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COMMITTEE ON JUSTICE SYSTEM

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON GOVERNMENTAL OPERATIONS

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April 10, 2018  
Start: 9:49 a.m.  
End: 10:18 a.m.

HELD AT: 250 Broadway - Committee Rm, 14<sup>th</sup>  
Fl.

B E F O R E: Council Member Fernando Cabrera,  
Chair of the Committee on  
Governmental Operations

COUNCIL MEMBERS:  
Fernando Cabrera  
Ben Kallos  
Alan N. Maisel  
Bill Perkins  
Keith Powers  
Ydanis A. Rodriguez  
Kalman Yeger

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COMMITTEE ON GOVERNMENTAL OPERATIONS

CHAIRPERSON CABRERA: [GAVEL] Alright, good morning and welcome to this hearing on the Committee on Governmental Operations. Today we'll be holding a second hearing involved for purposed Intro 241-B introduced by the public advocate and Manhattan Borough President in relation to establishing a Charter revision commission to draft a new or revised City Charter. I want to welcome our committee members, Council Member Rodriguez, Council Member Maisel, Council Member Powers, Council Member Yeger. Almost 30 years ago, a Charter commission proposed, and voters approved a new Charter which created our current government structure. There have been several charter commission calls since then. However, all of them where mural commissions often call for political reasons and all of them focus on only a narrow set of issues predetermined by the Mayor. Today, with this bill we are seeking to do something new. We are seeking to create an inclusive commission represented of the city and all of it's elected officials. We are seeking to create a commission that will exam the entire charter. We are seeking to create a commission that will have the

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2 time to truly engage with the public and give  
3 thoughtful consideration to the needs of the entire  
4 city and on our first hearing on this bill, the  
5 committee heard some excellent testimony from the  
6 public and we thank everyone who testified. The bill  
7 has not been amended to incorporate many of those  
8 ideas. These amendments include an explicit  
9 statement that the commission will be subject to the  
10 New York state freedom of Information Law, a  
11 requirement to maintain a website with agendas and  
12 hearing transcripts, and graded clarities for the  
13 appointment process. I believe this bill is truly a  
14 model for how an inclusive and independent charter  
15 commission should be created. Every city elected  
16 official will be offering appointments to the  
17 commission and no one elected official will control a  
18 majority of those appointments. It will create a  
19 fair and thoughtful process that would lead to a fair  
20 and thoughtful result. I will ask the committee to  
21 join me in supporting this bill. Before we vote, I  
22 would like to thank the Public Advocate Letitia James  
23 of the Manhattan Borough President, Gayle Brewer for  
24 purposing this legislation. I want to thank the  
25 members of this committee for their dedication and

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2 careful consideration of the testimony and I will  
3 also like to thank the Council staff who work so hard  
4 on this bill and this hearing. Robert Newman, Jamie  
5 Sitzer[SP?], Kelly Taylor, Brant Reed[SP?], Elizabeth  
6 Kronk and Zachary Harris. Finally, I will want to  
7 thank the many advocates who testified before us  
8 previously. Please continue your work. I know that  
9 the Charter Commission will benefit from your good  
10 advice and expertise and I will now ask the clerk to  
11 call the roll.

12 CLERK: We Martin Committee Clerk roll call vote  
13 Committee on Governmental Operations Introduction  
14 241-B Chair Cabrera?

15 CHAIRPERSON CABRERA: I vote I and encourage all  
16 members to vote I.

17 CLERK: Kallos?

18 COUNCIL MEMBER KALLOS: I.

19 CLERK: Maisel?

20 COUNCIL MEMBER MAISEL: Yes.

21 CLERK: Rodriguez?

22 COUNCIL MEMBER RODRIGUEZ: I.

23 CLERK: Powers?

24 COUNCIL MEMBER POWERS: I.

25 CLERK: Yeger?

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2 COUNCIL MEMBER YEGER: Mr. Chairman may I be  
3 excused to explain my vote.

4 CHAIRPERSON CABRERA: Yes.

5 COUNCIL MEMBER YEGER: Thank you Mr. Chairman  
6 and I'll be as brief as possible given the clock and  
7 I know that my colleagues have hearings across the  
8 street. Uhm, and I just want to address a few things  
9 as I did at the hearing on this bill a number of  
10 weeks ago. But first, I would like to address the  
11 notion of a representative commission. This  
12 commission is representative of those who are making  
13 appointments at a commission, but it is not  
14 representative of every elective official in the  
15 city. There are 51 members of this council. One  
16 member of this council gets an appointment on this  
17 commission, 50 do not. That's a fact. That is not  
18 something I'm making up, its just the reality.  
19 Council Member Maisel doesn't, I don't, Mr. Chairman  
20 doesn't, Chairman Rodriguez doesn't, Chairman Kallos  
21 doesn't. That's a fact. There's a notion and we  
22 heard this a lot during the hearing that the charter  
23 hasn't been fully reviewed since its 1989 adoption  
24 and that's true. There hasn't been a full review  
25 from the top of the charter to the bottom of the

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2 charter by a commission dedicated to reviewing the  
3 charter from the top to the bottom, but I don't know  
4 where in the charter its written that there is an  
5 obligation for us to engage in a full review from the  
6 top to the bottom of the charter. This council as a  
7 legislative body has the right to amend the charter.  
8 It does it all the time and there is nothing wrong  
9 with it. In fact, that's why we were sent here.  
10 That's why 11,000 people voted for me. Many  
11 thousands of people voted for my colleagues. They  
12 sent me here to write laws and that's what I hope to  
13 be able to accomplish. It doesn't look likely under  
14 this council I will but someday perhaps. But surely,  
15 I get a chance to appoint on laws and that's what I'm  
16 doing today. In this council, today is the 100<sup>th</sup> day  
17 since we took office. We've been in session for  
18 approximately 98 days. Uh, no fewer than 83 measures  
19 have been introduced in this council. Less than 100  
20 days, 83 measures currently introduced in this  
21 council to amend the city charter, 83. By 30  
22 different members of this council, including the  
23 President pro tempore, madam public advocate and Mr.  
24 Speaker. 30 members of this council have made  
25 introductions to amend our charter. That says to me

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2 that we have the right to do that. It says to me  
3 that we can do that. It says to me that we don't  
4 have to outsource our work as I indicated at the  
5 hearing. Which is what we'd be doing. We'd be  
6 taking the work that we're signed to do, the work  
7 that we promised our communities we are going to go  
8 and do, which is write laws in the city and we are  
9 going to outsource it to a group of players to be  
10 named later. I don't know a single member of this  
11 commission. None have been named. In the last  
12 month, and I indicated this at the hearing, I don't  
13 know who these people are. Not a single appointing  
14 authority has indicated a single name of a single  
15 person who they purpose to place on this commission.  
16 Uhm, the outsourcing of my work is bothersome, and  
17 the outsourcing of my colleague's work is bothersome.  
18 Made more bothersome by the notion that and this was  
19 my mistake, I learned this morning that I was  
20 mistaken in the idea that we were going to be  
21 spending \$1.7 million on this charter commission. I  
22 now learned that we are going to be spending the  
23 grand sum of \$2.3 million to outsource the work that  
24 we get paid mighty heftily to do. To hire a group of  
25 - I'm sure of I'm sure very dedicated people, but I'm

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2 also sure that they're not council members. The  
3 funds that we're spending are \$600 - I'm sorry are  
4 \$1.2 million dollars greater than the amount  
5 allocated in the council's budget for our own  
6 legislative drafting came. For the ones that we pay  
7 to write our bills when we come up - when Council  
8 Member Kallos, who's is the author of many, many  
9 bills come up with an idea, sends it off to the team  
10 of folks to write it and wait six or eight, or twelve  
11 weeks until they answer him back. We pay them \$1.2  
12 million less than what we are purposing to spend on  
13 this charter commission. So, I spoke a little bit  
14 about the representation and I just want to speak  
15 about what that means. To me I represent a piece of  
16 the great borough of Brooklyn. It's a place I love.  
17 We have 2.64 million people in Brooklyn. Staten  
18 Island has 479,000 people. It's a beautiful borough.  
19 They are going to get the same vote on this charter  
20 commission. The same vote. Brooklyn, Staten Island  
21 and that's what this commission is about. Its not  
22 representative. It's not democracy, it's a group of  
23 people, I don't know who they are. I'm sure they're  
24 very fine people but they don't represent the people  
25 of this city, 51 of us do. Now, one of us will have a



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2 chance to rewrite the charter. He'll have a chance  
3 to place measures on the ballot unfettered access to  
4 our ballet to put on whatever they want. Smart  
5 ideas, bad ideas, good ideas. Maybe, 50 of us will  
6 not have a chance to do that. So, I'm voting though  
7 Mr. Chairman and I appreciate the indulgence of the  
8 time. I see I haven't run out the clock. I think I  
9 still have ah is that 200 minutes left? Is that what  
10 it is 706 minutes left. With that I most  
11 respectfully vote no. I will not urge my colleagues  
12 to vote no, as you've already expressed your  
13 opinions. Its one of the things I learned is that  
14 when you name starts with Y, you get to speak last  
15 but everybody else has already made up their minds  
16 and with that I vote no. Thank you.

17 CHAIRPERSON CABRERA: Thank you so much.

18 CLERK: By a vote of 5 in the affirmative, 1 in  
19 the negative and no abstentions. This item has been  
20 adopted by the committee.

21 CHAIRPERSON CABRERA: So, we will leave it open  
22 for the next 20 minutes. Thank you so much everyone.  
23 Have a great day.

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COMMITTEE ON GOVERNMENTAL OPERATIONS

CLERK: Continuation role call the committee on  
Governmental Operations introduction 241-B, Council  
Member Perkins?

COUNCIL MEMBER PERKINS: I and all.

CLERK: Final vote on introduction 241-B, item  
has been adopted by the Committee. 6 in the  
affirmative, 1 in the negative, and no abstentions.  
Thank you. [Gavel]

CHAIRPERSON CABRERA: And we are adjourned.

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 April 1, 2018