Albany, Noel
21 Hidalgo from Beta NYC, David Moore from
22 Participatory Politics Foundation, I have a few
23 questions for him, and if he's still here Andrew
24 Rasiej from the Personal, from Personal Democracy
25

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2 Media. And it's late so whoever was able to be here
3 or... It looks like we have Noel and David.

4 NOEL HIDALGO: Chair, I'm also going to
5 read John Kaehny's into the record.

6 CHAIRPERSON LANDER: Oh, great.

7 NOEL HIDALGO: Or, do you want me to
8 skip that?

9 CHAIRPERSON LANDER: That's alright, go
10 ahead.

11 NOEL HIDALGO: You sure?

12 CHAIRPERSON LANDER: Yeah.

13 NOEL HIDALGO: Okay. Do you want me to
14 begin?

15 CHAIRPERSON LANDER: Yes, please.

16 NOEL HIDALGO: Yeah, okay, great. Good
17 afternoon and Thank you Chairman Lander and Council
18 Member Kallos for holding this timely hearing and
19 keeping me in this panel. My name is John Kaehny
20 and I'm testifying today on behalf of Reinvent
21 Albany where I'm the Executive Director and also
22 the Co-Chair of the New York City Transparency
23 Working Group. The question posed to our panel is
24 how to use technology to help City Council more
25 responsive, transparent, and effective. Council

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2 Member Kallos and my colleagues on the panel have
3 created a list of excellent recommendations that
4 cover a wide range of Council activities and I will
5 focus on three basic points. One; reoccurring
6 reform hearings. This hearing which is a great
7 thing should be the first installment of permanent
8 public effort by the council to continuously
9 improve itself. The model here is the NYC Campaign
10 Finance Board which convenes public hearings and
11 expert panels after every election cycle to assess
12 its own performance and seek public input. This
13 public self-assessment increases confidence in the
14 CFB and ensures that the leadership there is
15 exposed to both criticisms and new opportunities.
16 Council can do even better by conducting these
17 reform hearings annually and by accompanying these
18 hearings with a timely report summarizing the
19 recommendations, criticisms, and next steps. In
20 other words these three hundred, no these hundred
21 things were recommended and this year's council
22 will do the following ten of them. Two; mobile
23 working group. The Council Speaker and central
24 staff should convene a working group on mobile and
25 text first technology which includes interest

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2 members and their staff. Within a few months the
3 group should issue specific recommendations for
4 tools that the council can use to better
5 communicate, engage, and inform via mobile entryway
6 text messages. Today's digital divide is more about
7 the devices New Yorkers use to access the internet
8 than it is about access to broadband at home.
9 Public surveys overwhelmingly reveal that most
10 working class, low income, and young people use
11 smart phones to access the internet. Some use a
12 feature phone equipped for texting. In other words
13 the overwhelming majority of New Yorkers do not
14 connect to the internet via computer. So the
15 question for the council is how should, how should
16 they be communicating with and providing
17 information to this great majority of New Yorkers
18 in the mobile age. Three, public technology plan.
19 The council and central staff should adopt a public
20 technology plan, put it online, and keep it
21 updated. Simply put the council should explain to
22 members, staff, and the public what it is doing,
23 what it plans to do, and some of the thinking
24 behind its technology initiatives. This is
25 especially important if Council's adopting a raft

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2 of new tech tools and initiatives. Currently the
3 public and many members have no idea what the plan
4 is and what new tools can be expected to see. This
5 is a simple matter of accountability both to the
6 public and to the members. The pace of
7 technological change is accelerating with every
8 passing day. So rather than recommend specific
9 tools we recommend some of the processes for
10 harnessing that change in a manageable way. Thank
11 you.

12 CHAIRPERSON LANDER: Thank you.

13 NOEL HIDALGO: And now to...

14 CHAIRPERSON LANDER: And now Mr.
15 Hildalgo.

16 NOEL HIDALGO: Yes, thank you. I, I
17 prepared statements so I'm not going to read them
18 all but it's a laundry list of things so don't get
19 too tired reading them. Dear Chairman and Committee
20 Members good afternoon. It is a great honor to
21 address you and represent New York City's
22 technology community, particularly a rather active
23 group of technologists, the Civic Hacker. I'm Noel
24 Hidalgo the Director and Co-Founder of Beta NYC.
25 We're 1,500 members strong. Last fall we published

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2 The People's Roadmap to a Digital New York City
3 where we outline our civic technology values and 30
4 policy ideas for a progressive digital city where
5 members of the, we are a member driven organization
6 and members of the New York City Transparency
7 Working Group, a coalition which you just heard of
8 that's also membered by Reinvent Albany. In 2008
9 Beta NYC got its start by building a small app on
10 top of twitter. This tool, Twitter Vote Report was
11 built over the course of several then known as
12 developer days, now known as hack nights, and
13 enabled over 11,000 individuals to use digital and
14 social tools to provide election protection. Around
15 the world apps like this have catalogued, catalyzed
16 our current civic hacking movement. And today
17 hundreds of thousands of developers, designers,
18 mappers, hackers, and yackers[phonetic], the policy
19 wonks, volunteer their time to analyze data, build
20 public engagement applications and use their skills
21 for improving the quality of lives of their
22 neighbors. This past weekend we had the glorious
23 honor of having two of the Council Members sitting
24 next to you at an event with Manhattan Borough
25 President Gale Brewer as well as representatives

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2 from Council Member Rosie Mendez's office and
3 representatives from five community boards kick off
4 a 30 hour hack night with 100 civic hackers to
5 prototype 21st century interfaces for open data. In
6 this conversation, through this conversation on
7 rules reform. We have an opportunity to continue
8 the pioneering work that a small talented team of
9 civic hackers and I did within the New York State
10 Senate. In 2004 I moved from Boston here to work
11 for then Senator Patterson's Minority Information
12 Offices. In 2009 I rejoined the State Senate's
13 First Information Officer Office. Our team's
14 mission was to move the state senate from zero to
15 hero, depoliticize technology, and to build open
16 reusable tools for all. In the course of four
17 months we modernized the Senate's public
18 information portal leading the way for two years of
19 digital transparency, efficiency, and
20 participation. These initiatives were award winning
21 and were done under the banner of Open Senate. From
22 Andrew Hoppin's blog the Open Senate is a online
23 gove[phonetic] to no, 2.0 program intended to make
24 the senate one of the most transparent efficient
25 and participatory legislative bodies in the nation.

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2 The Open Senate is composed of multiple subprojects
3 led by the office of the Chief Information Officer
4 in New York State Senate branching from migrating
5 cost effective open source software solutions to
6 developing and sharing original web service
7 providing access to government transparency data to
8 promoting the use of social networks and online
9 citizen engagement platforms. Similar to what we
10 just heard from the community groups that were just
11 testifying in front of us. I, I'll divert from my
12 prepared statements here saying more or less what
13 we see moving the council toward is having a CIO.
14 It will help champion and give the proper
15 leadership to incorporate all these different
16 programs and it can be done in a cost effective
17 way. And the rest of my statement includes that.
18 Thank you.

19 DAVID MOORE: Great. Thanks very much
20 for this opportunity. Thank you very much Council
21 Member Lander and the other Council Members. My
22 name is David Moore. I'm the Executive Director of
23 the Participatory Politics Foundation. And we're a
24 501 C-3 nonprofit organization and we make free
25 technology that helps people get involved in

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2 politics. We've been active since 2007 and I live
3 here in New York. And I'm here today to ask for and
4 in fact to demand access to the public dat. Because
5 currently the New York City public does not have
6 full and open access to the business of the New
7 York City Council. The New York City Council
8 legislative data is not fully open and available to
9 the public. But we can take steps to change it so
10 I'm here to, to recommend those. The benefits of
11 open data are well known. There is the important of
12 bed rock, a principle of government transparency
13 and being accountable for votes and official
14 actions. But it also makes possible innovative
15 civic engagement tools and it can power new
16 services to help people be continuously more
17 involved in their communities and to make it easier
18 and more effective to interact with you in your
19 offices. We've seen that there's a tremendous
20 public demand for information about what's
21 happening in legislative businesses. From 2007 to
22 last year we ran a website called OpenCongress.Org
23 which tracked bills and votes at the federal level
24 and then received over 27 million web visits. In
25 similar projects such as open states and Council-

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2 matic have worked at the state and city level to
3 make the business of government more user friendly
4 and more accessible and also open to more people.
5 Because when the data's open more people can track
6 it, give their input, and remix it in different
7 ways for their constituencies. Despite, New York
8 City's taken some great strides in open data
9 legislation. Local Law 11 was fantastic... Gale
10 Brewer's leadership on that is really appreciated.
11 But it hasn't yet effectively liberated the data of
12 the legislation of the New York City Council. So
13 the ordinances and reports are not fully available
14 to the public in what's call machine readable
15 formats. And don't worry I'm not going to go into,
16 to a technical an end here. And it's not fully
17 available for developers to remix in ways that are
18 open source and so that means that they can be
19 shared by the community on the open web in the kind
20 of ways that we've seen be so effective with other
21 government transparency efforts. So my request to
22 the council today is to submit a formal request to
23 Granicus which is the commercial provider of the
24 Legistar software that makes, that publishes the
25 information about bills and legislative objects in

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2 the New York City Council to open their data fully
3 to the public. And then in practice this means to
4 open up what's called the API which stands for an
5 application programming interface to make it open
6 and available. This should be straight forward the,
7 possible for them to begin work on. The open data
8 community is pleased to work with them and to
9 support their efforts and praise them. It's import
10 that the data that they releases is released under
11 an open license so that the city can maintain
12 improvements. And from this foundation the open
13 data and open government communities can remix the
14 state in new ways. An example is our new free and
15 open source platform AskThem.IO which enables crowd
16 source question and answer with City Council
17 Members including the three open government leaders
18 who I have the privilege of speaking to today.
19 Thank you.

20 CHAIRPERSON LANDER: Thanks very much.

21 Can you just give I think for, for me, for us, So
22 for the public an example of some of the data
23 specifically around the legislative process that
24 would be available under the process that you're
25 talking about and isn't currently available.

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2 DAVID MOORE: Mm-hmm. So we're, we're
3 interested in anything that's in the, the, in the,
4 in the broadest sense, anything that's currently in
5 the Legistar system. We'd like to make available in
6 bulk to the public and also via API in what's
7 called open data standards. So this could include
8 tracking changes in zoning, payments from the New
9 York City Council, committee appointments, vote
10 records, and there's other key reports and official
11 actions on all of these items. So for ordinances
12 and reports at the local level. This is the data
13 that's not currently as available as it should be.
14 Just because it's up on the internet doesn't mean
15 it's actually available for developers to use and
16 remix. Thank you.

17 CHAIRPERSON LANDER: We've been joined
18 by the remaining panelist of the, member of the
19 panel. No, you got here right in time. Andrew
20 Rasiej.

21 ANDREW RASIEJ: Thank you. Andrew
22 Rasiej, Chairman of the New York Tech Meetup,
23 Founder of Personal Democracy Media, and Senior
24 Technology Adviser to the Sunlight Foundation. It's
25 an honor to be here. My remarks are very short and

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2 I'm very grateful for the time and for the interest
3 by this committee in these issues. So the world has
4 changed. In 1994 the invention of the internet
5 browser unleashed a massive seismic shift in how
6 human beings create, consumed, distribute, and
7 utilize information. The resulting impact continues
8 to radically transform a business, education,
9 health care, and the media industries in ways that
10 have profound implications for society and for
11 democracy itself. However the one place where
12 technology innovation seems to have little impact
13 is in government and in a relationship like the
14 leaders have with the citizens who elect them. This
15 is of particular relevance in New York City which
16 is undergoing a massive technology enabled
17 renaissance which is rivaling Silicon Alley in size
18 and scope but in many ways is different because it
19 is based not on the invention of the Silicon chip
20 and on the personal computer but more on the
21 applications those inventions are, an impact they
22 are having on all of New York City's existing
23 industries. The opportunity for New York City is
24 even more powerful simply because of the high
25 quality human capital that is available in the city

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2 in numbers larger than any city in the world. Today
3 you will hear from a number of experts from the
4 world of technology innovation and government who
5 will offer significant testimony to help bring,
6 bring the New York City Council into the 21st
7 century and every single one of them is worth your
8 careful and timely consideration. What I would like
9 to bring to your attention is something that isn't
10 specifically on the list today of ideas you'll
11 consider but maybe more important than anything you
12 can think about in the future. The most important
13 issue that this committee and the City Council
14 itself could consider is the I, that the ideas
15 today should be adopted and implemented rather the
16 question is whether this committee can develop a
17 framework for the future that will allow the
18 council to continue to iterate and improve its
19 technology use and effectiveness on an ongoing
20 basis. There's a tendency with technology
21 innovation to adapt to a new technology and then
22 hope that it will solve the needs of the time.
23 However we have learned any, if we have learned
24 anything new about this particular technology
25 revolution is that it continues at such a rapid

2 pace that the technologies that we adopt today will
3 be obsolete in a matter of months if not years. My
4 recommendation is that the council not simply
5 change its rules to adjust to the realities of
6 today's information revolution but also change its
7 own infrastructure to allow for future dynamic
8 council to emerge and adapt to the changes which
9 are just around the corner. One example of what I
10 mean is for the council to appoint its own Chief
11 Information Officer who would not only be
12 responsible for implementing ideas like the ones
13 you are going to hear about today from all the
14 other testimony but who could also be responsible
15 for keeping the council up to date going forward
16 into the future. The position of CIO should be
17 funded in such a way so that the staff could be
18 hired to help an individual Council Member with
19 their own challenges of being technologically state
20 of the art in their own district and communities.
21 This is just one idea towards making the council
22 operate in a more dynamic and relevant way that is
23 reflective of the world, citizens that represents
24 experience and deserve. However by creating such an
25 office the Council will be doing more than simply

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2 helping themselves but rather it will be
3 guaranteeing all New Yorkers that its government is
4 ready, willing, and able to take its place as a
5 leader and how government works in the 21st century
6 and beyond. Thank you.

7 CHAIRPERSON LANDER: Thanks very much to
8 all three of you. I want to offer Council Member
9 Kallos the first opportunity to ask questions of
10 this panel.

11 COUNCIL MEMBER KALLOS: Thank you all
12 for joining us and for lending your tech expertise
13 to the City Council that we can use technology to
14 be more transparent, open, and accountable. The
15 first question is for Noel with your background in
16 New York State Senate. What does NYSenate.gov
17 currently offer for member services on their
18 websites as well as, constituent services and how
19 much of the senate cost, pay for it and how much
20 would New York City Council have to pay to use that
21 very same software.

22 NOEL HIDALGO: Well I'll take the last
23 one first and say that I'm not on a position to, to
24 talk about how much it costs the Senate to pay for
25 it. But what I can say is that it, the initial cost

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2 of implementation was far less than any other
3 vendor proposal that we had on the table. It was
4 the, when we deployed the senate it had, when we
5 deployed the, the app on day one which included all
6 these different features and included features for
7 elected officials to blog, to post videos, to post
8 events, to post forums. It included a all, all
9 content that was related to committees were linked
10 and integrated into committees. So every committee
11 had its own website. Pieces of legislation,
12 testimony, conversations that were happening within
13 committee were also then posted on the committee
14 website which then also appeared on the, the
15 Senator's website. You know things like novel, like
16 posting a YouTube video, embedding a YouTube video
17 and then sending out an NYSenate.Gov clip saying
18 you know this is my official statement on one
19 particular issue or another. Now Brooklyn Borough
20 President Adams effectively used this and also so
21 did Diane Savino during marriage equality. That
22 product only cost us 150,000 dollars to roll out
23 and that was across the entire, that covered every
24 single state senator and that was kind of the first
25 iteration and then we had a small team of two

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2 people that just kind of worked on it internally.

3 And so that was kind of like the cost of time and
4 materials of two salary persons. So I think that
5 answers most of the questions.

6 COUNCIL MEMBER KALLOS: Something that
7 the Chair of this Committee Council Member Brad
8 Lander mentioned was not knowing when bills were
9 getting amended. What kind of notices could be
10 created using technology so that members of the
11 public could track things that they were interested
12 in and even Council Members could track legislation
13 that they've signed onto.

14 DAVID MOORE: That's a great question
15 Council Member. We're just at the beginning of
16 seeing what kind of innovative tools are possible
17 in the area of alert services. So you probably got
18 a couple of issues that you care about. People here
19 probably have a couple of issues that they're
20 following closely and want to get, whether it's
21 important notifications or ones that people they
22 trust think are major. There are beginning, we're
23 beginning to see web tools that will provide this
24 level of granularity and accuracy to give the
25 public timely and relevant updates about the issues

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2 and legislation that they're tracking. In example
3 of the, the, of the federal and state legislation
4 is a scout, a project of the Sunlight Foundation, a
5 nonprofit in Washington DC which allows you to get
6 updates for an individual piece, a bill, or an
7 issue area and it's expanding into more codes. This
8 kind of alert service could exist for the New York
9 City Council. So when there's a committee
10 appointment that you care about whether it's the
11 Parks Committee or another you can begin to track
12 the, the appointments. Disbursements by the
13 council, the payments that you make are as
14 important issue of community interest. Zoning
15 changes is important for small business owners and
16 this is exactly the kind of free tool that could
17 make their interactions with you more efficient and
18 more powerful.

19 NOEL HIDALGO: And I'd like to add that
20 at the State Senate we did this as a prototype in
21 three months where we just did a dump from LRS and
22 essentially just kind of scraped the data and then
23 used a free service called Discuss. And so it was
24 only three months of a time period and it was very
25 effective and is currently still being used today.

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2 DAVID MOORE: Oh, may I add real
3 briefly? From this foundation of open data it's
4 possible to go to a number of platforms. So the
5 citizens can sign up through SMS message on their
6 cell phones and the email alert, various sort of
7 social media alerts and other kinds of
8 technologies.

9 ANDREW RASIEJ: Only because this may be
10 the only place to insert this idea but for those
11 people who weren't getting the alert but really
12 care about the bills that are passed by the city
13 council, the city council should maybe adopt a 72
14 hour rule which is that no bill unless it's an
15 emergency be posted online in its full form for 72
16 hours before anybody votes on it.

17 CHAIRPERSON LANDER: That's something we
18 do without having it as a rule that we do it so...

19 ANDREW RASIEJ: But maybe you should
20 codify it.

21 CHAIRPERSON LANDER: No, no I, that
22 doesn't mean we should have a rule that we do it
23 only that, in practice. The bills have to be on our
24 desks in hard copy form seven days in advance and I
25 think they're online by that time. But it's a good

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2 point. I wonder if you could just briefly address
3 how you think of the relationship between digital
4 divide issues and open government issues. I think
5 everyone, the three of us certainly, I think most
6 members of the council would like to see us be able
7 to do more of this but I think our also cognoscente
8 of the digital divide challenges that we face in
9 the city and want to make sure that if and as we
10 move forward on open government and open data we're
11 being very thoughtful about how to include and not
12 exclude New Yorkers.

13 DAVID MOORE: [crosstalk] ...May I go
14 first.

15 NOEL HIDALGO: Yeah, go ahead.

16 [crosstalk]

17 DAVID MOORE: From this foundation of
18 open data as I mentioned it's possible to re-
19 present this official data with attribution back to
20 the Council in a variety of ways for a variety of
21 different communities. So an individual
22 neighborhood association could pick out the issues
23 that are important to highlight on its front page
24 and enable community discussion on their own web
25 pages and on other platforms like social media. So

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2 right now unfortunately the New York City
3 legislative portal is not as user friendly as it
4 could be. In terms of trying to explain to people
5 what you do and what's really hot in the Council
6 it's virtually impossible to figure out from the,
7 the city council legislative home page what's
8 happening. And I guarantee that most people try to
9 search for something, get confused and frustrated
10 and lost by the arcane process. We can do much,
11 much more to open this up and become more
12 accessible to translate and to make this data from
13 this foundation of open data but first we need the
14 data.

15 NOEL HIDALGO: Okay, I'd also like to
16 add that you know Council Members Lander, Kallos,
17 and Levine you have great websites but those are
18 three individually controlled and operated portals
19 of constituent management information. What we did
20 at the senate was that when we centralized it we
21 were able to come up with an information structure
22 that not only could be easily translated because we
23 can define all those different pieces. So it would
24 increase accessibility to multilingual services
25 inherently through google which is free but we were

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2 also able to then structure kind of like the
3 information concept to be transportable. So we were
4 experimenting with ideas of getting SMS
5 notifications based upon things that your, your
6 senator was posing to the web. You were getting you
7 know event notifications. We did a very crude and
8 very light simple mobile site for senators who had
9 blackberries at that time period because that's
10 what they were given, they weren't allowed to have
11 android phones or, or iPhones. But then we started
12 playing around once we had that information in a
13 structured way, in a uniform way that cut across
14 the entire state we were then able to think about
15 kind of like how does that affect and serve all New
16 Yorkers. And some of the proposals that we've
17 outlined in there cuts across that. You know we
18 would like to see 311 be embedded into constituent
19 services not only through like whatever council
20 track is going through. But it, and kind of the 311
21 modernization system right now you should be able
22 to, can take a constituent problem and when you
23 track it start tracking it, the city and the
24 executive is automatically tracking it too. And so
25

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2 we can think through that if, long as we have a
3 team that's focused on structured data.

4 ANDREW RASIEJ: Theonly thing I would
5 add is that you probably read in today's newspaper
6 that Netflix and Comcast made a deal to make it
7 easier for Netflix to be able to, to deliver
8 information. And as you probably also know the
9 mayor and members, and other members of this
10 council have, have identified the digital divide and
11 broadband issues in New York as a major, a major
12 battle, battle point for the next couple of years
13 at least. And it may be interesting that in any
14 negotiations with either Verizon or AT&T or other
15 service providers or new providers who might be
16 leveraging the city's infrastructure for delivery
17 of broadband that the council made sure that this,
18 the council information and government information
19 be at least on par with the same level of service
20 that any other commercial interest would be able to
21 achieve.

22 CHAIRPERSON LANDER: Thank you. Those
23 are good points and I'll just flag, I, one thing
24 I'm especially proud of this week in our new
25 council is that we're having this hearing today,

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 149
2 we've got this panel today and Thursday there's a,
3 a city council hearing that's in public housing in
4 Coney Island on the mobile boilers that are still
5 there and the, the Sandy Damage public housing. So
6 I think we, you know, we certainly think that it's
7 not either or, it's having the Council evolve, it's
8 not just its technology but its processes to make
9 sure that we're... [crosstalk, interpose]

10 ANDREW RASIEJ: ...just quickly to add to
11 your point about where you're going. You know most
12 working class people can't afford the time to be at
13 a City Council hearing or even a Community Board
14 hearing. There just isn't enough time so how can
15 the Council think of itself as an asynchronous
16 information service where the ability to
17 participate in the City Council hearing may be over
18 two or three weeks as opposed to that particular
19 time of day so that you're not just getting
20 testimony submitted like we are here at a panel but
21 that people can participate in a more open...

22 CHAIRPERSON LANDER: And I will flag.
23 It's embarrassing, you guys would be embarrassed to
24 go to Council.NYC.Gov/Rules and look at the very
25 sad page that we have up but it's the first time

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2 the Council has put up a page dedicated to a
3 hearing and offered people a period of time to
4 continue to submit hearing and not just by email
5 so. We're taking steps in that direction. Council
6 Member Levine.

7 COUNCIL MEMBER LEVINE: Here at the
8 Council we've got something called Council Stat.
9 It's essentially a glorified CRM that was
10 implemented several years ago itself is a big step
11 forward. However it falls far short of virtually
12 all the goals you mentioned today particularly in
13 terms of contact with constituents. Do you know
14 whether this, if you're familiar with the package,
15 is it salvageable, are you suggesting that we can
16 replace it? Can you suggest alternate packages if
17 they exist?

18 NOEL HIDALGO: There are ultimate
19 packages. I can't quote you on the price. I'm not a
20 vendor like that. But there are also open
21 alternatives. The New York State Senate took an
22 open source platform called CIVICCRM rolled out
23 Blue Bird which has been used at the State Senate
24 level across the state. We modeled it after IQ and
25 Council Stat earliest portions of it for

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2 constituent services and constituent tracking.
3 We're both located at 250 Broadway so we had, we
4 had intimate access with, with Speaker Quinn's
5 office and she kind of opened up her books so that
6 way we could clone that. But this is a, it's a
7 great opportunity to talk and enter into a
8 situation and understand the discussion that all
9 elected officials are similarly facing, are
10 similarly facing the same problem. They're, they're
11 sold a product that doesn't necessarily work for
12 them. It's expensive. Sometimes it's, there's an
13 extreme burden of management or at least time to
14 kind of like navigate and learn all the different
15 fields of we think that in the 21st century that
16 can be done in an open and transparent way. Just
17 this past weekend there was a team that was kind of
18 like hacking on that at, at the, at Code Across NYC
19 who actually come from experience within the
20 Council. If we could have an open and honest
21 dialogue about like how to we prototype better
22 interfaces. We can do it better. It's going to take
23 time to get there we'll develop new alternatives
24 but yeah there, there are options out there.

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2 COUNCIL MEMBER LEVINE: One, one more
3 question. Unless I missed it none of you mentioned
4 the City's Department of Information Technology
5 DoITT as a vehicle for change. In fact you
6 suggested CIO here in the council and I'm wondering
7 if that was an indictment of DoITT or whether you
8 think that they could solve some of these problems.

9 ANDREW RASIEJ: Well it's a, Mark it's a
10 very good question. There's actually a proposal for
11 the Mayor to appoint a CIO because the City of New
12 York has never had its own CIO technically. DoITT
13 controls about 45 agencies, technologies, and
14 there's like another 17 agencies that have their
15 own IT departments separate. In fact I think the
16 Department of Education has a larger IT department
17 than DoITT. I mean the, DoITT, you know does some
18 amazing things and operates obviously through one,
19 one the franchise agreements where they just
20 broadband and other things. But the way the city
21 has to start thinking about this is that technology
22 is not a slice of the pie it's the, it's a pan. And
23 we have to start... DoITT sort of has historically
24 been sort of the tech department that takes care of
25 the technology and we're not really thinking about

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2 how to integrate this holistically into all of our
3 work. And Noel's right. We, the more open source
4 there is the better. Procurement alone, you
5 mentioned a platform that you were, that you were
6 just referring to. The City Council should never
7 buy a technology. It should be commissioning for
8 technology reiteration because by the time you
9 procure, by the time the contract is, the specs are
10 written, by the time the contracts are, the bids
11 are received or the RFP is written, and the bids
12 are received, negotiated, and then the technology
13 implemented the technology is obsolete. There's a
14 statistic that's been circulating around recently
15 that shows for 90 percent of government IT projects
16 they fail because they're either late, they're over
17 budget or don't deliver the services. And that's
18 because we are still operating basically a 1980s
19 Pontiac technological infrastructure. And with some
20 changes here at the City Council and the Mayor's
21 office we might get ourselves to a 2002 Camry by
22 the end of year term.

23 NOEL HIDALGO: Council Member I think
24 it's just, it's not a condemnation of DoITT at all.
25 They do a great job. They do a great service to the

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2 city but it's to protect your own interest. You
3 know the Council is a very unique, it's really you
4 know the only legislative body in the City of New
5 York. Dealing with constituent services,
6 legislation drafting, those are all very unique
7 services in the city of New York that very few
8 people have the expertise to do it. And so just as
9 you have a central staff that's a dedicated and
10 kind of gets to know the legislative process you
11 need the same thing that, you need a technological
12 equivalent to that. And you need someone within
13 your house... [crosstalk] that, that, that can keep
14 everything in order and bring you forward you know
15 through the 21st century and be a partner. You know
16 to really kind of unpack some of these issues and,
17 and negotiate things moving forward. The NYPD just
18 announced a CI, the new CIO and she has an
19 excellent example of taking a Microsoft product and
20 forcing Microsoft to build this product, to
21 commission the product, and then to get 30 percent
22 revenue from Microsoft selling that product to
23 other police departments across the United States.
24 So it doesn't necessarily mean that it always has
25 to be done with open source solutions but at least

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 155
2 it needs to be coming from the context of that you
3 know we are commissioning something and that we
4 can, we can build something together in a
5 collaborative manor.

6 CHAIRPERSON LANDER: Alright we're going
7 to have that be the last word for now on this
8 topic. I think the point about the connections
9 between our rules and processes open this to the
10 people of the city and technologies been well made
11 by this panel and that it's a process that we're
12 going to have to keep going further on.

13 UNKNOWN MALE: Thanks for having us.

14 CHAIRPERSON LANDER: Thank you very much
15 for your time. Our next panel is David Pachefski
16 [sp?] Sochiata Ming [sp?] from NYCLU, Erin Markman
17 from the Community Development Project, The Urban
18 Justice Center and Salina Siu from the PB Steering
19 Committee if those folks are still here. Mr. Rasiej
20 did you have written testimony? Will you give it to
21 the clerk. Thank you very much.

22 DAVID PETROVSKI: Good evening Chairman
23 Lander and, and Council Member Kallos. My name is
24 David Patrovski and as the Chairman knows I worked
25 for central staff of the City Council for many

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2 years. My last position being Assistant Director
3 with the Finance Division. Yeah, yeah. So after
4 leaving the Council in 2008 I worked, I've worked
5 with legislative bodies around, around the world
6 consulting on how to improve their functioning.
7 Most recently with the Federal Department of
8 Somalia. And you know the issues that the Council
9 faces may not be as severe but I think there's room
10 for improvement. So let me just say Chairman you
11 know thanks. I think it's great as, as others have
12 said quite you know remarkable to have a hearing
13 about the Council's internal procedures, have a
14 public hearing. I'll focus on two things. First how
15 the Council is staffed and secondly on the budget
16 process. And on, on the staffing issue I, I, I, I
17 really wish that you know some, I mean I know it's
18 been a long, a long day already but I wish that
19 some of your colleagues were here because, to hear
20 it because it's, it, it's, there's the high profile
21 things like you know the bill's not getting to, to
22 a hearing and so forth but then there's a more
23 intangible thing about how the, the issue around
24 the central staff and that there's a, a inherent
25 problem with having central staff who's supposed to

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2 perform professional nonpartisan roles at the same
3 time are functioning like political staff because
4 they serve at the pleasure of the Speaker. And I
5 guess that is, there's an intangible, and I'll just
6 give a story to illustrate it very quickly. I know
7 you've heard some of my stories in other forms but...

8 CHAIRPERSON LANDER: I always enjoy
9 them.

10 DAVID PETROVSKI: Yeah, thank you. So
11 anyway in 2006 right I... has... my capacity as
12 Assistant Director in the Finance Division my staff
13 and I undertook on our initiative analysis of the
14 affordable housing in Atlantic Yards. And our
15 findings indicated that the affordable housing was
16 unlikely to be built without additional subs, this
17 is the developer coming back for additional
18 subsidies. No, no big surprise. When the Speaker's
19 Office decided not to pursue this issue there
20 really wasn't anything we could do right. There was
21 no mechanism place for releasing or disseminating
22 our findings. We lacked the independence and job
23 protection to shop our findings. So I think that's
24 the kind of thing that the members of the Committee
25 really need to hear because it's a more intangible

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 158
2 thing about the impact of having this blurred line
3 between political staff and professional staff. And
4 there's, there's a, there's a obvious fix right
5 which is to, to, to disaggregate those two
6 functions to have, you could have a council service
7 commission responsible for hiring and management of
8 the nonpolitical staff and then you could still
9 have funds allocated for political staff. It's done
10 all over the world. There's no reason why the City
11 Council couldn't do that. And then you wouldn't
12 have this confusion about who's political staff and
13 who is not. And I think, I think I'll stop on that
14 point. I have things to say about the budget
15 process. It's been a long day already and so I'll
16 leave it, I'll leave it at that and maybe we'll
17 pick up talking about reengineering the budget
18 process in another, another day.

19 SOCHIATA MING: Good afternoon and thank
20 you to the Committee and term man Lander for
21 initiating this process and inviting input. I am
22 Sochiata Ming, Legislative Counsel at the New York
23 Civil Liberties Union. We are the New York State
24 affiliate of the ACLU and we have approximately 50
25 thousand supporters around the state many of whom

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 159
2 live or work in New York City. As advocates we have
3 a broad agenda and, that encompasses issues from
4 reproductive health to police practices. To share
5 with Council Members our expertise and perspectives
6 on these wide ranging issues we rely on public
7 hearings such as this and meaningful notice of such
8 hearings as one critical means for participating in
9 such deliberations. We are also committed to
10 defending the individual's right to participate in
11 government. This one of the most fundamental rights
12 in American society and legislative rules can
13 empower or hinder the exercise of this right. There
14 are many aspects of rules reform that are important
15 but we focus our testimony today on one issue that
16 we believe receives insufficient attention and that
17 particularly affects our ability to advocate
18 effectively. This is the issue of notice that the
19 public receives about Committee hearings and
20 meetings. The NYCLU has a broad agenda and we may
21 well have expertise that we would like to present
22 to City Council Members at hearings. However we
23 often receive notice of hearings with insufficient
24 time to prepare thoughtful and thorough testimony.
25 This means there are frequently occasions when the

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 160
2 NYCLU has expertise that could inform committee
3 deliberations but we are unable to prepare a
4 comprehensive analysis and presentation. In
5 preparing for this hearing we reviewed a collection
6 of 14 hearing, 14 hearings that took place between
7 October 2013 and today's hearing. The hearings all
8 dealt with issues relating to the Civil Rights and
9 Liberties of New Yorkers including immigration,
10 government transparency, and education related
11 issues. We found that on average there were only
12 eight working days between the notice of the
13 hearing and the hearing itself. The hearings all
14 raised complicated questions of law and policy.
15 Eight days is simply not enough time for the public
16 or advocates such as us to conduct research, to do
17 an analysis, to draft testimony, and to clear our
18 schedules in order to address the council in a
19 meaningful way. The NYCLU believes that the City
20 Council should strive to provide approximately 30
21 calendar days' notice before hearings. This would
22 require the council to undertake some planning in
23 advance of a hearing but it would allow for open
24 and meaningful participation by interested parties.
25 At the very least advocates and the general public

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 161
2 should be provided 15 days' notice before a hearing
3 day. The NYCLU believes that earlier hearing
4 notices would be a very simple reform with very
5 powerful effects. Thank you again for giving this,
6 giving us an opportunity to speak with you today
7 and we look forward to working with you to further
8 improve the ability of New Yorkers to contribute to
9 the legislative process. Thank you.

10 ERIN MARKMAN: Thanks. My name's Erin
11 Markman. I'm the Research and Policy Coordinator at
12 the Community Development Project of the Urban
13 Justice Center. And I am pleased to be here today
14 to testify and to highlight participatory budgeting
15 which I'll call PB and its potential for increasing
16 government transparency, accountability, and
17 responsiveness as well as bolstering civic
18 engagement. In the interest of time and because I
19 know you're familiar I'm not going to focus on the
20 particulars of PB as it functions in New York but
21 instead use my time to share some of the highlights
22 of the, the data we've gathered on the process. So
23 the Community Development Project oversees the
24 research and evaluation of New York's PB process.
25 And I'm going to share some data today that come

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 162
2 from the evaluation of the second and most recently
3 completed round of PB since the current cycle's
4 research is still underway. That cycle of PB
5 engaged more than, nearly 14,000 people in a data
6 drive from more than 8,000 surveys, 63 in depth
7 interviews, and 30 meaning observations. Our
8 research demonstrates that PB successfully engages
9 people who do not traditionally participate in the
10 political process and some who tend to be skeptical
11 of New York City government. In cycle two 46
12 percent of neighborhood assembly participants and
13 34 percent of PB voters were unlikely voters in
14 regular elections which means that when asked how
15 often they vote they said they never vote, rarely
16 vote, or sometimes miss. And half of neighborhood
17 assembly participants surveyed indicated that they
18 thought the government needed a lot of changes or
19 that it needed to be completely changed. PB also
20 provides opportunities for new civic engagements
21 since the barriers to participation faced by many
22 who want to participate in regular municipal
23 elections are alleviated in the PB process. So as
24 you know youth as young as 14 can participate in
25 many stages of the process and the voting age of 16

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 163
2 and immigration status and felony conviction status
3 are not factors in voting eligibility. Moreover the
4 tireless organizing efforts of community based
5 organizations, some of which we've heard from today
6 and Council Member offices allow for targeted
7 outreach to traditionally excluded communities as
8 well as the provision of crucial accommodations
9 such as child care, translation, and interpretation
10 at meetings. Our research captures some information
11 about these communities so we found that nearly a
12 quarter of cycle to PB voters who we surveyed were
13 born outside the United States and five percent of
14 voters identified as immigrants who were not US
15 citizens which is most likely an underestimate
16 because there was issues with fear of reporting. 12
17 percent of neighborhood assembly participants were
18 youth under the age of 18 and women comprised at
19 least 60 percent of participants at every stage in
20 the process. Data also shows that people of color,
21 low income people, and low income people
22 participated in PB at higher rates that in
23 traditional electoral politics and that PB engaged
24 people who had not previously worked with others
25 for community change. And as the interest and, and

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 164
2 participation in PB grows there's crucial
3 opportunities for research, resource dedication,
4 centralization, economies of scale, and support
5 from various government bodies to ensure that the
6 process remains sustainable and vibrant. For
7 example a centralized division in the council could
8 coordinate and support PB. Matching funds could be
9 provided for district PB processes and a city wide
10 process could be launched for larger projects as
11 well as PB processes piloted within city agencies
12 like NYCHA or the DOE. Council could encourage
13 districts to participate in PB by dedicating
14 resources to participating districts and providing
15 additional expense funds to help with
16 implementation. These forms of support and more
17 would strengthen and grow the existing process and
18 promote the goals of government transparency,
19 responsiveness, and ethicacy which we're all here
20 today to uphold. Thanks.

21 SALINA SIU: Good afternoon or evening-
22 ish. I'm Salina Siu. I'm an Associate Professor of
23 Political Science at CUNY Thank you for the
24 opportunity to testify today. I want to start by
25 emphasizing the big picture. I'm, as I'm sure you

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2 know American rates of political participation in
3 terms of voting right in congress have been
4 steadily declining since World War II. Just over
5 half of eligible Americans vote in presidential
6 elections. This contrasts with three quarters in
7 much of Europe and 96 percent in Australia. At
8 first glance this makes us Americans look like
9 lazy, apathetic, losers. So one question might be
10 why Americans are so disengaged. Are we lazy or are
11 we dissenting via exit? What's going on? Just the
12 fact that we hold our elections on working week
13 days when almost all other countries at least make
14 it a holiday sends a message about our government's
15 tepid desire for our input.

16 [sneeze]

17 SALINA SIU: Bless you. At the same time
18 it's clear that folks across a political spectrum
19 are deeply distrustful of our government's ability
20 to reflect our wishes. I serve on the participatory
21 budgeting or PB Steering Committee and Research
22 Board. PB allows us to see the contributions that
23 face to face deliberation can make in policy
24 making. And based on the evidence I believe that PB
25 is a powerful institutionalized way in which less

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 166
2 privileged constituents can voice their preferences
3 and negotiate instead of protest. Research on PB
4 shows that Americans are not as apathetic, and New
5 Yorkers not nearly as jaded as we might think. At
6 PB assemblies both youth and adults including
7 police officers serving as security might initially
8 express boredom but quickly become enthusiastic in
9 identifying neighborhood needs. They draw upon
10 experiences of which blocks are less safe in the
11 afterschool hours or how uses of the same public
12 spaces are rapidly evolving in gentrifying areas.
13 All sorts of local knowledge that planners looking
14 at district averages not matter what their level of
15 technical expertise do not possess. A good
16 democratic process will draw upon constituent's
17 local knowledge without dismissing it or
18 romanticizing it. But it does little good to just
19 pay lip service to ramping up democracy. Because of
20 our segregated landscape addressing equity means
21 that we need to scale up. At one assembly a higher
22 income upper west side resident stated that he told
23 to get a stop sign at an intersection near his home
24 but that laundry rooms for public housing seniors
25 in East Harlem was more important. But that's seen

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 167
2 as now less likely to repeat itself now that
3 Speaker Mark-Viverito's district lines have been
4 redrawn. Many constituents also question budgets
5 outside of PB such as education and housing ones.
6 An analysis by MIT by the way shows that the first
7 two years winning PB projects were more likely to
8 serve low income census blocks than non PB ones. We
9 thus need new avenues for dialogue across
10 districts, funds for project proposals that span
11 districts and can be addressed citywide, and a
12 broader scope of funds open to PB. We need
13 centralized resources and coordination for targeted
14 outreach, trainings, evaluation, and facilitation,
15 especially via the city agencies that tend to act
16 as de-facto gate keepers. And that can ensure that
17 we reach different constituency groups that we
18 don't reinvent the wheel and that newcomers don't
19 make easily avoidable mistakes and then feel
20 demoralized because we are seeing some high
21 turnover. We need infrastructure to make sure that
22 PB doesn't replicate inequalities or help the less
23 powerful but continue to exclude the least
24 powerful. Civic engagement is strongly correlated
25 with social trust, less crime, and often more

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 168
2 equitable socioeconomic policies. The research
3 shows that the payoffs of a more civically engaged
4 populous are huge even for those who are already
5 well off. I applaud you for taking on the task of a
6 more responsive legislature. Some of the needed
7 reforms might feel like abdication of power at
8 first but the research also shows that if well
9 implemented they would actually increase your
10 legitimacy in clouts.

11 CARMEN COLLADO: Good Evening. My name
12 is Carmen Collado. I am Chief Government and
13 Community Relations Officer at the Jewish Board of
14 Family and Children Services. I would like to thank
15 Council Member Brad Lander for chairing this
16 hearing and all the members of the committee and
17 the council who have play a role in this important
18 effort. On behalf of JBFCS we feel that the
19 proposed rule reform agenda furthering proof a
20 system that has been very valuable to our agency
21 and community organizations throughout the city. We
22 would like to take this opportunity to reinstate
23 the importance of member items. The member items
24 JBFCS have received from the city in the last
25 decade have funded programs that will not have

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 169
2 received support from customary government sources.
3 Although they are a small part of our overall
4 budget they have been critical to programs that
5 serve many New Yorkers in need. Our experience is
6 that member items are some of the most effective
7 grant made to not-for-profit agencies providing
8 services to your constituency. Member items support
9 has allowed us to provide culturally competent and
10 bilingual bicultural, mental health services to
11 children, adult, and families. Both in clinics as
12 well as in nontraditional settings such as
13 community centers, place of worship, and client's
14 home throughout the city help cover mental health
15 clinic fee for working families who cannot afford
16 them but they're not qualified for public
17 assistance, make essential renovation to clinic to
18 improve accessibility, safety, and effective
19 therapeutic environment for clients both on small
20 scale through member items and on a large scale
21 through capital grants. Throughout our work with
22 these clients we know that New York City Member
23 item have improved the life of many New Yorkers and
24 we look forward to continued partnership with our
25 representative at the City Hall. Furthermore we

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 170
2 strongly believe that the benefit of member item
3 support should be available to all communities and
4 population through a fair and equitable system.
5 Thank you for this opportunity to testify.

6 CHAIRPERSON LANDER: Thank you all very
7 much. I really appreciate your staying and your
8 patience and honestly many of the things that you
9 said are things that I would love to have further
10 dialogue about. So if you have written testimony
11 please submit if the hearing you heard today
12 prompts you to jot down a few more thoughts about
13 things that promise that we'll read them. There is
14 a lot of interesting issues and you touched on so
15 many different ones between the further work on PB
16 that hearings question. You know and this, I was
17 thinking about the intersection between this and
18 the technology panel before because the other thing
19 we don't do is make it at all easy to find out for
20 most at least NYCLU can, knows how to work the
21 council website and find out when the civil rights
22 related hearings are but it's not possible
23 currently for our regular New Yorker to say let me
24 know when there are hearings on these issues that I
25 care about in any, in any way. So for a lot of

1 COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS 171
2 member items and I think this, you know the
3 questions of our staff and their role are also
4 really interesting ones. So thank you for your
5 time. Feel free to submit more ideas and we'd like
6 to stay in dialogue as we work to get a proposal,
7 not just a proposal on the table but a proposal on
8 the table and a process in place to continue the
9 council's work on these issues in the future. Thank
10 you. And we still have Alan Finbloom and Raymond
11 Figueroa thank you very much for your patience and
12 sticking around. And that will be, this will be the
13 last panel.

14 [background conversations]

15 RAYMOND FIGUEROA: Hello, okay. I just
16 want to thank you Chairman Landers for, and the
17 distinguished colleagues on the Rules Committee for
18 convening this and I want to acknowledge also the
19 leadership of the speaker in really moving this
20 really very very breath of fresh air of an agenda
21 to open up government in a way that will truly
22 resonate with the most disenfranchised, with the
23 most marginalized, and that hopefully going forward
24 with this good faith effort to really begin to make
25 this one city. So I really applaud this effort and

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this opportunity to come before you. My name is Ray Figueroa. I'm President of the New York City Community Garden Coalition. As the name suggests we're a coalition of folks that love the earth. We are children of the earth, children of Mother Earth. Community Gardens really represent community cultivated spaces that are cultivated by folks in, throughout the city into meaningful places that really optimize what civic engagement is all about. Few folks come together collaboratively, work collectively to address, and to create things that are very meaningful in their, in their lives whether it's cultivating food, whether it's having a, a meeting place, whether it's organizing community. All of these wonderful things happen in, in community gardens and they happen at pennies on the dollar. I just wanted to add that. I'm just going to launch into this of, PB has already been discussed very eloquently. I just wanted to just highlight just one recommendation and then I'm going to launch into some other governments issues of concern for the Community Garden Coalition. And as much as we deal with a lot of Land Use issues that come up to be sure. And this is by way of

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2 further building on the current success of PB the
3 discretionary capital budget projects voted on by
4 their constituents should be focused on employing
5 residents of those districts in these capital
6 projects. For example you know current workforce
7 development programs could be retrofitted in such a
8 way to provide a training pipeline for residents
9 within these PB council districts so that they will
10 be prepared to be employed once these capital
11 projects come on line. This is not only economic
12 development in, in, but it is also a multiplier
13 effect that it will certainly go a very long ways
14 to galvanizing even further civic engagement. When
15 folks really see the actual potential of, of
16 participatory budgeting really being maximized and
17 to the extent that we have capital projects why not
18 link those capital projects in a way where there's
19 a need for something to be repaired, a need for
20 something to be built, streets, lights to be
21 installed what have you and develop the work force
22 development pipeline to coordinate once these
23 projects come online. So that's just a
24 recommendation. It will go a long ways to further
25 enhancing your credibility and legitimacy as

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2 leaders working with a community that is and, and
3 your leadership as very, as being very responsive.

4 I'm going highlight some issues that for me
5 probably going to wax a little polemical but it
6 comes out of... it's, it's, it's grounded in a
7 reality, in existential reality and it's going to
8 come out a little passionate but please understand
9 where we're coming from. So in other areas of
10 governance I'd like to draw the Rules Committee
11 attention to the Universal Land Use Review
12 Procedure otherwise known as ULUR which culminates
13 in a final vote of the City Council. So I'm going
14 to just, just review some things that are, are a
15 part of ULUR but, which the City Council is, is
16 intimately connected to... not insignificantly by, by
17 virtual voting on what has happened prior to in
18 the, in the ULUR process. So as currently, as
19 currently structured ULUR and...

20 [timer sounds]

21 RAYMOND FIGUEROA: Oh my God, okay.

22 [laughter]

23 RAYMOND FIGUEROA: Alright, no problem.

24 Can I, can I just... [crosstalk]

25

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2 CHAIRPERSON LANDER: Can you just, can
3 you just give us a summary... [crosstalk]

4 RAYMOND FIGUEROA: Okay, sure.

5 CHAIRPERSON LANDER: ...testimony...
6 [crosstalk]

7 RAYMOND FIGUEROA: Yeah... [crosstalk] in
8 the city environmental quality review process as
9 it's currently structured begins with the community
10 board, community board meetings happen in the
11 evening which is a big, big plus. The big, big you
12 know one step forward, two steps backwards is it
13 the vote of the will of the people is advisory. So
14 when you get to the, up the decision making chain
15 and at the Planning Commission you know the
16 Planning Commission can literally not recognize the
17 will of the people in terms of land use. Part of
18 that has to with the fact that Land Use
19 Commissioners are basically as is constituted right
20 now the City Planning Commission's made up of all
21 Real Estate Developers. So how do you have a
22 commission that's made up of all Real Estate
23 Developers overseeing an, an environmental quality
24 review. It just is, is a miss, is a misfit there.
25 And the Planning Commission is also the Coastal

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2 Commission. And again overseeing environmental
3 decision making but really driven by what I would
4 call a conflict of interest in terms of real estate
5 development. So we, you know some of the
6 recommendations in that regard one we need to
7 really look at the selection process for
8 commissioners so that it's, it's much more
9 balanced. We need to separate and have an
10 independent secret commission whose work and review
11 is independent of the Planning Commission so that
12 we can have proper environmental reviews. The
13 reason why I'm bring this up is that there's been
14 so many worthy, worthy initiatives in the
15 community, not the least of them being community
16 gardens which of late had been recognized as very
17 consistent with green infrastructure development in
18 the, in light of extreme weather. So we, we need to
19 look at, we need to zone for community gardens
20 because right now the community use, the land use
21 of community use of community garden, this is not
22 recognized at all in the lexicon of, of planning.
23 And so this really sets up a process that is really
24 biased against poor communities. I have some...

25 [crosstalk]

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2 CHAIRPERSON LANDER: Let me ask you...

3 [crosstalk]

4 RAYMOND FIGUEROA: ...but I'm going to,
5 I'm going to defer...

6 CHAIRPERSON LANDER: ...testimony and I...

7 [crosstalk]

8 RAYMOND FIGUEROA: Yes.

9 CHAIRPERSON LANDER: ...you know so we can
10 follow up... [crosstalk]

11 RAYMOND FIGUEROA: Yes... [crosstalk] Yes,
12 absolutely.

13 CHAIRPERSON LANDER: So thank you very
14 much.

15 RAYMOND FIGUEROA: Yes.

16 ALAN FINBLOOM: My name is Alan
17 Finebloom. I'm a member of Jails Action Coalition.
18 We're trying to eliminate solitary confinement for
19 people **on** Riker's Island for mentally ill young
20 people like 16 to 21. We're meeting with the Board
21 of Corrections and they're, they're on the road to
22 changing the rules where people that are mentally
23 ill don't end up in jail. Another organization that
24 you've helped out is Community Crisis Intervention
25 Teams. They, they recently had a, I think it's

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2 City Hall who's tried, when somebody calls up 911
3 we wanted it to please come that been trained 40
4 hours. Like in other states and other cities, now
5 we have officers that come, they separate the
6 person that's sick from their parents or their
7 wives. And one thing leads to another. Before you
8 know it either the officer gets hurt or, or the,
9 the, or the person that's not well gets hurt. Now
10 I've been here since 2:00 and all, it started out
11 pretty interesting that we want to make changes,
12 that we have a new administration. Most cities
13 changes is because their view in Jumaane Williams
14 with stop and frisk. I've been involved in this for
15 about three years. I come to meetings. This is what
16 I find, I find that I'm the last one, or next to
17 last one. People that come from the public, they're
18 sitting here waiting patiently. Even today you was
19 asking questions about computers, how much did this
20 system cost, how much did that system cost. I
21 didn't see anybody get really exciting and say this
22 is New York City just half of American people... that
23 are suffering. There's people living in a housing
24 project that dogs are treated better on... than the
25 people that live in housing projects. There's no

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2 passion. There's no feeling... It's like everybody's
3 going through the motions... come in here asking you
4 for money. They don't have enough, they don't have
5 enough funds. My group never asked for money.

6 Everbody carries their own weight. We never asked
7 you, we never come to your office and say please
8 fund us, we're doing good things. We're, all we do
9 is we speak for people that don't have a voice.

10 Like you mentioned that during your conversation
11 that the council speaks, we're not going to rely on
12 somebody from the council to speak for us like
13 Quinn or somebody else. Well, we're, we're going to
14 go out and demonstrate in the street. We're going
15 to come here, we're going to meet with Council
16 Members. I have a new Council Member... I can't even
17 a get a meeting with him. I met with Rory, Rory,
18 the guy that, the fellow that was sitting in the
19 back. He, he gave us like ten minutes then he had
20 to go because it was Friday nights. I understand
21 but he gave us like 10 minutes and, and that was it
22 and hopefully he'll read the literature that we
23 gave him. What I want to see is real change.

24 Everybody's a democrat now. We have a new governor.

25 Everybody on the, there's only three Republicans so

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2 we can't say it's George Bush or Reagan or any of
3 this other bologna. So if you can't do things... I
4 know you're, you're legitimate and there's other
5 people like Jumaane Williams that's legitimate but
6 if we can't really make real, real changes then
7 people are going to just take to the streets. ...been
8 off and on for hours... I believe with Martin Luther
9 King but people are getting sick... I can't
10 understand how Latinos and afro Americans quietly
11 sit by, they, they, they look up to these kind of...
12 We say no it's well bologna, nothing's ever going
13 to change. They'll either blame it on the state. A
14 lot of the changes that you want to make they're
15 going to say well it's New York State, it's not the
16 city, it's the state. All I'm begging you is to
17 make real change. I sat four hours of nothing.
18 You're asking about how much equipment cost. Show
19 some of, emotion. Get excited like you used to do
20 when, when it was stop and frisk. We, when you went
21 at, completely berserk and Jumaane Williams spoke.
22 That, that's what I want. I don't want people to
23 say how much is this computer, oh this is 20
24 thousand, this is... Alright that's it. Do you get
25 the point? I want real change.

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2 CHAIRPERSON LANDER: Absolutely and I...
3 [crosstalk]

4 ALAN FINBLOOM: And I'm glad to be a
5 last one.

6 CHAIRPERSON LANDER: ...I really
7 appreciate both of you sticking around till the end
8 and testifying. I, I hope there's room for both,
9 for that kind of passion when you're out on the
10 streets and for figuring out how much it cost to
11 have a computer system that helps you... [interpose]

12 [laughter]

13 CHAIRPERSON LANDER: And as I said and
14 I'll, maybe I'll just end on this. I think part of
15 what I'm proud of is that we're not only doing this
16 hearing but that Thursday one of the very first
17 hearings is this new council's going to be out in
18 public housing and NYCHA development in Coney
19 Island where residents still don't have a new
20 heating system. They're still working on a mobile
21 boiler as a result of Sandy damage. And I think
22 that symbolizes the goal of this council under
23 Speaker Mark-Viverito's leadership to change the
24 way we do business. But you're right the proof's in
25 the pudding so...

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2 ALAN FINBLOOM: One last thing...

3 [crosstalk] For example the Commissioner of
4 Corrections... left. Now we don't, why does it take
5 so long to get a Commissioner. Don't they thing
6 that criminal justice, people in prison count. Was
7 that like the last thing, like a full grown
8 conclusion... taxi commission of... for... then maybe
9 they'll get around to taking care of people in
10 jails, afro Americans, Porto Ricans, all you guys,
11 maybe 10 white people and... and everybody else is
12 non-white because of the system. We have a racist
13 country. Those are the things I want to hear. I
14 don't want to hear about... I don't know what else is
15 so... so important.

16 CHAIRPERSON LANDER: I hear you. Today
17 we are doing this hearing on... [crosstalk]

18 CHAIRPERSON LANDER: ...processes of the
19 council and I really appreciate your sticking
20 around and everybody else who came out and we look
21 forward to following up...

22 RAYMOND FIGEROLLA: Thank you very...

23 CHAIRPERSON LANDER: So thank you very
24 much for your testimony. And with that this hearing
25 of the City Council Committee on Rules, Privileges,

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2 and Elections is adjourned. But thank you to the

3 Sargent of Arms and the staff who stuck around

4 'till the bitter end.

5 [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 March 01, 2014