

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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April 22, 2021  
Start: 10:34 a.m.  
Recess: 10:52 a.m.

HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Mark Levine  
CHAIRPERSON

COUNCIL MEMBERS:  
Alika Ampry-Samuel  
Inez Barron  
Selvena Brooks-Powers  
Dharma Diaz  
Mathieu Eugene  
Robert Holden  
Keith Powers

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

2 SERGEANT-AT-ARMS: Cloud is up.

3 SERGEANT-AT-ARMS: Backup is rolling.

4 SERGEANT-AT-ARMS: Thank you. Sergeant  
5 Kowalski, you may begin the opening.

6 SERGEANT-AT-ARMS: Good morning and welcome  
7 to today's remote New York City Council hearing of  
8 the Committee on Health. At this time, would Council  
9 staff please turn on their videos? Please place  
10 electronic devices on vibrate or silent. Thank you.  
11 Chair, we are ready to begin.

12 CHAIRPERSON LEVINE: Thank you so much.  
13 Good morning, everybody. I am Mark Levine, Chair of  
14 the city councils Committee on Health. Today, we are  
15 holding an important vote on two pieces of  
16 legislation. The first is Interest 1748-A, sponsored  
17 by Council member Dromm, which will require that  
18 Department of Health and Mental Hygiene to conduct  
19 the public information and outreach campaign  
20 regarding the provision of medically unnecessary  
21 treatments and interventions performed on individuals  
22 born with intersex traits or variations in sex  
23 characteristics. As part of this campaign, the  
24 Department of Health and Mental Hygiene will create  
25 and distribute educational materials and resources

2 for parents and guardians of individuals born with  
3 intersex traits or variations in sex characteristics.  
4 Great resources for medical practitioners and  
5 identified community outreach partners and  
6 stakeholders. Children born with variations in their  
7 sex characteristics are often subjected to, quote,  
8 normalizing surgery that are you reversible, risky,  
9 and medically unnecessary. Such procedures can cause  
10 permanent infertility, pain, incontinence, loss of  
11 sexual sensation, and lifelong mental suffering,  
12 including depression. The surgeries are often  
13 performed within the child is too young to consent.  
14 Despite their risk and lack of medical necessity, the  
15 surgeries continue to date, including in New York  
16 City. This bill will help promote education and  
17 awareness of the potential risks and harmfulness of  
18 these medically unnecessary treatments and  
19 interventions. We will also be voting today on Intro  
20 1524-A, sponsored by Council member Kallos. This  
21 bill bans the use of any nonbiological pesticide such  
22 as glyphosate on any playground, park, and any other  
23 property under the jurisdiction of the part of the  
24 Department of Parks and Recreation. Pesticides can  
25 pose significant risks to humans, animals, and the

2 environment if not properly used and regulated. The  
3 legislation would expand the list of prohibited  
4 pesticides to also include pesticides classified as a  
5 human carcinogen by the Office of Pesticide Programs  
6 of the United States Environmental Protection Agency,  
7 pesticides classified by the California Office of  
8 Environmental Hazard Association as a development  
9 tocsin, and pesticides containing active ingredients  
10 listed as carcinogenic by the International Agency  
11 for Research on Cancer, over the World Health  
12 Organization. This bill is critical to protecting  
13 all New Yorkers, but particularly our children. I  
14 want to thank my colleagues from the Committee for  
15 being here today and the staff of the Health  
16 Committee, counsel Sara Liss and Harbani Ahuja,  
17 policy analyst Emily Balkan, and finance analyst  
18 Laurent Hunt for their work on this legislation and  
19 in preparing for this hearing and I do want to offer  
20 a change for our bill sponsors to say a few words.  
21 Council member Dromm, are you with us and would you  
22 like to speak? Okay. Let's see if Council member  
23 Kallos would like to speak.

24 COUNCIL MEMBER KALLOS: Thank you. Today  
25 is Earth Day. Perfect Day is the day that we will

2 ban toxic pesticides from our parks. We will stop  
3 poisoning our children, we will stop poisoning our  
4 workers, we will stop poisoning mother Earth. We  
5 will stop choosing cancer over weeds. I would take  
6 weeds any day over cancer. I have to admit, I love  
7 dandelions. I love to blow their seeds everywhere.  
8 I love sharing that with my daughter as we picked  
9 everyone we could find in Central Park and blew the  
10 seeds everywhere as she watched in amazement, even  
11 confusing them with bubbles. If this isn't already  
12 clear, this is personal for me and countless families  
13 like mine who went through this pandemic in a  
14 cramped, one-bedroom apartments that weren't designed  
15 for sheltering in place and who relied on our parks  
16 as a refuge. But with a toddler who touches  
17 everything, puts her hands in her mouth, the parks  
18 were scary knowing just how much pesticides they were  
19 sprayed everywhere. When you think pesticides,  
20 people think [inaudible 00:04:58] and that is because  
21 Roundup is always advertised with a long-- I don't  
22 think I've ever seen a Roundup at with a woman. It's  
23 always a man and it's always them spraying down their  
24 lawn. And thanks to the work of the Black Institute,  
25 we learned that pesticides are being sprayed in

2 communities of color at a greater rate than anywhere  
3 else in our city, and parks that don't have lawns,  
4 but have black tops where kids are playing sports  
5 like basketball and they are touching the court in  
6 their hands are touching the ball which is touching  
7 the court and you are sitting down not thinking that  
8 they have the temerity to be spraying pesticides all  
9 over the court because, God forbid, there be a small  
10 we did that pops up through a crack in the court.  
11 And so, we learned that this wasn't only an issue of  
12 poisoning our children and our workers, but in  
13 environmental Justice initiative. This bill will  
14 prohibit city agencies from applying to any property  
15 owned or leased by the city, any chemically based  
16 pesticide with very limited exceptions. This  
17 legislation will put New York City at the forefront  
18 nationally at addressing this important issue. I  
19 want to acknowledge some folks who have worked for  
20 years to make today possible. The fight began in  
21 2005 with the passing of local law 37 by our  
22 colleague, once again, Council member James Gennaro  
23 which band toxic pesticides used on city land and  
24 leased land. That law banned toxic pesticide use on  
25 city land and leased land and, unfortunately, it

2 turns out that the same-- some of those pesticides  
3 known to be hazardous, including glyphosate, were not  
4 captured by the law. In 2015, what group of  
5 precocious kindergarten students that PS 290 brought  
6 this issue to my attention. They sang and you can  
7 watch the videos online from the hearing. They sang,  
8 band toxic pesticides. Use only nature's pesticide.  
9 And they repeated it and they concluded with passed a  
10 law. I introduced the legislation banning the use of  
11 these pesticides, including Roundup and glyphosate,  
12 and all of New York City Parks and open spaces on the  
13 heels of the World Health Organization declaring  
14 glyphosate a probable carcinogen. I would like to  
15 thank the students and their teacher, Paula Rogovin  
16 [sp?], for their courage and endless advocacy. If  
17 you haven't passed a law by middle school, you might  
18 be an underachiever in my district. I also want to  
19 thank Bertha Lewis and the Black Institute for their  
20 thorough reporting, analysis, and advocacy for  
21 communities of color, for environmental justice on  
22 this issue and so many others. Jay Feldman from  
23 Beyond Pesticide who provided us with the expertise  
24 and helped guide us through the science behind this  
25 issue. I would also like to thank Doug and Patty

2 Wood of Grassroots Environmental Education who helped  
3 to get this bill the necessary costars who have been  
4 told more advocates on many environmental issues.  
5 This bill has the vetoproof majority because the  
6 advocates like the. Lastly, I would like to thank  
7 Speaker Johnson for his leadership on this and  
8 commitment to pass this legislation. Going back to  
9 the previous session to today, if he wasn't Speaker,  
10 I don't think this would ever be passing. Thank you  
11 to everyone involved and I vote yes for our  
12 environment for our children and for all of us.

13 CHAIRPERSON LEVINE: Thank you, Council  
14 member Kallos. And I think now we will call the  
15 committee to vote. I will our committee counsel,  
16 Billy Martin, to start the role.

17 COMMITTEE CLERK: Good morning. William  
18 Martin, Committee Clerk. Roll call vote Committee on  
19 How. Proposed introductions 1524-A and 1748-A. Both  
20 items are coupled. Chair Levine?

21 CHAIRPERSON LEVINE: I vote aye.

22 COMMITTEE CLERK: Thank you. Barron?

23 COUNCIL MEMBER BARRON: I vote aye.

24 COMMITTEE CLERK: Ampry-Samuel?

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2 COUNCIL MEMBER AMPRY-SAMUEL: I vote  
3 aye.

4 COMMITTEE CLERK: Holden?

5 COUNCIL MEMBER HOLDEN: I vote aye.

6 COMMITTEE CLERK: Powers?

7 COUNCIL MEMBER POWERS: I vote aye.

8 COMMITTEE CLERK: Dharma Diaz? I believe  
9 you are muted, Council member Diaz.

10 COUNCIL MEMBER DIAZ: I said aye.

11 COMMITTEE CLERK: Thank you. By a vote of  
12 six in the affirmative, zero in the negative, and no  
13 abstentions, both items have been adopted by the  
14 committee.

15 CHAIRPERSON LEVINE: Thank you, Billy,  
16 and I think we will hold the vote open for just a few  
17 more minutes. Thank you all for participating.

18 COMMITTEE COUNSEL: Chair, we been  
19 joined by Council member Dromm who, I believe, will  
20 be making an opening now.

21 CHAIRPERSON LEVINE: Wonderful. Thank  
22 you, Council member. Please, we would love to hear  
23 from you.

24 COUNCIL MEMBER DROMM: Thank you very  
25 much, Chair Levine, for holding the vote open. I was

1 on a press conference with the Mayor. So, I  
2 appreciate you giving me the opportunity to make this  
3 statement. First, as my time in the Council winds  
4 down, I want to place legislation you're aware we are  
5 voting on today in context. As Chair of the LGBT  
6 Caucus, I have been so happy to have worked with you,  
7 my colleagues, to make New York City as open and  
8 affirming as possible. This Council especially has  
9 helped the LGBTQIA+ rights movement move forward from  
10 Speaker Johnson's efforts to update gender  
11 designation options on birth certificates to Intro  
12 1748's groundbreaking advance for the intersex  
13 community. I am proud to say that New York City has  
14 become a leader that other cities and states look to  
15 on LGBTQIA+ policy. As for the legislation the  
16 Committee is considering today, it came down to this  
17 for me. We cannot, as a movement for as a society,  
18 for that matter, say that we respect the right to  
19 bodily integrity and the foundational concept of  
20 consent, yet ignore the injustices perpetrated by the  
21 meta-establishment against our intersex siblings.  
22 Intro 1748 does not make any decisions for anyone.  
23 It simply to share accurate information about  
24 intersex traits and variations and sex  
25

2 characteristics. It is significant that this  
3 legislation specifically required the Department of  
4 Health and Mental Health to include the input of the  
5 intersex community. After that compelling testimony  
6 from last October's hearing, I felt it necessary to  
7 include these voices in the bill. I want to  
8 recognize Chair Levine for always making sure LGBTQIA  
9 health issues are on your agenda. You have been a  
10 fantastic leader on this, Chair Levine, and I am most  
11 grateful to you. For the Chair of the Committee on  
12 Women and gender equality, Helen Rosenthal, also  
13 deserves recognition. Her incisive questions during  
14 the hearing helped our colleagues and the public  
15 understand what this is about. As always, I am  
16 grateful to the central staff for their work. Sarah  
17 Ginsberg, Harbani Ahuja. Sara Liss, Emily Balkan,  
18 and Brenda McKinney. Finally, thanks to the  
19 advocates whose work paved the way, especially  
20 Cecelia Gentilly, Scout Silverstein, Alistair  
21 Idelson, and everyone at Interact. My hope is that  
22 our efforts today will soon lead to quality and  
23 respect across this country for individuals with  
24 intersex traits for variations in sex characteristics.  
25 Again, thank you, Chair Levine, for your leadership

2 on this, and I appreciate you allowing me to speak on  
3 this issue.

4 CHAIRPERSON LEVINE: Thank you, Chair  
5 Dromm, for your relentless activism on behalf of this  
6 critical community in New York City. You've done so  
7 much to elevate this issue and to push this  
8 legislation forward and I'm absolutely grateful for  
9 your leadership on this. Congratulations. And I  
10 think I'll ask our committee counsel whether we can  
11 wrap up now or whether we are going to--

12 COMMITTEE COUNSEL: I believe we are  
13 going to be holding the vote open for just another  
14 few moments.

15 CHAIRPERSON LEVINE: Wonderful. Okay.  
16 Thank you so much.

17 SERGEANT-AT-ARMS: Chair Levine, we have  
18 been joined by Council member Eugene.

19 CHAIRPERSON LEVINE: Wonderful.  
20 Welcome, Council member Eugene. Dr. Eugene. And,  
21 Billy, if you would like to ride us to the vote.

22 COMMITTEE CLERK: Right. Council member  
23 Eugene, proposed Introductions 1524-A and 1748-A? If  
24 you would like to vote now, sir. You're muted,  
25 Council member.

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2 COUNCIL MEMBER EUGENE: Yes. can you hear  
3 me?

4 COMMITTEE CLERK: Yes. Yes, sir.

5 COUNCIL MEMBER EUGENE: Yes. I vote aye.

6 COMMITTEE CLERK: Thank you.

7 COUNCIL MEMBER EUGENE: Thank you so very  
8 much.

9 COMMITTEE CLERK: The vote is currently  
10 now at seven in the affirmative. There is still one  
11 member outstanding, Mr. Chair.

12 CHAIRPERSON LEVINE: Okay. We'll hold  
13 the vote open for a few more minutes.

14 COMMITTEE CLERK: Chair Levine, we have  
15 been joined by Council member Brooks-Powers.

16 CHAIRPERSON LEVINE: Wonderful. And  
17 welcome to our newest Health Committee member,  
18 Council member Brooks-Powers. We are happy to have  
19 you and, Billy, if you could please call the vote.

20 COMMITTEE CLERK: Sure. Proposed  
21 Introductions 1524-A and 1748-A. Council member  
22 Brooks-Powers?

23 COUNCIL MEMBER BROOKS-POWERS: Yes.  
24 Sorry about being late. I vote aye.

25

2 COMMITTEE CLERK: Thank you. Final vote  
3 on the two items are now eight in the affirmative,  
4 zero in the negative, and no abstentions.

5 CHAIRPERSON LEVINE: Wonderful. Thank  
6 you so much. And this concludes our Health Committee  
7 hearing. Thank you, everybody.

8 SERGEANT-AT-ARMS: Thank you.

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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 May 30, 2021