

COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS
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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Monday, September 22, 2025

Start: 10:27 A.M.

Recess: 11:31 A.M.

HELD AT: Council Chambers - City Hall

B E F O R E: Hon. Keith Powers, Chair

COUNCIL MEMBERS:

Adrienne E. Adams, Speaker

Diana I. Ayala

Justin L. Brannan,

Gale A Brewer

Selvena Brooks-Powers

Amanda Farías

Crystal Hudson,

Rafael Salamanca

Pierina Ana Sanchez

COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS
A P P E A R A N C E S

Ben Weinberg,
Director of Public Policy at Citizens Union

Christopher Leon Johnson,
Self

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2 SERGEANT LUGO: Good morning, this is a
3 microphone check for the Committee on Rules,
4 Privileges, and Elections. Today's date is September
5 22, 2025—located in the Chambers, recording done by
6 Pedro Lugo.

7 SERGEANT AT ARMS: Quiet, please. Good
8 morning, and welcome to the New York City Hybrid
9 hearing on the Committee on Rules, Privilege, and
10 Elections. Please silence all electronic devices at
11 this time. Also, please do not approach the dais. If
12 you have any questions, please raise your hand. One
13 of us, at the Sergeant at Arms desk, will kindly
14 assist you. Chair, be ready to begin.

15 CHAIRPERSON POWERS: [GAVEL] Good morning,
16 and welcome to the meeting of the Committee on Rules,
17 Privileges, and Elections. I am City Council Member
18 Keith Powers, chair of the Committee.

19 Before we begin, I would like to
20 introduce the other Members of this Committee who are
21 present. We are joined by Speaker Adrienne Adams,
22 Council Member Sanchez, Council Member Brewer,
23 Council Member Ayala, Council Member Brannan, and
24 Council Member Hudson. We will also be joined, I'm
25

sure, by more. I also want to acknowledge Committee Counsel, Jeff Campagna.

Today, we are holding a public hearing on a Preconsidered Resolution by the Speaker, titled: *Resolution to amend the Rules of the Council to improve clarity and consistency with Council practices and precedent.*

This resolution has been years in the making, and it has been subject to feedback from Members of the Council, past and present. Today's hearing is an opportunity for members of the public to give their input. Before that, I want to recognize Speaker Adrienne Adams to speak on the resolution.

SPEAKER ADAMS: Thank you very much, Chair Powers, for leading today's public hearing on proposed amendments to the Rules of the Council. And good morning, everyone.

This is the first iteration of significant revisions in over a decade. After I became Speaker, I directed the Office of General Counsel to undertake a full review of the Council's rules and to issue recommendations for amendments. After all, the pandemic reshaped how government and the public engage, and the rules as written do not reflect our

current realities. A lot has changed since 2014, and it's critical that our legislative body updates the procedures that govern our work.

This review followed five guiding principles, namely that the rules should be: Easy to read and understand; be organized intuitively for reference; accurately reflect current laws, policies, and practices; and promote collegiality and respect for decorum.

The Office of General Counsel made recommendations in 2022 and requested feedback on those recommendations from the Legislative, Finance, Land Use, and Legislative Documents Divisions, the Sergeants at Arms, all Council members, and good government groups.

Having reviewed that feedback, I directed the preparation of the resolution before us today.

The proposed amendments we're considering fall into three categories:

First, there are stylistic revisions that are related to grammar, punctuation, and word choice, with the goal of making the rules easier to read and understand.

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2 The second category is recodifications,
3 under which most of the proposed amendments fall.
4 These changes would reorganize and renumber the rules
5 so they can be more easily referenced, for example:
6 All rules that apply to either Committee Meetings or
7 Stated Meetings will be consolidated, while rules
8 that apply to both will fall under the quote "General
9 Procedures for Meetings." End Quote.

10 The third category is substantive
11 amendments that either change, eliminate, or add new
12 rules, some of which are important to highlight. On
13 the rules related to legislative bill drafting, we're
14 proposing to codify existing practices to ensure
15 services are delivered to members more equitably and
16 in a timely manner. For example, when the current
17 legislation session began, incumbent elected
18 officials controlled 10,217 legislative requests.
19 Under existing written rules, the Council's
20 Legislative Division would have had to respond to
21 each of those requests *before* responding to requests
22 from any other members. As a result, none of the new
23 Members who were elected in 2024 would have been able
24 to introduce any legislation. We're addressing that
25 inequity. And in feedback-- in response to feedback,

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2 the current 60-day deadline for Council Members to
3 see a draft proposal of their legislative requests
4 upon submission will remain in place.

5 With respect to the rules for moving
6 legislation out of Committee, we listen to Council
7 Members' input. All existing procedures would remain
8 except for one—The only proposed change is to
9 increase from seven to 11 the number of signatures
10 required to make a motion to discharge a bill out of
11 Committee. This amendment is intended to encourage
12 broader collaboration among Council Members on such
13 major efforts to support proposed legislation.

14 Additionally, we have proposed adding new
15 rules about decorum to govern the conduct of both
16 Council Members and the public during Council
17 hearings and meetings.

18 A new rule would clarify member decorum
19 to emphasize that remarks during debates must always
20 be directed to the Chair, be germane to the
21 discussion, and avoid personal attacks on colleagues.

22 Another new rule would reinforce to the
23 public that disorderly, violent, and obscene conduct
24 will not be tolerated and that violations of decorum
25 may be subject to penalties.

2 Altogether, these common sense changes
3 can ensure that the Council has clear and functional
4 rules allowing our legislative body to operate more
5 effectively in service to all New Yorkers. They could
6 make our rules easier to understand and help Council
7 Members, staff, and the public work together to
8 deliver for the people of our city.

9 I want to thank everyone who's given
10 their feedback on these rule changes. I particularly
11 want to thank our hard working staff, including
12 Council parliamentarian, Jeff Campania, for all of
13 your thoughtful work to advance these changes. Thank
14 you very much.

15 Mr. Chair, I turn today's public hearing
16 back over into your hands.

17 CHAIRPERSON POWERS: Thank you. I'm now
18 going to open the floor to public testimony. Members
19 will have an opportunity for two minutes to testify
20 on the proposal. We have one member signed up right
21 now to testify on the resolution—calling up Ben
22 Weinberg from Citizens Union. You may approach the
23 dais. You have two minutes to testify on the
24 proposal.
25

2 BEN WEINBERG: Thank you. Good morning. I
3 see I am alone here today.

4 Good morning, Speaker Adams, Chair
5 Powers, and Members of the Committee. My name is Ben
6 Weinberg, and I am the Director of Public Policy at
7 Citizens Union, a nonpartisan good government group.

8 Over the years, we have helped advance
9 reforms to the rules of the Council that have made
10 this body more democratic, transparent, and
11 equitable, from ensuring fair distribution of
12 discretionary funds to strengthening the powers of
13 individual members to increasing public access and
14 public participation. The Council rules are the
15 primary vehicle for that progress, and today you are
16 considering the most extensive package of rules since
17 24-- to the rules since 2014. We appreciate the
18 periodic review process, the effort to make the rules
19 more clear, easier to understand, and the efforts
20 taken to seek feedback from us during this process.

21 But unlike 2014, when reforms followed
22 along a public process, this set of changes, 44 pages
23 long, has been made public essentially only one
24 business day before this hearing. So approving them
25 with no real efforts to seek public input in a public

venue like this one would contradict the Council's own repeated calls for accountability and oversight. And we urge you to take more time before you rush through approval.

On the substance, there are good things and there are bad things here, and there are a couple of things missing, so I'll just lay them out here.

First of all, we strongly support requiring a sponsor's memo for every bill that would be updated with amendments. This is standard practice in many legislative bodies, including in Albany, and we have long called for it, and we thank the councils for including that in these rules.

We also support other reasonable positive changes that relate to ethics and the Council's operations, some of which the Speaker just mentioned, and they are written in our testimony.

We do believe one proposal is troubling, and we oppose that proposal (TIMER), and that is raising the threshold for a Motion to Discharge from seven...

CHAIRPERSON POWERS: I'm just going to give you another minute, because your time is up, but I will let you go one more...

2 BEN WEINBERG: Sorry, thank you—from seven
3 to 11 members, this change directly targets the
4 minority party, which would get-- could get seven
5 seats soon. We believe the logic of the motion to
6 discharge, which is to strengthen rank and file
7 members, should apply equally, whether it's a faction
8 within the majority party or the minority party.

9 The rules are missing a few things; the
10 proposals, I'll lay them out clearly:

11 First of all, they continue to provide
12 only 72 hours' notice for meetings. What these
13 proposals they just codify the bare minimum of state
14 law requirements. This, as I mentioned, this meeting
15 illustrates the need for stronger, greater notice
16 before meetings, including the agenda and materials.
17 Also making-- also missing here is making
18 conference/meetings on nominations public. This is
19 especially relevant for this committee, and that is
20 because key council appointment processes often are
21 kind of a move towards conference meetings, including
22 importantly BOE Commissioners, which are approved in
23 a--basically a secret meeting now without anyone
24 knowing who attended them, no webcasting, and no
25 recording of votes.

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2 Lastly, and I'll make this quick, and I'm
3 happy to ask (sic) any questions. Discretionary
4 funding, we have often said and continue to say that
5 we believe that giving the Speaker, a Speaker, any
6 Speaker, near total control over half of all expense
7 dollars without clear criteria, allowing these public
8 funds to be used as political leverage should be
9 changed and better regulated.

10 We thank you for the opportunity to
11 speak, and we urge you to review our recommendations
12 and adopt it into your proposed reforms.

13 CHAIRPERSON POWERS: Thank you. Appreciate
14 it. I'm going to go to a question from Council Member
15 Brannan.

16 COUNCIL MEMBER BRANNAN: Thank you. What
17 is Citizens Union official position on the Mayor's
18 ballot proposals?

19 BEN WEINBERG: We have, uh, we support all
20 five of, uh, five of-- all six questions on the
21 ballot.

22 COUNCIL MEMBER BRANNAN: So you support
23 stripping power from the Council, but not when the
24 Council wants to empower itself?

25 BEN WEINBERG: Sorry, could you?

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2 COUNCIL MEMBER BRANNAN: So it sounds like
3 you support stripping power from the Council, but
4 when the Council wants to empower itself, you do not
5 support that?

6 BEN WEINBERG: So as you'll see in our
7 statement on our positions on the Council's proposed
8 on the sorry-- Charter proposals, we believe overall
9 they are positive. We have some concerns related to
10 both the change in the distribution of powers,
11 especially around the Appeals Board, and the
12 involvement of the BSA in some of that process. But
13 overall, yes, we've announced support for all
14 questions.

15 COUNCIL MEMBER BRANNAN: Thank you.

16 CHAIRPERSON POWERS: We have also been
17 joined by Council Member Nurse.

18 Do we have other questions from Committee
19 Members?

20 Council Member Brewer?

21 COUNCIL MEMBER BREWER: Regarding the
22 seven-11, that issue of discharge, what-- I mean, I
23 have had perhaps the only person here who had the
24 experience of actually trying to get seven members to
25 sign on for paid sick days and ended up not going

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2 forward because we moved it. But it's very hard to
3 get seven. So I was just wondering if you could
4 elaborate a little bit. It's not just a minority
5 party; it's just regular members. I don't know if you
6 mean by minority party, in this case, the
7 Republicans, but it doesn't really matter. It's still
8 difficult, no matter who you are. Could you elaborate
9 on that?

10 BEN WEINBERG: Yeah, thank you, Council
11 Member.

12 We agree that it is very difficult, and
13 our testimony mentioned that, actually. The motion to
14 discharge is very rarely used. I don't know if it has
15 officially ever, ever been used as...

16 COUNCIL MEMBER BREWER: Very rarely.

17 BEN WEINBERG: Very rarely. We should say
18 it's filed seven days in advance. So there's kind of
19 no way to surprise the council (INAUDIBLE) Stated
20 Meeting with the motion. As you mentioned, it's hard
21 to get seven members to sign on. And then it only
22 passes if there is a majority in the Council. So,
23 because this is already a motion that is difficult to
24 achieve, we don't see this as a potential disruptive
25 element to the Council proceedings. Maybe there will

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2 be more motions, but that is not necessarily a bad
3 thing; it will encourage some debate on the floor. We
4 don't see a reason to increase it from seven to 11.
5 And the only reason we assume, or presume, is related
6 to the potential change in the partisan makeup of the
7 Council, and that is why we are flagging that point.

8 COUNCIL MEMBER BREWER: Okay, thank you.

9 CHAIRPERSON POWERS: Thank you. Do we have
10 other questions?

11 Council Member Brooks-Powers has also
12 joined us.

13 COUNCIL MEMBER BREWER: Question over
14 here.

15 CHAIRPERSON POWERS: Oh, question from
16 Council Member Sanchez. And we have been joined by
17 Council Member Restler as well.

18 COUNCIL MEMBER SANCHEZ: Thank you. Thank
19 you, Chair. Thank you, Speaker.

20 My question is just on a relative basis,
21 comparing to other legislatures, do you-- can you
22 share your knowledge on how other legislatures handle
23 legislative requests from sitting members and, you
24 know, manage the volume?

25

2 BEN WEINBERG: Yeah. Thank you for that
3 question.

4 So I can only say about the state
5 legislature in Albany because I'm most familiar with
6 that one. They have their own independent unit, so,
7 you know, the positive side of that is that it is
8 supposed to be not controlled by the leaders of the
9 two houses. It depends on the term, and I think the
10 leader, but it is more independent than a unit that
11 is solely in the control of a leader. I would say the
12 drawback of that system is that all bills are
13 introduced all the time, so you are kind of flooding
14 the legislature with thousands, and thousands, and
15 thousands of bills. The Council's, I think, process
16 of making sure that we don't have two bills that are
17 exactly the same or, you know, the same, but one word
18 is, is probably the better way to go in terms of
19 having an orderly process of legislation--the-- yeah.

20 COUNCIL MEMBER SANCHEZ: Thank you. Are
21 there any changes that you would propose or recommend
22 with respect to the way that we do things here?

23 BEN WEINBERG: So what I mentioned--
24 you're-- you are you referring to legislation? The...

25 COUNCIL MEMBER SANCHEZ: Yes.

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2 BEN WEINBERG: You know, I think it is--
3 we understand the need to keep confidentiality
4 between who is the other member who sponsored (sic).
5 I don't know if there's an easy solution there
6 because it often makes it hard, you know, it could
7 encourage collaboration, and it also could make
8 collaboration harder if the other member is not
9 playing along. We understand the changes that need to
10 be made with the current system because, as the
11 Speaker mentioned, there are just too many
12 legislative requests at this point. Yeah.

13 COUNCIL MEMBER SANCHEZ: Thank you.

14 CHAIRPERSON POWERS: Deputy Speaker Ayala?

15 DEPUTY SPEAKER AYALA: Hi, good morning. I
16 just wanted to kind of piggyback a little bit off of
17 Council Member Brannan's question regarding the
18 Charter Review and the potential erosion of the City
19 Council's authority over our land use processes. And
20 just kind of trying to understand how you arrived at
21 that, you know, that decision to support those ballot
22 measures that pertain to land use procedures?

23 BEN WEINBERG: Yeah, you know, I'm sure I
24 can restate that Citizens Union for many, many, many
25 years and still does support empowering the City

Council and the City Council's oversight powers. We have done that through Charter revisions through giving the-- we advocated to give the Council more powers, to give other bodies more power to provide a permanent budget for the Public Advocate for oversight agencies. We opposed the questions last year and the whole Charter revision process, the Charter Commission, I should say, process. And we were very strong advocates against that from early on. We provided testimony and research last year that showed that public safety bills, if you remember, there was an issue about the Commission (INAUDIBLE), public safety bills get a lot of time for public input, and kind of showing that that Commission's attempts to undermine public safety legislation based on nothing, essentially.

So I think we have a long track record of strengthening the Council and ensuring a balance of power in the New York City government.

On the questions: We have had long conversations in several committee meetings through our Policy Committee, through our (INAUDIBLE) board on these issues. They're not-- they were not easy, and we had concerns around these issues. As I

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2 mentioned to Council Member Brannan, they are stated
3 in our position. At the end of the day, we believed
4 that the proposal is targeted enough, in that it only
5 applies to certain projects, in that it responds to a
6 real problem and crisis, and in that it attempts to
7 address the issues that were heard throughout the
8 very long hearing process in what we thought-- we
9 thought is already was reasonable solution, all
10 things considered. Uhm...

11 DEPUTY SPEAKER AYALA: I mean, I'm
12 assuming as I'm on your website...

13 BEN WEINBERG: Yeah...

14 DEPUTY SPEAKER AYALA: And it says that,
15 you know, obviously, on question two on the fast
16 tracking affordable housing, that the proposal has
17 the potential to spur much needed development in
18 areas where it's greatly needed. However, are you
19 referring to projects that are city-funded projects?

20 BEN WEINBERG: So, the...

21 DEPUTY SPEAKER AYALA: (INAUDIBLE) some
22 sort of city subsidy?

23 BEN WEINBERG: Yeah, so that question...

24 DEPUTY SPEAKER AYALA: Yes...
25

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2 BEN WEINBERG: So that question has--BSA
3 one? Yeah...

4 DEPUTY SPEAKER AYALA: Yeah...

5 BEN WEINBERG: Which is 100%, and the 12,
6 yes.

7 DEPUTY SPEAKER AYALA: So, I mean, were
8 you aware that this council has passed thousands of
9 affordable housing units that have already been, you
10 know, passed through the ULURP process, and the only
11 reason that they haven't been developed is because of
12 financing issues?

13 BEN WEINBERG: So I don't personally
14 follow land use processes so closely. We have
15 consulted experts in planning land use development
16 and affordable housing... (CROSS-TALK)

17 DEPUTY SPEAKER AYALA: I would urge that
18 the Citizens Union go back and do some more research
19 on that. Because, you know, I think it, it sounds--
20 it sounds great, right, on paper. We're going to
21 "accelerate housing". Everybody knows that we need
22 housing. However, the idea that the reason we're not
23 producing affordable housing or housing in general is
24 that the City Council is becoming an impediment is
25 actually not factual.

2 If you look at the number of ULURP
3 applications that have been approved and the number
4 of units that are sitting at HPD, you know, waiting
5 for financing, they're pretty substantial. In my
6 district alone, I have-- I can probably name six off
7 the top of my head that are waiting for financing,
8 some that have been, you know, were passed over 15
9 years ago.

10 So, you know, the problem is not the
11 Council. We do have, you know, and I acknowledge that
12 there are instances where we have members that are
13 not allowing, you know, development to happen in
14 their districts, and that needs to be addressed, but
15 that is a very small fraction of the entire body.

16 And so I think that the questions, the
17 way that they're proposed, are misleading because
18 they give the impression that we, as a Council, are
19 not doing our due diligence when, in actuality, the
20 problem has always been and continues to be a lack of
21 financing for these projects.

22 So it doesn't make any sense to
23 accelerate the process any further if we still have
24 no money to fund all of these projects. It doesn't
25 make any sense to me.

2 BEN WEINBERG: I appreciate that feedback
3 and promise to go back and look at this. I will just
4 mention that we have never supported taking away all
5 the Council's power in zoning. In fact, if you look
6 at the first hearing of the Charter Commission, which
7 I think was back in February, we were there, and this
8 is just when they started talking about the
9 possibility of making changes in the balance of power
10 around zoning; we were there to say zoning is the
11 Council's purview. It's a law, right? And there
12 should not be a complete removal of zoning and land
13 use processes. We mentioned in that testimony that
14 the biggest impediment often is just politics and the
15 kind of political environment that allows or does not
16 allow for housing. We mentioned there that the
17 Council, this was not much after City of Yes, the
18 Council and the Mayor have been able to reach a kind
19 of overhaul or a large scale zoning through-- like
20 the City of Yes.

21 So I'm only saying that to say that we
22 are not in the camp of kind of stripping-- stripping
23 all power... (CROSS-TALK)

24 DEPUTY SPEAKER AYALA: Understood. I just,
25 I don't-- I haven't seen the data that suggests that

we have been, you know, that X number of units have not materialized because of the Council's inaction. And I think that, you know, it is important that we maintain the authority to decide on projects that are coming, you know, into our districts.

You know, I'll speak specifically to like infill under the Bloomberg administration, that was a really big deal, right? The idea of building on public housing, but yet, nobody considered that the people who were living in those same-- in that same development, in deteriorated public housing, were continuing to live with mold and rats. So you're building beautiful, nice housing for somebody else, and the people that live there are dying because they can't breathe, because, you know, they're exposed to all types of, you know, health hazards in their own apartments. So we have a right to negotiate that and to be offended by that. And I think that, you know, especially in this administration, it is a little bit alarming that Citizens Union would support this type of power grab, if you will. And I think it is-- it can have very serious consequences. So, you know, in theory, I think we agree that there has to be some more development. I think that needs-- that process

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2 can be accelerated, and that is great, but I think
3 allowing, specifically, the Adams' administration to
4 have this level of authority over this process, is
5 really setting a really bad precedent. I urge
6 Citizens Union to really reconsider their position on
7 this, because it is going to have-- it's going to
8 have serious consequences. Thank you.

9 BEN WEINBERG: Thank you.

10 CHAIRPERSON POWERS: Thank you. Council
11 Member Farías has also joined us, and we have
12 questions for Council Member Restler and Council
13 Member Nurse.

14 COUNCIL MEMBER RESTLER: Great. Thank you
15 so much, Chair Powers. I'll just make two brief
16 comments and would love to ask a series of questions.
17 Ben, always good to see you.

18 Firstly, just in the spirit of the Deputy
19 Speaker's questioning, I just want to share my
20 disappointment in Citizens Union as well about your
21 position on their Charter Ballot questions. My
22 impression of Citizens Union over the years is that
23 you are a thoughtful entity that advocates for the
24 reasonable distribution of power across city
25 government. We already have a mayor that has

phenomenal power in our city, and all the other elected officials are frankly weak. And by essentially removing the City Council from the land use process and turning this into a glorified community board, it significantly undermines our ability to shape good projects and make better land use proposals that effectively meet the needs of our community—deepening affordability, expanding the number of bedrooms, ensuring there's parks and transit, and school investments that actually work for a growing community. So I was really disappointed. I just want to say that plainly.

Secondly, you know, if term limits function differently, and Speaker Adams was going to be here for the next four years, I would probably have a lot fewer-- many fewer concerns about these rules. But we don't know who the next speaker is going to be. We don't know who the speaker after that is going to be. We've seen this body, frankly, function in more authoritarian ways in the past. And it worries me that we could have a speaker again who brings that type of orientation to her management of the body. So, with that in mind, I have a number of questions for you and, frankly, some concerns.

2 Independent Bill Drafting Unit—This was
3 an innovation about a decade ago to try to ensure
4 that council members could-- that the that the
5 politics of the and preferences of the Speaker's
6 Office would not interfere with bill drafting and
7 that a council member would have the opportunity to
8 have an independent team looking at this, and
9 furthermore, that we are insured as council members
10 that we can introduce the legislation that we believe
11 is necessary.

12 Could you speak to your concerns about
13 the lack of independence in the Bill Drafting Unit
14 and the lack of a guarantee, or frankly, the
15 obstruction, the cumbersome process that could be
16 created with these rule changes, that would make it
17 harder for council members to introduce the
18 legislation that they think is warranted?

19 BEN WEINBERG: Certainly. First, I'm sorry
20 to hear that you're disappointed and (INAUDIBLE)
21 disappointment from our positions. And I hope we
22 continue to work together and collaborate later on.
23 This was not an easy decision to anyone, certainly
24 not me. And Citizens Union, as I'm sure you know, is
25 a member-based body with our members on our board

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2 leading much of our decisions (INAUDIBLE)... (CROSS-
3 TALK)

4 COUNCIL MEMBER RESTLER: I appreciate
5 that. I just-- I have to say...

6 BEN WEINBERG: Yeah...

7 COUNCIL MEMBER RESTLER: Because this is
8 not just the Citizens Union critique, it's across the
9 board...

10 BEN WEINBERG: That's right...

11 COUNCIL MEMBER RESTLER: That's like,
12 these rules, these Charter Ballot questions were
13 specifically designed to take responsibility away
14 from the Council and remove the Council from the land
15 use process. None of these groups is engaging council
16 members before weighing in on the policy to hear from
17 us about our perspective and why we think they're a
18 bad idea.

19 I certainly didn't hear from Citizens
20 Union in this process, and I haven't heard from many
21 allied organizations that I speak to all the time,
22 right? You talked to me and my team all the time. We
23 didn't hear from you guys before you came out to say
24 we're just supporting these bad policies.

25

2 So I just want to say from a process
3 standpoint, it's not--you all have not handled the
4 relationships well here, let alone the substance.

5 But, I don't want to digress. That's not
6 the subject of this hearing. I really do want to
7 focus on the rules... (CROSS-TALK)

8 BEN WEINBERG: (INAUDIBLE)

9 COUNCIL MEMBER RESTLER: I'm frankly just
10 using you as a punching bag. But whoever is sitting
11 up here who has supported these ballot questions, I
12 would be saying the same thing.

13 BEN WEINBERG: Which, at this point, is
14 much of the kind of advocacy space in New York
15 City...

16 COUNCIL MEMBER RESTLER: Indeed, they all
17 share...

18 BEN WEINBERG: But I appreciate that
19 feedback. I really, really do.

20 On bill drafting, the gold standard is to
21 have an independent Bill Drafting Unit. That's the
22 case in many other bodies. That's the case in D.C.
23 You know, that allows members-- that allows
24 transparency, and that allows trust among members
25 that they're drafting, uh, that they're drafting

requests are being considered kind of with no bias or independently. And that was the goal of that 2014 reform, uh, moving towards a more independent legislative Bill Drafting Commission. We have continued to urge that through the years. You know, I have here one of our memos from, I don't know, I think three years ago maybe, on this issue. The truth is, it has not been practiced by this Council, despite the 2014 changes. There's a question of political will, there's a question of the kind of dynamic I think within the Council. But it is certainly—the gold standard would be an independent unit that is not controlled by any speaker.

COUNCIL MEMBER RESTLER: Right.

BEN WEINBERG: I very much agree with your comment on kind of looking-- being forward thinking and looking ahead. I know we're all thinking about that in almost all legislative bodies at the moment, rethinking our rules, our laws, our Constitution, because of what's going on in D.C., because of the kind of threat of future authoritarian figures, no matter where they are. I know the Charter Commission to Strengthen Local Democracy is doing the same, and

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2 that should be a guiding post throughout this

3 (INAUDIBLE).

4 COUNCIL MEMBER RESTLER: Yeah, I...

5 CHAIRPERSON POWERS: Council Member, we

6 have to slightly pause. We have an IT issue right

7 now, so we have to take just a quick break.

8 COUNCIL MEMBER RESTLER: All right.

9 CHAIRPERSON POWERS: So we'll sit—you can

10 take a deep breath and a glass of water. We'll just

11 be hopefully a minute or two to fix (INAUDIBLE)...

12 Way too many people are tuning in for this hearing.

13 (LAUGHTER)

14 Way too many people are tuning in for

15 this year, right?

16 COUNCIL MEMBER RESTLER: We broke the

17 Internet. Is that what you're telling us, Keith?

18 (PAUSE)

19 CHAIRPERSON POWERS: Okay, Council Member

20 Restler, you're back on the mic. Sorry about that, we

21 will pick up where we left off.

22 COUNCIL MEMBER RESTLER: Great.

23 CHAIRPERSON POWERS: We are going to have

24 Council Member Restler for questions. And we lost

25

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2 Council Member Nurse, so Council Member Restler, you
3 may continue.

4 COUNCIL MEMBER RESTLER: And Chair Powers,
5 I have lots and lots of questions, so you can just
6 tell me whenever I'm supposed to stop speaking.

7 CHAIRPERSON POWERS: You can stop
8 speaking. No, I'm just kidding.

9 (LAUGHTER)

10 CHAIRPERSON POWERS: I'm just kidding, you
11 can go ahead.

12 COUNCIL MEMBER RESTLER: If only Eric
13 Adams had it that way.

14 Okay, next up, I'm concerned-- So right
15 now, council members are limited to be working on
16 five bills at a time. That's all we're able to-- due
17 to capacity constraints in the Legislative Drafting
18 Unit. The proposed rules-- and those bills are
19 supposed to be produced are approximately 60 days.
20 Unfortunately, I don't think that many bills are
21 produced in 60 days. You know, things are
22 complicated. It is what it is. But one of the
23 changes in the proposed rules is that it allows the
24 legislative drafter to pause the 60-day clock
25 whenever information is requested from the council

member's office for clarification or guidance on the bill drafting. And I just would have thought that it takes a council member's office a few days to respond and provide information, then that shouldn't have an impact on holding the Legislative Drafting Unit accountable for getting the bill drafted within 60 days. Have you looked at this issue? Do you think that-- what do you think is reasonable there?

BEN WEINBERG: Yeah, thank you for that question. I think there is... I think you bring up a good point. It's clear to us that the goal of the change you describe is to prevent the more extreme quote-unquote "crisis", where I suppose a member's office does not respond in a month, right? Or in several weeks. And then, you know, the Drafting Unit doesn't really know what to do because they don't have guidance. You bring up another point where, you know, within the-- what's considered reasonable, we all have so much to do. We have a lot of incoming in our inboxes. The few days of delay should not be timed or considered within that timeline. And I think, you know, that's a very good point. That should be considered.

2 COUNCIL MEMBER RESTLER: One of the
3 concerns I have around the lack of a council member's
4 ability to review a legal memo about a bill that
5 they've requested to be drafted, and only be able to
6 receive an oral briefing, is that if we're looking to
7 get guidance from outside counsel, it may be
8 challenging without a legal memo that explains it to
9 us. And I just wondered if you had thought about this
10 issue? I'm lucky to have a brilliant lawyer who works
11 on my staff, so she is able to handle everything. But
12 for council members who don't have that, and need to
13 be able to get support from outside lawyers, do you
14 think a legal memo is important and valuable for that
15 drafting process for members to have access to that
16 information?

17 BEN WEINBERG: I think if a member
18 requests a written legal memo, it is reasonable for
19 that member to receive it. I think there's also-- It
20 won't be in the ordinary, or I think there's some
21 reason to say that not all memos all the time must be
22 written. It sort of depends on the scope of the legal
23 advice and the consequences of such a memo. If there
24 are any concerns about, you know, the Council is a
25

democratic body, and whatever the Council-- the majority of council members decides will happen.

The consequences of passing a bill with legal challenges, the legal consequences of such an action will be one that the Council will have to face. That is what all legislative bodies go through. So, you know, we understand the idea of trying to kind of streamline the legal advice process, but we don't see a reason to block off the written memo if one is required-- if one is asked, sorry.

COUNCIL MEMBER RESTLER: I want to shift gears to ask a bit about the Committee Counsel position. As the story has been retold to me after a bruising Speaker's race in 2005, Christine Quinn just beat out Bill de Blasio to become the Speaker of the City Council, and Bill de Blasio was given the opportunity to chair the General Welfare Committee-- I believe actually continue on as chair of the General Welfare Committee, but that's beside the point—he was searching for a new Committee Counsel, and identified somebody that he had a say over their hiring. Otherwise, he was in a pretty tough spot because he had just--Gale was there. He was in a

tough spot. I think she supported Bill in that race, if I remember correctly.

COUNCIL MEMBER BREWER: I got in a lot of trouble.

COUNCIL MEMBER RESTLER: She did. Bill was in the most trouble, though, because he lost the Speaker's race, right? If he had not had the ability to weigh in on who his committee counsel was—it ended up being the great Molly Murphy, who went on to be First Deputy Commissioner at the Department of Social Services. Brilliant person—then he might have gotten stuck with somebody who was not actually working on his and the Committee's behalf in as earnest a way.

In 2014, the Council strengthened those rules to give chairs the ability to continuously approve their committee counsel to ensure that we have counsel... we have staff that work well with us, that are really informed, hard, you know, and committed to helping advance the goals of the Committee.

Do you have concerns about these changes that would no longer give committee chairs the ability to, on a continuous basis, weigh in on the

staffing of that committee? And relatedly, do you have concerns about the lack of dedicated staff that these rules allow for, so that committees would no longer have a dedicated counsel that is working full-time on behalf of that committee?

BEN WEINBERG: Thank you for that question, Council Member.

So, I will say we didn't take a position on that specific change. I'll be honest, you know, for many years we have called for chairs to have control over their counsel and senior staff. In fact, you know, traditionally our approach is to strengthen rank and file members, to try to strengthen committee chairs, to make the body more equitable and democratic in the face of, you know, a very, very, very strong Speaker. We took an opposition here because of the latest changes around unionizing of staff in the Council and the legal complications it might entail. To be honest, if we had more time to kind of look through the actual kind of details here on the language, we might come back with other positions, but that's kind of part of the challenge of responding to such major changes in a short amount of time.

2 COUNCIL MEMBER RESTLER: Well, I
3 appreciate that. I hope you'll take a look at that
4 issue in particular, because I think it's an
5 important way to ensure that even if a committee
6 chair doesn't have the best working relationship with
7 the Speaker, they can have staff who are working to
8 support their goals for the committee and ensure the
9 efficacy of the committee.

10 I wanted to move on to the Motion to
11 Discharge and the recommendation here to raise that
12 number from seven to 11.

13 COUNCIL MEMBER BREWER: (UN-MIC'D) I asked
14 about that (INAUDIBLE)

15 COUNCIL MEMBER RESTLER: Thank you,
16 Council Member Brewer, for your questions on that
17 earlier.

18 I certainly appreciate-- I read your
19 testimony that you're concerned about undermining the
20 minority and their ability to push things forward. I
21 guess I was just wondering, considering that even
22 with a Motion to Discharge, whether it's five people,
23 seven people, 11 people, it still comes before the
24 Council for a full majority vote. Why do you think--
25 what would be the rationale for expanding the number

of signatures that are needed, if it's still going to come before the full committee-- before the full Council anyway?

BEN WEINBERG: It's hard for me to guess their rationale or their reasons. You know, as mentioned in our testimony, we assume this is related to trying to prevent the potential larger minority party from accessing that tool in their toolbox. I think if there's any concern or fear about having more of these, like you know, every Stated Meeting will have a Motion to Discharge, and it will kind of drive everyone crazy. (LAUGHS)

Having more debate on the floor is not a bad thing. It rarely happens in any legislative body these days because everything is set in advance. And like, you go to floor meetings, whether it's here in Albany or in D.C., and you know, you know the result.

So, a debate on even controversial issues would benefit democracy in New York. And as you mentioned, as I stated earlier, a Motion to Discharge needs seven days' notice. So there's no way to kind of surprise the Council in the last minute and, you know, steal a vote away, because, you know, it's coming...

2 COUNCIL MEMBER RESTLER: Right.

3 BEN WEINBERG: as leadership.

4 So we certainly do not-- we do not see a
5 reason for that, not from the side of disruption or
6 the side of politics.

7 COUNCIL MEMBER RESTLER: Yeah. I mean,
8 again, I would just say, if Speaker Adams was going
9 to be the Speaker for the next four years, I don't
10 think-- I wouldn't really care about this. But in a
11 world in which we, you know, there could be a Speaker
12 who's much less cooperative and collaborative in
13 bringing legislation forward and working with
14 members. Having tools to be able to push important
15 and pressing ideas forward can make a real
16 difference. And when Council Members feel as if when
17 they step out against the Speaker, they're putting
18 themselves at real risk, you know, raising the
19 threshold for how many members need to be able to be
20 willing to do that, to put important ideas like paid
21 sick days forward, as Council Member Brewer did many
22 years ago, I just-- it makes me a little uneasy.

23 I'm Interested if you took a look at
24 empowering the Office of General Counsel to have the
25 authority to search members' emails? Is that

something that you took-- you considered in your testimony today, or that you reviewed?

BEN WEINBERG: We did not. We did not include it in our testimony. We did speak about that and discuss it with council staff also, and presented this and raised our concerns. Because, as drafted, this provides the General Counsel's Office with pretty broad powers to search emails—if I remember the language.

COUNCIL MEMBER RESTLER: That's right.

BEN WEINBERG: We had mentioned that it should be considered, or the Council should consider limiting it to clear cases where federal invest--not federal, sorry, yeah, any legal, uh, criminal investigation or any kind of any regard was to ensure that it's not a minor violation of the rules that prompts a search. I understand that the General Counsel's Office needs that power because that's the tool--that's the body that conducts some of these searches, especially when issues come up before the Ethics Committee.

But again, it goes back to your point about kind of adding more guardrails to ensure that

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2 rules that now seem plausible and reasonable for us
3 are not misused by bad faith actors in the future.

4 Again, the reason we have not included
5 that in our testimony is that this is a serious legal
6 issue. And you know, we felt like we needed to
7 consult legal experts on this. And to be honest, we
8 do not have time. So...

9 COUNCIL MEMBER RESTLER: I think that's
10 fair, and I think that the basic expectation for a
11 council member that their emails be searched to
12 fulfill any federal, state, or local legal
13 obligations is totally reasonable, but empowering the
14 General Counsels Office to search our emails with--
15 when it's not meeting a legal obligation, seems at
16 least something that I would want more information
17 about as well.

18 Okay, a couple more for me, and then I'll
19 move on. I apologize, Chair Powers. Thank you. So,
20 much for your...

21 CHAIRPERSON POWERS: And I just want to
22 acknowledge that we've been joined by Council Member
23 Salamanca as well.

24 COUNCIL MEMBER RESTLER: Great.
25

2 Emergency powers—We've seen this mayor,
3 as you know, well, just abuse emergency powers in the
4 most obscene ways. I've frankly been shocked by the
5 thousands of Executive Orders that he's issued to
6 perpetuate emergency authority for no good reason
7 with no real legal basis. It's been offensive.

8 I was surprised that these rules would
9 give the Speaker authority to establish emergency
10 rules essentially without periodic votes by the
11 Council to sustain or continue those emergency rules.

12 Is this something that you looked at?
13 Just considering how horribly Mayor Adams has abused
14 his emergency authority, and his counsel's office has
15 abused that emergency authority—just wondered if you
16 had considered what the Council should be doing in
17 that realm as well.

18 BEN WEINBERG: Yeah, certainly. Thank you
19 for mentioning that. That's included in our
20 testimony. But I didn't have time to mention it in my
21 remarks.

22 The way it's drafted currently, the
23 Speaker as Speaker can essentially kind of annul the
24 rules whenever there is a state of emergency declared
25 by the Governor or the Mayor under state law. Now, we

understand the need to, you know, look ahead and kind of try to help us through the next pandemic or whatever emergency we're not expecting. However, as you mentioned, we're basically always under some sort of a state of emergency in New York State and in New York City. We have an emergency for the asylum seekers, an emergency for baby formula shortage, a state of emergency because of the situation in Rikers Island, and more, and more, and more.

So, as noted in our testimony, this should be limited. So it should be clear that we're talking about a state of emergency that directly affects the Council's ability to operate in an orderly fashion, so it won't be able to-- so it won't be misused in the future. Another way of doing it is, as you suggest, bringing up to a vote every, whatever, a month, 30 days.

COUNCIL MEMBER RESTLER: Right, yep.
That's helpful, thank you.

Last item I was hoping to ask about, at least for now—thanks again, Chair Powers—is the Minority Leader selection process. Did you take a look at this? I didn't see it in your testimony. I apologize if I missed it. As I understand it, the

change is that, if a quorum is present, and a majority of those present vote for a candidate, then that person is deemed the Minority Leader. And I just wonder, have you considered alternative approaches for the Minority Leader selection process? If there is no way to resolve a tie, uh, couldn't a result be that the position remains vacant for a period, or do you think that this is a smart and equitable way to resolve that tie-- or resolve a potential stalemate? Any thoughts on that?

BEN WEINBERG: Thank you for your questions.

We mentioned it in passing and in our testimony, just kind of in one line, as one of the items that are reasonable; we just call them "reasonable". And that is because of the problem we've had with the selection of a Minority Leader. We have not looked at alternatives, I should admit. So, this--like a reasonable way to just clarify a lot of these changes is just kind of clarifying either what is already in practice or trying to prevent cases like the ones we have seen before, by establishing some rule. But we have not looked at what you are suggesting. We would be happy to take a look at it.

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2 COUNCIL MEMBER RESTLER: Any suggestions
3 you have on that front would be appreciated.

4 And, then, truly, lastly, for me, the
5 Public Advocate would no longer be an ex officio
6 member of all committees. I guess it would be up to
7 the culture of the body, whether the Public Advocate
8 could come and speak at different committees. There
9 was a former chair of our Housing and Buildings
10 Committee, who often comes to Chair Sanchez's
11 hearings, and I think offers great insights and smart
12 contributions. Any thoughts about that change? Do you
13 think that's reasonable? Do you think that it should
14 be reconsidered?

15 UNIDENTIFIED: (UN-MIC'D) (INAUDIBLE)

16 COUNCIL MEMBER RESTLER: That's not the
17 rule? Did I misunderstand it?

18 UNIDENTIFIED: (UN-MIC'D) (INAUDIBLE)

19 COUNCIL MEMBER RESTLER: "Proposal removes
20 position that names Public Advocate, Speaker,
21 Majority Leader, and Minority Leader as ex officio
22 members of all committees."?

23 UNIDENTIFIED: (UN-MIC'D) (INAUDIBLE)

24 COUNCIL MEMBER RESTLER: He is. Okay. So
25 there's no change in that? Okay, I misunderstood it.

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2 Ignore me. Thank you very much. With that, I will
3 shut up. I appreciate the time.

4 CHAIRPERSON POWERS: Thank you, Council...
5 I wanted to hear his answer to that question. I'm
6 just kidding...

7 (LAUGHTER)

8 CHAIRPERSON POWERS: We will go to Council
9 Member Brewer.

10 COUNCIL MEMBER BREWER: Thank you.

11 Thank you. Just quickly, are there other
12 jurisdictions that do the legislative drafting in a
13 way that you think is appropriate? I know Chicago
14 also has 51 members, a much smaller geographic areas,
15 LA has nine—more powerful than the Mayor. So I don't
16 know where we would look to see what it is that would
17 be the best way. It's a complicated topic.

18 BEN WEINBERG: The Legislative Drafting
19 Unit, or how the, uh...

20 COUNCIL MEMBER BREWER: What would be the
21 best...

22 BEN WEINBERG: Yeah, I'm happy to do some
23 of that work and get back to you. I don't have it
24 here.

25 COUNCIL MEMBER BREWER: Okay.

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2 BEN WEINBERG: Yeah.

3 COUNCIL MEMBER BREWER: Thank you. And
4 also, I wanted to say that I don't support those
5 Charter Revisions at all. I don't even support the
6 one regarding bill drafting in terms of the... I'm
7 sorry, the, uh, City Map.

8 BEN WEINBERG: Uh-huh?

9 COUNCIL MEMBER BREWER: All five borough
10 presidents are opposed to it. I was a borough
11 president. Terrible idea. Thank you.

12 BEN WEINBERG: I appreciate that. If I had
13 known I was in the hot seat about the Charter
14 questions, I would have come with some more materials
15 and background. But, I (INAUDIBLE)...

16 CHAIRPERSON POWERS: It's all right. We
17 appreciate your testimony and being here with us
18 today. You are excused. Thanks so much.

19 BEN WEINBERG: Thank you, Chair.

20 CHAIRPERSON POWERS: Okay, we have one
21 more person signed up for public testimony. We will
22 go to Zoom. We have Christopher Leon Johnson.

23 CHRISTOPHER LEON JOHNSON: Yeah. Hello.
24 Can you hear me?

25 CHAIRPERSON POWERS: Yes.

2 CHRISTOPHER LEON JOHNSON: Yeah, hello, my
3 name is Christopher Leon Johnson, and I'm calling in
4 opposition to this new Charter Revision for the
5 Speaker, because there's an aspect in the testimony
6 that's called-- and the thing that's called the
7 public participation. Now, I understand that when
8 people get disorderly—and shout out to the Sergeant
9 Arms—because there's one person that does it like
10 Caesar from the NYCHA situation, uh, yeah, I
11 understand that if you remove them, then they get
12 banned for 30 days. But what about these nonprofits
13 that disrupt meetings all the time, like Vocal New
14 York and the (INAUDIBLE) People Party that disrupt
15 these meetings? Will they be able to be subject to
16 the same consequences of being barred for 30 days, or
17 are you just going to pick on the people like me,
18 Raul Rivera, and Caesar from NYCHA, from like the
19 Fight NYCHA situation? But, I think that this
20 proposal needs to be really looked more into, where
21 is that you ban everybody that disrupts, not just on
22 the people that ya'll don't approve of, like myself,
23 and Raul Rivera, and Caesar. And ya'll need to say,
24 ya'll want to ban me and Raul Rivera, and Caesar for
25 30 days, I understand, but if ya'll want to ban us

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2 three, ban, uhm, the other nonprofits like the just
3 (INAUDIBLE) Williams from Vocal New York and all
4 these nonprofits that you guys fund with
5 discretionary funding. So, it need to be fair (sic).
6 No double standards with these-- with this 30 days
7 bar-- 30-day bar when disrupt (INAUDIBLE) disorderly
8 conduct. Now, I think that-- I think that the City
9 Council needs to really amend and remove, uhm,
10 provision 7.65, which bars council members that use
11 cell phones inside committee meetings, because you
12 guys do it-- you guys use phones all the time. Why
13 ya'll putting a law when you're not going to even
14 enforce that? I think it's-- I think it's not, uhm, I
15 think it's just, like, (INAUDIBLE) whole dog and pony
16 show, where you're gonna put a rule saying ya'll bar
17 cell phones from Stated Meetings, and committee
18 meetings, and ya'll use it all the time. Especially
19 Justin Brannan, that loves that phone. He love his--
20 he loves that phone, (INAUDIBLE) like he loves food
21 (sic). That's my honesty. But, like I said, going
22 back to this public testimony thing, like I said, I
23 understand that people get-- people get crazy, and
24 you want to ban them for 30 days, I get it. I'm not
25 against it. But double standards need to start, uhm,

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2 have to stop. I can (BACKGROUND NOISE) (INAUDIBLE)
3 banning the people ya'll don't really approve of,
4 like I said, myself and Raul Rivera, but don't--
5 don't, uhm, don't stop it at just the nonprofits.
6 Just don't say, oh, (TIMER) (INAUDIBLE) a nonprofit
7 that disrupt all the time, and (INAUDIBLE)...

8 SERGEANT AT ARMS: Thank you. Your time
9 has expired.

10 CHRISTOPHER LEON JOHNSON: But, thank you.
11 Thank you so much. Enjoy your day.

12 CHAIRPERSON POWERS: Thank you. And we are
13 seeing if there is anyone else signed up to testify.

14 (PAUSE)

15 CHAIRPERSON POWERS: All right, seeing no
16 one else, with this committee of the-- this meeting
17 of the Committee on Rules, Privileges, and Elections,
18 is hereby adjourned.

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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 no interest in the outcome of this matter.



Date October 2, 2025