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2 2018 NYC CHARTER COMMISSION
3 125 Worth Street, 2nd Floor
4 New York, New York 10013

5 April 19, 2018
6 10:40 A.M.

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7 A P P E A R A N C E S:

8 COMMISSIONERS:

- 9 CESAR PERALES, Chair
- 10 RACHEL GODSIL, Vice Chair
- 11 JOHN SIEGAL
- 12 DEBORAH ARCHER
- 13 MARCO CARRION
- 14 DALE HO
- 15 UNA CLARKE
- 16 WENDY WEISER
- 17 ANNETTA SEECHARRAN
- 18 ANGELA FERNANDEZ
- 19 CARLO SCISSURA, Secretary
- 20 KYLE BRAGG
- 21 LARIAN ANGELO

- 22 MATT GEWOLB, Executive Director
- 23 CHRISTINE BILLY, General Counsel
- 24 CANDICE CHO, Chief of Staff
- 25 AARON BLOOM, Deputy General Counsel

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1 MR. PERALES: My name is Cesar Perales and I
2 have the privilege of serving as chair of the
3 2018 Charter Commission. As I call the meeting
4 to order, I want to make sure that the live
5 stream is on. I saw the light go on.

6 With that introduction, may I ask the
7 members of the commission, the commissioners, to
8 introduce themselves. Shall we start? And take
9 a minute to tell us what you do and why you are
10 so distinguished that you became a member of this
11 distinguished group.

12 MS. ANGELO: Thank you. I'm Larian Angelo
13 and I'm very happy to be a member of this group
14 to have a chance to take a look at the
15 fundamental governing documents of the City of
16 New York. I spent about 27 years in City
17 government; most of it, having to do with making
18 budgets, either from the Council side or the
19 Mayor's side. So as I said, I'm very happy to be
20 here and thanks for inviting me.

21 MS. SEECHARRAN: Good morning. My name is
22 Annetta Seecharran and I am also very pleased to
23 be on the commission. I look forward to working
24 with my commissioners. I currently serve as
25 executive director for Chhaya Community

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1 Development. Previously served as director for
2 policy for United Neighborhood Houses. And prior
3 to that, ran another nonprofit organization
4 serving young people and have been working on a
5 variety of issues related to youth community
6 development over the last nearly 25 years.

7 MR. SIEGAL: Good morning. My name is John
8 Siegal. I'm pleased to be here. I'm a lawyer in
9 private practice, a business lawyer and trial
10 lawyer, partner in the Baker Hostetler law firm.
11 In terms of City policy background, I was once a
12 long time ago, an assistant to Mayor David
13 Dinkins at City Hall. I'm currently a member of
14 the Civilian Complaint Review Board. And perhaps
15 relevant to some of the issues this commission
16 will consider, for about twenty years, I
17 represented various Citywide political campaigns
18 as counsel. Spent a lot of time in front of the
19 campaign finance board, which I consider to be a
20 model of democracy in this country. Thank you.

21 MS. WEISER: Hello. My name is Wendy
22 Weiser. I am currently director of the democracy
23 program at the Brennan Center for Justice at NYU
24 School of Law. We are a nonpartisan not for
25 profit think tank and public interest law center

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1 that focuses on fundamental issues of democracy
2 and justice. We work to reform and revitalize
3 and defend the systems of democracy and justice.
4 And the program I direct focuses on a broad range
5 of democracy issues that might be of relevance to
6 the work of this commission; including, voting
7 rights, money in politics, redistricting fair
8 courts and ethics as well. So I am very, very
9 delighted to be joining this commission. I think
10 it's deeply important to revitalize and
11 strengthen democracy in the City of New York, as
12 a model for the country. At a time when people
13 are really -- when the systems of our democracy
14 are under strain, New York can be a beacon of
15 reform.

16 MS. ARCHER: Good morning, everyone. My
17 name is Deborah Archer. I'm very happy to join
18 this distinguished group of folks on the
19 commission. I am a professor at New York Law
20 School and director of the Racial Justice Project
21 there. Before that I had been a staff attorney
22 at the NAACP Legal Defense Fund and at the ACLU,
23 where I worked on voting rights issues and issues
24 related to economic opportunity. In terms of
25 engaging with the City, I was a member of the

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1 Civilian Complaint Review Board and acting chair
2 for some time.

3 MR. BRAGG: Good morning. I'm Kyle Bragg.
4 I'm the secretary treasurer of SEIU 32BJ. We're
5 a property service union of 165,000 members
6 across the East Coast from Florida to
7 Massachusetts. We represent service employees
8 working commercial buildings, residential
9 buildings, security officers and airports. I'm
10 privileged to be part of this commission. Any
11 process that helps to expand democracy in our
12 City and expand inclusion, is a good process.
13 Thank you.

14 MS. CLARKE: Good morning. My name is Una
15 Clark and I am pleased to say I am an immigrant
16 first generation immigrant in the City of New
17 York. I'm concerned about immigrant communities.
18 I am a -- I was elected to the New York City
19 Council as a result of the charter revision when
20 the City Council moved from 32 to 51. I became
21 the first immigrant from Jamaica to have been
22 elected to the New York City Council. So I am
23 deeply devoted to making sure our city is always
24 reflective of its talent, its people and that
25 everybody make a contribution to broaden and

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1 deepen or democracy.

2 MR. SCISSURA: Good afternoon, everyone.
3 I'm Carlos Scissura. This is my second, I guess,
4 rodeo as a charter commissioner. I served on the
5 2010 Charter Commission. I currently serve as
6 the president and CEO of the New York Building
7 Congress, which is a coalition of businesses,
8 labor unions and organizations that are building
9 and creating a great city to live in. Prior to
10 that, I served as president and CEO of the
11 Brooklyn Chamber of Commerce. And before that,
12 was chief of staff to borough president Marty
13 Markowitz. I also am excited to be here. I
14 thank the chair for convening a wonderful group
15 and I think we have some exciting work ahead of
16 us.

17 MR. PERALES: I introduced myself earlier.
18 My name is Cesar Perales. In terms of my
19 background, I have been in government for too
20 many years to count. But I've also been an
21 advocate on the outside trying to improve
22 government and that's what this commission is all
23 about. And just to give you a sense of what I'm
24 talking about, I last served as Secretary of
25 State for New York. I was a Deputy Mayor to New

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1 York City. I was an assistant secretary in
2 Washington. But probably had the most fun, when
3 I was suing government; when I was not a member
4 of government. And many of those lawsuits were
5 against the City of New York for their not being
6 open and fair in their elections, when they
7 should have been. And so that's probably -- my
8 experience is probably why the mayor asked me to
9 serve as chair, because of his own interest in
10 fairness and government and in fair elections.

11 MS. GODSIL: Good morning. My name is
12 Rachel Godsil. I'm very honored to be part of
13 this esteemed commission and to be working with
14 Chair Perales. I'm currently a professor of law
15 and a chancellor scholar at Rutgers Law School.
16 I'm also the cofounder and director of research
17 at the Perception Institute, which is a national
18 consortium of social psychologists, law
19 professors, culture makers and others, focused on
20 the role of implicit bias, racial anxiety and
21 other phenomena that interfere with our ability
22 to achieve fairness and equity across identity
23 groups, race, ethnicity, religion, immigration
24 status, ability gender. And I have had the honor
25 of working as a lawyer at the NAACP Legal Defense

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1 Fund doing environmental justice work and health
2 care work. We also sued the City several times
3 under an earlier mayor. And my previous work for
4 government also includes being an assistant U.S.
5 Attorney for the Southern District of New York.
6 And most recently being the chair of the Rent
7 Guidelines Board in 2016. Thank you so much.

8 MR. HO: Good morning. My name is Dale Ho.
9 I'm honored and privileged to be serving on this
10 commission of esteemed fellow commissioners. I,
11 for the last decade or so, had worked as a voting
12 rights attorney. First at the NAACP Legal
13 Defense Fund, a recurring theme on this
14 commission, and currently at the ACLU, where I
15 direct a voting rights project.

16 MS. FERNANDEZ: Good morning. My name is
17 Angela Fernandez. And I too am honored to be
18 serving on this commission. I'm executive
19 director of the Northern Manhattan Coalition for
20 Immigrant Rights. In addition to being a
21 supervising attorney on an organization that has
22 had numerous successful Citywide and Statewide
23 policy campaigns that have provided expanded due
24 process to immigrants, in addition to providing
25 PACs for civil participation for immigrants, I

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1 also serve on the Civilian Complaint Review Board
2 and I was formally the chair of the National
3 Dominican Day Parade. Thank you.

4 MR. CARRION: Good morning, everyone. My
5 name is Marco Carrion. I'm currently the
6 commissioner of Community Affairs for the City of
7 New York. I previously served both the
8 government of New York State and worked in the
9 New York State Senate. The bulk of my career has
10 been in the labor movement working with the
11 United Federation of Teachers. Most recently,
12 the Central Labor Council for New York City. And
13 I think the thread that's gone throughout my
14 service has been to really foster inclusion,
15 expand democracy in this City and nationally and
16 also to empower the various communities and try
17 to give perspective to the people that make up
18 this dynamic city. So it's my pleasure and
19 honor.

20 MR. PERALES: Thank you. I was serious when
21 I said this was a distinguished group. I'm truly
22 honored to be chairman of this group. And we've
23 got some very important work to do. Before I get
24 into that, I want to indicate that for the
25 record, we have a quorum. At the same time, I'd

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1 like to remind everybody that we will create
2 under the municipal home rule of law where the
3 State is basically giving local government the
4 authority to create commissions like this one, to
5 amend and revise and change the governing law of
6 that municipality. That same home rule requires
7 the mayor to designate a chair, a vice chair and
8 a secretary. On my left, is the vice chair and
9 on my right, we've got the secretary. They were
10 all named by the mayor to head this commission.

11 I want to note for the record, that we've
12 attempted in forming this commission, to cover
13 the geography of all the boroughs of the City,
14 ethnicities and have everybody represented. I'm
15 very proud that we've done such a good job.
16 We've also called on people with tremendous
17 government experience, enormous experience in
18 voting rights, even a member of the City Council,
19 so that I think we are very well represented.

20 But in order for us to do our work, we're
21 going to need the participation of the people of
22 the City. We want them to learn as much as
23 possible about what is in the City Charter and to
24 come to us with ideas about revising the City
25 Charter; making it better.

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1 This particular meeting is an organizational
2 meeting. So we will not be hearing from the
3 public; although we want the public to see and
4 understand and hear what it is that we're saying
5 as we develop our organization and as we lay
6 plans for the work of the commission that will
7 take place between now and the beginning of
8 September.

9 For the record, I haven't made it clear,
10 under the law -- under the Home Rule Law, this
11 commission revises the entire City Charter. It's
12 important to understand that. So we will be
13 entertaining comments from the public regarding
14 what part of the City Charter, what rules we
15 ought to be changing or adding or eliminating.
16 That's very important.

17 But every mayor who has named a charter, has
18 had a particular interest. This mayor, much to
19 my delight, is interested in improving democracy
20 and improving the way we elect our leaders. And
21 as has been stated, it's something that's not
22 just important for the people of the City of New
23 York, but it's become increasingly an important
24 national issue. About outside influences, about
25 money, even about gerrymandering; an issue that's

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1 coming before the Supreme Court, as some of my
2 esteemed constitutional lawyers on the panel will
3 note. Elections are becoming increasingly
4 important. And I happen to believe that there is
5 increasing interest on the part of the citizenry,
6 on making sure that elections are fair.

7 So I say that because we've got to
8 understand that while we will be focusing on
9 elections and how we conduct them, I will be
10 looking at the entire City Charter, particularly
11 those issues that are brought to us by the folks
12 we hear from during this process.

13 I'm going to talk to my fellow commissioners
14 a little bit about their thoughts about how we
15 make sure that this commission is as transparent,
16 if not more transparent, than any other
17 commission that we've had to revise a City
18 Charter. Fortunately, we've got technology
19 that's going to help us. This is being live
20 streamed. We're looking for ways so that our
21 future meetings, folks are going to be able, to
22 not just see us and listen to us, but communicate
23 questions to us that we can respond to. I know
24 that Carlo, whose sat on a previous commission,
25 thinks that they had the most transparent

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1 commission. We're going to beat them. Right
2 folks? We're going to hear from more people than
3 anyone has ever imagined. And I think we have
4 the advantage of better technology and that will
5 enable us to do that. So I'm charging the staff
6 to figure out a way that we can ensure that as
7 many people as possible hear us. They're already
8 talking about using YouTube. Even I, who
9 understand absolutely nothing about technology,
10 know what YouTube is. So I think we're going to
11 be able to have a very successful and transparent
12 process.

13 One other thing that I think we need to say
14 for the record for the members of the commission:
15 We have followed all of the required notice of
16 procedures. I'm told there are many. I don't
17 even understand all of them. But I've been
18 assured by staff, that we have met all of the
19 requirements. The one I do know is that we're
20 supposed to give 72 hours notice to the public
21 and that was done. We've published notice of
22 this everywhere we were supposed to, as many
23 times as we were supposed to, so that we can rest
24 assured that we are doing this legally and also
25 in a way that gets as much participation as

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1 possible. This meeting is being transcribed, so
2 I'm going to ask my fellow commissioners to
3 identify themselves each time they speak today.

4 And we're going to try to be brief this
5 morning, but we've got some important things to
6 discuss. Things that basically I want to tell my
7 fellow commissioners, but I don't mind if the
8 public is listening. We're going to talk about
9 housekeeping stuff. Who the staff is, what kind
10 of resources we're going to have. I, for one,
11 having spent enough time in government, don't
12 want to spend too much money. I think we can do
13 this borrowing good staff from other agencies and
14 using resources. I think we'll have all we need,
15 but we're not going to be spending a fortune in
16 getting it. We're going to discuss some of the
17 principles that I think should guide us,
18 including transparency. Perhaps, most important,
19 we're going to try to set out a schedule for us
20 between now and Labor Day, because we've got to
21 get a lot done in a very short period of time.
22 And at the end of today, we'll get a presentation
23 by our legal experts on the history and structure
24 of the Charter. How often has this been done,
25 who's called the Charter and I'm curious to know

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1 about that and I think the public needs to
2 understand the history of these Charter
3 Commissions.

4 First important point of business for us is
5 that we need to appoint an executive director and
6 we need to appoint a general counsel. So let me
7 begin by saying I think we've been very fortunate
8 to get some exemplary staff that the mayor made
9 sure that we got. First of all, let me introduce
10 Matt Gewolb. Matt is the Assistant DA and
11 general counsel at New York Law School. He
12 previously was the director of legislation for
13 the New York City Council. Before that, he
14 served as Director of Government Programs at
15 Columbia Law School. And he's currently teaching
16 at the State Local Government at my alma matter,
17 Fordham Law School.

18 You're also going to hear later, when I talk
19 about the history of the charter, from Christine
20 Billy, who we will be nominating to serve as our
21 general counsel. Christine comes us to us from
22 the Department of Sanitation, but she previously
23 served as Senior Counsel at the Law Department,
24 where she advised City Agencies and reviewed and
25 drafted legislation. She has lectured on the

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1 Charter's history, election law -- what else have
2 you lectured on? New York City Government.
3 She's a nighttime professor at NYU Law.

4 So I will entertain I motion to appoint Matt
5 Gewolb and Christine Billy to their respective
6 roles.

7 MS. CLARKE: Second.

8 MR. SCISSURA: So moved.

9 MR. PERALES: All those in favor?

10 (Chorus of Ayes.)

11 MR. PERALES: Those opposed? Hearing none,
12 you guys got jobs.

13 Moving on. I want to acknowledge a few
14 other people that have been very important so far
15 and are going to continue to be important to us.
16 Candice Cho, she's going to serve as our chief of
17 staff. But you'll stay with the Law Department?

18 MS. CHO: Yes.

19 MR. PERALES: You've got two hats. Josh
20 Sisk isn't here. He's our director of
21 operations. And Aaron Bloom is the deputy
22 general counsel. They're going to be with us.
23 So the way this is going to work is, we're
24 borrowing a lot of folks. We've got, I think, a
25 little bit of money to hire consultants here and

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1 there.

2 MR. GEWOLB: Some.

3 MR. PERALES: But most of our staff is going
4 to be borrowed. But many of you are borrowed
5 full-time. We will have offices --

6 MS. BILLY: We do.

7 MR. PERALES: We do have offices. So much
8 to my surprise, in the -- I'd like say -- in the
9 David N. Dinkins Building.

10 MS. CLARKE: I think I know.

11 MR. PERALES: Some of you call it the
12 Municipal Building. I call it the David N.
13 Dinkins Building, because that was my mayor. I
14 served as Deputy Mayor under him. He's very
15 proud of the fact that he's got a building named
16 after him.

17 So we have offices in the David N. Dinkins
18 Building, where these folks are going to be
19 sitting day in and day out -- I figure about 12
20 hours a day, given all we've got to do. And so
21 I'm looking forward to that.

22 One other motion, I think we need to make:
23 The law -- Municipal Law, gives us the ability to
24 request the mayor for the budget I talked about,
25 as well as for the borrowing of these people.

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1 But I'd like to delegate any further decisions
2 about staffing and borrowing resources, et
3 cetera, to Matt Gewolb, our executive director.
4 Is there a motion?

5 MR. BRAGG: Motion.

6 MS. ANGELO: Second.

7 MR. PERALES: All those in favor?

8 (Chorus of ayes.)

9 MR. PERALES: There are no nays, right?

10 So, Matt, periodically your job is to go out
11 and get out us the rest of the staff and get us
12 the resources we need to get this done.

13 This is a serious effort that we're
14 undertaking and it's time-limiting. Probably no
15 other commission has been formed this late or
16 held its first meeting this late second term.
17 Others have had time constraints, but we've got
18 some really serious time constraints. The reason
19 for that is that we're hoping to get some
20 proposals on the ballot for November. And in
21 order for the bureaucracy to get all of that
22 done, to get stuff on the ballot, we've got to
23 finish it by September 7th at the latest. So I
24 keep thinking of Labor Day Weekend, which is just
25 before the 7th. The 7th is what day?

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1 MS. BILLY: Friday.

2 MR. PERALES: So it's the Friday after Labor
3 Day which we have to have our proposals all done
4 and submitted. I'm optimistic that we will have
5 some and that they will be good ones and that
6 hopefully our citizens will adopt on Election
7 Day. Again, I want to repeat myself about the
8 transparency -- my interest in transparency. My
9 interest in inclusiveness.

10 And we're going to talk about that now,
11 which I think is the biggest decision we've got
12 to make about our time frame and our schedule. I
13 understand staff called each one of you to try to
14 get a sense of the dates that you might or might
15 not be available. You should all have in your
16 packages, a draft schedule. Everybody have a
17 proposed schedule?

18 We're going to start with Staten Island,
19 which I'm told we should, because they always
20 feel left out. So -- and we're going to do
21 Manhattan last. But does everybody see those
22 dates? I assume we can make most of them. This
23 is important about quorum -- I mentioned that we
24 had a quorum. There are 15 of us. We've got to
25 have more than half to have a quorum. Eight.

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1 But even if only ten of us show up at a meeting,
2 we still have to have eight to vote for
3 something -- to get something accomplished. So I
4 want you to try as hard as you can to make every
5 one of these meetings. I know sometimes it will
6 be impossible, but I'm still hoping that we will
7 have well over eight at each of our meetings.

8 Any other thoughts about schedule? Let me
9 share something with you that is not quite here,
10 but it was alluded to. I indicated I want more
11 than -- to be more transparent than anybody else.
12 In addition to the five borough meetings, I'd
13 like to have three to five, what I would call,
14 neighborhood meetings. So that while we won't
15 require -- I guess we won't require a quorum, but
16 I would like a couple of commissioners to be
17 present with staff in holding those meetings.
18 I've also interjected that I think a couple of
19 them, we have to have simultaneous translation in
20 another language. I haven't figured out how many
21 languages yet, but I think it's important that we
22 do that. So I'm going to hope that you will
23 volunteer for one of those three to five, let's
24 call them neighborhood meetings. So that we can
25 have all total, not just the five borough

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1 meetings, which are the big ones -- Carlo tells
2 me that he's done them at places like what?

3 MR. SCISSURA: We did Brooklyn Borough Hall.
4 We did courthouses. We did universities,
5 colleges. We call the PAC meetings, which I see
6 a few of you which have been at some of those
7 meetings in the past.

8 MR. PERALES: Any other thoughts? What do
9 you think about my idea about having neighborhood
10 meetings? Kyle's giving me a thumbs up.

11 MS. FERNANDEZ: I think it's especially
12 important, because some of these boroughs are
13 very large and so -- for example, folks in East
14 New York or in Washington Heights, are unlikely
15 to go to more centrally located or what we
16 envision are centrally located areas of the
17 borough.

18 MR. PERALES: I will want your input on
19 that. Because, for example, we should have one
20 in Northern Manhattan. I'm sure you agree.

21 MS. FERNANDEZ: Absolutely. And in the
22 South Bronx.

23 MR. SCISSURA: And I would like to see one
24 in Southern Brooklyn.

25 MS. CLARKE: I'd like to see one in Central

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1 Brooklyn.

2 MR. PERALES: Let's think this out. Maybe
3 we'll have more than three to five. If we've got
4 15 commission members, if we had two at each one,
5 we can have a whole bunch. So let's think about
6 that, as to when we can squeeze it in. I know
7 staff is raring to go. They don't care how many
8 we have, right? They seem to be smiling. But I
9 do think that this is important.

10 The other thing we're going to have is
11 something that's been done in the past, is expert
12 panels, after we listen to the public. I'm sure
13 that there are going to be a few issues that
14 surface in which we will want to learn more
15 about. For example, I'm told that people
16 generally invariability come up with the idea of
17 instant runoffs, because we've had to have extra
18 elections for people under the 40 percent number.
19 And somebody -- there are ways of avoiding that.
20 You save money and you know right away who won.
21 Because one of the things that happens when you
22 have that second election, very few people vote.
23 So there are advocates of instant runoffs. At
24 the same time there are lot of folks that don't
25 think it's a very good idea. For example, we can

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1 have an expert panel explaining the pros and cons
2 as to why we ought to do that. We've got some
3 voting rights experts presumably on our panel who
4 will have some ideas about that. I think hearing
5 from other "experts," I think will be very
6 useful. I imagine that's a number of issues that
7 will come up in terms of land use and others that
8 we will need some expert advice on. So in
9 addition to hearing from the people in our
10 communities, we're going to have some sessions,
11 which we listen to experts to help us formulate
12 our decisions, so that our decisionmaking is as
13 informed as possible.

14 We've got -- I don't want to go over the
15 proposed schedule in detail. But why am I doing
16 all the talking? I mean any reactions to
17 anything that I've said, folks? Please, talk to
18 me.

19 MS. GODSIL: One thought I did have is to
20 have some meetings in schools or other places
21 that feel more welcoming than public buildings
22 and places where people aren't accustomed to
23 going.

24 MR. PERALES: Good thought.

25 MS. CLARKE: I want to take a look at the

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1 demographics of the City, because things are
2 changing. And a sense of who's where is going to
3 be important in decisions that we make for
4 guarding liberations. So I think it's important
5 that we look at the changing demographics. And
6 City Planning may have some information that will
7 be useful to us.

8 MR. PERALES: We used to have a guy named
9 Joe Salvo, who's a world's expert. Is he still
10 around?

11 MR. SCISSURA: Yes.

12 MS. CLARKE: I'm saying that, because were
13 it not for work that was done at the Carey
14 Research Center, and we made our case that they
15 we think they should go districts that would make
16 it feasible for one of us to run for office, I
17 never would have gotten to the City Council. And
18 we would still be in the same position we were
19 prior to my election in '91. So I think that we
20 need to do our thorough work and I think we ought
21 to be very sensitive to the new immigrant
22 communities. Because of what's happening in
23 Washington, many people will not come out and
24 speak with us and we have to be able to bring
25 them out because what we will be doing is going

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1 to affect their lives.

2 MR. PERALES: Very good. Why wasn't staff
3 treated, this was a direction from the
4 commission, that you contact Joe Salvo or someone
5 on his staff to look at any recent changes in
6 demographics with a view towards what
7 neighborhoods we ought to be looking at to having
8 neighborhood meetings, as well as whether or
9 not -- what language groups might be -- ought to
10 be provided with assistance in those
11 neighborhoods.

12 MS. FERNANDEZ: I would also like to add
13 that if possible, that we devise a very simple
14 but creative marketing campaign, even Grassroots
15 marketing campaign. So that we ensure that
16 people, not only know where all of the meetings
17 are happening, but why the Charter Commission is
18 important. And something very simple and clear,
19 even with visuals, so that we can make it the
20 most welcoming process.

21 MR. PERALES: Good.

22 MR. SCISSURA: And I would add to that, we
23 should have a Twitter feed and all the social
24 media. We do? So we should probably send that
25 out and follow each of us in our own lives,

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1 et cetera.

2 MR. PERALES: Yeah. Twitter has become of
3 late, very important to our democracy.

4 MS. SEECHARRAN: I want to echo the last two
5 points made by Una and Angela about the
6 importance of ensuring participation of the most
7 unlikely voices, because of -- whether it's
8 language or immigration fears or immigration
9 statuses. I wanted to know what extent we're
10 allowed to or can we partner with community based
11 organizations who might be able to brief, educate
12 and mobilize folks to turn up.

13 MR. PERALES: One of the reasons Marco is
14 sitting on our panel is because, while I said I
15 don't want anybody working for the Mayor being on
16 the panel because it will look like it's all
17 controlled -- and the one thing I made clear and
18 the mayor assured me, was the independence of
19 this panel. I want it to be said that we were
20 very interested in ensuring that this panel would
21 be independent. But the one person that I did
22 want on our panel, who does work for the mayor,
23 is Marco. And you may want to comment on this
24 idea of working with community based agencies to
25 make sure that we get a good turn out.

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1 MR. CARRION: I think that that's a great
2 idea, how we should pursue this. We were
3 speaking about during theses neighborhood
4 meetings and possibly not having them at
5 institutions where folks could be -- they'd be
6 barriers to people actually attending. We have
7 some great partners in some of the more emerging
8 communities, who can definitely help us provide
9 space, but would serve as validators to those
10 communities that it's safe to come out and this
11 is an important thing they should be involved
12 with.

13 MR. PERALES: I don't want to raise too much
14 expectation, because there's a limit as to how
15 many of these hearings we can have. But I think
16 we can have more than just the traditional
17 borough meetings and we ought to try to do this
18 as much as possible.

19 Any other comments on the proposed schedule?
20 I know lots of us have summer plans, so there
21 will be periods in which we can't participate.
22 But there being 15 of us, I think we can have a
23 number of meetings and have our full
24 participation.

25 MR. SCISSURA: I would just add one other

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1 thing on meetings. If we can do some evening and
2 some morning, just because there are different
3 constituencies that maybe can't come out at night
4 or can't be there in the morning.

5 MR. PERALES: That's particularly true of
6 the neighborhood meetings.

7 Any other thoughts about our schedule? To
8 me, the most important thing is that we end up
9 blessing a schedule. There are a couple of
10 questions on that -- a couple of days so that if
11 you've really got some strong feelings, you've
12 got to communicate that with staff. That's what
13 this is about. It may be tough to do this
14 immediately in this form, because there's so many
15 of us, but we do need to settle on the schedule
16 and then publicize it. Is that right?

17 MR. GEWOLB: Yes.

18 MR. PERALES: That is people will have
19 notice. We want be to have as much notice as
20 possible of when we're going to be meeting and
21 where we're going to have these meetings. It's
22 easy for the borough meetings. It will take a
23 little longer to set up the neighborhood
24 meetings. But I'm sure we can do that.

25 It says I should have a motion to adopt the

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1 general time frame. Does that make sense guys?
2 Has everyone looked at the schedule? They have a
3 sense? Without specifics, is there a motion to
4 adopt this general schedule? This general time
5 frame?

6 MS. CLARKE: So moved.

7 MR. BRAGG: Favor.

8 MR. PERALES: All those in favor?

9 (Chorus of Ayes.)

10 MR. PERALES: Those opposed? The motion
11 carries.

12 Are there any other motions that I need
13 before I ask Christine to give us a fascinating
14 history of --

15 MR. GEWOLB: No other motions.

16 MR. PERALES: Are we ready to hear the
17 presentation from our general counsel?

18 MS. BILLY: So as the chair noted, this
19 commission is charged by State law to review the
20 entire City Charter. And in light of this, this
21 becomes something of a tradition to kick off
22 Charter Revision Commissions with a presentation
23 about the Charter as a whole with highlights of
24 both its history and structure.

25 So first I'll discuss the history of the

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1 Charter, focusing on past Chart Revision
2 Commissions. And then second, I'll turn to a
3 discussion of the Charter's general organization
4 of structure and current form. I recognize that
5 many of you sitting here are already familiar
6 with aspects of this. And today I'm privileged
7 to be joined by Steve Lewis, who was a veteran
8 advisor to several of the past Charter Revision
9 Commissions. And Steve, I hope you'll feel free
10 to interject or perhaps kick me if I go too far
11 astray.

12 MR. LEWIS: I'm not going to kick you,
13 because that would be visible.

14 MS. BILLY: So to begin with, let's keep in
15 mind that there are four fundamental ways to
16 amend the City's Charter. First, by local law,
17 which can either be done with or without a public
18 referendum. Second, by State law. Third, by
19 voter petition. And finally, as most relevant
20 here today, by Charter Revision Commission.

21 Charter Revision Commission, in theory, can
22 be convened in several different ways. Although
23 in reality, the Charter Commissions that shape
24 the City's Charter generally have either been
25 called by a City mayor or pursuant to a specific

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1 act of the State Legislature. This commission,
2 like its immediate predecessors, will view the
3 Charter as a fully empowered local legislative
4 body, subject to voter approval.

5 Now, as a result of this long history of the
6 Charter and many ways of amending it, the Charter
7 does not come to you as a unified legal or
8 political document. Rather, the Charter
9 represents the combined actions of many bodies
10 with legislative powers acting over centuries and
11 sometimes across services. It includes state
12 laws and Council laws. It includes the results
13 of petitions and the proposals of 13 previous
14 Charter Revision Commissions.

15 If it makes you feel better, confusion over
16 the Charter is not new. As early as the mid-19th
17 century, the City's mayor complained that the
18 governing structure included portions of six
19 different charters, which created nine executive
20 departments, having undefined doubtful and
21 conflicting powers. And you can decide at the
22 end of this process, whether you think matters
23 have improved much since the 1850s.

24 But now we're going to head into a whirlwind
25 history of our Charter. And in your materials,

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1 which were in your welcome packets, for those of
2 you who brought them along, we included a brief
3 description of past Charter Revision Commissions,
4 if you would like to follow along or study for
5 some late bedtime reading if you have trouble
6 falling asleep.

7 From its origin to the present day, one
8 could say that the history of the Charter
9 represents an effort to respond to a core set of
10 chapters. And I would summarize them as first,
11 the balance between borough or community autonomy
12 and centralized City government. Second, the
13 balance within City government between the mayor
14 and the legislative branch and other elected
15 officials. Third, the balance between government
16 efficiency on the one hand and transparency and
17 accountability and public participation on the
18 other. And after listening to this commission's
19 discussion about what you want to see this
20 process to be, I was really struck by how the
21 work of this commission sits alongside the work
22 of all the previous Charter Revisions that came
23 before it, as sort of part of a broader
24 constellation of efforts to improve our local
25 democracy.

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1 So going back on history: In tracing the
2 Charter's history, one can begin with the
3 colonial Charters of the 17th and 18th centuries,
4 but in the interest of time, I'll skip ahead to
5 one of the most important dates in City's
6 history, January 1st, 1898, which as many of you
7 here are well aware, was the birth of the modern
8 City of New York with its multiple boroughs. And
9 so after a public referendum regarding the
10 unification of the cities of Brooklyn and New
11 York, which at that time was Manhattan -- which
12 by the way, barely passed in the City of
13 Brooklyn, by a mere 300 votes -- the state
14 legislature passed an act of consolidation 1896.
15 And pursuant to this act, the 1897 Charter
16 Revision Commission was convened. So let this be
17 a lesson that every vote counts. And as a
18 result, the first greater New York Charter took
19 effect on January 1st, 1898. The Charter was
20 very long and it included a lot of material that
21 ended up being put in the City's administrative
22 code. And in fact, the real structure of the
23 early 20th century City government took shape
24 based on a second Charter Revision Commission
25 convened a few years later. And the resulting

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1 1901 Charter, which was adopted by the State
2 legislature made extensive changes. Including,
3 solidifying the role of a body called the board
4 of estimate and apportionment, which some of you
5 may remember, which was made up of the mayor, the
6 comptroller, the president of board and city
7 Council and each of five borough presidents.

8 In your materials, I included a City
9 government chart as it looked in 1907. It sort
10 of has an hypnotic effect if you stare at it for
11 too long, but it should give you a sense of the
12 general structure of what the City government
13 looked like at the dawn of the 20th century.

14 Moving along. After many failed efforts of
15 Chart Revision in the mid 1930s, the Charter
16 began to work toward its modern form, as Mayor
17 LaGuardia appointed a 1936 commission under a
18 special state law. That Charter was adopted by
19 the voters in 1936. It took a much shorter form
20 and it was intended to reflect the fundamental,
21 organic structure of City government, with the
22 idea for the first time of the administrative code
23 as dealing with the minutia of municipal law,
24 which is sort of the balance that we still keep
25 today. This 1936 Charter ran 83 pages and sold

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1 for 25 cents at the David N. Dinkins Municipal
2 Building, although it didn't have that name at
3 the time. And I'll note that that same building,
4 which is where the City Store is located, no
5 longer sells copies of the Charter. I did check.
6 Although it is freely available online for your
7 perusal and it is now at a whopping 3,103
8 sections. I also included in the materials, a
9 chart of the City government as it looked after
10 that 1936 revision.

11 Mayor Wagner appointed a Charter Commission
12 in 1961 and then there was a state created in
13 addition in 1975. I should note that the 1975
14 Commission was really the exception to the rule.
15 So after those initial Charter Revision
16 Commissions that I just discussed that were
17 creatures of State law, every Charter Commission
18 from 1938 to the present, with the exception of
19 that '75 one, was convened by a mayor. Or I
20 should say every Commission that ended up with
21 proposals that were given to the voters,
22 regardless of whether they passed, was convened
23 by the mayor.

24 There isn't time to summarize the details of
25 the revisions over the mid 20th century. You can

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1 read about them in your materials. But in
2 general, we can say the board remained strong
3 with powers over contract, budget, land use, real
4 property. The powers of the mayor and the
5 comptroller gradually increased, whereas the
6 powers of the borough presidents gradually
7 decreased. And I think perhaps most importantly,
8 there was an overall increase in public
9 prophecies. And this really took off in 1975
10 with provisions such as City Uniform Land Use
11 Review procedures known as ULURP.

12 Mayor Koch appointed a Charter Revision
13 Commission in 1986, which placed limited but
14 important issues on the ballot in 1988, including
15 for example, campaign finance, conflicts of
16 interest, the City administrative procedure act
17 in special elections for vacancies in elected
18 office. But its work was overshadowed by the
19 seminal Charter Revision Commission of 1989,
20 which was chaired by former Corporation Counsel,
21 Fred Schwartz. Mayor Koch called this Commission
22 in the face of a true Charter crisis. The United
23 States Supreme Court had struck down the
24 composition of the board of estimate as violating
25 the federal constitutional doctrine of one person

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1 one vote. Basically each borough president had
2 equal vote despite the vast discrepancy in
3 populations in each of the five boroughs. So the
4 1989 commission was convened and responded by
5 abolishing the board of estimate, which had been
6 central to City government throughout the
7 previous century. Its powers were redistributed
8 more or less in a manner of separation of powers
9 between executive and the legislative branch.
10 But it really required a rethinking of almost
11 every important City process, including budget,
12 franchising, concessions, land use, as well as
13 the roles of the borough president, the City
14 counsel president now as the public advocate.
15 And scholars say that it was this Commission that
16 largely determined the present structure of City
17 government as we now know it.

18 Moving on quickly ahead. In Giuliani years
19 there were three Charter Revision Commissions,
20 each looking at a narrow set of issues, such as
21 campaign finance. And Mayor Bloomberg appointed
22 a series of Charter Revision Commissions in the
23 beginning of the 21st century. In 2002, the
24 voters adopted a proposal related to special
25 elections procedures to fill vacancies. In 2003,

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1 the Charter Revision Commission proposed three
2 questions which were all defeated in the wake of
3 it being over its nonpartisan proposal. The 2005
4 Commission made two limited proposals related to
5 financial matters and administrative law judges,
6 both of which were adopted. The most recent
7 Charter Revision Commission was convened in 2010.
8 The issue of whether to restore two-term term
9 limits for elected officials I would say probably
10 overshadowed the political discussion, but all of
11 its other proposals passed. It included in
12 addition to term limits, regulation of disclosure
13 of political and independent expenditures. It
14 reworked voter assistance functions and assembled
15 a campaign finance board. And interestingly, it
16 also reduced the signature number requirements
17 for candidate petitions. Which is of note,
18 because those provisions of the Charter actually
19 supersede provisions of the State election law
20 and the legal theory that the City has authority
21 to engage in innovation in the context of local
22 elections. The Commission also considered
23 instant runoff and nonpartisan elections, but
24 didn't act on these. And we've included in the
25 materials, the ballot questions and abstract from

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1 2010 as an example as the core work product of a
2 recent commission.

3 In concluding this Charter history, I want
4 to focus on a theme that may interest the
5 Commission. Throughout the history of the
6 Charter, there has been a perennial interest in
7 experimenting with and improving local democracy.
8 Commissions have taken a continuing interest in
9 campaign finance reform, voter assistance and
10 other election related matters. Some commissions
11 have taken a broad and sweeping look at the
12 City's organizational structure as a whole,
13 whereas others were limited to a narrow set of
14 issues. But every Commission was shaped by the
15 political and historical context in which it was
16 convened.

17 So unless there are questions, if you are
18 ready for more, I will turn to the modern
19 structure of the Charter, which I promise, is the
20 shorter portion of the presentation.

21 MR. PERALES: Are there any questions? No.
22 You can continue, general counsel.

23 MS. BILLY: Moving on. As you have probably
24 gleaned by now, the Charter is not a Moby Dick.
25 It is not a cohesive literary work with a

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1 constant narrative theme. I think it's safe to
2 say that most New Yorkers have probably not read
3 it, much less tabbed their Charters from cover to
4 cover. Being one of the lucky few who has, I
5 thought it would be useful if I outline for you
6 the basic structure of the Charter in its current
7 form. So as we discussed, the Charter is
8 intended to paint only the broad organizational
9 strokes of our City government with more of the
10 details being located in the City's
11 administrative code, which is much longer. And
12 conceptually, I think it's helpful to think of
13 the contents of the Charter as roughly divided
14 into three parts. The first part you can say
15 contains instructions and descriptions of the
16 City's elected officials. The second part,
17 contains key processes, such as, the budget,
18 capital projects, acquisition and disposal of the
19 City's real property and other matters. And then
20 the third part, sets forth the powers and duties
21 of City agencies. Now this isn't a perfect
22 description of the Charter's structure, because
23 there isn't one. But it gives you an overall
24 sense. And in the last exhibit in your materials
25 is sort of a table of contents of all the

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1 chapters in the City Charter, just as a quick
2 reference for you to look at with the subjects
3 contained therein.

4 So beginning with what we can call part one,
5 the Charter essentially begins with a description
6 of the City's elected officials, with chapters on
7 the mayor, the Council, the public advocate, the
8 comptroller, as well as the borough presidents.
9 Some of these chapters are more detailed than
10 others. But they all have the same basic
11 content; they set forth the manner in which the
12 City official is elected, the term of office, the
13 powers of duties of that official. They also
14 contain related provisions related to that
15 elected office. So by way of example, the
16 chapter on the mayor, which is chapter one, also
17 discusses the structure of the mayor's office
18 itself, including several offices within. So for
19 example, the mayor's office of operations, the
20 mayor's office of criminal justice. And more
21 recently, we've actually seen a trend of offices
22 added to this chapter by the City Council by
23 local law, which gives the mayor the flexibility
24 to establish a new agency either within the
25 mayor's office or another City agency. Which is

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1 sometimes confusing, because agencies are not
2 always in practice with other agencies, are
3 described in chapter one related to the mayor.
4 So a recent example of that would be the Office
5 of Labor Standards and the Office of Civil
6 Justice. The chapter about the Council not
7 surprisingly also describes the process by which
8 local laws are enacted and also contains details
9 about which local laws must be approved by the
10 voters by referendum.

11 Moving on. The second part of the Charter
12 contains key governmental operations and
13 processes. The budget process, capital projects,
14 procurement. And specifically, it spells out the
15 two major budgetary processes that we have in New
16 York City; the expense budget and the capital
17 budget. And then it describes the overall
18 process of how the budget is determined. It also
19 describes how the City's financial obligations
20 are regulated, including the City's debt. This
21 part of the Charter also includes provisions
22 relating to the City's tax structure and
23 establishes the tax commission.

24 Moving onto land use, another major City
25 process. This chapter establishes the Department

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1 of City Planning, as well as the City Planning
2 Commission. And also includes our key land use
3 provisions, most known as ULURP, the fair share
4 process and others. It also outlines other key
5 governmental operations; in particular, the
6 processes by which the City may spend money on
7 goods, such as the procurement process, as well
8 as the process by which the City may raise money,
9 apart from taxes. For example, the grant of
10 franchises and concessions or the disposition of
11 the City's real property.

12 And then finally, moving onto the third sort
13 of general part of the Charter. The third part
14 mostly concerns City agencies. This is by far,
15 the longest part of the Charter. And it largely
16 contains chapters that each deal with individual
17 City agencies, describing each agency's
18 organization, powers and duties. I should note
19 that this is not an exhaustive list of City
20 agency's powers and duties. So for example, some
21 agencies that are listed in the Charter, are
22 actually created pursuant to State law or act by
23 powers described by State law. So the Department
24 of Education is an example. But this is a good
25 start to give you a sense of the City agencies

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1 section. I'm obviously not going to go through
2 every agency. You can look at the handout for
3 that. But I'm sure you can get a picture of
4 this. Within this third part, you'll also find a
5 chapter setting forth the City Administrative
6 Procedure Act, which concerns rulemaking and
7 adjudications by City agencies. And you will
8 also find provisions defining the term limits on
9 elected officials, election and voter assistance,
10 including the Voter Assistance Commission and the
11 Campaign Finance Board. There are also
12 provisions on conflict of interest, Chapter 68,
13 which concerns ethical standards that apply to
14 current and former public service. And finally,
15 there are provisions on community government. So
16 I'm talking about provisions that establish
17 community districts and community boards charged
18 with conducting public outreach and assisting
19 with planning on capital projects.

20 So I know this has been quite a mouthful.
21 This is actually just a general overview. But in
22 conclusion, I just want to say that the Charter
23 is the closest that we have to a constitution.
24 And within it, you'll find the essential
25 structure of how our City is governed. And for

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1 those of us like myself who come from City
2 agencies, I think we sometimes have a tendency to
3 get sort of lost in the weeds of problematic
4 detail. And a Charter Revision Commission is a
5 time to take a step back and look at the big
6 picture. How can our time be improved? How can
7 the lives of real New Yorkers be improved by
8 examining and potentially reforming the processes
9 and powers elected in the Charter.

10 So now, if you have any questions, we will
11 be happy to take them.

12 MR. PERALES: No questions? That was very
13 good, Christine. Steve, you didn't get a chance
14 to say anything.

15 MR. LEWIS: That's fine. She got it all.

16 MR. PERALES: So thank you, both. Matt, is
17 there anything else I need to cover before I ask
18 for a motion to adjourn?

19 MR. GEWOLB: That's it. Except that now
20 with the motion to schedule, we'll plan to
21 publish a schedule and provide that to the
22 commissioners and the public as soon as tomorrow.
23 And reminding the public to visit our website,
24 which is NYC.GOV/CHARTER.

25 MR. PERALES: And if they want to see us on

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1 live stream, they go to that?

2 MR. GEWOLB: To that address.

3 MR. PERALES: And then they press a button
4 and they can watch us?

5 MR. GEWOLB: Yes.

6 MR. PERALES: Commissioner Clarke suggested
7 that it's easy for those who know how.

8 MR. GEWOLB: Otherwise that's -- I'm sorry.
9 I'm sorry if I remised the discussion of social
10 media, but if I did not say that we have a
11 Twitter handle now @NYCCHARTER. So we'll make
12 that -- we'll disseminate that information to
13 commissioners as well.

14 MR. PERALES: My generation does not know
15 what a Twitter handle means. At any rate, I will
16 entertain a motion to adjourn.

17 MS. CLARKE: So moved.

18 MR. PERALES: Is there a second?

19 MR. SCISSURA: Second.

20 MR. PERALES: All those in favor?

21 (Chorus of Ayes.)

22 MR. PERALES: Opposed? The motion carries.
23 We are adjourned. Thank you very much. And I
24 want to thank you those of you who took the time
25 to come listen to us and also those who checked

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1 in through the live stream. Thank you very much.

2 (Whereupon, at 11:44 A.M., the above matter
3 concluded.)

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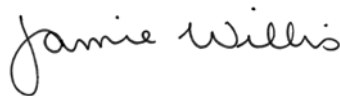
STATE OF NEW YORK)
 : SS.:
COUNTY OF RICHMOND)

I, JAMIE WILLIS, a Notary Public for and within
the State of New York, do hereby certify:

That the above is a correct transcription of my
stenographic notes.

I further certify that I am not related to any
of the parties to this action by blood or by marriage and
that I am in no way interested in the outcome of this
matter.

IN WITNESS WHEREOF, I have hereunto set my hand
this 3rd day of May 2018.



JAMIE WILLIS

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