



## **NYC Racial Justice Commission**

### **Racial Justice Commission Meeting November 22**

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#### APPEARANCES:

- Jennifer Jones Austin, Chair
- Henry A. Garrido, Vice Chair
- Lurie Daniel Favors, Esq.
- Darrick Hamilton
- Chris Kui
- J. Phillip Thompson
- Ana M. Bermúdez
- Jo-Ann Yoo
- Yesenia Mata
- Anusha Venkataraman
- Melanie Ash
- Jimmy Pan

#### **Jennifer Jones Austin (JJA): 00:00:00**

Talking with uh experts and thought leaders, talking with one another, what people really seem to be centering on is how do we cast a vision for the City of New York that uh really uh you know represents a desire and a commitment to um you know to racial equity and um put forward proposals that evidence that aspiration, that desire. So we want to make sure that what we put forward by way of proposals does just that. That people feel that it is aspirational and that they are inspired to be a part and to see the change that will come. We believe that we need to center on these proposals being actionable. You know the steps that are critical you know as a fundamental foundation, a layering of the foundation to begin to realize true equity, racial equity uh for New Yorkers, and the intersectionalities that accompany or should accompany racial equity. So we want it to be aspirational. The proposals, we want them to be actionable. And then, we need to make sure that there is accountability. That the proposals that we put forward that uh people in positions of leadership and governing the City are held accountable for what we set forth. We want to make sure that we are evidencing that we heard from New Yorkers that it's not enough to just put proposals out there to advance ballot measures if they then don't have to be acted upon and or they don't have to you know or there's nobody there to make sure that they are acted upon. So the framework that we're presenting to you centers on a set of proposals that demonstrate aspiration, action, and accountability. What we're going to do right now is, um you know, move in to talk more about that and how we've set it up. But I do want to

remind you of some of the timeline that we're up against. Uh you know the decision was made when this commission was first created that we would vote these ballot measures out, these proposals and vote them into ballot measures uh in December. And that we would have a report that would follow. Uh, what we're hearing from a lot of people, experts and otherwise, is that uh the timing is critical. We want to get this right. And I've talked with the commissioners about that, getting it right. But you know the moment is now to lay the foundation. And uh people are looking to us to do just that. People are beginning to call in and ask where the proposals are, expecting that they will be delivered as was promised by December. And so we're really working hard to try to uh you know, adhere to that timeline that was first set. Uh we know that these set of proposals are not going to do everything possible to dismantle racism and bring about greater equity, but we do believe that we've done enough work, and we're laying the foundation to begin to dismantle inequity and centrally put up a system that creates opportunity and brings about greater power-sharing and access for everyone. So we want you to center on that, you know, and we're going to look at where we are, but we do believe that we can hit the timeline and do the work that we've been tasked to do. The proposals that you're going to see uh do not include every recommendation that we heard from the community at large or either from experts and other thought leaders and even some of us around the table. Um, in part, that's because we can't do everything right now. As I mentioned before, we can't put forward an abundance of proposals. Uh also, there are some issues that we you know, essentially are challenged to act on because we do not have the legal authority—it isn't legally feasible. And so what will accompany the ballot measures and the final report is a Racial Justice Roadmap where we will be presenting recommendations that the commission supports. We're going to talk about those today as well. The recommendations that the commission supports that will advance racial justice here in New York City, and that will build upon the commission's work, but because of legal and logistical concerns, that you know they may be beyond the power of the commission, we're not able to present them in the proposals. So there'll be a roadmap that accompanies the measures and the proposals, and we're going to talk about that today. So again, I just want to make sure that everybody's clear. We're going to walk through this reorganized proposal, set of proposals with the framework: aspiration, action, and accountability. We're going to like work them up and help you to see how we're combining and, in some ways collapsing into this the proposals that we've been talking about into this new structure. And then we're going to talk a little bit about this roadmap, the things that are not included, and are thinking about how we would advance those. Uh, so what I'm gonna do right now is make sure that uh Anusha and Jimmy are ready to go. And just before I do that, remind you that we're looking at early December for a vote on the proposal concepts and then the vote on the final ballot proposals, the valid language, and the adoption of the final report would occur the following week on December 13. Uh I'm going to ask our executive director if there's anything that I haven't covered that she'd like me to speak to. And if not, then the meeting is now in your hands, yours and Jimmy's hands.

**Anusha Venkataraman (AV): 00:06:09**

Absolutely. And thank you so much, Chair. Um I see we do have one question.

**JJA: 00:06:16**

I do see that-- Right. I'm sorry. I think Mr. Hamilton has a hand raised, so let's just hear from the commissioner.

**Darrick Hamilton (DH): 00:06:25**

So I went like to query further about timetable, and I just want to know when it's appropriate to make those queries. Um I would certainly like to raise questions and have conversations with fellow commissioners about that December 13th date. I could say more, but it may not be appropriate to say more at this conjecture, but I certainly would want to have the possibility to interject about it and want to make sure that that's raised rather at least early on.

**JJA: 00:06:57**

Certainly. So we're going to go through the ballot proposals and the roadmap, and then we'll include that as part of the discussion that follows. Thank you.

**AV: 00:07:13**

Absolutely. And I think what we have been working on and are presenting here today can provide some color for that timetable discussion as well. Um so we're very excited to share with you a revised organization of proposals from the ideas that you saw at last week's meeting. Uh what we've done is taken your input, especially where you saw there were elements of specific proposals that could be combined and keeping in mind the principles that are shared earlier around aspiration, action, and accountability as key components to ensure that we retain in any version of our proposal organization. We have something to present to you here today for your thoughts or your feedback and for your discussion as we move much closer day by day uh to finalizing what we will be putting forth in our report and then to the voters in New York City. Um so I'll just briefly overview these, and then I'll hand it to Jimmy to go over each of them. Um the first proposal is adding a preamble to the New York City Charter. So I know we've discussed many times before, and many of you are excited about. Second, advancing equities through the Racial Equity Office and through Citywide and agency-specific equity plans. Three, measuring the true cost of living. Four, strengthening existing oversight structures, and five, ensuring accountability and enforcement of equity through the racial equity commission and watchdog. Um so those are the five proposals. You'll see, as we go through them, how various elements of some of the previous proposals that you saw last week have been incorporated here. And I certainly look forward to hearing what you think if we've gotten it right here in combining or consolidating. Is there anything critical that we have missed? Um and of course, you know how you think this will be appreciated and uh interpreted by community members by New Yorkers because we want folks to be able to see the value and understand what they're voting on. Um so with that, I will hand it over to our policy director, Jimmy Pan.

**Jimmy Pan (JP): 00:09:44**

Thank you, Anusha. Anusha mentioned the first proposal out of this consolidated list of five is the Preamble to the New York City Charter. Uh, on this slide is a summary of what we hope to accomplish with this charter, including, you know, in the last bullet interpretation of the charter itself. Uh since we've discussed this one at length, I'm not going to linger on it, but just to highlight that this is the first of our proposals and speaks to the aspirational component of what our Chair laid out, just a few minutes ago. Second, we would want to make sure that the Office of Racial Equity is spelled out very clearly. So again, not going into details, but I do want to call out specific elements of proposals that we've incorporated into this. So, for example, we want to highlight that this office exists to provide technical assistance, building capacity to prioritize equity work, and helping agencies. But also some

of the previous elements you saw about access design is spelled out specifically here as well as having the ability to look at occupational segregation, wage segregation, equitable hiring, and promoting. We want to make sure that that's spelled out explicitly in this as well. And then, of course, some of the other functions like coordinating collection of data is incorporated here too and spelling out the Citywide equity plan. Many of the components that you saw as part of prior proposals are included in the required reporting for the equity plan, as well as you know how agencies intend to address those specific areas. Uh, making clear that this report is biannual, every other year, and reporting progress in the off years, and highlighting here that the approval process is community-led because of the role of the community commission in assessing the priorities in the plan and checking whether the budget is aligned and ultimately approving that plan itself. And here's where you'll see direct incorporation of many of the ideas that we had spoke about previously. Establishing that it'll be the policy of the City to repair marginalization of individuals and communities and prevent that marginalization from reoccurring. And putting forth that as part of this goal, every agency with support from the Office of Racial Equity will in the design implementation and impact evaluation of their programs consider these five points below, as well as document them in their equity plans. So far, I highlight for you occupational equity. We discussed that uh last week. Access for all, uh the use of criminal backgrounds, looking at alternative to punishment and criminalization and thinking about how resources and services are distributed equitably, as well as you know the burdening of neighborhoods. So we're highlighting these as priorities for the City that every agency should work toward with the help of the Racial Equity Office. Uh Commissioner Bermudez, do you have a quick question?

**Ana Bermudez: (AB): 00:13:27**

Yes. So you just, I think, answered my question, which is that these are kind of recommendations, but not necessarily things that will be, I don't know what the word is, but they're not distinct um proposals, valid proposals. These are just things that we're suggesting happen, basically.

**JJA: 00:13:54**

Right. Let me interject and say I don't see them as suggestions. They are like priorities.

**AB: 00:14:02**

Right. Yeah, but that's what I mean. Yeah, there's a priority, and people are going to say, well, this is a priority. And what happens if I decide that's not my priority as an agency head?

**JJA: 00:14:14**

That's not how we're thinking about them, no. That these are like the baseline activities that the agencies have to engage in as part of advancing racial equity.

**AB: 00:14:27**

Okay, thanks.

**AV: 00:14:29**

Yeah. Well, recognizing that there is a spectrum and there is a path. Um, and so these are the end goals that agencies, all agencies are to work towards, which may look like different things as they're different at different points along that path.

**JJA: 00:14:46**

I just want to make sure we're all clear on that. They are not suggestions. Essentially, we are folding in all proposals into this one overall proposal.

**Phil Thompson (PT): 00:15:04**

I'm sorry. Can you go back to the budget thing on the very first one? Community-led commission approval, the budget. What budget must align with the plan?

**AV: 00:15:25**

Um so we're thinking about the timeline in the process for the Citywide equity plan happening in line with the budget process. And so as the City releases the expense budget, the ten-year capital strategy, the City would need to identify here's how the equity plan priorities are in the budget. And the commission would review the alignment between the budget as those priorities are articulated and identified and the equity plan.

**PT: 00:15:58**

So is this saying that the community-led commission would make the final decision on the City budget, and the budget cannot be approved until the commission approves it as opposed to the City Council?

**AV: 00:16:15**

Not the final decision, but it would be a step along the way.

**PT: 00:16:22**

So, in other words, it's empowering this community-led commission to have veto power on the City budget, is my question?

**JJA: 00:16:35**

I'm glad you're raising this question um because as I look at that and appreciate what you're saying, I think that is a challenge because the-- I want us to say that the commissioners understand all of the different variables and nuances that go into budget decision-making, but I do think that there's value add. Before, we talked about like budget scoring, and you know, looking at whether or not the budget actually supports the racial equity plan. And you know, I think the commission should have a responsibility of issuing something along the lines of what the congressional budget office does.

**PT: 00:17:25**

Okay. But that's really different than--

**JJA: 00:17:31**

Oh, I agree, and I'm leaning in.

**PT: 00:17:32**

Yeah. Okay.

**AV: 00:17:33**

Yeah. Certainly, I want to hear your thoughts and others' thoughts on the mechanics of how to make it a meaningful alignment. Um how to move the budget process in the direction of speaking to those equity priorities without making it overly complicated or burdensome or change the process in its whole.

**PT: 00:17:59**

Okay. I mean, my concern or question really is the City council, that's their job really to represent constituents and vote on the budget. And the CVO analogy is they're advisory to legislators. So you know, when they look at the budget, it helps them, like you know, track and understand things. But anyway, I understand it differently the way Jennifer just spoke about it. Um I think this right here is something very different.

**JJA: 00:18:32**

Right. Yeah. If I think we need to, we need to-- uh, the commission, you know a 15-member-led commission, I think we have to be very careful about trying to have it.

**AV: 00:18:49**

Right. Which to your point earlier, the commission or the budget is a large complex animal as well with a lot of other competing priorities.

**JJA: 00:19:00**

I think it must be more along the lines of whether or not the budget, uh you know, a report of whether the budget or the budget, the proposed budget aligns with and advances the racial equity plan like a report part of sorts.

**AV: 00:19:27**

Noted. Okay.

**Henry A. Garrido (HAG): 00:19:31**

I have a question or concern question along the lines of what Phil mentioned, and that has to do with the financial control board, which has a very specific timeline for the budget approval process and with, in fact, some things compliance. So you know Phil mentioned the City Council in that process. We know the power of the executive. We know the power of, say, the IVO and the controller outlining, you know, sort of financial watchdogs or what happens or what recommendations. And there's also the big, you know, budget handshake. But prior to that, the financial control board is to receive something from the City by way of a report. And they get some forms of, okay, uh this has been there since the fiscal crisis. So I'm wondering if anything that interjects another part of the process may delay that in a way that can affect the financial control board approving or disapproving a part of the budget.

**AV: 00:20:45**

Understood. Thank you.

**JP: 00:21:00**

Okay. We're ready to move on. Our third proposal is the true cost of living. We've discussed this a few times. Again, this would be something else that is also reported in Citywide equity plan. This is part of the action plan of aspiration, action, accountability. And as we're getting into the accountability section, thinking about the commission and how it represents

accountability to community priorities and what is meaningful for people living in those communities, giving them a direct way to offer their own expertise on lived experience is part of this process. So again, I'm not going to read every part of this out, but you know they have the ability to propose priorities, evaluate alignment, and ultimately approve the equity plan as well as review progress and use that progress report to inform the next cycle of equity planning. All right. So their role is to speak for the community as well as provide that feedback to agencies. So it's almost like a light touch enforcement that is more relationship building and helping agencies hear that voice rather than are heard from the enforcement. And here we're contemplating that the commission is led by a chair that's independent from the Mayoralty, have the full-time staff, and commissioner appointments would be split amongst elected officials instead of just the way CCRB is split at the moment. Uh and different other entities in the City have a split composition as well.

**JJA: 00:22:54**

Um important to note here that just those words about majority non-Mayoral. What they can hear is that it is an even split that had been contemplated among elected officials. Thought given to and would love your thoughts about a public advocate of City Council, possibly borough presidents, but you know essentially following the format that uh the appointment uh construct that is in place for the CCRB, including Chair.

**AB: 00:23:40**

Jimmy, I have a question. Um so I'm sorry. I've had a really long day so pardon me for this silly question. Can you then talk about the interplay between this and the Office of Racial Equity, which I know it's within probably the Mayoralty, but is that how it's envisioned kind of this more of a watchdog, if you will?

**JP: 00:24:07**

I don't think we would think of this as a watchdog. I think it sits alongside the Office of Racial Equity, but what it does is it offers a more independent voice than the office itself, right? How do we make sure that the priorities are reflective of in the Citywide plan are reflective of both the administration's priorities? And hopefully, those align with the community priorities, but perhaps if not, then there's a way for that voice to get in directly. And there is again, a soft check on progress to make sure that the City is moving along in a way that's not, you know, leaning on investigations, that's not leaning on document requests, that's not leaning on you know a more penalizing approach. I think that's the role we see here. So it's supplementary to the office and a way for people to know that they're being heard.

**JJA: 00:25:08**

I do think it's important to note that we have heard from some that um you know, if it's not the-- we talked about a tripartite. If it can't be all three of them, we have to look at how do we-- you know, if it's the commission, how do we strengthen the enforceability mechanisms of the commission, just putting that out there.

**AB: 00:25:34**

Thank you.

**JP: 00:25:45**

And so this body is different from the commission in that it sits entirely outside the-- um since it is similar and that it sits entirely outside the Mayoralty, but it's different in that it provides a level of independent evaluation as well as an incentive structure. So this would be looking at to make sure that the process is being followed through with. Like is every agency submitting their plans? Uh, are they being reported out accurately? Uh also checks to see the magnitude of disparities in the City and what the trajectory of that is. Is it, you know, an egregious worsening year over year? And then it has some powers that the commission wouldn't have, proactive accountability, such as auditing or secret testers. You know the ability to receive whistleblowing, the ability to really interrogate into why things are getting worse. Um, in practice, we hope that the commission and the Racial Equity Office have relationships with agencies that they can lean on to work hand in hand with agencies and help them solve those problems. But I think in some cases where you know working cooperatively isn't quite enough to get agencies to the finish line, there is this sort of last stop mechanism that is not politically motivated but really exists to provide almost an objective evaluation of an agency's progress and helps again, provide that last push for the agency that needs it. And then fifth also in the accountability bucket is a set of different ideas and recommendations we've heard to strengthen existing oversight bodies in the City to try to fill out some of the gaps in accountability there. So I'm not going to read each one, but these are things that we've heard from New Yorkers, as well as in our analysis of the charter and issues that have come up. So this would strengthen oversight of the Department of Correction. It will strengthen oversight of the Police Department. It would empower ability to enforce the human rights law uh as well as you know equal opportunity in the City, and make sure that agencies have access to information records and that the public has the ability to see that as well. So those are our five consolidated proposals. I hope that you've been able to see where we've reincorporated many of the other proposals that have been consolidated. And I think with that, we can start to go into discussion about these. I think Anusha has given you several questions to reflect upon.

**AV: 00:29:02**

Thank you so much, Jimmy. Um I will add that not everything you see here tonight will ultimately make it, but we did want to give you enough to discuss and a good sense of both the direction that we're heading in and some of the directions we could head in. So with your input, we know we will be refining this significantly between now and our December 3rd scheduled meeting. Um, with that, I see we have a number of hands up already. Um, so we could go to our first one, but I want to leave our Chair if you have anything you want to share before we dive into discussion.

**JJA: 00:29:42**

I actually don't see hands. Okay. Now I can see hands better. I just really want to commend the again the commissioners for leaning in. And uh what we thought to do here is to capture uh your thoughts from the last meeting and incorporate them as best we could. And um I want to thank the staff for all of their work to get us to this point. So let's jump into conversation, and once again, it looks like hands have gone down somehow. Um did I see Commissioner Bermúdez's hand up, and did it go back?

**AB: 00:30:24**

Yeah, because I think Anusha essentially answered my question. It was more of a process question because I wasn't seeing in my head some of the consolidated things as so what



would the ballot measure be? But it seems that we're going to get there next once we kind of whittle down, so it was answered.

**AV: 00:30:43**

Right. No. And if you have comments and thoughts on you know how, based on what you're seeing here might need to be reconfigured, we want to hear that tonight. Absolutely.

**JJA: 00:30:57**

Okay. Commissioner Hamilton.

**DH: 00:31:00**

I mean, I too want to start with accolades to the executive committee for uh putting uh some good thoughts together that is coherent, and I also like the framework of trying to narrow and do things with a great deal of quality rather than being overly expansive and without quality. Um, but that said, I don't think we're going to be-- I'm concerned about the pathway to December 13th for us to make votes and decisions without having an adequate enough time to even offer input more into the process of getting it done and time to observe the process and see what gets produced, digested before we come to the decision of making a vote. I think that the decision should be entered-- you know, I think it might be useful for us to spend a little more time contemplating maybe a more detailed structure to how we can get to conclusion that incorporates an ability to give a little more feedback into the process. Um you know I can say more, but I'll start with that. You know, I think in some ways, if we go December 13th, we're going to end up with an up or down vote, as opposed to some timetable to facilitate insights that might come along that can lead to a better product and even a greater coalition around agreement with what that product might end up being.

**JJA: 00:32:41**

Um thank you. I have some thoughts on that. Um I see the Commissioner Mulate's hand is up, and I don't know if she is speaking to this issue. Uh if she is, then I'd like her to join him, but if she has another issue, then I just want to see if there's anybody who wants to speak to this particular issue.

**Eden Mulate (EM): 00:33:06**

Um hi, everyone. And um I just also want to touch up on Commissioner Hamilton's point. First of all, I want to thank um the entire staff for putting this together. I think you know it's so straightforward and it's great. I think we've come a long way. So thank you to the staff for putting this together. I guess you know just also going to uh Commissioner Hamilton's point, I know in one of those um five points that were just illustrated, in one of them, I did hear that we will be getting public input in order to make recommendations and whatnot, but I just wanted to know more. Um I believe it was like number two, number two on the PowerPoint.

**JJA: 00:33:57**

It may have been the Preamble.

**EM: 00:33:57**

Yes. Is I don't have it. I don't have the uh-- I'm not in my laptop, but it indicated that we were going to be getting public input. So I just wanted to know how that was going to work. And

was that like are we going to be working with agencies? Are we like going to be doing questionnaires? Are we going to be creating small boards within like the community? That was just my question how that was going to go.

**JJA: 00:34:28**

Anusha.

**AV: 00:34:32**

Yeah. And I'm not sure if you're afraid to the commission or the equity plan process. We're happy to bring back up the slides. That may be helpful.

**JJA: 00:34:47**

Isn't it the preamble that you were seeking to share?

**EM: 00:34:49**

It was the equity. Um is I don't have the PowerPoint in front of me. I'll come back. I'll come back.

**JJA: 00:35:00**

Okay.

**AV: 00:35:00**

We have it up on the screen. Yeah. It's on your email. It's in your email as well.

**EM: 00:35:05**

Can you go further? I believe it was number three, number four. Strategic goals and program indicators. Yeah. Advising. Go to the previous one. There, advanced Citywide plan would reflect. Yes. I just wanted to know how are we going to be getting like this information.

**JJA: 00:35:31**

I'm sorry. I'm not sure where you are.

**EM: 00:35:35**

Let me see. I'm sorry. I'll come back. I'm going to pull up my power the PowerPoint.

**JJA: 00:35:40**

Okay.

**AV: 00:35:41**

Right. Thank you.

**JJA: 00:35:43**

Um I see Commissioners Bermudez and Thompson.

**AB: 00:35:49**

Um yeah. So as to the timing, we're a little bit, I think, you know, between a rock and a hard place. Um so you know in terms of uh you know any number of issues to try to get this done

as quickly as possible to get on the ballot, et cetera. Um you know were you thinking, Commissioner Hamilton, tha we shouldn't aspire to December or were you thinking-- what's your um ultimate concern in terms of this because I do think uh for better for worse, we got to get there. So, um I don't know.

**DH: 00:36:36**

So I'll respond to that. You know, I think we've had a whole lot of time in input, but not enough time in deliberation. It might be useful for us to get um actual, what are those dates? What is the final date by which something would have to be approved in order to make the ballot? So you know I would say it'd useful to get that timetable, and I'm going to say you know I've raised this before. I think uh we need more coherent in thinking about what are our final drop-dead date and to be more strategic and thinking about those and you know I wonder if December 13th is an internal deadline or a hard deadline as it relates to the ballot.

**JJA: 00:37:21**

So I'll just jump in here quickly and say to you that December 13th is not a hard deadline as it relates to the ballot. Uh what I will say to you is that the commitment that was made when creating this commission, the commitment first to commissioners was that uh the ballot measures would be voted out and finalized by December. And there are you know some commissioners may have changed their minds, but there are commissioners who committed to that timeframe. Uh the second thing that I will uh share with you is that uh what we have uh committed uh to the public at large is that this would be the timeline, what we would be doing, in order to provide for time on the other end, as well to really advance the public messaging around these ballot measures. Uh, and so that in part informs what we're doing here. And um you know what we're trying to do is to-- and let me also add that we've talked with a lot of stake- uh stakeholders uh and some people in this space, uh policy, uh leaders, people working the political landscape, and it has been uh told to us that this is the moment in which we have to act. And we have to be very careful about uh you know, all of the changes that are happening at the different levels of government. And so we're responding to all of that, understanding well and appreciating the importance of making sure that uh commissioners feel like they have had time to consider thoughtfully and thoroughly what's on the table and then to respond to that. Uh the other thing I'll just add is that we have been doing uh having-- we've been holding conversations with um uh the people, some thought leaders, and subject matter experts that we engage as part of our, for lack of a better way of saying, our listening tour. And uh we are hearing that the measures that we're considering do lay the foundation. We're hearing consistently that uh they are you know very much impressed with what we put on the table and believe that it begins to set the tone and the foundation for dismantling structural racism in our City and advancing equity uh measures. So that's in part what we're building on. Uh, but I understand well, and I appreciate the points that you're making, Commissioner Hamilton. If I may go to Commissioner Thompson.

**PT: 00:40:04**

Thanks. And um I too think you know both the commissioners and the staff have done an enormous amount of work in a short amount of time. What I want to say is first that equity planning is a new thing. And um the enormity, if we were to get equity planning as something that you know all agencies do and the Mayor comes out with an equity plan, if we were able to um uh have a equity commission you know that continues, and so forth, that

would be enormous. But I think we are literally years away from even understanding what equity planning would mean um because uh equity planning in the Department of Transportation is going to look a whole lot different than an equity plan for OMB. Um, and neither have done it, either one. And there just has to be a tremendous amount of work when you talk about 50 agencies and all doing different things you know in different substantive areas. And how do you actually do equity planning on all those areas? Um I think that's going to be an enormous task and learning process that's going to take some time um to do. And no one can no one is no City to my knowledge has ever undertaken anything like that in a comprehensive basis. So there's not even there's not a lot to go on in terms of past experience. So we are embarking on something really new. And to me, um, you know the thing about a watchdog or neutral enforcement of equity plans, I think that is way down the road because what are we watching when no one's ever done this planning before? And we don't actually there aren't established methodologies, and people are beginning to learn. I think it's going to take a while to figure out how to operationalize something like this. And the last thing, I'm not sure when we say relevant expertise for you know the subject areas that would be part of the racial equity commission, they would have a staff with relevant expertise in every area, it's not just like CCRB, which is just covering one agent. We are talking about 50. And so, what does it mean to have staff with relevant expertise basically in everything? Um what does that even look like? I think my leaning would be to be less prescriptive, and to Darrick's point, I don't think we possibly have enough time to actually drill down and figure out what implementation, what the actual details of this will look like. You know, an agency after agency, there's no way we could do that because this is such an enormous thing. So I think if we get the ball rolling down this road, that itself is major. And I can't imagine how we could actually go much beyond that um in terms of drilling down on details and specifics and so forth.

**JJA: 00:43:41**

I see Commissioner Mulate's hand. Is that from before?

**EM: 00:43:53**

Yes, that was from before. Sorry.

**JJA: 00:43:53**

Okay. No worries. And Commissioner Hamilton?

**DH: 00:43:57**

You know again, I want to emphasize the great work that was done in a short period of time and use that as a point of there's more great work that can be done with a little more adequate time. I want to point out that what Phil, what Commissioner Thompson just did just now was extremely useful, and it's begun a deliberative process by which we can get to some sort of conclusion and could even be more useful if it's iterative, if there's an ability to respond to him and see where we can go. I think that the commission and the executive committee is very well constructed and committed to getting this right. And I think we need more time to get it right. I think that uh in the process of time in which we've allocated our actions, we just have not had an adequate amount of time for deliberations and not just deliberations of considering what's on the table to even be able to add a little more to what it is we should be considering. And I think that we do have some bandwidth, and I think that we do need to have some more planning of use of that bandwidth to indeed get it right and

have uh the ultimate document with the greatest efficacy and power to achieve our goal that we set out with.

**JJA: 00:45:22**

Good deal. I want uh want to recognize Vice-Chair, Garrido and then Commissioner Daniel Favors.

**HAG: 00:45:30**

Yeah. Madam Chair, I wanted to speak about this time the issue of timing because in order to get this done right, right, we have to comply and submit this to the City Clerk by no later than the end of the month of December. There are some technical issues in there. So I guess my question was, well, if the timing is not appropriate by the 13th, what are we looking at? Because we have a document that has compiled recommendations, the various things that we've heard. It's not perfect by any stretch of the imagination, but it does have the highlights of some of the things we're talking about. So I guess this is to Commissioner Hamilton in terms of, you know, are we talking about months here? Are we talking about a week because I think wouldn't we be out of compliance if we start adding time and this goes past the new year?

**DH: 00:46:40**

So I guess since it was directed to me, I'll respond and say I don't know what the compliance is. I'm calling for it. I'm asking for it. I've been asking for it. What are the dates of compliance by which is the last opportunity that we have if we want to achieve our goal of getting on the ballot? That's one point. And you know the second point is if that compliance leads us into the next year, then it very well may. And we don't have a document. I haven't seen that document. The document is being drafted. Once it's drafted, I think we will need adequate time to both respond to it, iterate on it, and finally approve it.

**JJA: 00:47:23**

So I'm going to jump in here again and share that look, I appreciate the points that you're making. We signed up for this commission, and we're tasked with putting forward ballot measures by the end of December, and the staff and commissioners have been working diligently towards that in that timeline. Uh, what I'm not hearing, and perhaps you can share that with us Commissioner Hamilton here or elsewhere, is what are the specific concerns at this particular point? Do you take issue with the overall framework? Do you take issue with the ballot uh proposals that are now being worked up and under consideration? Uh, that would be helpful, and perhaps you can't articulate that in this particular meeting, and I understand that and respect that, but what I am very much concerned about, and I'm just going to share it openly with all commissioners is we can, and I think this speaks to Commissioner Thompson's point. We can keep noodling these issues, you know, on and on and on until you know what is it? The cows come home. And feel like we're moving things, but find yet other things. What I believe this team has done is to really set up a framework that takes the very first steps in addressing structural racism. The proposal would establish a Racial Equity Office that centers on key elements of, you know, marginalization as they'd been identified and uh and charging City agencies for the responsibility of building out plans to address that. It speaks to establishing of a continuing community voice to make sure that they are a part of the change that is necessary and working towards establishing some more stringent accountability measures. It begins the work of centering on what are

the political challenges that present for marginalized communities. Everything from wages and occupational segregation to access to critical services and support. Looking at how you know oversight structures can be strengthened to address some of the gaps that continue to present. I guess my point is that you know when we talk and again, I mean you know maybe I have the advantage as Chair having you know sat in conversation after conversation with both commissioners and with-- you know I've been present in all commissioner meetings. I believe that's fair to say. Is that correct, Anusha and Jimmy? I've been present in all commissioner meetings and all of the working groups. What we've thought to do here is to reflect those conversations to incorporate as best as we can what we're hearing from the public. Understanding that we're not going to have everything here because we can't do everything in the six months. And we can't do everything in a way that is going to resonate with the public where they see themselves in this work. So we've tried to take that very critical first step to build an office that deepens the work, that builds some accountability measures, and to begin centering on critical marginalization issues. The continued, you know one being, the use of punitive measures rather than, you know, supportive and assistance measures to help people move to a better place. So we're trying to lay the foundation. We want to do it in a timely way. One of the criticisms that has been lodged time and time again concerning ballot measures is that there isn't the time on the other side of the completion of them being voted out to do the earnest work of engaging with the community to have them understand what these measures are all about. And so, the time that we take away from establishing this foundation may serve to our disadvantage in trying to help the community see the value add. There's also a lot of work that has to be done with this incoming administration. And the sooner that we can stand up some of these ballot measures as this incoming Mayor and his team center on equity, the better position we will be in terms of moving these into charter revisions, but also in embedding them in the work of this incoming Mayor's equity plan and plans for all of his agencies. So I'm looking at those critical concerns and trying to ensure while appreciating that you have real concerns, how can we do both and how can we do the work of making sure that the measures that have been worked up, the proposals, seeking to get everybody's input, holding-- I mean, I can't even begin to estimate the number of hours that have been expended by commissioners and by staff to build this out, to get it to where it needs to be, but I understand, and I appreciate your concern. And I guess what I would uh submit to the commissioners is before we start talking about moving to a timeline that can present other challenges, some of which I've mentioned, what is the work that we can commit ourselves to in the next two weeks to get this to where it needs to be for a vote in December? Those are some of my thoughts in this particular moment. I see that Commissioner Daniel Favors has her hand raised. And if there are other commission members who want to comment on this, I want to hear your thoughts. Thank you.

**Lurie Daniel Favors (LDF): 00:53:49**

Thank you for that Chair. Um I would say that while I do have comments, I think it would be appropriate-- uh Commissioner Hamilton, I don't know if you wanted to respond to that. It did seem a direct response to your statement, and then perhaps I can come on after.

**DH: 00:54:04**

Uh thank you. And I'll try to be brief. Uh, and I think people are starting to get my concerns, but I also want to just be clear that I've recognized the work that has gone in. What I'm questioning is uh the division and allocation of time. I think we have not offered enough

time to the deliberative process. And I will say that I have been asking for that, and I will say that you know, in good faith, have been engaging and feel that it's reflective of some of the documents that um myself along with everybody else, has had a good amount of time to have input into it. And a lot of that goes to the praise of the Chair and the executive committee for setting up that process. So I want to acknowledge all the good things that have taken place, but I do want to say that um it's hard to commit to a process, uh to have this done in a matter of three weeks, without knowing what it is we're actually going to be uh seeing in the next three weeks. We have some ideas that have been presented, but as was pointed out by Commissioner Thompson, even in those ideas, there's some things that are flawed. For example, the understanding of the budget process and you know to think about whether we can you know-- uh all those kinks being worked out in the next three weeks, I don't have confidence in that. I don't have confidence that we'll work that out in the next three weeks or so. And you know I come back to that. The other concern is this deadline um a hard deadline because if not, we very well can do a whole lot more to get it even better and something that will be more useful to New Yorkers at this point in time and going forward if we have more adequate time to get it right.

**JJA: 00:56:04**

So I want to bring in others. I know that commissioner. I appreciate your points, uh, Commissioner Hamilton. Uh I want to bring in others uh beginning with Commissioner Daniel Favors. And I see that um I believe Commissioner Bermudez had her hand raised once again. I think that what I'm trying to impress upon everyone is we are here. We're at this juncture because of the significant hours that have already been put in. And um I guess I have confidence, having worked very closely with the staff, that they are committed to doing what is necessary to ironing out some of the, you know, the unresolved or remaining issues and concerns. Uh I don't know if I interpreted Commissioner Thompson's remarks to be, I guess you know, affirming all that was said. I think he was saying that this will never be a completed work uh, and that we can't do all of this in the next month or the next six months, but that we have to begin the process. That's how I interpreted what he was saying, but maybe I misunderstood. So I see that Commissioner Daniel Favors has uh you have your hand raised, as Commissioner Kui, Commissioner Garrido. I thought I saw Commissioner Bermudez's hand raised once again, but I may be wrong on that. So we'll go to Commissioner Daniel Favors, uh then to Commissioner Kui, and then Commissioner Garrido.

**LDF: 00:57:40**

Thank you for this exchange. I think it's been really helpful uh just for teasing out more of the process and teasing out uh what is actually required for this work to be done. I just want to-- I guess, Chair, I think you already confirmed this, but I just want to ensure that I'm clear about the timeline. We are looking at the December 13th deadline as the drop-dead date by which our approval for the proposals that will be going onto the ballot must be completed. Am I correct in that, or am I mistaken?

**JJA: 00:58:13**

That is the timeline. Uh my thinking is that there may be some flexibility. We're still trying to meet all of these other um you know uh related goals and concerns. Uh we can probably look towards the end of uh like the second to last week, but that's when we start to get into the holidays. And that's when we start to lose many people you know on this commission

and stuff. And so we've been you know working in earnest to try to get this done sooner rather than later.

**LDF: 00:58:45**

Thank you for that. So uh at the risk of Waxing Poetic, there was a point in my twenties when I thought racism would be solved by my age now. Um I was very ambitious and I definitely thought that this could absolutely happen. Um in the two years since my twenties have ended, um it has become abundantly clear to me that I may very well leave this earth without having made the impression and the change and the impact that seemed literally six and a half weeks away uh when I was finishing up taking over buildings at Penn State. Um so in light of the fact that you know, and I think it should just be said, I earnestly wish that this commission had been put together in 2020 as opposed to 2021. I earnestly wish that this commission had been put together years ago and that we really had been able to, by this point, build-out not just a conceptual skeleton but an actual skeleton upon which future generations could build muscular tissue, organ structure, and other components necessary for a complete and upright standing body. But again, in light of my initial comments, I'm clear that that is not the case. That's not the world in which we live, unfortunately. And we had uh roughly less time than one takes to create a human, uh less than nine months, to actually do the work of interrogating this massive document, which I have come to believe as a result of all of our engagements together has been intentionally structured to make this type of work that much more difficult to do. And so having said that, I'm recognizing that while this is not one-- you know, let me start with this recognition that the staff has done an absolutely amazing job, and I'm really grateful even in the sessions we've had, it has been clear that I have been extremely frustrated and disappointed by what cannot be done. Um I have very much appreciated the work that has gone into this. And it feels as though I am not settling, but I am with this immediacy of timeline and the deadline that we're facing, and the fact that we have only a few weeks to get this done, willing to accept that we are not going to solve structural racism. And I don't mean to indicate that anyone else did believe that, just to be clear. But that we can, I think, put this City on a pathway to the point where the next set of choices that get made about this topic have as great a breadth of opportunity as possible. I was once told that whenever you have to make a choice, always choose the option that gives you more choices the next time you have to choose. And so I'm hopeful, and I think that would be my goal in order to reach a place of comfort by December 13th. That we have at least put the City on a pathway to where the options that will be presented on the ballot, that we will market and advocate for because we cannot have what happened before happen again, uh would in some ways, at least put the City closer to the pathway towards doing what it is that I wish this commission actually had their actual time to do if we had—

**JJA: 01:01:59**

We very much appreciate your points as well. Um let's go to Commissioner Kui. I think you are on mute.

**Chris Kui (CK): 01:02:13**

Sorry. Sorry. Okay. Uh I still want to express my appreciation for the Chair for your explanation of the process, what's been going on so far, and then also the timeline and approach because I think that you know, uh I think it's important that we have to take all of that into consideration because, in my experience, it's always like one that you know that we will always want more time, but then it's not necessarily we're going to be able to get all the



time that we all want uh to make it perfect perfect. And uh so my thinking is that you know we should really commit ourselves to try to get it done you know by the timeline, and then you know uh, and then we have to kind of like have more meetings collectively. I think that I think what I hear from Darrick, you know, or Commissioner Hamilton is that you know we need to have uh made perhaps a few more commissioners meeting you know uh and I want to do that. Um I don't know of other folks, but then I think that we should try to see if we can reach that timeline, you know, and then talk about maybe perhaps like you know like kind of quickly, you know what are some of the suggestions or concerns that commissioners might have, or others might have you know in terms of what's being put out so far. One of the things I want to kind of just get to know a little bit more would be like in terms of what we put out so far, what happens like you know if an agency does not have a client you know or just like you know as Commissioner Bermudez was talking about, an agency that does not uh say that they would pursue the approach, what would happen? You know what is the accountability of that? Uh so that's something that you know I want to have more cloudy on. I think we tried to set up different structures and all that, but then kind of quickly, how would it work exactly, you know? But you know I'm coming, but then at the same time, I think that we really need to try to get this thing on the ballot. And if we don't and we miss it, then I think that you know we would be doing disservice you know to the community and to the City.

**JJA: 01:04:26**

Thank you, Commissioner Kui, for your response. I appreciate everybody's thoughts. Uh Commissioner Garrido, and then I believe you were here, and then I can't remember if it was Hamilton or Bermudez, but just everybody's on my screen. Commissioner Garrido.

**HAG: 01:04:43**

Well, I just want to say, Commissioner Favors, you do have a future in poetry because I think you were very eloquent in the fact that you know we have-- if anything, this document has opened my eyes even beyond I think that I had experienced personally and professionally about the institutional racism that we've seen uh in our own document, our unconstitutional. The fact that we have met for weeks and months or sort and attempted to identify those and uh you know it's quite daunting. But I think that my understanding is that on the timeline, we do have to submit this before the end of the year to the City Clerk in order to make it to the ballot. We do have an incoming administration coming in who may have an entirely different view of the world. Um, and I think I want to be cognizant of the fact that we have that and that we might have a new minor. We'll have a new City Council speaker, and that if we want to lay the groundwork for something to be on the ballot, we are gonna have to call the question on some of these ideas that we've been able to discuss and propose. And I don't believe that I know another year will be enough if we really gonna want to delve into it. So I would just suggest, respectfully recommend to the commissioners that the hours that we put together in the work, the tremendous work that the staff has done trying to synthesize ideas for something that's going to end up in a ballot box and a set of recommendations that have come from the public and from commissioners and from you know the different groups that we've met, I think it behooves us to try to get moving on some of this stuff. And if there's an issue with December 13th as a date, you know um, as a single day, um I would be uh um um I would be um interested to hear on that particular date. But if we're going to have to add significant amount of weeks that makes us pass the December 31st deadline, keep in mind you could have a new administration who may add commissioner or begin to

derail the process of the work that we've done. I mean, and I will be very concerned about that for that. I think that at some point, we're going to have to call the questions on those ideas and move forward.

**JJA: 01:07:19**

Thank you, Commissioner Garrido. Um I guess, I don't know. I'll go to Commissioner Hamilton and then-- he is deferring to you, Commissioner Bermudez.

**DH: 01:07:37**

Hey. You first.

**AB: 01:07:37**

Wait, was that me first?

**DH: 01:07:38**

Yes.

**AB: 01:07:41**

Oh. So I wanted to also, um, which I didn't say before, thank the staff because I say it every time that you've been amazing um and allow you know the work you've done really allows us to have these conversations. And um commissioner uh um Daniel Favors, I truly appreciate the way you consolidate it. All of this was great, and I'm gonna steal from you that you know choose the option that creates more choices for one later. Um mixing that with um vice-chair Garrido's um points you know and then also trying to take into um uh Commissioner Thompsons um concerns about how do we enforce things we don't even know what we're measuring kind of thing. You know like since we've never really done this before. Maybe what we need to think about is um is what are the proposals or the things that really put us on the path that then hopefully this new administration can continue to build on? Um you know uh, and can we really do that by the end of the year? And that's probably more possible um than our, of course, aspiration because I joined you also in the wish that this had been done before um so that we had more you know quality time to really put together something more um you know for like a better word, robust, I guess. Um but I still want to believe and believe that we can set a path with what we do. So I just wanted to say that.

**JJA: 01:09:40**

Please go ahead. Commissioner Hamilton, I just want to recognize you for those who are listening in and for the record.

**DH: 01:09:49**

So I have some query, and I think uh maybe these queries can just be presented as matter of facts um which is how long does the comm- how long were we commissioned? What are our dates from start to finish? I think it becomes useful for us thinking about this process. Um the second thing is um uh what is the actual date? Because I think there's some ambiguity and lack of clarity before we could get on the ballot for um for vote in 2022 because it was my understanding we were originally looking at getting on the ballot of November 2021, and we moved that back, and that could be wrong, but it would be useful to know what is the actual date so we can have that information as we think about our decisions. Um then

you know I guess I'm going to push a little and say it's not my recollection that we approved that December 13th date. I'm just not sure about it. Um I don't recall it. Uh I don't know when as a body, we made a decision of when we would deliver that date, or was that imposed upon us? And if so, some details around that uh might be useful. And then the last point is with good faith, we all are committed to redressing structural racism. The concern I have is that if we put together um a document that could we put together-- when is it ideal to put forth the best document, not just a document? And two, there's even the worry that if we put forth a document that has some holes that we didn't foresee, that we didn't adequately address, we actually can do harm. We actually can um endanger the legitimacy of this endeavor, and that would really produce some harm. And uh you know I feel the fiduciary responsibility irrespective of the politics to make sure not only do we do good, that we especially don't do harm and that we have adequate time to actually process the document that we put forth.

**JJA: 01:12:05**

So let me before we move on to I believe I saw Commissioner Thompson's hand raised. And at this particular juncture, I don't see any other commissioners. I just wanted to acknowledge that in this moment, but to your first question, the commission has been uh um uh set for two years. Uh that was done by Mayor De Blasio with a charge to put forward the proposals to be voted on by the end of this year. There had been a consideration early on in the creation of the charter uh the revision commission that um we might put forth some ballot proposals by July of 2021 to be voted on in December. I mean, sorry, to be voted on in November 2021. Uh, but then we got there and realized that that was not feasible. And so we uh committed ourselves to the December timeline. That is something that I understand, but perhaps I misunderstand, but I was under the impression that when every commissioner was invited to join this commission, that those timelines were presented and that it was uh shared with commissioners that they were not necessarily having to commit to a full two years, but at a minimum for this one year. And the same was made uh the commitment to the staff. That was what was communicated. That is my understanding. I know in the conversations that I have, that was the uh the state uh that was the commitment that I saw from the commission members. Uh, with respect to the actual like you know what is the legal deadline uh for giving uh measures on the November, 2022 ballot, it would be just as it was for the November 2021. It would be July, but as I've communicated, the things that challenge us, uh the thing that I'm most concerned about as we have seen time and time again is that the runway is not there when you do this to explain these issues to the electorate at large. And as much as we believe in equity for all, there are a lot of people out there in New York City and beyond who don't. We need a longer runway to bring these proposals to the voting electorate. We need a much longer runway than a few months. I'm also very much concerned, as I said, about a lot of the other dynamics that are at play. And I believe that uh Commissioner Garrido spoke to some of those. And I'm very confident in the work that the staff has done to date and that we can work through some of these issues. I think that you make a very good point when you talk about doing no further harm. I very much agree with you on that, Commissioner Hamilton, but I think that assessments can be done to make sure that we're doing it in such a way that would you know move and serve to control against that. I don't know if we need another month or another two months to do that. Um I'm very much concerned about this moving and establishing the foundation. And I think that there are risks if we do not do that. I believe that uh everybody, like you said, Commissioner Hamilton is operating in good faith and is very intentional about establishing

the foundation that we believe can be built upon. That's what I've seen. And um there's nothing that makes me think any differently. And frankly, there's nothing that makes me think that uh whatever issues that people may have uh you know and, again, I want to hear more of them, cannot be addressed in the remaining two weeks. And so that's where I am at this particular point. Um, and I do respect I respect what you're saying. I respect the concerns that are being raised by you and the points and the concerns or the points that are being made by everybody. Um I see Commissioner Thompson. I can't tell if Commissioner Daniel Favors has her hand raised again. And I think Commissioner Garrido has raised his hand. So I'll go to Commissioner Thompson and go from there. And then I'm going to say after we go through the next um everyone, um after these three, then we need to try-- we're at 6:25. We committed to, I believe, 6:30, and just you know, speaking to the points that Commissioner Hamilton has raised, we need to talk about the substance. I don't know if people have another half an hour at a minimum to commit themselves too so we can learn what are some of the remaining issues and concerns that we need to work up. Um, and you know and appreciating Commissioner Hamilton's points, what other issues maybe we haven't talked about that we need to center on. So I'm going to go to Commissioner Thompson, then Commissioner Favors, and then uh Commissioner Garrido.

**PT: 01:17:10**

Um what I wanted to say is I think if we're able to get through our main positive thrust, which I think is establishing the equity plan as a requirement, you know, getting an equity office set up if we're able to move that, take those major steps, I think in a way we'll be doing what the voting rights act did. It will create a little mini-industry of folks who are going to be working with the City and different agencies on like, how do you do this? And after the voting rights act passed, there was the NAACP Legal Defense Fund, the MALDEF, PRLDEF, ALDEF, all these organizations got set up. Like how do you actually implement voting rights, you know, equitable equal voting rights? I think we're going to be creating something like that. And if the administration, the incoming administration supports the basic thrust, I think there will be, over the next year, even before the vote, all kinds of work being done and all kinds of new organizations and others who are going to be working with the City to figure out how to get this stuff done. So I think if we have questions about something is not being ready yet for prime time or not cooked enough, we should pull it. We don't have to put every single thing you know even if it's not comfortable, we don't feel comfortable with it right now in the proposal in order to you know have this stuff dealt with because I think there will be many many opportunities to refine these ideas over the next year and beyond if we get the ball rolling if we get the main thing through. That's all I wanted to say.

**JJA: 01:19:09**

Thank you, Commissioner Thompson. Uh Commissioner Daniel Favors.

**LDF: 01:19:13**

My apologies if this has already been explained and I missed it. Um do we have any indication-- let's assume-- two questions, actually. Do we have any indication if we are unsuccessful in this current venture if this body has any legal authority to maintain its composure in the next administration unless there is some proactive step taken by the next administration to continue this work? That's my first question.

**JJA: 01:19:41**

Um so, um you know I have some general thoughts on that, but I'm not sure if I got the legal particulars. And so uh let me first just say and uh speak, and then I'll turn the response over to Melanie, um our general counsel, Melanie Ash, if she has anything to add. It is a two-year commission that uh cannot be um uh dismantled. Uh that said, as Commission Garrido has stated, uh it can be in terms of numbers of commissioners added to, and uh the incoming Mayor has the authority to do that. Uh once we vote on the proposals and issue a final report, our work is done, but then there's the work of advancing these ballot measures to the public at large, which is a Herculean task in and of itself—the work of moving from community to community. And uh essentially you know everything from, I should say, designing the tools of engagement, the outreach and education tools to then making sure that we can communicate uh with the community at large, the public at large effectively about uh the changes that have been uh proposed to help them appreciate what they will and will not do such that they then feel informed and ready to act at the polls come November 2022. I have done some work in this space. I did some work with the ranked-choice voting, and um that took quite a bit of time. And even still, people did not know what ranked-choice voting was and how it worked. Uh we saw on this last uh um election that the voting measures that really should have moved consistent with what we're doing here—one would suggest that they should have moved—they were not voted on favorably. And uh what I'm hearing from a lot of people is that it had everything to do with the lack of education and outreach. And so, people did not understand what they were being asked and how it would benefit them. So you know, as Chair, I'm being very honest with you all and very open and transparent. There are a lot of considerations that are weighed in making these decisions. Um I wish we had the luxury of time, but right now, we're dealing with what we know. We don't know what we're going to know. What's going to happen in the coming days? And so you know it is for me this moment where you try to establish a base from which to build. And I very much appreciate and respect the concerns that uh Commissioner Hamilton is raising, but I'm also appreciating that there are numerous other concerns. And so I agree with him, we've got to do some good while trying to do while doing no further harm. In my opinion, we need to center on putting a stake in the ground. Um Commissioner Garrido and then uh Commissioner Hamilton, I see that you've raised your hand. I mentioned that we were going to try to get to the substantive issues given the staff needs to keep working. I do see um um—

**LDF: 01:23:42**

Chair, I do have a follow-up question. I know that we are in a very time-sensitive moment um, but I do have a follow-up question in light of what you just said, um to the extent that the commission could be expanded upon. I am, again, only in my twenties and still in my twenties. I was at the anti-trust department or Antitrust Division of the Department of Justice in the change over from uh a democratic administration to a Republican administration. And whether I think those administrations were at different parties or not, there was a substantive difference just because each administration takes on its own character and flavor as it rightfully should. And so, I just want to make sure I'm clear and understanding that if we are not successful in concluding this phase of this work at this time, there really is no guarantee about what will happen in another administration. Tomorrow's never promised, but there's really no guarantee that we will even be able to expect the same type of mandate. And so I think to the extent that and I just want to go on the record of saying to the extent that we have agreed to do this work in this time, I think it is incumbent upon us to do what we can to ensure that at the very least, we are able to conclude this portion of the process and lock

some things into ballot proposal reality, which is not where we're at right now. So that even as we continue the work beyond that, we can continue expanding and doing the things that need to be done in order to perfect it with the time that we have, but it would seem to be a real loss of an opportunity to not at least push us into the realm where we are solidifying getting elements on the ballot for the people to vote on. Are you there?

**JJA: 01:25:20**

Thank you. Thank you. Um I see Commissioner Garrido, and then we're going to try to go to you, Commissioner Hamilton. And let me just note that I did see in the chat um a question from Commissioner Yoo. Even if we can continue for another year, will we have the staff in support? Um that is not certain. Uh the staff has signed on with this expectation that its work would be completed by December. Um I had some preliminary conversations with a few. There may be you know, a month or two, but I can't say for certain, and it's not necessarily everybody. These are City staff, persons who were brought on as part of this administration. And so um the short answer, Yoo, is uh Commissioner Yoo, is uh that staff committed to serving until the end of December, until the end of this administration. That was the commitment that we asked of them, and that was the commitment that they made.

**Melanie Ash (MA): 01:26:19**

Uh Chair, if I could just make one clarification. And I think generally you did sum up the legal status uh effectively and correctly. I would make one just clarification. When you say two years, really, it's two election cycles uh not two calendar years. And so, um the commission has two election cycles to put proposals on the ballot, and if it fails to do so, it expires without having done any ballot proposals. Um if it puts ballot measures on, then it expires when those ballot measures are voted on. So um, in terms of the timing, it would be as of Election Day 2022, it would expire whether or not there are proposals on the ballot.

**JJA: 01:27:02**

Thank you. Thank you for that clarification. Commissioner Garrido.

**HAG: 01:27:06**

Yeah, I'll be brief. I'm going to say this, it sounds lousy. Uh, you know the night before uh the election that just passed away, we had a council member who I know well was uh poised to become possibly speaker. And then the election results changed. Now we're being changed. Folks, timing is everything in politics, and the work that we've done here, uh the hard work that has been done, the hours that were put in, the work that the staff has done could be, I don't even want to say diluted. It could be completely changed. I think Commissioner Favors said it well. A complete change in the politics of the City and the moment that we went on and the moment that we embarked following one of the most um uprisings, right, of knowledge of what's happening, institution racism in this City, could be lost to a whole new political landscape. That's a reality. And so for us to try to delay something, and if there was something substantially that we will see four weeks from now, eight weeks from now, 12 weeks from now, 20 weeks from now to say, what could substantially change other than what could change is the fact that the commission and the work that has been done could be diluted, changed, promoted. You know, new members could be added. To me, that's a risk not worth taking. That the work that has been done needs to be solidified, and that we need to reaffirm that there's a statement of principles and values whether this administration likes it or the incoming administration doesn't. That

we've done this work, and we push this envelope as much as we can. And we need to keep in mind because politics can change in a heartbeat. And if that happens, the staff may change. All of the things that we've done it might actually be that little. I just want to say that because I live in a political world, that 24 hours may mean a lot, let alone you know months. Um so I would just say, suggest that for those reasons, we need to stick to it. Again, if there's any particular issue that has not been covered or anything in particular with the date itself, then I'll definitely you know I'm open to have discussions. I'm open to add dates in between. I'm open to do work that needs to be done in between now and the 13th or the date, but we need to really start moving on these things, or else we may risk losing a lot of what we don't, and I don't want to leave at that, but that's the way-- I feel very strongly about that.

**JJA: 01:29:52**

Thank you, Commissioner Garrido. Commissioner Hamilton and I'm just going to say having recognized Commissioner Hamilton, um you know I'm going to recognize Commissioner Kui, and then I want to close this out, and whoever can stay with us, we need to begin delving into the substance.

**DH: 01:30:09**

We've had lots of conversation around politics, ballots, and reports, and a lot of other things, and some of them are linked together. Some of them aren't. Um the politics, the issue of the ballot um if we put together something sloppy to put on the ballot um it won't pass anyway.

**JJA: 01:30:34**

I just need to interject here because--

**DH: 01:30:38**

Go ahead. Sorry.

**JJA: 01:30:38**

I think it is unfair to suggest that what is being put on the ballot is sloppy.

**DH: 01:30:52**

I said if, conditional.

**JJA: 01:30:52**

Yeah, but I don't even know why we were even asserting that what would be put on the ballot might be sloppy. And so I just for the record, um the staff has done yeoman's work and expert work and has been dotting the I's and crossing the T's. They've expended uh numerous hours working uh with experts uh you know to help refine the work that we've done and with commission. They've been working with the lawyers, both that are assigned to this commission and with lawyers in the Law Department. And so, what is being advanced would not be sloppy. I just need to state that for the record, and you may not have intended the way that it sounds, but I just wanted to.

**DH: 01:31:47**

Well, I actually did intend that if indeed we put together something sloppy, that would be problematic. Now, the issue of the staff, I have commended them and continue to commend

them. And I think they would agree that I've worked with them a great deal and contributed to that process in a relatively short period of time. I think that we can get it even better with more time. I actually think that-- you know, I hope we get together a great document, but from a fiduciary standpoint, it's hard to commit to that December 13th deadline at this point, given how much work still needs to be done. And that's my concern. And I guess I'm voicing it very clearly and strongly. And I think that uh the politics of getting something on the ballot is important, and we have more time to actually reach that knowing that July of next year is the final deadline from that. But other commissioners have voiced some real concerns about the politics of an incoming new administration. They very well might change our process. Well, we even have some power in that regard. The power of reports are useful for our endeavor as well. So there are iterations of reports we can put together, if we wanted to make the choice as a commission, to ensure that we get a report out by the end of this year that uh clearly states some of the things that we desire and think that would be useful for this City going forward. We can do that. That becomes part of the City archives. But what I'm saying is that we should uh perhaps consider providing at least a degree of freedom that we don't commit to December 13th being out drop, a hard deadline when we have the capacity if we're not ready in December 13th to do something even more and better.

**JJA: 01:33:44**

So thank you again. Um I believe that I stated at one point during this conversation that we would look at the timelines and see if we have uh uh if we can uh extend them with respect to the voting timeline, but we wanted to make sure that we still work in timeline to complete uh in time to complete the vote by the end of December, for the reasons that have been stated by numerous people uh during this meeting. Commissioner Kui.

**CK: 01:34:15**

Yeah. Yeah, I just want to say I am, but I just want to think that you know we have made a commitment to try to move this forward, and then you know I don't want to have such something of importance be like archived. So I feel like we I think we still can make it, and then I think we should try our best to do it. And so you know I want to just say that you know so um yeah because I know we have you know uh other commissioners who might really want to get into uh get into some of the content of our discussion. So thank you.

**JJA: 01:34:51**

Thank you. I want to thank Commissioner Hamilton for raising a very real and valid concern. I want to thank all the commissioners who've chimed in uh and have shared and expressed their views as well. Uh, at this particular point, having heard from, I believe, just about every commissioner or from all commissioners, either verbally or via the chat, uh where I am right now is that I think that I'm stating to the commission that I believe that we need to do our level best to work to put forth valid measures uh that can be voted upon in December. Uh we will look at the timeline and the flexibility, but our aim is and what would be helpful, is to get a sense from every commission member what your respective calendars are and your availability uh but I do uh, having heard from all of you, having listened to and appreciated what you've said, I think that we need to, and understanding all of the conditions and the context in which we're operating, I think that it behooves us to try to move uh and put forth a solid document uh in December. Understanding all of the points that have been raised and appreciating your question about the December 13th timeline, Darrick Hamilton, Commissioner Hamilton, we're going to look at uh December, the month of December.



Thank you. I think that uh was a um very thoughtful uh and uh constructive conversation. Uh I don't know what time people have available. Uh you know one of the things to keep this moving is to um look at the substantive concern. So this is what I'll say, not appreciating uh not really having a good sense as to who's got what time, what would be helpful having seen uh the reorganized framework is if you all would have at a minimum identify for the staff and for the rest of, for everyone on the call, on the Zoom, what are some of the specific issues that there are specific issues that you see that you want to make sure are considered and addressed? What we can do, if it's helpful, is put the screen up again.

**AV: 01:37:35**

And if I can add, while we're pulling this up, the work that the staff has ahead of us is taking your direction, your input, and putting it into actual language for the charter um and language for the report. So the feedback you share today will give us more direction to further work on that language that we have been drafting, and want to hear your thoughts on um that we hope to share with you very soon. We have some early drafts, but you will see further detail in the coming days uh including your input here today.

**JJA: 01:38:26**

And that preamble language essentially, it's what we've shared with the commissioners in the past, with some tweaks being made to it. Is that correct? But substantively, it's consistent with what they've seen, the preamble? Anusha?

**AB: 01:38:49**

Yes. I think uh if I could, I would just say that yes, the last version I think that we worked on would have been discussed in one of our meetings in October, I believe. And there's been no further changes since then.

**AV: 01:39:06**

That's correct.

**JJA: 01:39:12**

Okay. Are there any specific other questions or comments? We will do the work. If not um you know, just working these up further and asking that commissioners, you know um pay attention to your mailboxes as we uh continue working these up and putting the specificity on them, as well as the supporting documentation. Uh, for each of these proposals, the staff has done um you know extensive research and has briefing documents uh that um that you know that build-out and uh provide explanation and detail concerning uh what is being proposed. And so we will make sure that you have those available to you. Uh my thinking is that at this particular juncture uh that we should look at a commission meeting uh early the week of November 29th uh prior to December 3rd, and maybe have another meeting on the 3rd. And so we'll consult with you to see if we can get a meeting on the calendar, say the 29th or the 30th.

**AV: 01:40:44**

Great. We will work on scheduling that with all of you.

**JJA: 01:40:49**

Um are there other questions, comments? Okay. I'm seeing that Commissioner Hamilton has said that there are other ideas that we have not adequately had time to discuss. Um what would be helpful, Commissioner Hamilton is if you would-- I don't know if you want to uh read what they are at this particular juncture? If not, if you can send an email uh to the-- you can send them to all commission members uh the commission members and the staff. It would be helpful to try to see if we can get that in the next two to three days. Now, we very much understand uh just as you stated, that there are other ideas that um we haven't uh discussed in great detail. Uh, and some of that is born out of uh ideas that-- and let me back up and say the staff has done extensive uh research and work on the ideas that were brought to the table. All ideas that we brought to the table they done the work on. And um they took these uh ideas through a screening process that centered on a couple of things. One uh the you know whether or not the idea presented was structural in nature, whether it had the likelihood of uh essentially addressing like some of the root issues that uh promote inequity in uh in not just one but multiple spaces. They looked at the ability of these ideas differently to uh begin to so change in different places and spaces. And I see that you're writing that there's more that can be done with regard to gathering and disseminating data. Again, I would very much appreciate uh some specifics uh on what it is that you're seeking. And then just sharing that with the commission members and the staff would be very much helpful. I'm just going to say, and I think it's been said time and time again, we can't do everything, but we can begin to lay a foundation upon which other reforms can be built. Part of the thinking behind the commission that would be an outgrowth of this work is that it is commission-- it is uh committed to you know to next leveling the world uh as well as the racial equity office. So I very much appreciate all of the points that have been raised today and the time that's been given. And uh thank you for going 22 minutes beyond. Uh we are going to send out an email concerning the next meeting. And that having been said, I think that you know if there's no further business, I want to um wish all of you who celebrate Thanksgiving uh because not everybody does a happy holiday and we'll be back together hopefully early next week. And please be on the lookout for um emails from other commissioners as well as an update. And if you have specific questions, please share them with the commission staff and with commissioners as well so that we can just keep this ball moving with the aim of trying to put something out. It may not be December 13, but definitely, before this year ends. Thank you.

**DH: 01:44:58**

That was a good conversation.

**JJA: 01:45:00**

Thank you. I appreciate you all. No further business, I'm going to adjourn the meeting. Have a good evening.

**AV: 01:45:08**

Thank you so much, Chair.

**JJA: 01:45:10**

Thank you, all.

**CK: 01:45:16**

Thank you.

**HAG: 01:45:16**

All right. Thank you.