

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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March 7, 2018  
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B E F O R E: STEPHEN T. LEVIN  
Chairperson

COUNCIL MEMBERS:

ADRIENNE E. ADAMS  
VANESSA L. GIBSON  
MARGARET S. CHIN  
ROBERT E. CORNEGY, JR.  
RAFAEL L. ESPINAL, JR.  
COREY D. JOHNSON  
RITCHIE J. TORRES  
RORY I. LANCOUNCIL MEMBERAN  
MARK TREYGER  
STEVEN MATTEO

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

Fernando A. Bohorquez  
New York City Conflicts of Interest Board

Anthony W. Crowell  
New York City Conflicts of Interest Board

Salvatore Scibetta  
New York City Conflicts of Interest Board

2 [gavel]

3 CHAIRPERSON KOSLOWITZ: Good morning and  
4 welcome to the Committee on Rules, Privileges and  
5 Elections. My name is Karen Koslowitz and I am the  
6 Chair of the Rules Committee. Before we begin I would  
7 like to introduce the other members of this committee  
8 who are present; Council Member Mark Treyger, Council  
9 Member Margaret Chin, Council Member Lancman, Council  
10 Member Adrienne Adams, Council Member Ritchie Torres,  
11 Council Member Matteo, and Council Member Vanessa  
12 Gibson. I would also like to acknowledge Council to  
13 the Committee, Elizabeth Guzman. I would also like to  
14 acknowledge the staff members from the Council's  
15 Investigative Unit; Jeff Davis, Director of  
16 Investigations as well as Andre Johnson-Brown. Topics  
17 for consideration, today the council will consider  
18 three candidates; Salvatore Scibetta, did I do okay?  
19 A resident of Staten Island for appointment to the  
20 New York City Board of Standards and Appeals as laid  
21 member to fill a vacancy and serve the remainder of  
22 the six year term that expires on July 10<sup>th</sup>, 2019 and  
23 Anthony W. Crowell and Fernando Bohorquez, both  
24 residents of Brooklyn for re-appointment as members  
25 of the Conflicts of Interest Board to serve a six

2 year term that begins on April 1<sup>st</sup>, 2018 and expires  
3 on March 31<sup>st</sup>, 2024. I will now call... the Speaker is  
4 not here, he'll be here later. The BSA consists of  
5 five commissioners each appointed by the Mayor for a  
6 term of six years. The City Charter provides that one  
7 of the BSA members shall be a planner with  
8 professional qualifications and at least ten years'  
9 experience as a planner. One of the members shall be  
10 a registered architect and shall have at least ten  
11 years' experience as an architect and one of the  
12 members shall be a licensed professional engineer and  
13 shall have at least ten years' experience as an  
14 engineer. The particular qualifications of the two  
15 remaining members are not delineated in the charter.  
16 The Mayor designates one of the members with the  
17 required experience of an architect, planner or  
18 engineer to serve as chair and designates another  
19 member to serve as vice chair, no more than two  
20 members may reside in any one borough. Each member of  
21 the board receives a salary and may not engage in any  
22 other occupation, profession or employment. The Chair  
23 earns an annual salary of 212,000 dollars... two,  
24 212,044 dollars, the Vice Chair receives 174,523  
25 annually while the remaining members earn annual

2 salaries of 166,000. The BSA has the power to  
3 determine and vary the application of the zoning  
4 resolution and to issue a special permit as  
5 authorized by the zoning resolution. The BSA may also  
6 consider appeals to vary or modify any rule or  
7 regulation of the provisions of any law relating to  
8 the construction use.. you have to excuse me I have a  
9 cold.. use structural changes, equipment, alteration  
10 or removal or building to a structures or vaults in  
11 their sidewalks are pertinent there too where there  
12 are practical difficulties or unnecessary hardships  
13 in carrying out the strict letter of the law so that  
14 the spirit of the law shall be observed, public  
15 safety secured and substantial justice done. Welcome  
16 the candidates, welcome Mr. Scibetta, would you all  
17 please raise your right hand to be sworn in?

18 CC: Good morning. Do you swear or affirm  
19 to tell the truth, the whole truth? Thank you.

20 CHAIRPERSON KOSLOWITZ: Thank you. Rules  
21 committee's members you can find a written copy of  
22 the opening statements to these candidates in your  
23 booklet. Mr. Scibetta do you wish to make any opening  
24 statements?

2 SALVATORE SCIBETTA: Sure. Good morning  
3 Chair Koslowitz and members of the Committee on  
4 Rules, Privileges and Elections. My name is Salvatore  
5 Scibetta and I'm greatly honored to be here today to  
6 present testimony regarding my nomination as  
7 Commissioner of New York City's Board of Standards  
8 and Appeals. I'm a life-long New Yorker, I've lived  
9 in multiple boroughs and worked in all of them, New  
10 York is my home and Staten Island is where I've  
11 chosen to raise my two children. I ask for your  
12 consideration in this position so that I may do my  
13 part to ensure my children as well as all of the  
14 other children in this great city grow up in the best  
15 New York there could be. My passion has always been  
16 and continues to be community service. I strongly  
17 believe in active participation in, in the community  
18 as a means of investing in something greater than  
19 myself. Through my involvement in many community-  
20 based organizations representing a wide cross section  
21 of New Yorkers I have honed my ability to listen to  
22 different constituencies, deeply consider their  
23 perspectives and address their concerns. Serving  
24 others has been the foundation of some of... of some of  
25 my most rewarding experiences and if appointed I will

2 bring this passion for service to the BSA. By trade  
3 I'm a seasoned litigation attorney who has conducted  
4 over 100 hearings, I have practiced in various areas  
5 of law including real estate and law related to  
6 buildings and violations which is particularly  
7 relevant for the BSA. Throughout my years as an  
8 attorney I've had a wide variety of clients serving  
9 mostly the people of the city of New York with  
10 clients ranging from our city's most vulnerable  
11 children to multimillion-dollar corporations. This  
12 varied experience has taught me to see issues from  
13 all sides and to understand the value of a just  
14 outcome to every person. After spending the last  
15 several years as a partner in an international law  
16 firm I felt the need to return to my roots in the  
17 public sector. My experience indicates how hard I've  
18 worked as an attorney as well as my dedication to my  
19 community. If I am appointed to serve I hope to  
20 become a valuable resource not only for the board but  
21 also for the city... New, New York City as a whole. I  
22 will... I will ensure the board's decisions are made  
23 for the interest of the public and with the utmost  
24 rigor, integrity and care. It will be a privilege to  
25 serve as Commissioner on the Board of Standards and

2 Appeals and I welcome any questions you may have for  
3 me. Thank you.

4 CHAIRPERSON KOSLOWITZ: Anybody have any  
5 questions, Council Member... Council Member Steve  
6 Matteo.

7 COUNCIL MEMBER MATTEO: Thank you Madame  
8 Chair, welcome Scibetta. I... as you know I represent  
9 the Mid-Island portion of Staten Island in district  
10 50 and like most... unlike most of the other boroughs  
11 Staten Island has many streets that are not part of  
12 the city map, developments assessed from these  
13 streets negatively affect local traffic and the  
14 quality of life throughout my district being that BSA  
15 is designated to review these applications pursuant  
16 to general city law, what is your opinion on the  
17 parameters of this review?

18 SALVATORE SCIBETTA: Thank you Council  
19 Member.

20 CHAIRPERSON KOSLOWITZ: Council Member  
21 Torres here.

22 COUNCIL MEMBER TORRES: Yeah.

23 CHAIRPERSON KOSLOWITZ: Council Member  
24 Torres, Council Member Torres do you have any  
25 questions?



2 COUNCIL MEMBER MATTEO: Madame Chair he  
3 didn't... he didn't finish... [cross-talk]

4 SALVATORE SCIBETTA: I didn't respond to...  
5 [cross-talk]

6 COUNCIL MEMBER MATTEO: ...responding to  
7 mine.

8 CHAIRPERSON KOSLOWITZ: Huh?

9 COUNCIL MEMBER MATTEO: He didn't finish  
10 answering my question.

11 SALVATORE SCIBETTA: I, I didn't begin  
12 to...

13 CHAIRPERSON KOSLOWITZ: Sorry.

14 SALVATORE SCIBETTA: No worries. Council  
15 Member I believe that... I believe that the, the  
16 community character has to play a very big role in  
17 making these decisions. I believe that its important  
18 for the BSA to be aware of, of all that goes into  
19 these unmapped streets and the problems that, that  
20 come from them including the waste management and  
21 the, the snow that has to be shoveled because this  
22 isn't part of sanitation and I believe that along  
23 with your help and, and the help of the borough  
24 president I believe that your, your input and the  
25

2 input of the community is a... is a great value to the  
3 BSA in making a determination on these issues.

4 COUNCIL MEMBER MATTEO: I, I thank you  
5 for that and I thank you for understanding that there  
6 are consequences once the private streets are built  
7 in, in terms of other city agencies and resources  
8 and, and the other question I have since I've been  
9 elected and, and with my colleagues we've been  
10 talking and called out BSA leadership quite frankly  
11 on, on, on the hardship issue and how a developer  
12 will buy a property, you know fully well knowing what  
13 they can build but decide that they want to bring a  
14 hardship argument to the BSA and build something that  
15 is out of character of the neighborhood against  
16 community wishes so just wondering your thoughts on,  
17 on this hardship issue?

18 SALVATORE SCIBETTA: As a whole I believe  
19 that the community has... okay, so hardship has... it's a  
20 two prong type of test, there is... obviously it has to  
21 be a unique issue that creates a condition that would  
22 not have any, any reasonable return but that has to  
23 be balanced against whether this variance or... would  
24 alter the community at large and these competing  
25 interests if they are competing interests have to...

2 have to go through a balancing test where the  
3 community reaches out and let's the... and speak...  
4 testifies and let's the, the, the board know what  
5 kind of changes this would bring now I, I think that...  
6 its so relevant and important to a definition of  
7 whether a hardship has occurred, its so relevant to,  
8 to, to balance of a... the community input against it.

9 COUNCIL MEMBER MATTEO: Well I, I  
10 appreciate your understanding the balance and my  
11 constituents surely aren't shy in bringing up the  
12 concerns to the BSA so with that I look forward to,  
13 to working with you, thank you.

14 CHAIRPERSON KOSLOWITZ: Finished? Council  
15 Member Treyger.

16 COUNCIL MEMBER TREYGER: Thank you to  
17 Chair Koslowitz and thank you for your... for your  
18 opening testimony Mr. Scibetta. So, the question I  
19 have is many of the applicants that come before BSA  
20 have with them... you know or, or are themselves as  
21 well attorney zoning attorneys, people who are  
22 advocating on behalf of certain developers,  
23 developments who have the means and capacity to come  
24 before BSA, file luminous paperwork and go through  
25 the processes, how do you suggest we as policy makers

2 or the city of New York level the playing field for  
3 communities that are at many times impacted by what  
4 is being considered before BSA or don't have the  
5 means to also hire a zoning expert or a zoning  
6 attorney or developer attorney or planning attorney  
7 to make sure that their concerns are adequately heard  
8 because many of us have worked hard from a policy  
9 perspective, from a budget perspective to provide  
10 free counseling for tenants facing eviction for  
11 example, unfair eviction, how do you suggest we level  
12 the playing field for impacted communities that are  
13 effected by decisions that BSA makes?

14 SALVATORE SCIBETTA: I really appreciate  
15 that question because it speaks about our less  
16 fortunate and people who still deserve a right to be...  
17 to be heard and while I cannot testify to be in the  
18 workings of the BSA at this time because I'm not on...  
19 a member of the board I can say that if elected... if  
20 appointed I would treat every single advocate equally  
21 and as a litigation attorney I read every piece of  
22 paper myself, I read every word, I, I try to read  
23 between the lines, I try to weigh out all the issues.  
24 A person's rights and the community's rights are  
25 important to me and that, that is something that I, I

2 hope to bring to the BSA along with the rest of my  
3 experience.

4 COUNCIL MEMBER TREYGER: Thank you.

5 CHAIRPERSON KOSLOWITZ: Any other  
6 questions? With that I will continue. The Charter  
7 states that BSA members may not engage in any other  
8 occupation, profession or employment, Mr. Scibetta  
9 for the record can you please confirm that if  
10 appointed to BSA you will no longer accept judicial  
11 appointments to act as a referee?

12 SALVATORE SCIBETTA: I can, I, I will no  
13 longer accept judicial appointments to act as a  
14 referee.

15 CHAIRPERSON KOSLOWITZ: Okay. And topic  
16 two, New York City Conflicts of Interest Board. I  
17 will briefly explain the functions of the Conflict of  
18 Interest Board although I know we basically know  
19 about it. the Conflict of Interest Board is the  
20 entity that serves to provide clear guidance to  
21 public employees regarding the Conflicts of Interest  
22 Code which lays out the types of conduct prohibited  
23 by public service. The Board is to achieve this  
24 through training, education, and the issuance and  
25 publication of advisory opinions relating to proposed

2 future conduct. The Board also adapts rules to  
3 implement and interpret the provisions of the  
4 Conflict of Interest Code that we use and make  
5 decisions on alleged violations of said code, with  
6 the power to impose fines that can be as high as  
7 25,000 dollars per violation which when deemed  
8 appropriate can include suspension or dismissal from  
9 serving as a public servant of that city employee.  
10 The Board also collects and reviews financial  
11 disclosure reports. The Board consists of five  
12 members who are appointed by the Mayor with the  
13 advice and consent of the city council. The Mayor  
14 must also designate one of these members as Chair of  
15 the Board, the Charter states that these members  
16 should be chosen for their independent integrity,  
17 civic commitment, and high ethical standards. Board  
18 members serve a six-year term and may not serve more  
19 than two consecutive six-year terms pursuant to the  
20 New York City Charter. These board members are  
21 mandated to meet at least once per month and are  
22 prohibited from holding public office, seeking  
23 election to any public office, being a public  
24 employee in any jurisdiction, posing political party  
25 or, or appearing as a lobbyist before the city

2 pursuant to charter 2602-B. Board members are  
3 entitled to receive compensation per diem for 250  
4 dollars for each calendar day that they perform work  
5 for the board. The Chair receives 275 dollars and I  
6 want to welcome the candidates Mr. Crowell, Anthony  
7 Crowell and Mr. Bohorquez, am I good?

8 FERNANDO BOHORQUEZ: Very good.

9 CHAIRPERSON KOSLOWITZ: Would you please  
10 raise your right hand to be sworn in?

11 CC: For the record we have sworn in the  
12 three candidates.

13 CHAIRPERSON KOSLOWITZ: Right, okay,  
14 thank... [cross-talk]

15 CC: Thank you.

16 CHAIRPERSON KOSLOWITZ: Okay and rules  
17 committee members you can find your written copy of  
18 the opening statements for these candidates in your  
19 book. Mr. Crowell and Mr. Bohorquez, do you wish to  
20 make any comments?

21 ANTHONY CROWELL: Yes, we... I will... I have  
22 an opening statement, I believe my colleague does as  
23 well. Okay, I can start, okay. Thank you, Madame  
24 Chair, it is a privilege to be here with you and the  
25 other members of the committee and it's a, a

2 wonderful thing to be back in the council chamber and  
3 back at city hall. I'm Anthony Crowell and I am very  
4 pleased to have been nominated by Mayor De Blasio for  
5 re-appointment to the Conflicts of Interest Board. I  
6 have greatly valued and would like to continue my  
7 service on the board because I am personally  
8 committed to contributing to the effectiveness and  
9 strength of New York City government. Indeed, this  
10 has been the focus of my career as a lawyer for more  
11 than 20 years, the bulk of which has been spent as a  
12 full time New York City public servant. The corner...  
13 the cornerstone of effective and strong city  
14 government is public integrity and ensuring the  
15 public has confidence in the people who serve them,  
16 when done well the positive impact of this work on  
17 equitable service delivery and on the willingness of  
18 others to invest in the city to create... to create new  
19 opportunities for New Yorkers is tremendous.  
20 Accordingly working to educate public servants about  
21 conflicts of interest and their obligations to avoid  
22 them or the appearance thereof is a paramount goal  
23 and a critical mission. Further working effectively  
24 to develop, interpret, and enforce the conflicts of  
25 interest law, the annual disclosure law and aspects



2 of the lobbying law requires a board member to hold  
3 and appreciate a variety of informed perspectives  
4 about government service. I believe I hold and  
5 appreciate these perspectives for a number of  
6 reasons. During my service to the city I have been  
7 subject to the conflicts of interest law and the  
8 financial disclosure law now called the annual  
9 disclosure law, this includes my first role as an  
10 assistant corporation council for four years then  
11 later as special counsel and counselor to Mayor  
12 Bloomberg for nearly 11 years and now for the past  
13 five years as a member of the Conflicts of Interest  
14 Board itself. My work as the Mayor's Council included  
15 serving as city hall ethics council, it also required  
16 me to work closely with the board as well as the  
17 Department of Investigation. My service also required  
18 me to work in both agency specific and citywide roles  
19 collaborating closely with all branches of the  
20 government especially the council on a broad range of  
21 core governance issues many of which included  
22 important issues of government ethics. This work  
23 coupled with my more recent full-time experience as  
24 Dean and President of New York Law School as a  
25 professor teaching state and local government law and

2 promoting professional responsibility in legal ethics  
3 daily as well as my service on the board itself gives  
4 me an informed understanding of the challenges faced  
5 by public servants. I believe my experience has  
6 served the board well so far allowing me to bring a  
7 first-hand perspective on the practical and cultural  
8 contours of the agency management and life on the  
9 front lines of policy making and program  
10 implementation in city government. For these reasons  
11 I would like to continue this important work on the  
12 Conflicts of Interest Board and contribute to  
13 ensuring public confidence in and thus the overall  
14 vitality of New York City. Thank you.

15 FERNANDO BOHORQUEZ: Would you like me to  
16 proceed? Thank you Chair Koslowitz and members of the  
17 committee. Good morning, my name is Fernando  
18 Bohorquez and I'm honored to appear here before you  
19 today having been nominated by Mayor De Blasio for  
20 re-appointment to the Conflicts of Interest Board.  
21 Although I was not born in New York like millions of  
22 my fellow citizens I made the city my home, I came to  
23 Tribeca for a law school, a New York Law School and  
24 honed my legal career in Midtown and now raise my  
25 family in Brooklyn with my oldest of two boys

2 attending PS321. I have a strong and steady streak of  
3 public service serving on numerous non-profit boards  
4 in the city and devoting hundreds of hours of pro-  
5 bono work to, to our underserved immigrant  
6 communities. As a New Yorker I have the greatest  
7 respect for the public officials who serve our city  
8 day in and day out. I believe that public servants  
9 want to do the right thing by the citizens they serve  
10 and a fundamental role of the Conflicts of Interest  
11 Board in ethics laws as I help them to do and that is  
12 why I wish to continue to serve on the board. I'm  
13 firmly committed to the board's mission of building  
14 public trust in those that serve and govern the  
15 city's citizens of New York of promoting the public  
16 confidence and city government and to protect in the  
17 integrity of government decision making. Over my last  
18 four years of service I've had the privilege of  
19 contributing to the board's mission and I believe  
20 that armed with that experience I can provide even  
21 greater contributions during a second term. The board  
22 is in charge of training and educating city employees  
23 on ethical rules of chapter 68 interpreting and  
24 providing confidential advice and guidance to public  
25 servants on those rules, prosecuting violations of

2 chapter 68, and administering and enforcing the  
3 annual disclosures laws. COIB'S four pillars;  
4 training, advice, enforcement and disclosure are the  
5 gold standard of any independent government ethics  
6 board, it is these pillars that form the foundation  
7 that help build a public trust in our city  
8 government. As a board member over the last four  
9 years I've applied my legal and ethics training, my  
10 varied legal law firm practice in non-profit board  
11 experience to provide practical counsel and advice to  
12 the board in all four of its charges. As a law firm  
13 partner who's steeped in public service and a first-  
14 generation immigrant I've brought a unique and  
15 diverse perspective to the board in its role in  
16 helping to build that public trust and I believe that  
17 experience and perspective has served the board well  
18 so far. I greatly value my service on the board and  
19 would appreciate the opportunity and the privilege to  
20 continue to serve the city of New York by helping the  
21 board meet its mission to the best of my abilities. I  
22 believe it is important to have a robust and  
23 independent board that communicates to the public the  
24 importance of government ethics, the fidelity to our  
25 conflicts of interest laws and the.. and the will to

2 innovate in this era of change. Thank you for your  
3 time and consideration, I'm happy to answer any  
4 questions that you may have.

5 CHAIRPERSON KOSLOWITZ: Okay, I have two  
6 questions that I would like to ask. The Conflicts of  
7 Interest Board is charged with implementing and  
8 enforcing the city's ethics law contained in Charter...  
9 in chapter 68 of the New York City Charter, COIB is  
10 also tasked with educating city employees concerning  
11 their ethical obligations and with acting in an  
12 advisory capacity to current and former city  
13 employees. My question concerns COIB's advisory role  
14 in the context of rendering advisory opinions in...  
15 opinions in your reply to our pre-hearing questions,  
16 question number six, you both agreed that COIB issues  
17 advisory opinions following a formal request for  
18 advice, Mr. Bohorquez you explained that advisory  
19 opinions are typically issued after one or more city  
20 employees seeks advice... seeks advice on a particular  
21 subject, Mr. Crowell you explained that you... that  
22 advisory opinions are often issued to settle repeated  
23 questions in areas subject to confusion or differing  
24 interpretations of the law you also assert the... that  
25 advisory opinions may offer interpretive guidance

2 concerning new laws or rules, however the Charter  
3 section 2603 mandates that COIB render case specific  
4 advisory opinions. Accordingly, COIB should restrict  
5 issuing advisory opinions to those instances in which  
6 it responds to a guidance request by a city employee.  
7 Such guidance would apply exclusively to the  
8 particular public servant making the request and not  
9 to city employees at large. Rules by COIB and not  
10 advisory opinions would seem to be the appropriate  
11 vehicle for issuing guidance to more than one city  
12 employee. The Charter seemingly excuses... excludes  
13 using advisory opinions to offer any broad or  
14 inclusive guidance whether in response to multiple  
15 inquiries or to offer interpretive guidance on issues  
16 that COIB seems confusing or subject to differing  
17 interpretations, can you... how do you reconcile the  
18 Charter's provision concerning COIB's rule making  
19 power and its advisory opinion power and COIB's  
20 actual practice in its use of advisory opinions?

21 ANTHONY CROWELL: Sure, I'd be happy to,  
22 to start and I know my colleague will also have some  
23 perspectives on this. I think it's important for us  
24 all to recognize how the board functions, first and  
25 foremost the board's mandate is set forth in the city

2 Charter in chapter 68 and the board is authorized to  
3 issue rules that would follow the CAPA process  
4 outlined in chapter 45 of the Charter and those rules  
5 give the fine points of implementation of the various  
6 provisions in the Charter. Those rules are subject to  
7 the provisions of the open meetings law and obviously  
8 public input by the... public input by members of the  
9 regulated community as well as the, the public at  
10 large. What happens is once the board is in the  
11 position of educating and implementing the law and  
12 rules advisory opinions are helpful for individual  
13 public servants who are seeking private advice,  
14 they're given private advice to explain how the  
15 provisions of the law and rules apply to the specific  
16 circumstances they present so that's a private advice  
17 letter. Advisory opinions are public letters that  
18 don't cite anyone, particular public servants  
19 interest or concerns, certainly doesn't mention any  
20 public servant by name but tries to explain in more  
21 general and more broad terms how the law should be  
22 understand and how it should be operationalized in  
23 the agencies or how public servants should behave or,  
24 or act in terms of their compliance with the  
25 different provisions of the law and rules and so

2 advisory opinions serve a very important role to  
3 ensure that there aren't differing interpretations of  
4 the law or rules by individual public servants or  
5 individual agency counsel and so it, it helps to  
6 settle and to bring clarity and focus to the range of  
7 issues that the board is seeing individual public  
8 servants ask.

9 FERNANDO BOHORQUEZ: Just to amplify and  
10 dovetail on my colleague I think taking a step back  
11 you have chapter 68 which lays out the parameters of  
12 the law and you have certain rules that expand on  
13 those rules and prohibitions and prescriptions and  
14 when we have city servants and public servants who  
15 come to us for with... for confidential advice but we  
16 provide perspective confidential advice with respect  
17 to those specific circumstances and set of  
18 circumstances. When we issue an AO it's because we've  
19 seen one or more city officials or public servants  
20 who come to us with us with questions that surround  
21 a particular issue so we provide guidance that as my  
22 colleague mentioned helps the agencies and other  
23 public servants to understand how a particular rule  
24 or law would apply in certain circumstances but  
25 there's really no substitute for the particular



2 public servant to reach out to the board on a  
3 particular set of facts. So, in terms of the board  
4 setting forth a prospective, guidance, the advisory  
5 opinion serves the integral role of helping amplify  
6 what the law and the rules say but there really is  
7 no, no substitute for the particular public servant  
8 to approach the board and say hey I have these  
9 particular set of facts how do I go about complying  
10 with the law under these facts after I have taken a  
11 look at the AO that may apply to this circumstance.

12 CHAIRPERSON KOSLOWITZ: Thank you. Thank  
13 you. I want to go to our Minority Leader, Steve  
14 Matteo for questions.

15 COUNCIL MEMBER MATTEO: Thank you Madame  
16 Chair. Just to continue the conversation on advisory  
17 opinions, I believe in your pre-stated hearing  
18 answers both of you state that the COIB Board is  
19 responsible... [cross-talk]

20 FERNANDO BOHORQUEZ: Yeah... [cross-talk]

21 COUNCIL MEMBER MATTEO: ...for promulgating  
22 COIB's advisory opinions that's required by the  
23 Charter while both of you claimed board ownership of  
24 the advisory opinion process the COIB staff not the  
25 board answer questions directly related to the

2 advisory opinions, questions that often times are so  
3 directly tied to the advisory opinions they logically  
4 should have been included in the opinion and  
5 presumably would of... would have if COIB had opening  
6 hearings on advisory opinions before they are  
7 finalized and released. In one of your answers I  
8 believe one of you stated that only three advisory  
9 opinions have been restated of 251 such opinions  
10 since 1989. The directly related questions are in  
11 effect staff modifications that point to a  
12 shortcoming in failing to hold public hearings. So,  
13 with that I'm asking if you can elaborate on question  
14 five concerning holding public hearings before  
15 rendering advisory opinions and just for the record  
16 in the pre-hearing questions, question five is what  
17 role does COIB play in issuing advisory opinions, how  
18 heavily does the board and you personally rely on  
19 COIB staff in the preparation and issuance of  
20 advisory opinions and how much independent and  
21 critical review does the board give drafts of  
22 advisory, advisory opinions before they are formally  
23 released, so if you both can comment?

24 FERNANDO BOHORQUEZ: Can I just ask one  
25 follow up question, question six is the question

2 concerning public comment period and then you were  
3 referencing question five... [cross-talk]

4 COUNCIL MEMBER MATTEO: Yeah, the  
5 advisory opinions, what role does COIB play in  
6 issuing the advisory opinions?

7 FERNANDO BOHORQUEZ: So, would you like  
8 me to expand on the role that the board plays in  
9 issuing advisory opinions?

10 COUNCIL MEMBER MATTEO: Uh-huh.

11 FERNANDO BOHORQUEZ: Okay. As I laid  
12 forth in the... [cross-talk]

13 COUNCIL MEMBER MATTEO: And, and I'm  
14 sorry, and holding public hearings.

15 FERNANDO BOHORQUEZ: Okay. I'll be..  
16 [cross-talk]

17 COUNCIL MEMBER MATTEO: Before the  
18 opinion though, holding... [cross-talk]

19 FERNANDO BOHORQUEZ: Pardon?

20 COUNCIL MEMBER MATTEO: ...it, it..  
21 basically the holding public opinion... public hearings  
22 before rendering the advisory opinions.

23 FERNANDO BOHORQUEZ: Sure.

24 COUNCIL MEMBER MATTEO: That's the crux  
25 of what I'm asking this panel.

2 FERNANDO BOHORQUEZ: I think its good to  
3 take a step back and walk through the process of how  
4 an AO comes to be. Again, as we've said it begins  
5 with initially... typically it begins with a  
6 confidential inquiry for one or more public servants.  
7 We as the board meet on a monthly basis at those  
8 monthly meetings we are presented by the staff with  
9 very detailed memoranda that highlight the applicable  
10 laws and the rules and the precedent that apply to  
11 that particular issue. We then engage in the dialogue  
12 back and forth with the staff as to whether... as to  
13 the content of the opinion that's going to be  
14 rendered to that public servant and then during the  
15 course of that dialogue the board comes to a decision  
16 whether or not there should be... an advisory opinion  
17 should be issued concerning that, that advice, it...  
18 whether its helpful for that opinion to be rendered  
19 at a... on a large more public scale with obviously the  
20 confidential information redacted from the AO when  
21 its eventually issued. Now the reason why I stated in  
22 my pre-hearing issues why I do not believe hearings,  
23 hearings should be held before the issuance of the AO  
24 is, is three-fold. One, remember the AO's are rooted  
25 in the confidential nature of the exercise of

2 rendering advice. There may be an issue with  
3 compromising the confidential nature of that... of that  
4 service also we pride ourselves in providing that  
5 advice on a timely basis so having an open... having  
6 open meetings in connection with a AO could also  
7 delay the advice. Second, the idea of interpreting  
8 the law falls squarely within the board's province...  
9 elicit quasi adjudicatory process where we are  
10 charged with interpreting and, and interpreting  
11 chapter 68 to a particular set of circumstances. And  
12 finally, I think it's worked pretty well, as I've  
13 stated in my... in my responses as far as I know of the  
14 250 plus AO's that we've issued in the... since 1989  
15 there have only been three revised opinions in the  
16 history of the board.

17 ANTHONY CROWELL: Yeah, I would add to  
18 that that because the advisory opinions are  
19 interpretation of the law and rules the law and rules  
20 themselves have been through a public process, the  
21 rules in particular by following CAPA and the input  
22 as to the fine points of those rules council members,  
23 other public servants and members of the public  
24 generally can, can help shape what those rules  
25 ultimately look like though their participation in,

2 in that process. The advisory opinions are, are a  
3 further explanation of how those rules are to be  
4 applied to different types of activities undertaken  
5 by public servants. One of the things though to  
6 remember is the advisory opinions themselves aren't  
7 rules, they're an expression of how the rules are to  
8 be interpreted and operationalized but the staff and  
9 certainly this is, I believe the, the view of the  
10 entire board, the staff does take in on themselves  
11 with our encouragement and support to do broad  
12 outreach to effected agencies and entities who give  
13 guidance to public servants to make sure that the  
14 perspectives that need to be heard before issuing a  
15 general advisory opinion are accounted for and so I  
16 think that's an important process that shouldn't be  
17 overlooked and it also is one that targets especially  
18 agency council who would have particularized  
19 experience with the nature of the activities that  
20 public servants within their agencies may be  
21 undertaking and how to ensure that the types of  
22 questions that you're concerned about are actually  
23 addressed through, through the issuance of an, an  
24 advisory opinion to the extent that we haven't heard  
25 the full range of concerns on a specific subject

2 matter but only have, you know we're addressing some  
3 requests for advice but not necessarily all the kinds  
4 of questions that might be helpful to have a, a... an  
5 answer from the board.

6 COUNCIL MEMBER MATTEO: Okay and thank  
7 you, thank you both. Mr. Bohorquez just to go back to  
8 your confidential... your, your, your point on, on  
9 confidentiality if that is not an issue and its  
10 redacted and, and confidentiality is not an issue  
11 your, your main concern is the delay of a public  
12 hearing and releasing... [cross-talk]

13 FERNANDO BOHORQUEZ: I think... [cross-  
14 talk]

15 COUNCIL MEMBER MATTEO: ...the opinion?

16 FERNANDO BOHORQUEZ: I think adding a  
17 public hearing process could... it... interlaying a  
18 public hearing into that process could delay the  
19 rendering of advice to that particular public  
20 servant, that would be... [cross-talk]

21 COUNCIL MEMBER MATTEO: And... [cross-talk]

22 FERNANDO BOHORQUEZ: ...an issue I would be  
23 concerned with... [cross-talk]

24 COUNCIL MEMBER MATTEO: You, you... do you...  
25 do you believe that even... are you talking about that

2 you believe that there, there could be a delay  
3 obviously there will be but don't... do you believe  
4 that a public hearing could be helpful to the  
5 advisory opinion before its released?

6 FERNANDO BOHORQUEZ: Well I think to echo  
7 what my, my colleague mentioned was we do reach out  
8 to particular agency council and individuals that we  
9 think can provide helpful input before we issue an AO  
10 so I think to the extent that we need a forum to  
11 incorporate other circumstances that would be helpful  
12 in issuing the AO I think we addressed that by  
13 informally reaching out to individuals, the agencies  
14 and, and other effected individuals to help us render  
15 a practical AO on the particular subject... [cross-  
16 talk]

17 COUNCIL MEMBER MATTEO: Just, just so I'm  
18 clear, how... you said informally reaching out, how,  
19 how are you reaching out to... how, how are you  
20 contacting them for their opinion?

21 ANTHONY CROWELL: They're, they're  
22 general... [cross-talk]

23 FERNANDO BOHORQUEZ: Yeah... [cross-talk]

24 ANTHONY CROWELL: ...council... [cross-talk]



2 FERNANDO BOHORQUEZ: ...the general council  
3 reaches out.

4 COUNCIL MEMBER MATTEO: Okay... [cross-  
5 talk]

6 FERNANDO BOHORQUEZ: To particular agency  
7 heads and council.

8 COUNCIL MEMBER MATTEO: Alright, yep,  
9 okay, thank you.

10 CHAIRPERSON KOSLOWITZ: Okay. Thank you,  
11 Council Member Torres.

12 COUNCIL MEMBER TORRES: Thank you Madame  
13 Chairwoman. I have the... have the same line of  
14 questioning so I suspect we're going to be repeating  
15 ourselves but Mr. Crowell in your response to  
16 question six you, you point out that the public  
17 common process pursuant to the city administrative  
18 procedure rack, CAPA only applies to rules rather  
19 than advisory opinions and you then go on to point  
20 out that advisory opinions are not rules per se but  
21 rather interpretation of rules and I, I recognize  
22 that there's a legal difference between advisory  
23 opinions and rules but, but do you recognize that the  
24 line between rule making and rule interpretation may  
25

2 not be as clear cut in practice as it might be  
3 legally on paper?

4 ANTHONY CROWELL: I think that the, the  
5 difference between rule making and advisory opinions  
6 it, it is... it... I think that's why there is a board of  
7 independent individuals who are using their  
8 professional judgement in understanding the various  
9 ways in which public servants encounter the  
10 application of the rules and then trying to ensure  
11 that there's a consistent application of the rules  
12 that ensures that conflicts are avoided or the  
13 appearance of conflicts is, is understood when  
14 someone's coming close to the line but also to make  
15 sure that there's a well-functioning government and  
16 that government and employees, public servants aren't  
17 unduly restricted so I think that the rules set forth  
18 a very clear set of parameters by which to operate  
19 however the advisory opinions give further  
20 elucidation about different permutations, different  
21 nuances that individual public servants or groups of  
22 public servants may be encountering. Anyone can come  
23 to the board for private advice, often times you will  
24 find that that private advice is sought for further  
25 explication of an advisory opinion or further

2 confirmation that the proposed activity by the public  
3 servant is, is consistent with, with the rules and  
4 therefor the advisory opinion in very plain language  
5 is offering as, as a set of guidance, a set of  
6 operational points on how to behave in very plain  
7 language so I think there, there's a difference but  
8 there's not an inconsistency and so I think the  
9 advisory opinions are, are an important tool to have  
10 further explanation of what a rule is trying to do  
11 and also to give a level of clarity and accessibility  
12 to, to rules that sometimes can be written with a  
13 little bit of precise language and legalese and, and  
14 that's not fair either so we want to make sure that  
15 material is.. the, the rules are accessible for public  
16 servants.

17 COUNCIL MEMBER TORRES: Please.

18 FERNANDO BOHORQUEZ: The, the only thing  
19 I would add is I understand your question, it's a  
20 good question but I think the law itself sort of  
21 bakes into that distinction. If you look at chapter  
22 68, 2603(c) it does not provide for open meetings or  
23 proceedings in connection with, with advisory  
24 opinions but with respect to rule makings, all rule  
25

2 makings fall within the city administration... [cross-  
3 talk]

4 COUNCIL MEMBER TORRES: Let's set, set  
5 aside CAPA because I'm not... I'm not asking what COIB  
6 is legally required to do I'm asking what COIB should  
7 do in the interest of public accountability and  
8 transparency, is that given the occasionally blurred  
9 line between rule making and rule interpretation, you  
10 know reasonable people could disagree about at what  
11 point does rule making... does rule interpretation  
12 effectively become rule making, it seems like a  
13 question on which people... reasonable people of good  
14 will can disagree and that's the rational for a  
15 public process and the term advisory opinion is... it,  
16 it's, it's almost... its deceptively benign, right  
17 because you're... when you're issuing an advisory  
18 opinion you're interpreting your own rules and your  
19 enforcement can often result in stiff fines and  
20 penalties so it has... in the real world it has a  
21 binding effect, it has a coercive effect, it has the  
22 effect of a rule, if it quacks like a duck and walks  
23 like a duck it's probably a duck and so, so... just I'm  
24 expressing a personal opinion here, I do believe that  
25 advisory opinions should be subject to some kind of

2 public comment process in the interest of public  
3 transparency. On your point about confidentiality you  
4 cited confidentiality as an argument against the  
5 public comment period, why would a public comment  
6 period necessarily result in the loss of  
7 confidentiality, you know one could easily imagine a  
8 public comment period that focuses on the proposed  
9 advisory opinion without disclosing the confidential  
10 details of the case that inspired that opinion.

11 FERNANDO BOHORQUEZ: I, I believe in my  
12 responses I said there's the potential, it could, it...  
13 there's a potential that it could compromise  
14 confidentiality because remember the AO is rooted in  
15 the exercise of providing confidential advice to a  
16 particular public servant. So, if we were to open it  
17 up to an open meeting and an open process we'd have  
18 to make sure, we would have to take great pains  
19 because I cannot overstate the importance of the  
20 confidentiality... the nature of the confidentiality's  
21 process, the board would have to take great pains to  
22 ensure that in that process of a public hearing that  
23 we would have to ensure that no confidentiality would  
24 be compromised in any way in some sort of an open  
25

2 hearing process, that's, that's what I was getting  
3 at.

4 COUNCIL MEMBER TORRES: I mean look... I  
5 mean here in the council we take great pains every  
6 day, many of the laws that the city council passes  
7 are inspired by confidential constituent cases and we  
8 manage to hold hearings on those laws without ever  
9 disclosing the confidential details of our  
10 constituent cases so if the city council can manage  
11 to have a public process without compromising  
12 confidentiality my question is why can't the Conflict  
13 of Interest Board do the same and, and so that would  
14 be my disagreement with you, I don't know if you want  
15 any further comment or...

16 FERNANDO BOHORQUEZ: Well, it's not  
17 provided in the... in the Charter and that is something  
18 that if we were to consider it we would have to look...  
19 we would have to really think that through on how we  
20 would actually need to implement it, maybe look at  
21 how you handle it here at the city council to see how  
22 you do... how you handle the confidentiality issue.

23 COUNCIL MEMBER TORRES: So, there's  
24 openness to a public comment period as long as  
25 confidentiality was assured or is that... [cross-talk]

2 FERNANDO BOHORQUEZ: All, all I'm saying  
3 is that it, it's a potential issue that we would have  
4 to deal with if we were to consider such an issue...  
5 such a move.

6 COUNCIL MEMBER TORRES: I do have more  
7 questions.

8 CHAIRPERSON KOSLOWITZ: Okay, go ahead.

9 COUNCIL MEMBER TORRES: Okay, Mr.  
10 Bohorquez do you... my understanding is that you engage  
11 in fundraising, is that...

12 FERNANDO BOHORQUEZ: I have engaged in,  
13 in a... served as a co-host in three events in the four  
14 years that I've been on the board, yes, in connection  
15 with federal elections.

16 COUNCIL MEMBER TORRES: So, I have no  
17 reason to doubt your qualifications as an individual,  
18 I have no reason to doubt that you're a person of the  
19 utmost professional in personal integrity that's why  
20 the Mayor nominated you but broadly speaking I do  
21 have concerns about the notion of appointing a  
22 fundraiser to the Conflict of, of Interest Board, it,  
23 it seems to me the Conflict of Interest Board is, is  
24 an apolitical institution, right, it should have both  
25 the substance and the appearance of neutrality and I

2 worry that political fundraising which is the most  
3 political of all political activities could  
4 inevitably raise questions about the board's  
5 appearance of political neutrality so can you address  
6 that concern that I have?

7 FERNANDO BOHORQUEZ: Absolutely and thank  
8 you for the question. I'll say that before I joined  
9 the board I received an opinion from then General  
10 Council Wayne Hawley that set forth, I believe I  
11 shared it with Mr. Davis that may have been shared  
12 with the... with the council itself... with the committee  
13 itself laying out all the rules and applicable  
14 prohibitions under chapter 68 and under chapter 68  
15 the law specifically provides that as a board member  
16 I cannot engage in any fundraising or political  
17 contributions with respect to any city elected  
18 official or any race that a city elected official  
19 engage... is engaged in. When I was appointed four  
20 years ago this was a topic of conversation, I believe  
21 Council, Council Member Chin was there as well and  
22 we, we discussed this through and to address some of  
23 these issues I undertook a specific commitment to  
24 then Chair Lander that may also be included in your...  
25 in your packet where I took another personal



2 commitment that said in addition to the laws and the  
3 regulations under chapter 68 that I would also agree  
4 to commit myself not to participate in any race where  
5 a city, city council member may have announced their  
6 candidacy in any race, state or federal and I have... I  
7 have complied with that advisory opinion from the  
8 board and with that personal commitment that I made  
9 to the council four years ago. As it stands now there  
10 is no prohibition with respect to state and federal  
11 participation, I have taken, taken great pains to  
12 make sure that there's no appearance of any  
13 inappropriate in those issues, there have been  
14 congressional federal races; one was for president...  
15 candidate for president Hillary Clinton, the other  
16 was for a race in New Mexico, another was for a race  
17 in upstate New York and I, I wouldn't necessarily  
18 qualify it as, as a fundraiser it's more of just  
19 joining a host committee with several other... [cross-  
20 talk]

21 COUNCIL MEMBER TORRES: But you're...

22 [cross-talk]

23 FERNANDO BOHORQUEZ: ...members... [cross-  
24 talk]

2 COUNCIL MEMBER TORRES: ...playing a role  
3 in raising money for candidates so...

4 FERNANDO BOHORQUEZ: And, and as I... as I  
5 mentioned then, and I mention... and I'll say it today,  
6 you know I have been very vigilant to comply with all  
7 of my rules and obligations under chapter 68 as well  
8 as the, the opinions and the advice that's been given  
9 to me.

10 COUNCIL MEMBER TORRES: But even under  
11 the law and even under yourself imposed restrictions  
12 you have the ability to raise funds for state elected  
13 officials and the state has immense influence over  
14 the governance of New York City, you have the ability  
15 to raise funds for federal elected officials and the  
16 federal elected officials have immense influence, in  
17 fact its often the case that the state and federal  
18 elected officials can often have more influence over  
19 the governance of New York City than Council Members,  
20 we're sometimes reduced to passing resolutions so  
21 even if you're not directly... even if you're not  
22 fundraising for state and federal elected officials  
23 who are directly or indirectly influencing the  
24 governance of New York City the fact that that's even  
25 a theoretical possibility is, is cause for concern

2 and I just want to be forthright with you. I'm  
3 wondering if, if you were... suppose you were required  
4 to give up fundraising altogether would, would, would  
5 you continue to have an interest in serving on the  
6 Conflict of Interest Board, would that be a deal  
7 breaker for you or...

8 FERNANDO BOHORQUEZ: Well let, let, let  
9 me answer it this way...

10 COUNCIL MEMBER TORRES: Yeah.

11 FERNANDO BOHORQUEZ: My interest in  
12 commitment to the board is completely separate and  
13 apart from any of my political activities. I, as I  
14 stated earlier, I have a deep commitment to the  
15 mission of this board. If they... if the board were to  
16 adopt a rule or some sort of amendment to the city  
17 Charter that would apply to state and federal  
18 political activities, no that would not be a board...  
19 that would not be deal breaker to my service on the  
20 board because I believe in the mission and I'm  
21 committed to the mission of this board.

22 COUNCIL MEMBER TORRES: I thank you for  
23 your answers.

24 CHAIRPERSON KOSLOWITZ: Thank you,  
25 Council Member Chin.

2 COUNCIL MEMBER CHIN: Thank you Chair. My  
3 question is that you served for four years, both of  
4 you, thank you for your service. So, within this past  
5 four years what do you think about the effectiveness  
6 of the Conflict of Interest training on public  
7 servants because I know as Council Member we're  
8 mandated to do the training every year and I find  
9 that very helpful and the resources are open to us so  
10 in terms of the effectiveness of the training and  
11 also whether... I think it was in the question two,  
12 whether the board... the agency has enough sufficient  
13 staff and expertise to carry out that mission to make  
14 sure that all city employees, you know are trained  
15 and then they have their questions answered?

16 FERNANDO BOHORQUEZ: I think the  
17 training... the training unit of the board is, is  
18 exemplary. As you know they are charged with training  
19 all 300,000 city public servants and they do a  
20 fantastic job. I believe in the last annual report in  
21 2016 the, the training staff trained thousands of  
22 city employees, whole city agencies and has been  
23 really engaged in some innovative training and  
24 education projects such as the COIB with training  
25 Wiki, the Daily Dose on Twitter, these training

2 videos so I think that the, the COIB training staff  
3 is doing an excellent job with the resources that it  
4 has. One issue that I think there may require some  
5 additional budget but I think that question is more  
6 appropriate for the Executive Director is the  
7 training on the new Local Law 181 of 2016 with  
8 respect to disclosures and donations to non-profit  
9 entities that are controlled or affiliated with an  
10 elected official, that's a new thing that the board  
11 is now dealing with this year that's on top of all  
12 the training that we've been doing for years.

13 ANTHONY CROWELL: Right, I would agree  
14 that the board training staff is exemplary over my  
15 years in government service, I've seen the education  
16 and what we call... what we now call the education and  
17 engagement unit go from one or two individual  
18 trainers to six working really diligently to scale  
19 the operation and to make sure that there's a high  
20 level of visibility and recognition that the board is  
21 out there, that the board is interested in training  
22 and alerting public servants to their obligations, to  
23 understand and comply with the Conflicts of Interest  
24 Law and also to avoid appearances of any conflicts of  
25 interest so I think that it's been highly successful

2 and they, they are committed to reaching people the  
3 way people reach each other in, in the modern world,  
4 a high degree of use of technology and social media.  
5 I think it's, it's very innovative, very different  
6 for a government agency and I applaud it for, for its  
7 efforts in that vein and to engage people  
8 continuously so it's, it's a very nice thing and  
9 something that I think we need to be very proud of in  
10 New York City government as, as compared to the way  
11 other state and local governments may promote their  
12 ethics programs.

13 COUNCIL MEMBER CHIN: I think just the  
14 fact that... I mean we, we get those tweets in terms of  
15 violation and if you just look at the number of  
16 violations in terms of the number of employees I  
17 think that's a pretty good track record that people  
18 are following the, the law and, and abiding by the  
19 rules but I think that that is something that maybe  
20 another component could be really educating the  
21 public in terms of the, the strict rules and  
22 regulation that city employees and elected officials  
23 have to abide by so that they also... its, it's a way  
24 of building trust and confidence in government.

2 ANTHONY CROWELL: Helpful suggestion,  
3 thank you.

4 CHAIRPERSON KOSLOWITZ: Okay, thank you.  
5 Seeing no one has filled out a form to speak from the  
6 public I'm now going to call on a vote.

7 COMMITTEE CLERK MARTIN: William Martin,  
8 Committee Clerk, role call vote Committee on Rules,  
9 Privileges and the Elections, Items 14, 15, and 16,  
10 Chair Koslowitz?

11 CHAIRPERSON KOSLOWITZ: I vote aye.

12 COMMITTEE CLERK MARTIN: Chin?

13 COUNCIL MEMBER CHIN: I vote aye.

14 COMMITTEE CLERK MARTIN: Espinal?

15 COUNCIL MEMBER ESPINAL: [off-mic] I vote  
16 aye.

17 COMMITTEE CLERK MARTIN: Treyger?

18 COUNCIL MEMBER TREYGER: With  
19 congratulations to the nominees, I vote aye.

20 COMMITTEE CLERK MARTIN: Adams?

21 COUNCIL MEMBER ADAMS: I vote aye.

22 COMMITTEE CLERK MARTIN: Matteo?

23 COUNCIL MEMBER MATTEO: [off-mic] Yes.

24 COMMITTEE CLERK MARTIN: By a vote of six  
25 in the affirmative, zero in the negative and no

2 abstentions all items have been adopted by the  
3 committee.

4 CHAIRPERSON KOSLOWITZ: Okay, I am going  
5 to hold this meeting open as you saw some of my  
6 colleagues left they had a meeting downstairs and I'm  
7 going to hold this hearing open. Okay.

8 COMMITTEE CLERK MARTIN: Continuation of  
9 roll call, the Committee on Rules, Speaker Johnson?

10 COUNCIL MEMBER JOHNSON: I vote aye, and  
11 I thank Chair Koslowitz for chairing this hearing.

12 COMMITTEE CLERK MARTIN: Continuation of  
13 roll call, the Committee on Rules, Council Member  
14 Cornegy?

15 COUNCIL MEMBER CORNEGY: I vote aye.

16 COMMITTEE CLERK MARTIN: Continuation of  
17 roll call, the Committee on Rules, Council Member  
18 Gibson?

19 COUNCIL MEMBER GIBSON: I vote aye.

20 COMMITTEE CLERK MARTIN: Torres?

21 COUNCIL MEMBER TORRES: I on all except  
22 I'm going to abstain on Bohorquez, yeah.

23 COMMITTEE CLERK MARTIN: Final vote,  
24 Committee on Rules, Items 15 and 16 have been adopted  
25 by a vote of 10 in the affirmative, zero in the



2 negative and no abstentions with M-14 being adopted  
3 by a vote of nine in the affirmative, zero in the  
4 negative and one abstention.

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 15, 2018