

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON OVERSIGHT AND INVESTIGATIONS

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December 16, 2020
Start: 10:38 AM
Recess: 10:45 AM
HELD AT (VIRTUAL ROOM 4)

B E F O R E: Ritchie J. Torres, Chair
Committee on Oversight and
Investigation

ADRIENNE E. ADAMS, CHAIR
Committee on Public Safety

COUNCIL MEMBERS: Diana Ayala
Ben Kallos
Keith Powers
Carlina Rivera
Rafael Salamanca, Jr.
Mark Treyger
Kalman Yeger
Justin L. Brannan
Fernando Cabrera
Andrew Cohen
Chaim M. Deutsch
Vanessa L. Gibson
Carlos Menchaca
I. Daneek Miller
Keith Powers
Ydanis A. Rodriguez
Paul A. Vallone

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

TECHNICIAN 1: Recording to the PC started.

TECHNICIAN 2: Cloud started.

TECHNICIAN: Excellent. Thank you very much.

Good morning and welcome to today's remote New York City Council vote of the Committee Oversight and Investigations. At this time would all panelists please turn on their video. To minimize disruption please silence your electronic devices. If you wish to submit testimony... well, actually that's for another issue. Thank you for your cooperation and we're ready to begin.

CHAIR TORRES: Good morning and welcome to today's hearing of the Council's Oversight and Investigations Committee. I am Ritchie Torres, the Chair of the Committee. Today the committee convenes remotely to vote on Proposed Intro Number 1770-A Legislation that I'm proud to have sponsored, which enhances whistleblower protections in several ways. Proposed Intro 1770-A would expand whistleblower protections by including whistleblowers who report misconduct directly to the Special Commissioner of Investigation for the New York City School District against adverse personnel actions. The Special Commissioner of Investigation

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2 would be required to investigate allegations of
3 workplace retaliation against any whistleblower and
4 the Corporation Counsel would be required to
5 investigate any workplace retaliation committed by
6 the Special Commissioner of Investigation and high
7 ranking officials within DOI. This bill would
8 ensure the whistleblower is provided periodic status
9 updates regarding any investigation. The
10 investigation would conclude with recommendations
11 for corrective action to the relevant agency or
12 entity. If the agency or entity fails to take
13 corrective action recommended by or acceptable
14 within a certain time period, the agency or entity
15 would have to provide a written explanation
16 regarding the staff person to the relevant
17 whistleblower and the investigating officer.
18 Furthermore, this bill would provide for a legal
19 recourse for any relevant whistleblower who suffers
20 retaliation and corrective actions aren't taken by
21 the employer. Finally, this bill would require more
22 comprehensive annual reporting by DOI to ensure a
23 greater amount of transparency when it comes to
24 investigation relating to whistleblower retaliation.
25 Before I ask the Clerk to call the roll, let me

2 first recognize my colleagues who are here with us
3 today, Council Members Ayala, Salamanca, Yeger,
4 Rivera, Treyger, Kallos. I will now ask the
5 Committee Clerk to conduct the rollcall vote on this
6 bill, and I recommend that my colleagues vote yes on
7 this important piece of legislation.

8 CLERK: Good morning and thank you Mr. Chair.
9 This is the roll call vote of the Committee on
10 Oversight and Investigations. We're holding a vote
11 on Proposed Intro 1770-A. We will begin with Chair
12 Torres.

13 CHAIR TORRES: I vote aye.

14 CLERK: And now Council Member Kallos,

15 COUNCIL MEMBER KALLOS: Aye.

16 CLERK: Treyger.

17 COUNCIL MEMBER TREYGER: Aye.

18 CLERK: Salamanca.

19 COUNCIL MEMBER SALAMANCA: I vote aye.

20 CLERK: Thank you. Council Member Ayala.

21 COUNCIL MEMBER AYALA: I vote aye.

22 CLERK: Council Member Powers.

23 COUNCIL MEMBER POWERS: (inaudible)

24 CLERK: Council Member Rivera.

25 COUNCIL MEMBER RIVERA: I vote aye.

2 CLERK: Council Member Yeger.

3 COUNCIL MEMBER YEGER: May I be excused to briefly
4 explain my vote? May I be excused to explain my vote
5 Mr. Chair?

6 CHAIR TORRES: Yes.

7 COUNCIL MEMBER YEGER: Thank you. First I...I
8 vote aye, and my explanation is my thanks to you for
9 your leadership of this committee during your three
10 years doing so. With 15 days to go I don't believe
11 we're leading together as a committee, but you have
12 demonstrated incredible leadership, incredible honor
13 and intellect of this committee, and I am proud of
14 everything you've accomplished and those political
15 things that you've accomplished that don't have to
16 be mentioned here in the Council, but the work here
17 in the Council that you've done have earned you your
18 next step, and I'm grateful for your friendship and
19 your partnership and I wish you good luck in
20 everything that you do. Thank you.

21 CHAIR TORRES: Thank you for those gracious words
22 and your thoughts.

23 CLERK: Mr. Chair, by a vote of 8 in the
24 affirmative, zero in the negative and zero
25 abstentions Proposed Intro 1770-A is adopted.

2 CLERK: One second Chair, we'll just keep it
3 open for one more Council Member.

4 CHAIR TORRES: Absolutely. (pause)

5 CLERK: I believe Council Member Torres is
6 now in attendance. Thank you. Council Member
7 Powers, how do you vote on Proposed Intro 1770-A?

8 FEMALE SPEAKER: It looks like we are ready
9 for this recording at this time.

10 CHAIR TORRES: Thank you.

11 FEMALE SPEAKER: Uh-hm. (pause) Okay
12 Jonathan, you can ask him I guess.

13 JONATHAN: Thank you. Good morning Council
14 Member Powers.

15 COUNCIL MEMBER POWERS: Hello.

16 JONATHAN: Oh, perfect. Good morning. How do
17 you vote, sir on Proposed Intro 1770-A?

18 COUNCIL MEMBER POWERS: This is the bill by
19 Council Member Torres?

20 JONATHAN: Yes, indeed.

21 COUNCIL MEMBER POWERS: Well in that, well
22 in that case I have to give it some thought. No, I
23 vote aye on that.

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2 JONATHAN: Thank you, sir. Mr. Chair, the
3 revised vote is 9 in the affirmative, zero in the
4 negative and zero abstentions.

5 CHAIR TORRES: Thank you and we will now
6 adjourn this hearing and we can be here shortly for
7 the Joint Oversight Hearing with the Public Safety
8 Committee. Thank you.

9 CLERK: The vote has ended.

10 MALE SPEAKER: Sir...

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C E R T I F I C A T E

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



Date December 30, 2020