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CITY COUNCIL DEMOCRATIC CONFERENCE

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

CITY COUNCIL DEMOCRATIC CONFERENCE

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July 23, 2020
Start: 2:49 p.m.
Recess: 3:18 p.m.

HELD AT: REMOTE HEARING

B E F O R E: Corey D. Johnson,
Speaker

COUNCIL MEMBERS:

- Adrienne E. Adams
- Alicka Ampry-Samuel
- Diana Ayala
- Inez D. Barron
- Justin L. Brannan
- Fernando Cabrera
- Margaret S. Chin
- Andrew Cohen
- Costa G. Constantinides
- Robert E. Cornegy, Jr.
- Laurie A. Cumbo
- Chaim M. Deutsch
- Ruben Diaz, Sr.
- Daniel Dromm
- Mathieu Eugene

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COMMITTEE ON DEMOCRATIC CONFERENCE

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COUNCIL MEMBERS: (CONT.)

- Vanessa L. Gibson
- Mark Gjonaj
- Barry S. Grodenchik
- Robert F. Holden
- Ben Kallos
- Andy L. King
- Peter A. Koo
- Karen Koslowitz
- Rory I. Lancman
- Brad S. Lander
- Stephen T. Levin
- Mark Levine
- Farah N. Louis
- Alan N. Maisel
- Carlos Menchaca
- I. Daneek Miller
- Francisco P. Moya
- Bill Perkins
- Keith Powers
- Antonio Reynoso
- Donovan J. Richards
- Carlina Rivera
- Ydanis A. Rodriguez
- Deborah L. Rose
- Helen K. Rosenthal
- Rafael Salamanca, Jr.
- Ritchie J. Torres
- Mark Treyger
- Paul A. Vallone
- James G. Van Bramer
- Kalman Yeger

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2 SERGEANT BIONDO: At this time if Sergeant at
3 Arms could start their recordings please.

4 SERGEANT HOPE: Recording started.

5 SERGEANT BIONDO: Alright, good afternoon
6 everyone and welcome to today's Democratic Conference
7 hearing. If you could all again, once again, turn
8 your videos on, so we can verify every one in the
9 room. I'm going to ask you to please silence all
10 electronic devices at this time. Thank you so much
11 for your cooperation. Speaker, we are ready to
12 begin.

13 SPEAKER JOHNSON: Thank you everyone and I hope
14 everyone is doing well and your families are safe and
15 healthy. I want to turn it over to the Majority
16 Leader. Laurie, you are on mute.

17 COUNCIL MEMBER CUMBO: [GAVEL] Welcome to this
18 meeting of the New York City Council's Democratic
19 Conference. My name is Laurie Cumbo and I am the
20 Majority Leader of the New York City Council.

21 We are here today to consider a candidate for
22 appointment as a democratic commissioner of elections
23 for Kings County. The Brooklyn County party
24 submitted a certificate of nomination for Rodney L.
25 Pepe Souvenir, Esquire for this appointment.

1
2 This position is to fill a vacancy created when
3 John Flateau resigned as a democratic commissioner of
4 elections for Kings County on January 30, 2020.
5 Pursuant to New York election law Section 3-2045.
6 The Kings County Democratic party had 45 days to
7 submit a certificate of party recommendation after
8 the vacancy took place.

9 Here the Kings County Democratic Party did not
10 file a proper certificate of recommendation within
11 the statutory period. Therefore, according to New
12 York Election Law, Section 3-2044 meet as the members
13 of the New York City Council who are members of the
14 democratic party may appoint an eligible person to
15 fill this vacancy.

16 Eligibility requirements are limited to being a
17 registered democrat and a resident of the county for
18 which the person is nominated for appointment. The
19 person appointed will fill the remainder of a four
20 year term expiring December 31, 2020. Commissioners
21 receive a \$300 per diem for each day of attendance at
22 BOE meetings or any of its committees with a maximum
23 of \$30,000 per year.

24 Since Ms. Pepe Souvenir was put forward by the
25 Brooklyn delegation of the New York City Council, she

1 was subject to a full background investigation. No
2 adverse information, conflicts of interest, where
3 compatibility of office concerns were identified.
4 Ms. Pepe Souvenir is a registered democrat and a
5 resident of Kings County, so she meets the
6 eligibility criteria.
7

8 Today's meeting will be governed by Roberts Rules
9 of Order. Would any Council Members like to be
10 recognized?

11 COUNCIL CLERK: Madam Majority Leader?

12 COUNCIL MEMBER CUMBO: Yes.

13 COUNCIL CLERK: Council Member Treyger wishes to
14 be recognized.

15 COUNCIL MEMBER CUMBO: I recognize Council Member
16 Mark Treyger, the Co-Chair of the Brooklyn
17 Delegation.

18 COUNCIL MEMBER TREYGER: Thank you to Majority
19 Leader. Thank you to the Speaker and my colleagues.
20 The one point of just also information that Ms.
21 Souvenir's name was submitted as mentioned earlier to
22 the City Council as mentioned on the June 30th Stated
23 Meeting agenda. I want to just mention that in
24 addition to the fact that we are still through a
25 pandemic and a lot of challenges in our city, there

1
2 was also a transition of power within the Brooklyn
3 democratic party this year as well. And I just want
4 speak to the fact, I know some of my colleagues have
5 questions, very valid questions but I just want to
6 say this for my piece. I have reviewed carefully Ms.
7 Souvenir's resume. I had a very long and good
8 conversation with Chuck Davis, who I think the world
9 of and I think many of my colleagues as well.

10 Her resume is powerful. It is strong. She is a
11 Title 9 coordinator in CUNY which is a very vital
12 position that many of us have fought for in the
13 school system and other public institutions. She has
14 a background in equal opportunity work in various
15 levels of government. A law degree from Cardozo and
16 someone who really just speaks to I think a point of
17 just compliance and respect and dignity and quite
18 frankly, I think the Board of Elections certainly
19 needs a lot more folks with that level of expertise
20 and qualifications.

21 And again, this year has been challenging. There
22 is no question that a lot of things are very
23 different, but I am just going to speak to the fact
24 that I have reviewed her resume. It is strong. I
25 has a conversation with Ms. Souvenir. I had a long

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2 conversation with Chuck Davis. I know some of my
3 colleagues have their views and I want us to honestly
4 hear folks out and to respect folks voices and views
5 on this. But I believe that she is more than
6 qualified for this position and actually, I think
7 many of us are indebted to folks like Ms. Souvenir
8 who has served this city well effectively and whose
9 really resume has been impeccable. And if Chuck
10 Davis could speak for a moment to, I think it's
11 important for members to hear the outcome of his
12 vetting and background research of her resume and of
13 her background information. Chuck, can you speak to
14 that please?

15 CHARLES DAVIS: Yes, we conducted a full
16 background investigation on Ms. Pepe Souvenir. We
17 verified what was listed on her resume. We found no
18 conflicts of interest, no compatibility of office
19 interest or anything outstanding or anything adverse
20 in her background investigation.

21 And the background investigation was conducted
22 well over one month ago.

23 COUNCIL MEMBER TREYGER: Thank you, thank you
24 Chuck. Thank you Majority Leader.

25

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2 COUNCIL MEMBER CUMBO: Thank you. Are there
3 other members –

4 COUNCIL CLERK: Council Member Treyger, are you
5 making a motion or did you just want to speak?

6 COUNCIL MEMBER TREYGER: Well, I wanted to share
7 that I have reviewed her information and I am in
8 support of the nomination.

9 COUNCIL CLERK: Okay, Majority Leader Cumbo, the
10 next Council Member who would like to speak is
11 Council Member Barron.

12 COUNCIL MEMBER BARRON: Okay, thank you. Council
13 Member Barron?

14 COUNCIL MEMBER BARRON: Thank you Madam Majority
15 Leader. Good to see all my colleagues. I hope
16 everybody is doing well. I have lots of issues, lots
17 of questions and lots of concerns about what we are
18 doing.

19 I got a text a few minutes ago, maybe an hour ago
20 from the candidate saying that she would like to
21 speak to me. That would be fine. Why wasn't the
22 candidate invited to come to the Brooklyn Delegation
23 to present herself, so that those of us who don't
24 know her would have an opportunity to not just review
25 the resume, that's fine. I'm not questioning what's

1 on paper. Glad to know that she is superlative on
2 paper. I would like to have heard from the
3 candidate, what are her plans particularly at this
4 time when we know that thousands of people had their
5 votes disqualified through the absentee and the mail
6 ins. What are her plans to see that as an issue.
7 Does she have any idea about how that can be
8 corrected in the next three months before we get to
9 November. I have no idea of what it is that this
10 candidate would like to offer as her platform for
11 what she would like to do.

12
13 When Dr. Flateau was named and it's someone that
14 I've known for over 40 years, he came before the body
15 and had an extensive interview and was questioned by
16 the body because we have legitimate concerns about
17 what are your plans. I don't think we should be
18 dismissive to say, oh, it's only six months. I think
19 we need to set a clear tone that particularly at this
20 time of the general climate where people are being
21 disenfranchised, that we have a candidate who comes
22 before us on the record to the full body and presents
23 what she sees as her platform, so that we can be
24 assured that that is what her plan is moving forward
25 and that there is some accountability at the end of

1
2 that time as to how far she was able to achieve those
3 objectives that she set for herself. I think that, I
4 don't know if she asked for an interview and I mean,
5 and she asked for a presentation to the body; I don't
6 know if the body reached out to her. Those of us who
7 have those timelines and understand what it is that's
8 required, did we reach out to her? Was there some
9 other reason that the candidate did not come?

10 I have a lot of questions. I am not willing to
11 cast a vote for someone for such an important
12 position even though its only six months, without
13 knowing what that person plans to do.

14 Thank you.

15 COUNCIL MEMBER CUMBO: Thank you Council Member
16 Barron. Are there other members at this time who
17 wish to speak?

18 COUNCIL CLERK: Yes, Madam Majority Leader,
19 Council Member Reynoso would like to speak.

20 COUNCIL MEMBER REYNOSO: Thank you. For point of
21 clarification Mr. Parliamentarian, when did the
22 Brooklyn Delegation submit this nomination to the
23 City Council?

24 COUNCIL CLERK: One moment please Council Member.
25 The certificate is dated June 13, 2020 and it was

1 stamped, received by the Office of the City Clerk on
2 June 25, 2020.

3
4 COUNCIL MEMBER REYNOSO: Alright, who signed it
5 and I guess who in the Brooklyn Delegation forwarded
6 this to the City Clerk?

7 COUNCIL CLERK: The certificate is signed by
8 Carlo Scissura, Chair of the Kings County Democratic
9 County Committee.

10 COUNCIL MEMBER REYNOSO: Yeah, I understand that.
11 You, in the opening statement said it was forward to
12 you by the Brooklyn Delegation. I'm assuming the
13 Brooklyn Delegation is the Council Members of
14 Brooklyn County not the members of the Brooklyn party
15 or was that a misstatement by you?

16 COUNCIL CLERK: I'm sorry Council Member, that
17 may have been a misstatement. The certificate is
18 signed not by the delegation but by the county party.

19 COUNCIL MEMBER REYNOSO: Okay, thank you very
20 much and just more questions Mr. Parliamentarian.
21 The Brooklyn Delegation does not need to forward or
22 recommend this person for consideration by the
23 democratic conference?

24 COUNCIL CLERK: Correct. The democratic
25 conference is not bound by the certificate that it

1
2 received from the county party because the
3 certificate was not timely.

4 COUNCIL MEMBER REYNOSO: Thank you. So, all my
5 colleagues, it's so nice to see you. I'm so glad you
6 are here. I want to start off by stating that my
7 statement and my regards for what's happening here is
8 separate from the candidate herself. From what I've
9 noticed in her resume, she seems to be an extremely
10 qualified person. I have no relationship with her.
11 I've never talked to her; I was never asked to set up
12 a meeting to allow for her to present in front of the
13 Brooklyn Delegation. Other candidates and other in
14 these positions from other boroughs have gone through
15 the committee on rules, privileges and elections and
16 were vetted to some degree by Council Members. This
17 didn't happen here. I got notice of this candidate
18 officially on Monday at about 3:30 and I'm now being
19 asked to vote on somebody for a very important
20 position.

21 So, I just wanted to read something that I just
22 kind of put together right now. We're about to
23 embark arguably on the most important election of our
24 lifetime. This election will account for the largest
25 absentee ballot operation ever in the City of New

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2 York. Our Board of Elections has yet to finalize the
3 county and calling of many local elections almost a
4 month after primary date. The disfunction of the
5 Board of Elections is no secret to the countless
6 Council Members that are sitting here in this
7 democratic conference that constantly – that do their
8 work to oversee and hold accountable the executive
9 director on a regular basis. These Council Members
10 in this body are very well aware of the dysfunction
11 of the Board of Elections but we continue to allow
12 for business as usual in regards to the process that
13 appoints members in these positions. The process
14 that allows for counties to make recommendations and
15 not have to go through any local process, any formal
16 process of educating oneself about who these
17 candidates are by Council Members and then using our
18 authority, our authority to put this person in place
19 with practically no vetting happening by the larger
20 body and by even the Brooklyn delegation who has yet
21 to meet this person.

22 These candidates should go through a democratic
23 process that allows for transparency so the public
24 can see who will be representing them. There is no
25 reason why we cannot hold this vote back. Allow for

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2 this candidate to go through a process that has
3 existed internally here in the City Council that has
4 allowed for the rules, privileges, and elections to
5 bring this person in, allow for Brooklyn members to
6 meet this person and who I see as extremely
7 qualified. But if we keep allowing for these
8 processes to be the processes by which we are
9 appointing people, then all we're doing is
10 criticizing the Board of Elections without helping
11 it.

12 This person is about to go to the Board of
13 Elections where many people under her that have been
14 appointed as well, that are underqualified. We are
15 asking these people to turn around an agency in the
16 City of New York without giving them any help. Not
17 looking for talents, not looking for people that are
18 extremely capable. Not looking for bureaucrats but
19 instead, political appointments and we're asking
20 political appointees to fix this problem of elections
21 that we have in the City of New York. That is an
22 unfair request being made by the City Council in
23 light of the fact that we appoint these people with
24 no communication to Council Members.

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2 And it is our vote. You are going to vote on
3 someone you've never met, you've never heard of. All
4 you have is their resume that you probably received
5 less than two days ago. I think we should think
6 about postponing this vote, allowing for her to come
7 before the Brooklyn Delegations, Rules, Privileges
8 and Elections Committee and then proceeding with a
9 vote. And I feel confident in looking at her resume
10 that she will do very well through that process but
11 the process is extremely important. The ends does
12 not justify the means in this case.

13 And I would actually like Parliamentarian to make
14 a motion that we suspend this vote until we are
15 allowed to go through the proper process that allows
16 for us to educate and inform us of who exactly we are
17 going to be appointing to an extremely important
18 position of our time.

19 COUNCIL MEMBER MENCHACA: I'd like to second
20 that.

21 COUNCIL CLERK: Well, that was the first thing we
22 needed was a second. Madam Majority Leader, there is
23 a motion on the floor to suspend - Council Member
24 Reynoso, would you be able to call it a motion to
25 recess?

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2 COUNCIL MEMBER REYNOSO: Yes. I would like to
3 call a motion to recess.

4 COUNCIL CLERK: So, Madam Majority Leader, there
5 is a motion to recess this meeting until a later
6 point and time. Council Member Reynoso, is there a
7 particular point and time that you would like to
8 recess the meeting to in your motion?

9 COUNCIL MEMBER REYNOSO: For me, as fast as we
10 can get her in front of the Brooklyn Delegation and
11 to the Rules, Privileges, and Elections Committee.
12 If we can do that in two weeks, then I want it in two
13 weeks. As long as those two spots are taken, I think
14 that's a reasonable request and something that would
15 allow us to ensure that the best candidate is being
16 pushed for.

17 COUNCIL CLERK: Okay, so, Madam Majority Leader,
18 the motion on the floor is to recess this meeting
19 until such time as the Brooklyn Delegation has had an
20 opportunity to meet with the candidate and the
21 candidate has gone through the Committee on Rules,
22 Privileges and Elections. As a point of
23 parliamentary clarification, candidates for the Board
24 of Elections typically do not go through the
25 Committee on Rules, Privileges and Elections. They

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2 go directly to the democratic or republican
3 conference but we can certainly decide exactly what
4 the procedure will be later. The motion on the floor
5 right now is a motion for recess.

6 COUNCIL MEMBER REYNOSO: Mr. Parliamentarian, I
7 think what you – you stated an opinion. I disagree
8 with you. In the City Council, we put forth a
9 practice to allow for these candidates to be vetted
10 by delegations. And I would ask any other delegation
11 that has the Board of Elections representative. The
12 Manhattan Delegation was able to meet with their
13 member. The Staten Island Delegation was able to
14 meet with their member. The Queens Delegation was
15 able to –

16 JAMES CARAS: [INAUDIBLE 19:19].

17 COUNCIL MEMBER REYNOSO: No, one second James.

18 JAMES CARAS: Okay.

19 COUNCIL MEMBER REYNOSO: The main thing that I'm
20 trying to make here is that I agree. By state law,
21 we're not breaking any rules but I wanted to be clear
22 that we've internally put a process that is more
23 transparent and more democratic, so that we can do
24 better when we're electing these folks.

1
2 So, I just wanted to make sure that we clarify
3 that while state law allows us to move forward with
4 this meeting as is, that we internally, we're doing
5 better. We've been doing better for a long time and
6 for it to just go away right now, is something that
7 is not acceptable and I would also ask my colleagues
8 from other boroughs, you've got the opportunity to
9 vet your people in a reasonable way. You got an
10 opportunity to meet them.

11 As a Brooklyn member, I just want to be able to
12 sit in front of this person, ask basic questions and
13 then possibly move on. So, I'm asking for you to
14 allow us to just do that and I hope that is a
15 reasonable request.

16 JAMES CARAS: If I could just jump in for one
17 second, I think you know, this group here I don't
18 know if it's above me for us to decide what goes
19 before a delegation or not but I'm not going to weigh
20 in one way or another on that but what I do want to
21 say is, this is not a Council appointee, so it
22 wouldn't go to the Rules Committee. Bringing this
23 appointee to the caucus is a substitute of the
24 conflicts, is a substitute essentially for the rules
25

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2 committee because rather than being a Council
3 appointee, it is as democratic conference appointee.

4 So, I just wanted to weigh in on the second part
5 of what you asked for Council Member Reynoso. I'm
6 not speaking this to the Delegation part.

7 COUNCIL MEMBER REYNOSO: Thank you James. And
8 so, remember, I just want to clear we've done that
9 process though. Even though it is not a formal
10 process that needs to happen, we have vetted previous
11 candidates through the Rules, Privileges and
12 Elections Committee. Am I incorrect in saying that?
13 and if I am incorrect, then I think it suffices me to
14 just have her come before the Brooklyn Delegation,
15 which I think could be satisfactory but for my time I
16 guess or maybe I'm incorrect, I thought they went
17 through the Rules, Privileges and Elections
18 Committee. I remember the Bronx candidate going
19 through the Rules, Privileges and Elections
20 Committee, so if you want to clarify James, I would
21 love it and I would be more than happy to change my
22 motion if I get clarification.

23 JAMES CARAS: Okay, no, let's get clarity on this
24 from the person who knows best who is probably Chuck
25 and Lance. I believe if the certificate -

1 COUNCIL MEMBER CUMBO: Excuse me one moment.

2 Jim, excuse me one moment.

3 JAMES CARAS: Yes.

4 COUNCIL MEMBER CUMBO: I've been asked to pause
5 the meeting just to make sure that we're following
6 parliamentary procedure and that we're moving forward
7 accordingly.

8 JAMES CARAS: Okay.

9 COUNCIL MEMBER CUMBO: With this motion. So,
10 give us a moment to pause just to make sure that
11 we're following the right guidelines according to
12 this particular style of meeting in the democratic
13 conference.

14 JAMES CARAS: Of course, Madam Majority Leader.

15 COUNCIL CLERK: The meeting with stand at ease.

16 SPEAKER JOHNSON: Council Member Reynoso, are you
17 there?

18 COUNCIL MEMBER REYNOSO: Yes Speaker.

19 SPEAKER JOHNSON: So, it's my understanding that
20 the other nominations for other delegations do not go
21 to the Rules Committee but did go to delegations if
22 those delegations chose to have those nominees come
23 before them to have a discussion as you outlined and
24 as Council Member Barron outlined. I would just say,
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2 I think that's appropriate and if there was not the
3 opportunity to do that, given that we were in the
4 middle of a budget and given that there was a
5 transition in the Brooklyn democratic party, I think
6 it would be appropriate to find out a reasonable
7 timeline for this nominee to come and meet with the
8 members of the Brooklyn Delegation as you and Council
9 Member Barron just outlined to have that discussion
10 and for us to come back at the appropriate time after
11 the delegation has had the opportunity to have an
12 open discussion.

13 It sounds like from what Council Member Barron
14 mentioned when she spoke earlier that this nominee
15 who I don't know, I haven't spoken to her, I've never
16 met her. But it sounds like she is reaching out to
17 have those conversations, so it sounds like it would
18 be appropriate to have that in the forum of the
19 delegation to be able to do that.

20 So, I'm not sure we need to vote. I mean, we can
21 if you want on your motion. I think it would just be
22 better for us to say here today the Council is going
23 to instruct a nominee to do that. We're going to
24 say, go meet with the Brooklyn Delegation and once
25 the Brooklyn Delegation can set up a meeting, have a

1 conversation, then we can figure out when and if it's
2 appropriate to come back to democratic conference
3 after that happens.

4 COUNCIL MEMBER REYNOSO: I think that's fair.
5 Thank you so much Speaker. I think that's exactly
6 what I'm asking for.

7 SPEAKER JOHNSON: I think that's what we should
8 do. Other delegations have done that in the past. I
9 think it makes sense to do that here.

10 COUNCIL CLERK: Mr. Speaker?

11 SPEAKER JOHNSON: Yes.

12 COUNCIL CLERK: An easy way to do that
13 procedurally would be to ask for unanimous consent.

14 SPEAKER JOHNSON: Do I have unanimous consent for
15 us to take that route? That we instruct the nominee
16 that they have to go meet with the Brooklyn
17 Delegation?

18 COUNCIL MEMBERS: Aye.

19 SPEAKER JOHNSON: Any one object to that? Great,
20 so, we're going to do it that way.

21 COUNCIL MEMBER CORNEGY: Mr. Speaker, I just want
22 to ask, is there any time constraint that we may be
23 missing?
24

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2 SPEAKER JOHNSON: No, no time constraint. We
3 have time. That's why I think this makes sense to do
4 it this way and Chuck Davis will assist the Brooklyn
5 Delegation in setting up a meeting with this
6 individual in a timely manner to be able to have that
7 discussion, so no.

8 COUNCIL MEMBER ROSE: Mr. Speaker, the only time
9 constraint that might be impacted is that they have
10 to get everything ready for the November vote and so,
11 I would ask that we would try to get this resolved
12 quickly as possible because there is a lot of moving
13 parts to the November election.

14 SPEAKER JOHNSON: Yeah, we will try to do this in
15 an expeditious manner. After we hang up today, Chuck
16 Davis will reach out to the nominee and to the Co-
17 Chairs of the Brooklyn Delegation to try to find a
18 time for next week or the following week to actually
19 have that meeting with the delegation to do it in an
20 expeditious manner.

21 Okay, so that's that. Thank you all very much
22 and we are going to now move into democratic
23 conference. So, Johanna if you could let us know.

24 JOHANNA CASTRO: Michele, can you take us off the
25 live please?

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 6, 2020