

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

Jointly with

COMMITTEE ON TECHNOLOGY

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March 29, 2016
Start: 11:19 a.m.
Recess: 1:52 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: David G. Greenfield
Chairperson

James Vacca
Chairperson

COUNCIL MEMBERS:

Vincent J. Gentile
Annabel Palma
Inez E. Dickens
Daniel R. Garodnick
Darlene Mealy
Rosie Mendez
Ydanis A. Rodriguez
Peter A. Koo
Brad S. Lander
Stephen T. Levin
Jumaane D. Williams
Ruben Wills

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

Council Members:

Deborah L. Rose
Donovan J. Richards
Inez D. Barron
Andrew Cohen
Ben Kallos
Antonio Reynoso
Ritchie J. Torres
Mark Treyger
Barry S. Grodenchik
Joseph C. Borelli

Meenakshi Srinivasan
Landmarks Preservation Commission Chair

Sarah Carroll
Landmarks Preservation Commission Executive
Director

Gardea Caphart
Landmarks Preservation Commission Budget Director

Carl Weisbrod
Department of City Planning Commissioner

Purnima Kapur
Executive Director at Department of City Planning

David Parish
Department of City Planning

Anne Roest
DoITT Commissioner

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

Annette Heintz

Deputy Commissioner for Financial Management at
DoITT

John Winker

Associate Commissioner for Financial Services at
DoITT

Charles Fraser

General Counsel at DoITT

Dominic Mauro

Reinvent Albany

2 CHAIRPERSON GREENFIELD: Good morning.

3 I'd like to welcome everyone here today. My name is
4 David Greenfield. I'm the Council Member from the
5 44th Council District of which I serve as the Chair
6 of the Land Use Committee. I want to welcome my
7 esteemed colleagues who are members of the committee
8 and who are joining us. I want to congratulate
9 Council Member Andy Cohen who was here early along
10 with me. Thank you very much. Council Member
11 Reynoso, Council Member Williams, Council Member Koo,
12 Council Member Gentile, and I want to thank Council
13 Member Koo and Dickens for their leadership and work
14 with the Zonings, Landmarks and Planning
15 Subcommittees. This hearing is going to be held
16 jointly with the Technology Committee, and I welcome
17 Chair Vacca and members of the committee who will be
18 joining us in a little bit when we do our oversight
19 over the Department of Information Technology and
20 Telecommunications. This hearing will cover the FY
21 17 Preliminary Budget for the Landmarks Preservation
22 Commission, the Department of City Planning and
23 DoITT. Chair Vacca will speak to some of the issues
24 regarding DoITT at 1:00 p.m. After DoITT, we're
25 going to hear from interested members of the public,

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2 and I want to remind everyone that if you'd like to

3 testify, please fill out a witness slip with the

4 Sergeant of Arms. Before I begin, I would like to

5 thank our standing Finance, Land Use and Technology

6 staff for a wonderful preparation in advance of

7 today's hearing. We're going to begin this hearing

8 with testimony from the Landmarks Preservation

9 Commission, and the Landmarks Subcommittee is chaired

10 by Council Member Peter Koo. I want to thank Chair

11 Koo for his work on these issues. The Landmarks

12 Preservation Commission designates, regulates and

13 protects New York City's architectural, historic and

14 cultural resources. The Commission has granted

15 landmark status to more than 35,000 building and

16 sites since its creation in 1965 including 1,353

17 individuals landmarks, 117 interior landmarks, 10

18 scenic landmarks, and 138 Historic District and

19 extension in all five boroughs. First, I want to

20 congratulate and thank Chair Srinivasan and his staff

21 for the Commission's Backlog Initiative. The Chair

22 had done an excellent job addressing the backlog of

23 95 properties, most of which have been on the

24 calendar for 20 years or more. We of course have a

25 continued interest in this through legislation we are

pursuing, so-called Intro 775, 30 sites that have gone years without actions will now be prioritized for landmark status including three buildings in Brooklyn's Greenwood Cemetery, the Pepsi Cola sign in Long Island City, Staten Island's Princess Bay Lighthouse, Immaculate Conception Church in the Bronx, Manhattan's Bergdorf Goodman store. I look forward to hearing about how the Commission will act on the rest of the properties, and I'm pleased to see the Commission has committed dealing with the backlog and would like to readdress the need for common sense legislation introduced by Chair Koo and myself that would impose sensible deadlines for hearings and votes to landmark sites. Legislation would ensure that the backlog would not be in limbo again, and I look forward to continue to work with Chair Srinivasan and Chair Koo on this legislation. And just to be clear, while we happen to like this Chair and we think this Chair is doing a good job, nobody has life terms in this city, including Council Members, and we want to make sure that this issue is addressed going forward so that we don't have this issue in the future, but we certainly appreciate and congratulate the Chair and the Commission for the

2 hard work that they've put into this. In addition to
3 the Land Use--the Land Use Committee's interested in
4 hearing from the Chair about the Commission's 6.1
5 million dollar budget including details regarding the
6 agency headcount and its current staffing levels to
7 ensure that it's adequate for operations. The
8 Committee hopes to hear more about the Commission's
9 Backlog Initiative and an update on properties
10 calendared in 2016. We'd like thank Chairman
11 Meenakshi Srinivasan for joining us this morning, and
12 we will now turn it over to the Chair for her
13 testimony. I also want to recognize that Chair
14 Dickens has joined us. Thank you very much as well.

15 CHAIR SRINIVASAN: Good morning, Chair
16 Greenfield and members of the Land Use Committee.
17 I'm Meenakshi Srinivasan, Chair of the Landmarks
18 Preservation Commission, and I'm here with our
19 Executive Director Sarah Carroll and our Budget
20 Director Gardea Caphart. Thank you for giving me the
21 opportunity to testify before your committee about
22 the Commission and its Fiscal Year 2017 Preliminary
23 Budget. I'd like to start by telling you about the
24 budget and then update you on the progress of several
25 initiatives we outlined at our last budget hearing.

2 The LPC's Adopted Budget for Fiscal Year 2016 is a
3 5,472,777 dollars, and for Fiscal Year 2017, the
4 Preliminary Budget is 6,120,086 dollars, which
5 comprises 5,527,356 dollars in City funds and 592,730
6 dollars in Community Development Block Grant funds.
7 This budget increases due to the collective
8 bargaining increases that occurred in the second half
9 of Fiscal Year 2015 and the first half of Fiscal Year
10 2016. The Fiscal Year 2017 Budget also includes one-
11 time funding of 240,000 dollars for the agency's
12 relocation from the Municipal building at One Center
13 Street to 253 Broadway. On the overall budget, 89
14 percent is allocated to personnel services and 11
15 percent is allocated to other than personnel
16 services. The agency's total headcount is 70
17 fulltime positions and seven part-time positions, and
18 there are presently 65 fulltime staff and seven part-
19 time staff, and we are currently in the process of
20 filling the vacancies. Of the Community Development
21 Block Grant funding, 80 percent is allocated to
22 personnel supporting [sic] important community
23 development related functions such as surveys,
24 environmental review, archaeology, community
25 outreach, and education, while 20 percent or

2 approximately 115,000 dollars is allocated for a
3 ground program for low income homeowners and not-for-
4 profit organizations. I'm very enthusiastic about
5 our progress over the past fiscal year in
6 accomplishing our goals in our research,
7 preservation, enforcement, and IT Departments.

8 Consistent with the Administration's vision of an
9 efficient, equitable and transparent City Government,
10 I've implemented several initiatives to fulfill our
11 mandate to protect and preserve New York City's
12 historic resources in a fair and open manner. Let's
13 talk [sic] with our Research Department. As Chair, I
14 have taken a comprehensive and rigorous approach to
15 our designation agenda. I developed a three-pronged
16 strategy that involves first identifying historic
17 resources in diverse neighborhoods throughout the
18 five boroughs, particularly neighborhoods that are
19 not well-represented by existing surveys and
20 designations. Second, working closely with the
21 Department of City Planning to evaluate historic
22 preservation opportunities in neighborhoods under
23 rezoning or neighborhood plans, including Greater
24 East Midtown area, East New York, East Harlem and
25 Inwood, and third, increasing the efficiency

2 transparency and fairness in the designation process.

3 This last objective includes setting efficient

4 timelines for designations and addressing the backlog

5 of properties that have been calendared for decades

6 in a comprehensive manner and with stakeholder input.

7 We've been very active in recognizing historic

8 resources in many communities. In Fiscal Year 2015,

9 the Commission designated four historic districts,

10 Chester Court Historic District, Crown Heights North

11 Historic District Extension in Brooklyn, Central

12 Ridgewood [sic] Historic District in Queens, and

13 Riverside West End Historic District Two [sic] in

14 Manhattan, and we also designated 11 individual

15 landmarks for a total of 2,038 properties. In Fiscal

16 Year 2016 to date we have designated two historic

17 districts, the Mount Morris Park Historic District

18 Extension in Harlem and the Bedford Historic District

19 in Bedford Stuyvesant Brooklyn, and one individual

20 landmark for a total of 1,109 buildings. We will

21 also be advancing Park Slope Historic District

22 Extension to vote in April. In addition, in Fiscal

23 Year 2015, our agency surveyed 7,251 properties

24 including our internal research surveys as well as

25 reviewed 113 requests for evaluation from the public.

2 Thus far in Fiscal Year 2016, the agency has surveyed
3 3,220 properties and reviewed 93 requests for
4 evaluations. We also launched an 18-month plan last
5 July to resolve a 50-year backlog of 95 properties.
6 I'm pleased that a critical milestone in the plan was
7 completed on February 23rd when the Commission made
8 decisions on each of the 95 properties. Based on the
9 testimony and additional research and analysis, the
10 Commission prioritized 30 items to be advanced for
11 designation by the end of December 2016. We will, in
12 fact, be bringing 10 items to vote in mid-April.
13 Finally, during the past fiscal year, the Commission
14 also embarked on a study of historic resources in
15 East Midtown as a part of the City's larger planning
16 effort for the Greater Midtown area. The Commission
17 will present the proposal of properties for
18 consideration of the public this spring. I now turn
19 to our Preservation Department which reviews
20 applications and issues permits for proposed work on
21 designated properties. The Commission received
22 13,375 permit applications in fiscal year 2015 and
23 took action on 15,456 properties during the same
24 period. Through January in Fiscal Year 2016 we have
25 so far received 7,585 permit applications and we have

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2 issued 6,920 permits. Approximately 95 percent of
3 the permits are issues a stop-level pursuant to the
4 agency rules and the other five percent required
5 review by Full Commission. The agency continues to
6 explore methods to streamline the regulatory process.
7 With this objective in mind, we have been working on
8 initiative that would improve and expand upon the
9 Commission's rules to provide updated standards for
10 administerial [sic] staff level approvals. These
11 include staff level approvals for changes to comply
12 with the new building code and to accommodate energy
13 efficient and sustainable building practices as well
14 as barrier-free access and flood resiliency measures.
15 We expect the proposed rules to be presented to
16 stakeholders and the Commission this year and the
17 initiative to be completed in Fiscal Year 2017. Now
18 to our Enforcement Department, it works to ensure
19 that owners of landmarked properties comply with
20 Landmarks Law. In Fiscal Year 2015, the Department
21 completed 1,022 investigations into complaints about
22 potentially illegal work leading to the issuance of
23 749 warning letters and 368 Notice of Violation. The
24 Department has completed 655 investigations the first
25 half of Fiscal Year 2016. These investigations has

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2 resulted in issuance of 488 warning letters and 173
3 Notices of Violation. I want to talk a little bit
4 about our Community Development Block Grant funding.

5 The Commission also implants the smartest historic
6 preservation grant program targeted for low and

7 moderate income homeowners and 501C3 not-for-profit
8 organizations to help restore/repair the facades of

9 the landmark buildings. The program has an annual

10 budget of 114,790 dollars which comes from the

11 Community Development Block Grant funds. In Fiscal

12 Year 2016 the program awarded four grants including

13 three residential grants and one not-for-profit

14 grant. The residential grants were awarded in the

15 Mount Morris Park Historic District and the Jumel

16 Terrace Historic District built in upper Manhattan,

17 and in the recently designated Crown Heights North

18 Historic District Extension in Brooklyn. The not-

19 for-profit grant is awarded to the Congregation Chair

20 of the Israel Cemetery in Greenwich Village. And

21 finally, turning to our Technology. In Fiscal Year

22 2015 and to date in Fiscal Year 2016, we have

23 launched several internal modules of the new agency-

24 wide integrated database that has improved our

25 tracking of processes. It has facilitated more

2 efficient public information sharing of Commission
3 decisions via our website. We recently launched the
4 interactive map that allows one to search all
5 designated properties including all calendared
6 properties in the City and provide access to the
7 designation report and photographs. We're also
8 developing website interface that will provide public
9 access to all of the City's archaeological collection
10 as well as another feature to provide public access
11 to all permit applications associated with staff-
12 level improvements later this year. I will end by
13 just saying that I'm honored to lead this agency.
14 It's a tremendous privilege and I intend to ensure
15 and fulfil our mandate to preserve the City's rich
16 and architectural and cultural heritage. I'd like to
17 thank you all again for allowing me to testify and
18 for your continued support, and I'm happy to take any
19 questions that you may have.

20 CHAIRPERSON GREENFIELD: Thank you very
21 much. I'm going to turn it over to Chair Koo who's
22 going to just make some quick welcoming remarks.
23 Then we'll ask some questions. But we have a
24 tradition in the Council that before we engage in
25 questioning we ask folks to be sworn in. So if you

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2 could please raise your right hand? Do you swear or
3 affirm to respond truthfully to all questions and
4 comments made here at today's hearing.

5 CHAIR SRINIVASAN: I do.

6 UNIDENTIFIED: I do.

7 CHAIRPERSON GREENFIELD: Thank you very
8 much. Chair Koo?

9 COUNCIL MEMBER KOO: Thank you, Chair
10 Greenfield.

11 CHAIRPERSON GREENFIELD: No, no, we trust
12 Meenakshi. Yes?

13 COUNCIL MEMBER KOO: So, Chair
14 Srinivasan, I want to welcome you--

15 CHAIR SRINIVASAN: [interposing] Thank
16 you.

17 COUNCIL MEMBER KOO: to our Committee
18 Hearing. You were really able [sic] and we enjoyed
19 working with you in the past year. So, we hope we'll
20 do the same in the upcoming years. So, I have a
21 question for you. So before I ask you, I want to
22 give you some background information. In February
23 2016, the New York City Landmarks Preservation
24 Commission, LPC, made determinations on properties
25 that were calendared higher [sic] to 2010 and they're

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2 not at the point [sic]. Thirty sites that were--that
3 have gone decades without action will now be
4 prioritized for landmark status, including three
5 buildings in Brooklyn's Greenwood [sic] Cemetery, the
6 Pepsi Cola sign in Long Island City and Staten
7 Island's Queens Bay Lighthouse, Immaculate Conception
8 Church in the Bronx and Manhattan's Bergdorf Goodman
9 store. So, can the Department provide more details
10 on the conditions paying [sic] to add on the
11 background [sic] properties?

12 CHAIR SRINIVASAN: Yes. Very nice to see
13 you again, Council Member Koo. We're very focused on
14 working on the 30 properties that we identified to
15 prioritize for designation. Our intention is to
16 actually clear that and bring them to designation in
17 this year. So, our proposal right now is to bring
18 the first 10 properties to the Commission in April
19 for a vote, and then there'll be another set that
20 will happen in the middle of summer and then at the
21 end of the year. So, we believe by the end of this
22 year we would have dealt with the backlog of the 95
23 properties.

24 COUNCIL MEMBER KOO: [off mic]
25

2 CHAIR SRINIVASAN: In Fiscal Year 2016 we
3 have--we have calendared--okay. So, the individual
4 designations, we have calendared one property that
5 was in East New York, and that happened a couple of
6 weeks ago. We also during the same period in Fiscal
7 Year 2016, we voted on two historic districts. So,
8 one was Mount Morris Park Historic District
9 Extension, which was calendared in March of 2015, and
10 we also designated Bedford Historic District which
11 was about 800 properties, and that we designated in
12 December. So, up 'til now in Fiscal Year 2016 we
13 have designated about 1,100 properties, and we
14 believe by the end of Fiscal Year 2016 it will be
15 about 1,400 properties. We're advancing Park Slope
16 Historic District to designation in April as well,
17 and in our first half Fiscal Year 2016 our time was
18 spent really on addressing the backlog. We had
19 special hearings for that, and our research staff was
20 involved in additional research and outreach, but I
21 think that while in the first half of this year we
22 may have not calendared many properties, in the
23 second half we'll be doing a lot more designations
24 because we've actually sort of outline our strategy
25 to complete that within this fiscal year.

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2 COUNCIL MEMBER KOO: [off mic]

3 CHAIR SRINIVASAN: The backlog of
4 properties is 30, actually. So, those are the ones
5 we're planning to advance. So, during our hearing,
6 our meeting in February of this year, the Commission
7 took action to prioritize 30 properties. We acted on
8 five properties that we believed were not meritorious
9 and we've removed them from the calendar, and the
10 remaining 60 properties we removed from the calendar
11 without prejudice, and the Commission can reconsider
12 that in the future.

13 COUNCIL MEMBER KOO: What's the timeframe
14 for completing this review? What is the timeframe?

15 CHAIR SRINIVASAN: The timeframe for the
16 backlog?

17 COUNCIL MEMBER KOO: Yeah, yeah.

18 CHAIR SRINIVASAN: We believe by the end
19 of December we would have completed addressing the
20 backlog properties, so the 95 properties would all be
21 addressed at the end of this year.

22 COUNCIL MEMBER KOO: Thank you.

23 CHAIRPERSON GREENFIELD: Yes, thank you.
24 I'm just going to follow up on that and then I'll ask
25 a couple of questions, and then I'm going to turn it

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2 over to Chair Kallos to--well, in this room today
3 technically he's not a Chair, but Council Member
4 Kallos who, I'll just let you know in advance, wants
5 to know why you're not land marking all of Manhattan.
6 So, I'll just give you a few moments to come up with
7 that response. But to follow up on the backlogs,
8 just to be clear, by the end of this calendar year
9 we're going to be done, one way or the other, we're
10 going to be done with these backlogs. Is that
11 correct?

12 CHAIR SRINIVASAN: Yes, that is our
13 intent.

14 CHAIRPERSON GREENFIELD: Okay, excellent.
15 It's a good intention. Thank you. Post 2010, right,
16 because when we started compiling this information
17 and we looked at prior to 2010, post 2010, how many
18 items would you say are still "backlogged?" Right, so
19 items that have either been calendared and haven't
20 had a hearing or sort of have been sitting in limbo.

21 CHAIR SRINIVASAN: There are 18 properties
22 that remain on the calendar. That's between 2010 and
23 2015, 2016, and we believe by the end of the year
24 half of them will also be addressed and bring them to
25 vote and to decision by the Commission.

2 CHAIRPERSON GREENFIELD: Got it. The
3 other half, what makes them unique that they need
4 more time?

5 CHAIR SRINIVASAN: I think it's because
6 we're working on other projects right now which are
7 our priorities, and we'd like to move those as well.
8 So--

9 CHAIRPERSON GREENFIELD: [interposing] Got
10 it.

11 CHAIR SRINIVASAN: it's sort of a
12 balancing issue. We have--

13 CHAIRPERSON GREENFIELD: [interposing] And
14 you want to give me a reason to keep pushing my
15 legislation with Chair Koo, Intro 775, so we have
16 clearly defined timelines. So, that's also helpful.
17 So, I appreciate that, Chair Srinivasan. That's very
18 generous of you to allow us to do our jobs, but I
19 will just say just to put this in perspective that
20 for 50 years these items have piled up and nobody
21 dealt with them until you came along as Chair, and
22 we're certainly grateful for that and we are
23 absolutely appreciative. I'm just going to ask two
24 other questions. I'm going to open it to members and
25 I'll take some questions later, because I'd like for

2 members to get in a word edgewise even though Chair
3 Kallos makes me wait 45 minutes at his hearings,
4 we're not going to do the same to him. So, the other
5 two questions that I have are regarding staffing
6 levels. You know, the advocates always come to us and
7 they say, "We need more staff. We need more staff.
8 We need more staff." Do you need more staff, or not?
9 Are they correct or are they incorrect, and what are
10 you doing in regards to those calls that they--there
11 was a call from the advocacy community that there
12 should be more staff at LPC.

13 CHAIR SRINIVASAN: We believe we don't
14 need more staff. I think this Administration has
15 been really helpful in getting us more personnel.
16 So, at this point we in fact have five vacancies, and
17 we're posting and we're hiring and interviewing
18 people. Our strength at that time will be a total of
19 77, which includes 70 fulltime and seven part-time.
20 It's probably the highest employment level we've had
21 since the early 90's. So, I think we have been very
22 successful in moving ahead with different
23 initiatives, the backlog being one, moving through
24 different historic districts and getting them
25 designated that we're on the calendar since from 2010

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2 to 2015. We've introduced new initiatives as well
3 during the same period. So, I would say that we work
4 very efficiently, and we believe we're well-staffed.

5 CHAIRPERSON GREENFIELD: Great. And then
6 finally--

7 CHAIR SRINIVASAN: [interposing] I just
8 want to say also--

9 CHAIRPERSON GREENFIELD: [interposing]
10 Yes.

11 CHAIR SRINIVASAN: that we've been
12 successfully in meeting most of our--and exceeding
13 our MMR targets as well.

14 CHAIRPERSON GREENFIELD: Excellent.
15 Thank you. Just to chat a little bit about
16 transparency. We've had some conversations on some
17 legislation about being more transparent and putting
18 some things up on the internet in terms of whether
19 its applications or low-level approvals, certificate
20 of no effects [sic] or permits for minor work or
21 things like that. Can you tell us a little bit about
22 your efforts on transparency and those regards,
23 please?

24 CHAIR SRINIVASAN: First of all, I think
25 it's really been one of my goals to make this agency

as transparent and open as possible, and to that goal we've done several things since I've started my tenure here. So, last year we introduced a searchable database of all designation reports. We have expanded on that, and in fact introduced a new mapping feature which we believe is wildly popular, which allows anyone to search on a map designated properties as well as calendared properties. They have links directly to the designation reports. We have added on our website information about all calendared properties. We have been more transparent in doing research ahead of time and allowing property owners to understand the reason why they're being considered for designation. We have made sure, in fact about a year ago have been able to upload on our website all applications that come before the Commission, so that's a Certificate of Appropriateness [sic] Applications. They're advisory and binding reports, and any amendments to C of A's are binding on advisory reports. So not only is the information making the presentation information available on the website, but the Commission's decisions are also available on the website. And our two initiatives that we're doing this year have to do

2 with our archaeological collection. We created a
3 database and we're working on an interface for a
4 website so that anyone anywhere can have access to
5 our archaeological collection, and it's a fairly
6 large collection. It's somewhere between half a
7 million and a million artifacts. And we also are
8 working getting our stop-level [sic] approvals on our
9 website as well with basic information including time
10 when it's filed, who's the applicant and the
11 disposition of those applications. So we believe
12 that'll be done during the summer and early fall.

13 CHAIRPERSON GREENFIELD: Terrific. Thank
14 you very much. So we're going to move on to members
15 now for questioning. We're going to ask members to
16 stick to a three-minute time limit. I wasn't going
17 to do it, but then I remembered that Ben Kallos is
18 going up first, so I figured we probably wanted to
19 keep some sort of time on it. Otherwise, we'd be
20 here all day. Council Member Ben Kallos.

21 COUNCIL MEMBER KALLOS: Is this because I
22 didn't send you Mishloach Manos or something?

23 CHAIRPERSON GREENFIELD: What's that?

24 COUNCIL MEMBER KALLOS: I didn't send you
25 a gift basket for--

2 CHAIRPERSON GREENFIELD: [interposing] I
3 was waiting for the whole holiday. I was waiting for
4 my Hamantaschen, and I heard that you were all over
5 Manhattan delivering Hamantaschen, but you didn't
6 make it to Brooklyn. Brooklyn is part of New York
7 City.

8 COUNCIL MEMBER KALLOS: I will say that
9 the Purim parties are better in my district.
10 Everyone is welcome.

11 CHAIRPERSON GREENFIELD: For the record,
12 I heard you woke up the next morning at 6:00 a.m., so
13 the Purim party could not have been that great in
14 your district. And the clock is running, Council
15 Member Kallos, let's get a move on it.

16 COUNCIL MEMBER KALLOS: Thank you, Chair
17 Srinivasan for everything that you're doing. Just to
18 go over this, the--in terms of from your testimony,
19 in Fiscal Year 15, you worked with the land marking
20 2,038 properties in Fiscal Year 16--sorry. And
21 further in Fiscal Year 15 there were 7,251 properties
22 where you did internal research surveys. You
23 evaluated 113 request for evaluations, and in Fiscal
24 Year 16 you surveyed 3,220 properties and reviewed 93
25 RFE's. Is that correct?

2 CHAIR SRINIVASAN: That is correct.

3 COUNCIL MEMBER KALLOS: Okay. And all of
4 this is happening within a strong timeline, and at
5 the same time, Chair Greenfield is focusing on just
6 95 properties. And so those 95 properties are just
7 95 specific properties that were on a 50-year
8 backlog, and 30 of them have already been moved
9 forward with 10 planned for a vote in mid-April.

10 CHAIR SRINIVASAN: That's correct.

11 COUNCIL MEMBER KALLOS: So, not only are
12 you moving forward on fixing a 50-year backlog, but
13 you are dealing with thousands of properties and
14 hundreds of RFE's as you're doing that?

15 CHAIR SRINIVASAN: That's correct.

16 COUNCIL MEMBER KALLOS: And you're doing
17 that with just an increase in staffing from 59 to 70?

18 CHAIR SRINIVASAN: Yes, that is true.

19 COUNCIL MEMBER KALLOS: And you are sure
20 we can't give you any additional funding?

21 CHAIR SRINIVASAN: I think we're pretty--
22 we're in a pretty good state right now.

23 COUNCIL MEMBER KALLOS: You mentioned that
24 there were 11 properties where you declined to vote
25 without prejudice. I think one of the things the

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2 Chair is very concerned about is that the people will
3 immediately re-apply. Has that happened on all 11?

4 CHAIR SRINIVASAN: Just to clarify. So,
5 there were--there were five properties that we voted
6 to take off the calendar because of merit. So we
7 didn't believe that it was meritorious. Sixty
8 properties we took off the calendar because they were
9 not priorities, and we could revisit them. There
10 were reasons why we took them off the calendar. Some
11 of them were because they're protected by other
12 agencies.

13 COUNCIL MEMBER KALLOS: How many of them
14 refiled immediately?

15 CHAIR SRINIVASAN: None so far.

16 COUNCIL MEMBER KALLOS: Oh, none. So,
17 okay, that's fascinating. And then the last piece
18 is, during the hearing on Intro 775 a lot of my
19 colleagues actually came in to just talk about how
20 long it takes to bring, to land mark neighborhood.
21 Is it possible to leverage the block grants or
22 another source of funding so that communities that
23 need additional funding and have loosely organized
24 people who could better be educated and provided with
25 funding so that they could bring more landmark

2 historic districts in a more timely manner? Is there
3 some funding we could appropriate from your budget or
4 out of the block grants so that communities that
5 don't have the same resources as others can also see
6 landmark status?

7 CHAIR SRINIVASAN: Alright, okay. So,
8 there--it seems like there are a couple of questions
9 there. So, one is about just the efficiency of--

10 CHAIRPERSON GREENFIELD: [interposing] You
11 can answer any one you want. You don't have to
12 answer all of them.

13 CHAIR SRINIVASAN: Okay.

14 CHAIRPERSON GREENFIELD: That's okay.

15 CHAIR SRINIVASAN: Alright, I'm just
16 going to start with one then.

17 CHAIRPERSON GREENFIELD: It's a Kallos
18 trick. He asks four questions in the last 12
19 seconds.

20 COUNCIL MEMBER KALLOS: I have to prep
21 for Passover.

22 CHAIR SRINIVASAN: Right. I'll go very
23 quickly. So, one has to do with just making sure
24 that the designation process is efficient. We have
25 the staff to do that, and I think that our records

2 shows that in the last one and a half years, any
3 designation that we've entered in the process has
4 taken place within six months. So we're very
5 committed to being efficient on the designation side.
6 During the same period we moved forward, and part of
7 the numbers that you're seeing about properties that
8 were surveyed is that we move and advanced many
9 historic districts that were already on the calendar,
10 and that's why those numbers are about 2,000 for the
11 ones we've designated. In terms of the grant
12 program, the grant program is a federal grant that's
13 aimed towards designated properties. Your question
14 about how to engage the community and work with them
15 to find historic resources I think we're very open to
16 that. One of our sort of larger goals is to in fact
17 look for historic preservation opportunities in
18 neighborhoods which are not well-represented, and
19 we'll continue to do that. And, you know, we have
20 staff that we believe and would like to work with
21 communities to inform about the positives of
22 designation as well as work with them if they
23 resources there that they'd like us to designate.

24 COUNCIL MEMBER KALLOS: Thank you.
25

2 CHAIRPERSON GREENFIELD: Thank you,
3 Council Member Kallos. Just only because we're using
4 Republican debate rules, because I mentioned my name,
5 I can respond. Just for the record, I find it
6 mystifying that the Chair of the Government
7 Operations Committee, the number one good government
8 guy in New York City thinks it's okay to have items
9 on the calendar for 50 years at the Landmarks
10 Preservation Commission, and but for advocacy and the
11 leadership of the Chair, those items would still be
12 on the calendar. So I certainly hope you're not
13 going to--you're not advocating that, but I'll let
14 you explain your positions afterwards to Aaron Durkin
15 [sp?] and the rest of the press corps as to why our
16 good government Council Member thinks it's okay to
17 wait 50 years to have items reviewed by a city
18 agency.

19 COUNCIL MEMBER KALLOS: A point of
20 personal privilege since you invoked my name, just a
21 quick response is--

22 CHAIRPERSON GREENFIELD: [interposing] No,
23 no, under the Republican rules it doesn't work that
24 way. You invoked my name. I get to respond. You
25

2 don't get to respond to the response; otherwise, we'd
3 be here all day.

4 COUNCIL MEMBER KALLOS: I think it's just
5 to say that a five-year moratorium is a bit much, but
6 we're doing great work here, and I agree with making
7 sure we don't ever have a 50-year moratorium again.

8 CHAIRPERSON GREENFIELD: Excellent. I'm
9 looking forward to you signing on to Intro 775 as a
10 result.

11 COUNCIL MEMBER KALLOS: Never [sic].

12 CHAIRPERSON GREENFIELD: Thank you,
13 Council Member Kallos. We're going to ask Council
14 Member Reynoso to ask some question. Just a few
15 moments. Want to recognize that we've been joined
16 since the beginning of the hearing by Council Members
17 Lander, Treyger, Rose, Rodriguez, and Richards, and
18 we're going to turn it over to Council Member Reynoso
19 to be followed by Council Member Gentile and then
20 Council Member Treyger.

21 COUNCIL MEMBER REYNOSO: Thank you,
22 Chair. Thank you so much for being here, and I just
23 want to make sure that I'm saying this correctly.
24 There was a property in my district that was held out
25

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2 for 50 years. Am I right that I had the oldest
3 property on the ledger in the tubes in landmarks?

4 CHAIR SRINIVASAN: You had a couple of
5 properties, but there were some others that were on
6 the calendar since 1966, and some--

7 COUNCIL MEMBER REYNOSO: [interposing] Oh,
8 okay.

9 CHAIR SRINIVASAN: of them are moving
10 forward.

11 COUNCIL MEMBER REYNOSO: But I did have
12 one, and we now can say that it is now off the ledger
13 and has actually been landmarked. As of right now it
14 is landmarked.

15 CHAIR SRINIVASAN: We--not yet.

16 COUNCIL MEMBER REYNOSO: What?

17 CHAIR SRINIVASAN: So, we have--so, it's
18 hap--

19 COUNCIL MEMBER REYNOSO: [interposing]
20 Fifty-one years. Chair, go ahead.

21 CHAIR SRINIVASAN: So, the two properties
22 that were on the list of 95 in your district, both of
23 them we've prioritized to designate. So one of them,
24 in fact, we're moving to designate in April, and the
25

2 other either in June or at the end of the year, but
3 it'll--

4 COUNCIL MEMBER REYNOSO: [interposing]
5 Well, I want to thank you so much.

6 CHAIR SRINIVASAN: And I just want to
7 also thank you for your support, and we really do
8 appreciate that.

9 COUNCIL MEMBER REYNOSO: Yes, in a
10 Community Board Hearing it came up randomly, and
11 folks were, "Oh, the owner doesn't want to landmark
12 it. We should just not let it happen." And I had to
13 stand up and say I'm done with this property. It's
14 definitely going to get landmarked. We should
15 definitely pursue it, and the Community Board
16 actually changed their vote and supported the land
17 marking of the property. So I just want to thank you
18 guys for finally moving that forward. I'm extremely
19 grateful that that happened. I do want to talk about
20 Ridgewood. These historic districts are a lot
21 tougher because we have a lot of paperwork that needs
22 to get done, I guess, on a building by building
23 basis, a property by property basis, or maybe a lot
24 by lot, but given the amount of gentrification that's
25 setting forth in Brooklyn and now is creeping into

2 Queens and Ridgewood section, the land marking is
3 ever more important now in historic districts, and I
4 guess what I'm asking for is how fast can we see that
5 move forward? And also in your "Where are my
6 landmarks?" on the site, it has the Ridgewood
7 historic districts as landmarked when they're not.
8 They're landmarked by the Federal and State
9 Government, but not by the City. So, I just want to
10 know what does that all mean, and can we actually get
11 the historic districts landmarked soon.

12 CHAIR SRINIVASAN: Right, in fact there
13 are several historic districts in Ridgewood. And, so
14 if you saw that on our own map, those are the ones
15 that we've actually designated. Last year in
16 December we designated a 900 building historic
17 district in Ridgewood. A portion of it was in your
18 district and a portion of it was in Council Member
19 Crowley's district.

20 COUNCIL MEMBER REYNOSO: Can we follow up
21 because I don't think that that's necessarily true. I
22 think a portion of Elizabeth Crowley's district was
23 landmarked, but not the portion in my district.

2 CHAIR SRINIVASAN: There was a small
3 portion in your district. I'll admit it was not
4 large, but it was in your district and in Ridgewood.

5 COUNCIL MEMBER REYNOSO: Looking at this,
6 it has a large portion of my district that's
7 landmarked, which I don't think is necessarily true,
8 and I would love to know that it is because the
9 Ridgewood property owners and Civic Association would
10 be very happy to hear that this happened, so.

11 CHAIR SRINIVASAN: Right. We'd be happy
12 to sit down with you and explain what the boundaries
13 are and if the areas that you're looking at we can
14 take them into consideration.

15 COUNCIL MEMBER REYNOSO: Okay, and then
16 to speak to the budget portion of this, is that if
17 you had more staff, these historic districts could
18 get landmarked a lot quicker. So, I do want to say
19 that I think that you might need--I would actually
20 support an increase in funding to the agency in an
21 effort to get these historic districts landmarked a
22 lot quicker, but again, thank you for the work that
23 you've done so far. It's obviously working in my
24 district. Thank you. Thank you, Chair.

2 CHAIRPERSON GREENFIELD: Thank you,
3 Council Member. Council Member Gentile to follow by
4 Council Member Treyger.

5 COUNCIL MEMBER GENTILE: Thank you, Mr.
6 Chair, and thank you to Madam Chairwoman and also to
7 your staff for being here this morning. I followed
8 your testimony, and I'm pleased to know that you're
9 doing the outreach to the outer boroughs in terms of
10 applications for land marking. I'm just curious, in
11 reading through this I didn't see much discussion if
12 any about South Brooklyn and applications that may
13 have been considered for my neck of the woods or
14 other parts of several members here that are sitting
15 in this panel also hail from Southwest Brooklyn
16 anywhere from Borough Park to Bay Ridge to Gravesend
17 [sp?]. And I'm curious how many if any applications
18 from that area of the city have been filed and/or
19 considered by the Commission in the last year?

20 CHAIR SRINIVASAN: Right. It's not an
21 application process, but we do receive requests for
22 evaluation from members of the public and community
23 groups as well.

24 COUNCIL MEMBER GENTILE: My apologies on
25 the terminology.

2 CHAIR SRINIVASAN: So, I think in South
3 Brooklyn, we really haven't received that many
4 applications, not applications, but requests for
5 evaluations. So, there are some areas more in sort
6 of middle Brooklyn area, but we haven't really
7 received many in your neighborhood, for example.
8 There have been more individual designations, but not
9 necessarily historic districts, but we're always open
10 to working with you and members of your community if
11 they are interested in looking at neighborhoods.

12 COUNCIL MEMBER GENTILE: So you're saying
13 there have been none in the last--have not been any
14 in the last year from any--

15 CHAIR SRINIVASAN: [interposing] No, I
16 don't believe--

17 COUNCIL MEMBER GENTILE: [interposing]
18 where from Borough Park into Bay Ridge to Gravesend?

19 CHAIR SRINIVASAN: I don't believe we have
20 any request, but we can get back to you to be
21 absolutely definitive and sure, but I don't really
22 believe we've had it, and at least for historic
23 districts I don't believe we've received any.

24 COUNCIL MEMBER GENTILE: Okay. If you
25 could check I'd appreciate it. I'm just curious about

2 that given the fact of your outreach. I want to make
3 sure the outreach comes to south Brooklyn.

4 CHAIR SRINIVASAN: Of course.

5 COUNCIL MEMBER GENTILE: The other matter
6 I had I wanted to ask you about was when you evaluate
7 a property, does the fact that the property may have
8 been altered somewhat over time trump the fact of its
9 historical significance? If a property has real
10 historical significance, but has had some
11 modification to it over time, does that modification
12 automatically preclude historic designation, landmark
13 designation?

14 CHAIR SRINIVASAN: I think you rightfully
15 noted that these are the things that the Department
16 and our research staff look at when we're thinking
17 about designations, which is what is the level of
18 historical architectural or cultural significance,
19 and what is--and the importance of that both to the
20 neighborhood but to the city and the state and the
21 country overall. We do look to see whether the
22 buildings have been altered. I think if the
23 historical and cultural significance is significant
24 or really very important, then the level of
25 alteration may not be that important. But one thing

2 which is a challenge for us is that when we designate
3 properties we designate them and we regulate them,
4 and that is a physical attribute which is how should
5 the building look. So, it's a challenge for us when
6 we think about buildings when the architectural
7 integrity is not really what we're trying to protect,
8 but we're trying to protect and mark its cultural
9 significance. So, I would say there's not--I don't
10 think there's just one answer to that. We--it's more
11 on a case by case basis, and we have to evaluate
12 other factors, but just to give you a very quick
13 answer, I think it's not--if a building is culturally
14 and historically significant, then even if it's
15 altered doesn't meant that it's taken off our radar
16 and that we shouldn't look at it. It still may be
17 worth designating.

18 COUNCIL MEMBER GENTILE: I ask because
19 one was rejected in the Church of the Generals in Bay
20 Ridge, which is culturally significant because two
21 generals, Robert E. Lee and Stonewall Jackson both
22 worshipped there while they were stationed at Fort
23 Hamilton Army Base, and it was taken off any
24 consideration because of the modifications, and it
25 seems to me not to be equal in importance.

2 CHAIR SRINIVASAN: Right, and actually I
3 remember that case, and I will say that over this
4 past year, the issue of cultural significance has
5 come up many times, and I think the Commission still
6 grapples with that. We recently designated Stonewall
7 Inn, which in terms of the building it's not
8 particularly attractive, but it has cultural
9 importance, and therefore we designated it, and we'll
10 continue to sort of balance both the cultural meaning
11 and the importance of the city and how to mark that
12 with designations, but the other thing I would say is
13 that the Commission also looks to see if there are
14 other ways to in fact honor buildings which have
15 cultural significance. That may not necessarily be
16 designation and if there are other programs out
17 there, and so that's something that we continue to
18 look at as well. We have on our website virtual
19 tours, which are of cultural landmarks. Some of them
20 are designated and some of them are not, but they are
21 noted, and we've looked at that in the context of
22 African-American history. We looked at it in the
23 context of LGBT history. We looked at the context--

24 COUNCIL MEMBER GENTILE: [interposing]

25 Thank you.

2 CHAIR SRINIVASAN: of women's history.

3 COUNCIL MEMBER GENTILE: Right. Okay. My
4 time is up, but I'll continue that conversation with
5 you.

6 CHAIR SRINIVASAN: Sure.

7 COUNCIL MEMBER GENTILE: Mr. Chair, thank
8 you so much, and just want to mention we've been
9 joined by PSIS180 in your area of your district from
10 Borough Park, and we--I'm going to go out and talk to
11 them in a few minutes.

12 CHAIRPERSON GREENFIELD: Sure, absolutely.
13 So we welcome the Seeall Academy. Thank you all for
14 joining us and of course our wonderful favorite
15 principal Gary Williams and the outstanding teachers
16 who are with us today. It's really one of the finest
17 schools that we have in New York City, and it is in
18 my district. I'm a proud supporter along with Council
19 Member Gentile, and just for the students just so
20 that you know, what we have here today is we have a
21 budget oversight hearing. We have a city agency, an
22 important agency called the Landmarks Preservation
23 Commission, and they decide which buildings should be
24 land marked. So basically, you can't touch those
25 buildings because they are unique or special, and we

2 are just going through the budget to make sure that
3 they spend their money correctly, and so far, so
4 good. So far it looks like they're spending their
5 money correctly, and we're happy to report, but we
6 thank our students from the Seeall Academy. I thank
7 Principal Williams, and just so that you know as
8 well, in case you saw a back and forth between myself
9 and Council Member Ben Kallos, we're actually friends
10 in real life. We just have occasional policy
11 disagreements. It's made easier, of course, because
12 I'm right and he's wrong, but still we certainly are
13 friends and we're just debating some policy issues
14 here as well, and we thank all of you for coming out
15 here, and Council Member Gentile will give you the
16 behind the scenes scoop, and hopefully he has pens
17 for all of you as well. Moving right along to
18 Council Member Mark Treyger.

19 [applause]

20 COUNCIL MEMBER TREYGER: Well, it's very-

21 -

22 CHAIRPERSON GREENFIELD: [interposing]

23 Council Member Treyger for questions.

24 COUNCIL MEMBER TREYGER: It's very
25 fitting that the teacher gets the next--I was just

2 going to ask the kids a question about some history
3 too. But my--welcome, Chair, and thank you, Chair,
4 for your time. My colleague had mentioned about
5 applications from south Brooklyn, and I do believe
6 that there's still one big pending application from
7 south Brooklyn, and that's why I was--I think the
8 Chair and I agree that if the Landmarks Preservation
9 Commission needs more staff. I mean, the Boardwalk
10 is two and a half miles long, a lot of ground to
11 cover. So, I just would like to know, Chair, if this
12 is something that I imagine is still under review,
13 and just to hear a quick update where we stand with
14 regards to the landmark status of the Coney Island
15 Boardwalk.

16 CHAIR SRINIVASAN: You may recall, Council
17 Member--

18 COUNCIL MEMBER TREYGER: [interposing]
19 Yes.

20 CHAIR SRINIVASAN: that we had this
21 conversation one year ago. Many things have changed
22 since then, and I think we were very persuaded by
23 some--meeting with you and hearing what you had to
24 say, and so we are looking at the Boardwalk in terms
25 of cultural significance. Again, a fascinating

2 challenge for us, since much of--there's no real
3 historic material left. It's changed over time, and
4 that has obviously got us thinking about what would
5 it mean to regulate it. So we're still sort of
6 pursuing that, and we'd be happy to sit with you and
7 talk to you about your thoughts. It's obviously a
8 complicated issue because of the materials, but I
9 think and we both agree that it does have cultural
10 significance and should be marked in some way.

11 COUNCIL MEMBER TREYGER: And I do
12 appreciate that comment, because in our--a year ago
13 we were in a different place, and I want to thank all
14 of my colleagues, all of my colleagues who are here
15 and all those with me because it's not every day that
16 every single member of the City Council signed onto a
17 resolution to landmark the historic Coney Island
18 Boardwalk. And I want everyone to know that we did
19 it without lobbyist. We did it without any
20 conservancies. We did it door-to-door, phone call to
21 phone call because that is our--that is our public
22 treasure. So, I do look forward to sitting down and
23 working together to make this Boardwalk landmark a
24 reality. And last question I have is just with
25 regards to the pumping station. There's been-- that

2 subject to an area that there is a pending EDC
3 resiliency study that is still underway. It's my
4 understanding that it is in an area that was
5 vulnerable certainly to--it was to flooding from
6 Coney Island Creek. What is the last that you've
7 heard, Chair, with regards to the status of the
8 pumping station? Because I try to find win/win/win
9 opportunities where we preserve history, we protect
10 life and property at the same time we activate more
11 programming for the local community residents. So, I
12 would just like to hear your insight about where we
13 stand on that.

14 CHAIR SRINIVASAN: Thank you, Council
15 Member. I think both of us agree that this building
16 in terms of any kind of designation should be done
17 properly and in the context of finding a real use for
18 this property. We know that the site is very
19 challenged because it's in this flood zone, and so
20 one of the things we have done is we've reached out
21 to DCAS as well as EDC, and we're looking at trying
22 to put together sort of a feasibility study for it
23 and trying to find sort of a community-based use for
24 it. So, I think we will probably will be working
25 with your office as this moves forward, but it just,

2 you know, it sort of came up because this building
3 was a part of the backlog, and so it was on our
4 radar. We brought it to the other city's agencies'
5 radars and so we're hoping to work--

6 COUNCIL MEMBER TREYGER: [interposing] And
7 thank you for your support for Lady Moody and
8 Gravesend. Thank you. Thank you, Chair.

9 CHAIR SRINIVASAN: Let's [sic] talk [sic]
10 about that.

11 CHAIRPERSON GREENFIELD: Thank you. And
12 just, you know, full disclosure, we're actually going
13 to be scheduling a hearing on the Council Member's
14 resolution because under the Council rules it needs a
15 super majority of members having cosponsored the
16 resolution. So, we intend on scheduling a hearing on
17 that. So, I would once again encourage you to try to
18 resolve that before the hearing, because I can tell
19 you from past hearings with Council Member Treyger,
20 he has a pension for filling the stadium with
21 supporters. So, I just want to make sure that
22 everyone is aware of that. We could amend it to
23 include the Rockaways. Yeah, you can speak to the--
24 yeah, you can speak to Council Member Treyger
25 offline. We're now going to turn to Council Member

2 Cohen for questions to be followed by Council Member
3 Williams, and once again I want to acknowledge
4 Council Member Cohen who being early with us here
5 today at our hearing. He gets the gold star. We
6 still haven't determined in fact what prize we're
7 going to give out at the end of the year for the most
8 gold stars, but we're working on a good one. If
9 anyone has some suggestions, please let us know.
10 Council Member Cohen?

11 COUNCIL MEMBER COHEN: I would like
12 lunch. Thank you, Chair Greenfield. Thank you,
13 Chair. First, let me just say that I appreciate the
14 dialogue regarding the items that were on the
15 calendar in my district, and I feel like that we came
16 or that the Commission did a good job in dealing with
17 those two properties. So, I am very appreciative.
18 You know, I was just curious. You know, it's been my
19 experience sometimes when, you know, when we rezone
20 that it leads to a spur of development, which I think
21 is part of the mission, legislation that we did last
22 week. I'm curious what if you're concerned at the
23 Commission about an increase in development and
24 putting pressure on properties that may be sort of in
25 the beginning, you know, particularly maybe in some

2 of the neighborhoods that we're hoping to ultimately
3 rezone as part of MIH. Do we have a good inventory
4 of what's there now before we totally redevelop?

5 Thank you.

6 CHAIR SRINIVASAN: Thank you, Councilman.

7 One of our prongs in our strategy is to in fact look
8 at areas that are being considered for rezoning, and
9 we work closely with City Planning. So, in fact,
10 even some of the study areas that they've already
11 identified we've had our first look at to see whether
12 there are preservation opportunities. We think that
13 working with City Planning would allow both the goals
14 of affordable housing and development to take place,
15 but not at the cost of historic preservation. So, in
16 East New York we've identified one of the properties
17 which is also on Atlantic Avenue, and as you know
18 Atlantic Avenue is a corridor for growth, but we felt
19 it was really important for the district as well as
20 the Council Member felt that as well, and we've
21 calendared and we proposed to designate that soon.
22 So, as we see these other studies coming forward
23 we've had a look in terms of our research department
24 but also in the context of environmental review.
25 We'll be looking to see whether the historic

2 resources that should be protected and how to balance
3 that for growth and development.

4 COUNCIL MEMBER COHEN: I would just really
5 encourage the Commission to try and stay as far
6 ahead, because, you know, as developers get a sense
7 that something is happening, it would be convenient
8 to get rid of troublesome properties. So we really
9 want to, you know, make sure that we have our eye on
10 the ball as we go forward. Thank you.

11 CHAIRPERSON GREENFIELD: Thank you,
12 Council Member. Council Member Williams to be
13 followed by Council Member Lander and Council Member
14 Rose, and we've also been joined by Council Member
15 Levin and Council Member Barron. Council Member
16 Williams?

17 COUNCIL MEMBER WILLIAMS: Thank you much,
18 Mr. Chair. Thank you, Madam Chair for being here. I
19 think I'm going to be brief, but I too always am
20 concerned that not much attention is being paid to
21 south of Eastern Parkway, actually. So, I want to
22 thank you for being responsive. I know we have some
23 issues with the Jackie Robinson House now that is not
24 due to what you're doing. So hopefully we can get
25 past that. We had several neighborhoods that wanted

2 to complete the quilt in Victorian Flatbush that you
3 were instrumental in getting a study done. Of course,
4 many of them don't agree with the study, and so I
5 think we have to move forward on trying to do some
6 kind of public discussion with them. I'm not sure if
7 it's on my side or your side. Just wanted to know
8 where that was right now, because I know we have to
9 set that up.

10 CHAIR SRINIVASAN: We did meet with him,
11 I think probably about six months ago, and I think we
12 had discussed with you there were two areas we felt
13 were really meritorious to move forward with. So,
14 since then we've been busy with other things, but I
15 think it's worthwhile for us to work with your office
16 as well as Council Member Eugene's office and move
17 forward and try and identify a schedule.

18 COUNCIL MEMBER WILLIAMS: Yes, I think
19 there--

20 CHAIR SRINIVASAN: [interposing] For study
21 and for them--anything further.

22 COUNCIL MEMBER WILLIAMS: I'm interested
23 and want to get to the area or if someone who knows
24 the area to explain what the study is about and hear
25 why they disagree with it so we can move forward

2 there. But I also just want to echo this
3 Administration. I'm a supporter of the Chair and
4 Council Member Koo's bill. I think for a long time,
5 it still kind of is, but we're getting better. It was
6 just, I think, archaic and arbitrary some of the
7 things that were done, and I thank you because I
8 think you've helped move it in the right direction,
9 and I thank your leadership for pushing. I don't
10 know which one is the chicken or the egg, but either
11 way I think it's a lot of good work happening now to
12 move into some kind of semblance of making sense of
13 how this process works so that everybody understands.
14 So, thank you very much.

15 CHAIR SRINIVASAN: Thank you, Councilman.

16 CHAIRPERSON GREENFIELD: Thank you,
17 Council Member. Council Member Lander to be followed
18 by Council Member Rose and Council Member Dickens.

19 COUNCIL MEMBER LANDER: Thank you to both
20 Chairs. So, I first want to praise both of you for
21 progress that you've made, really all three of you
22 because I had the honor of chairing the subcommittee
23 last term where we made essentially zero progress on
24 the backlog. Every year I asked about the database
25 and the online map. In my first year, five years ago,

2 whenever, six years ago, I was told next year we're
3 going to have the interactive map and database up.

4 So, congratulations on getting it up, and I really
5 would urge Council Members and members of the public
6 to check out the new interactive map. It's more fun
7 than you'd think really. You get to see both things--
8 districts and individual landmarks, things that are
9 designated, things that are calendared. You're
10 linked to the old designation report. You could spend
11 a long time on there, and I assume also that that's
12 being used internally as a management tool for kind
13 of keeping better track of your process.

14 CHAIR SRINIVASAN: Right, it's very
15 helpful.

16 COUNCIL MEMBER LANDER: So,
17 congratulations on getting that done. I was noting in
18 your Mayor's Management Report also that you've got
19 numbers up on the percent of Certificates of No
20 Effect issued in 10 days which went up from 91
21 percent to 94 percent, certificates of--your permits
22 for minor work, you know, still at 93 percent,
23 expedited Certificates of No Effect issued within two
24 days from 84 percent up to 98 percent. So, a lot of
25 good efficiencies, and I praise your work on the

backlog, though I agree that getting to standard rules and timelines is good for everyone. We do it here at the Council. My only--my question, you talked a little bit about doing your work with the focus on the rezoning neighborhoods, and I guess I just, I think it's smart the principles that you articulated on focusing on issues of equity and spanning [sic] where there are designations while also continuing all the existing ongoing work and focusing on the rezoning neighborhoods. That's a lot. I mean, that's a bigger ambit than the organization has tried to get to before. You know, we have added resources to Department of City Planning to enable them to do the work in these 15 neighborhoods, and I guess my question is just really assuming that becomes standard and that you're going to be drilling down and doing studies in each of the rezoning neighborhoods while also working to achieve all these goals, you know, can you really do that without some additional resources? It seems to me so far you're getting there. You're proving these permits in faster timeliness. You've got the database online, but won't--making sure that you can provide the resources necessary to the rezoning

2 neighborhoods while also continuing to meet all the
3 other goals and attending to equity issues require
4 some additional resources to be able to do that in
5 the years to come.

6 CHAIR SRINIVASAN: I think, again, I say
7 that I think we have adequate resources. We have
8 five new hires, and I think two of them are going to
9 the research department and three in preservation.
10 So, and I think two in preservation and one in our IT
11 Department. One thing I would say is that this past
12 year has--there's been a lot of work because we had
13 one very big initiative that was outside of
14 everything else, which was the backlog, but that's
15 not there anymore right now. So now we're working
16 with the 30 designations, and we're having--we're
17 going to get five new people. So I think we're kind
18 of fat [sic].

19 COUNCIL MEMBER LANDER: Alright. Thank
20 you on Park Slope Historic District Extension. We'll
21 look forward to the vote in April, and moving forward
22 on that here as well. Thank you, Mr. Chair.

23 CHAIRPERSON GREENFIELD: Thank you.
24 Council Member Rose to be followed by Council Member
25 Dickens.

2 COUNCIL MEMBER ROSE: Thank you, Chair,
3 and good morning, Commissioner, and congratulations
4 for clearing the 50-year calendar. In my district we
5 had several landmarks that wanted to be removed from
6 the calendar, and I can say they're very happy that,
7 you know, you accommodated some of their requests,
8 and their--there's one that still a bit controversial
9 that's still--we're still sort of on the fence about
10 and it really is because of the cost to repair and
11 maintain are really prohibitive for low and moderate
12 income homeowners. You know, and I think--I know
13 that the Community Development Block Grant funding is
14 essential to facilitate the inclusion of low and
15 moderate income homeowners. So, I was wondering about
16 that process, and so I wanted to know--you were able
17 to successfully award four grants, and I was
18 wondering how many homeowners have applied for that
19 grant? How do you determine who will receive that,
20 individual, and are there a number of--what's the
21 number of homeowners versus not-for-profits that, you
22 know, have requested grants to help facilitate that
23 process, and is there a waiting list, and are you--do
24 you think there's a need for an increase, and what
25 efforts are you making to do so?

2 CHAIR SRINIVASAN: Okay. Well, because
3 these are federal grants they have certain
4 restrictions on them. So, that already narrows the
5 pool. I believe it's 60,000 for a family of four,
6 something like that, 60 or 69,000--69,000. So, what
7 we found is that many people in historic districts
8 may not actually fall within that range. I think what
9 we try to do is in neighborhood that are of less of
10 means, we try and do a lot of outreach and allow
11 people to know about the grant program and come to
12 us. But leaving aside this grant program itself
13 which I think is helpful and it varies year by year,
14 sometimes this smaller amount of funds that go toward
15 more applications, and this year it was a case that
16 the funding was a more substantial amount but less
17 number of applications or less number of grants were
18 given, and that depends on how many applications we
19 receive. The basis of which ones get a grant is
20 based on the type of work--it's really about sort of
21 evaluating the property itself, if it's at a high
22 level of deterioration and needs to be repaired, and
23 that the level of deterioration would either affect
24 the building itself or its neighboring buildings or
25 the district overall. So, we make that judgement,

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2 and if it falls within the income levels, then we'll
3 be able to dispense the grant funding to those
4 owners. But just on the other issue--

5 COUNCIL MEMBER ROSE: [interposing] So, if
6 a building needed more remediation, more work done,
7 would that give--would its chances increase more of
8 getting funds, or does that lessen their chances of
9 getting funds?

10 CHAIR SRINIVASAN: Well, I think I would
11 say it varies. If in fact in a year there's a large
12 number of applicants that apply and need the grant,
13 then maybe the amount of money that's dispensed is
14 smaller. Sometimes homeowners will put in their own
15 funds as well. So, it's--you know, I think in an
16 ideal world it would be nice to have more money, but
17 we get it from federal government, but I think we
18 have been judicious in making sure that these grants
19 are given to deserving homeowners.

20 COUNCIL MEMBER ROSE: So, do you have a
21 waiting list? Are there--

22 CHAIR SRINIVASAN: [interposing] We don't
23 have a waiting list.

24 COUNCIL MEMBER ROSE: You don't have a
25 waiting list?

2 CHAIR SRINIVASAN: No, we don't.

3 COUNCIL MEMBER ROSE: So the fact that
4 you awarded four meant that only four homeowners and
5 not-for-profits actually applied? You know, for help.

6 GARDEA CAPHART: So, for the nonprofit
7 side, there was only one application and that got the
8 award. On the residential side, we had more than
9 one. We had about 10 applications, but they didn't
10 meet the income requirement, so we have to follow
11 that. Of those that met the income requirements,
12 those are the three that were awarded. So, in the
13 situation like that where we had only three who met
14 the requirements, so we try to spread the funding
15 across those three. So, in that case, we have a
16 larger amount given to each, you know, each grant
17 recipient, but in years where we have a lot of, as
18 the Chair said, we had a lot of applicants who
19 qualified who met the minimum requirement. If you
20 look at the borough, we try spread across boroughs,
21 and we get less amount per grantee, and just so we
22 make sure we be able to spread funding across the
23 boroughs. So, that's how we--

24 COUNCIL MEMBER ROSE: [interposing] And in
25 the case where there's a district that you really

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2 would like to be landmarked, are they offered access
3 to funding or--

4 CHAIR SRINIVASAN: [interposing] Right.

5 COUNCIL MEMBER ROSE: Do they have to
6 apply, and--

7 CHAIR SRINIVASAN: [interposing] What
8 we're doing now is that when we are looking at
9 particular areas that we plan to designate, we will
10 do an outfit beforehand with the homeowners. So we
11 talk about what the responsibilities are of
12 designation, and even sometimes it'll go back after
13 it's designated. In those sort of outreach
14 discussions we'll talk to them about the grant
15 program and how they can apply and how to meet with
16 us. And just again, the grant program is--it really--
17 -our staff spends a lot of time actually working with
18 them and helping them put together that grant.

19 COUNCIL MEMBER ROSE: And you have some
20 other funding available other than just the block
21 grant?

22 CHAIR SRINIVASAN: That's grant--that's
23 only grant that we administer, but there are other
24 grants that may be given from other nonprofit
25 organizations that people can avail of.

2 GARDEA CAPHART: We'll have a list of
3 those organizations that we share with homeowners who
4 don't qualify for our grant. We have a long list of
5 organizations we provided them and told them to also
6 explore those areas.

7 COUNCIL MEMBER ROSE: Okay. Thank you.
8 Thank you.

9 COUNCIL MEMBER KOO: Thank you, Council
10 Member Rose. Next we'll have Council Member Dickens,
11 and we're also joined by Council Member Mendez.

12 COUNCIL MEMBER DICKENS: Good morning,
13 Chair and thank you so much, and good morning to you,
14 Chair. I first want to thank you for the two
15 extensions that you did in land marking. One is the
16 Riverside West End, the Historic Extension, and also
17 on the Mount Morris Park Historic District. So, I
18 wanted to thank you for those two extensions. But
19 actually, my question is dealing with our budget.
20 LPC has dedicated staff to make periodic visits to
21 construction sites. What is the fiscal impact on the
22 budget per visit, and how many staff does it take to
23 go to a site for a brownstone, a single building,
24 versus a multi-dwelling that's in a historic
25 district? That's number one. And number two, what

2 and how do you determine the violations that are put
3 on a single building that is landmarked versus a
4 multi-dwelling that's in a historic district?

5 CHAIR SRINIVASAN: Alright. Council
6 Member--thank you, Council Member, for supporting
7 Mount Morris Historic District. We were thrilled to
8 do it, so we're really happy with your support. So,
9 I think you're talking about the context. In the
10 terms of site visits, we're talking about violations
11 this pertaining--

12 COUNCIL MEMBER DICKENS: [interposing]
13 Yes, site visit is the first one, the impact upon the
14 site for a site visit. How many staff? What is the
15 cost per visit to a single building, a brownstone for
16 instance, in my district versus a multi-dwelling
17 that's in say the Saint Nicholas Historic District?
18 And the second part of it was the violations.

19 CHAIR SRINIVASAN: Alright. I don't think
20 there's any sort of cost implication of whether it's
21 a single family home or it's a multiple dwelling. The
22 staff does site visits routinely, and it depends on
23 what the site visit for. We do it in the context of
24 researching properties and evaluating for
25 designation. We look at them in the context of

2 actually a designation report where we note the
3 condition of the building. We look at it in the
4 context of any--yes, we look at it for in the context
5 of any applications that are made to the Commission,
6 and they're looking at, you know, changing the
7 material. Then we make take a site visit as well,
8 and then we look at sits in the context of any
9 violations. So it's hard to kind of put a number on
10 it, per say. We can try and get back to you on that.
11 But in terms of the violations, as you know it's--our
12 enforcement has, I think, is it four people? Right?
13 We have people--

14 COUNCIL MEMBER DICKENS: [interposing] I
15 didn't hear you.

16 CHAIR SRINIVASAN: I'm sorry. We have
17 five people in our enforcement division that if they
18 receive a complaint, and sometimes what happens is
19 there are multiple violations on a single property.
20 So, we'll go to the site and we will evaluate what
21 those--if there's any violations. But I would also
22 say that our first approach in case of any
23 noncompliance's would be to work with the property
24 owners, and we start with that. We allow--we let
25 them know that they may have done something that is

2 contrary to the landmarks' law, and we first try and
3 work with them to legalize it either through an
4 application process or advising them on what kind of
5 materials they should use on their property.

6 COUNCIL MEMBER DICKENS: Alright. I have
7 a constituent that has a small multi-dwelling that's
8 in a historic district. It's not landmarked.

9 CHAIR SRINIVASAN: Okay.

10 COUNCIL MEMBER DICKENS: And one of his
11 tenants that's on the ground floor put up a sign for
12 whatever he was doing, and he lived there but he also
13 put up a sign apparently, and Landmarks gave him a
14 violation, very costly violation, and then he had to
15 go to court to take the tenant because of the sign
16 being put up. But it was not actually--it was not
17 him. It was not the owner. It was the tenant who
18 did it. Now, what--does the LPC allow for a tenant
19 to put up a signage on a building that's in a
20 historic district where they live there and have
21 their whatever their business is? Which in this case
22 was a tax something [sic].

23 CHAIR SRINIVASAN: Right. We routinely
24 approve signage for properties in historic districts
25 that have commercial overlays. We've seen situations

2 where it's the tenant who's asking for the sign and
3 not the owner, and the issue is that they have to
4 come to the Commission for approval, and they look at
5 the size and the location of that sign. And so in
6 the case that there's a sign that's been put up,
7 which did not receive any permits, then we go and
8 look to see whether it's illegal or not. Our first
9 approach is to reach out to the homeowner. If it's a
10 tenant in place, then we usually reach out to the
11 tenant as well. So, I don't know about this case in
12 particular, but it may be a case that we reached out
13 to all the entities but nothing happened, and they
14 didn't come to us to legalize it. So, I mean, we'll
15 be happy to follow up on that if you'd like us to do
16 that.

17 COUNCIL MEMBER DICKENS: Alright, thank
18 you so much.

19 CHAIR SRINIVASAN: Okay, great.

20 COUNCIL MEMBER KOO: Thank you. Now,
21 Council Member Barron to ask questions.

22 COUNCIL MEMBER BARRON: Thank you, Mr.
23 Chair. Thank you to the panel for coming, and in
24 your testimony you referenced the opportunity to look
25 at areas of East New York as it's going through its

2 rezoning, and I think you referred to one particular
3 building. If you could elaborate on that and if
4 there are other sites that you are looking at, and
5 how will that process go? There was a huge bank on
6 the corner of Atlantic and Pennsylvania which has
7 since been demolished and new construction is going
8 on. There were hopes from people in the community
9 that that could be land marked, but that did not
10 happen. So, I wanted to know if you had identified
11 other sites in East New York for possible landmark
12 status, and what is the process and how long will it
13 take?

14 CHAIR SRINIVASAN: So the building that we
15 calendared recently was the Empire Dairy. I don't
16 know if you're familiar with.

17 COUNCIL MEMBER BARRON: Yes, I am.

18 CHAIR SRINIVASAN: It's a very nice
19 building, complex. So we designated. There are a
20 couple of buildings that's on Atlantic Avenue itself.
21 We had done a survey and we found other buildings
22 that are legible. They are not necessarily
23 threatened in a sense, are not development sites as a
24 part of the rezoning, and we'll continue to work with
25 the Council Member and the community to see how and

2 when we move the other ones forwarded. This one, we
3 plan to have a public hearing in July and then soon
4 after that we'll be able to designate it.

5 COUNCIL MEMBER BARRON: Okay, thank you.
6 In terms of land marking, is it your office that so
7 relates to statues that are erected around the city
8 that have designation on them as to the significance
9 of the person that they referenced?

10 CHAIR SRINIVASAN: So, is it our purview?
11 There's certain, I guess, artwork that does come
12 under our purview, yes. So, if for example you have
13 sculptures within parks and it's a scenic landmark--

14 COUNCIL MEMBER BARRON: [interposing] It's
15 in parks. It's in Central Park and then on the
16 periphery of Central Park. So, what interaction or
17 authority would your office have over that?

18 CHAIR SRINIVASAN: So, it's a part of--
19 its' a scenic landmark, so it's designated within the
20 boundaries of the landmark. We have an advisory role
21 on artwork, but it's the Public Design Commission
22 that has the jurisdiction. So they have a binding
23 role, but we have an advisory role.

24 COUNCIL MEMBER BARRON: I'm specifically
25 referring to the statue of Doctor Marion Simms. You

2 may be familiar with it. It's located on Central
3 Park West right near the Historical Society, and he
4 is known as a pioneer in gynecological surgery and
5 developed several instruments that are important in
6 that field of medicine and also the technique
7 specifically for repairing vaginal fistulas.

8 However, there's much disgust and controversy over
9 the techniques that he used. He did all of his
10 experiments on enslaved African women. He
11 specifically bought four women and kept them on his
12 property specifically for the purposes of his
13 experimentation, and even though there was anesthesia
14 available at that time, he did not use it on any of
15 those enslaved women. Some of them endured up to 30
16 operations without any anesthesia. Once he had
17 perfected his techniques, he then did use anesthesia
18 when he performed his procedures on white women.

19 There is much that the nation needs to acknowledge in
20 terms of what he did, and the Commissioner,
21 Commissioner Bassi [sic] is very much interested in
22 having a marker. There's some people who want the
23 statue removed. So we should be--put that on the
24 record, but there are others who say we should at
25 least have a marker that talks about what these

2 African women were subjected to and what their
3 contribution was to the growth of gynecological
4 surgery, and we haven't heard yet that that would be
5 happening. So, I want to put it on the record and
6 say that we would like to sit and talk to you about
7 having that done.

8 CHAIR SRINIVASAN: Okay.

9 COUNCIL MEMBER BARRON: Thank you.

10 CHAIR SRINIVASAN: Thank you. Thank you
11 for brining to our notice.

12 COUNCIL MEMBER KOO: Thank you. Now we
13 have Council Member--

14 COUNCIL MEMBER BARRON: [interposing] One
15 other thing. I do want to thank you for the
16 historical references that you have been including in
17 terms of the contributions of African-American as
18 you're finding that out in the land marking process.
19 I do want to thank you for that.

20 CHAIR SRINIVASAN: Thank you, Council
21 Member.

22 COUNCIL MEMBER BARRON: Something that my
23 predecessor had insisted on, Charles Baron.

2 COUNCIL MEMBER KOO: We're joined by
3 Council Member Ritchie Torres. Then we have Council
4 Member Levin to ask questions.

5 COUNCIL MEMBER LEVIN: Thank you very
6 much, Mr. Chairman. Hello, Madam Chair and
7 colleagues. My quick question here is around whether
8 does your--do your budget constraints or your lack of
9 a robust budget prevent you from--the Landmarks
10 Commission, from land marking more individual
11 landmarks, more districts? Is that something that
12 factors into--because you'll hear from--obviously
13 you've heard from my colleagues this morning that we
14 generally are supportive of land marking? We see our
15 constituents take a lot of pride in their
16 neighborhoods and in their homes and in the buildings
17 that are under their care, and you know, it's been
18 source sometimes of frustration when we see our
19 communities want to have their neighborhoods
20 landmarked. They want to have their contribution,
21 their--what they've been able to do to keep up these
22 properties in the historic context in which they were
23 built, and the frustration is that LPC has not been
24 able to move on land marking some of these buildings

2 or districts. So, what role do your financial
3 constraints play in that?

4 CHAIR SRINIVASAN: Well, I think that--I
5 know that there's some areas that the commission may
6 not move forward with, but they may not necessarily
7 be based on the fact that it's a budget constraint.
8 It may be for the fact that we may not be in
9 agreement with either the boundaries or the area
10 that's being looked at by the community. I like to
11 think though that under my tenure we can work with
12 communities and try and advance the projects to
13 fruition if they're meritorious, and so far we've
14 been doing well, and we want to continue to do that.
15 I think--I don't know if you were here when I noted
16 before that we're getting additional staff as well,
17 and we believe that having the additional staff will
18 allow us to do more work on the designation side of
19 our agenda as well. So, I don't know if that fully
20 answers your question because then it's sort of like
21 how many staff do you need to do the entire city?
22 So, I think it's--I think we see what our strategic
23 plan is. For every year we take into consideration
24 the requests that we've received. We take into
25 consideration the surveys that we've already done,

2 and we chart it out, and from that perspective I
3 think that our budget sort of works well with what we
4 strategized for the year.

5 COUNCIL MEMBER LEVIN: Okay. So, then if
6 you were to--if you had double the budget, would you
7 feel--would you be able to meet all the requests that
8 are coming in? I'm just--I'm just kind of trying to
9 figure out what type of role budget constraints play
10 in all of this.

11 CHAIR SRINIVASAN: Well, I'm not--well, I
12 would say this, that I'm not sure if we suddenly
13 doubled our staff we'd see double the number of
14 designations.

15 COUNCIL MEMBER LEVIN: Right, right.

16 CHAIR SRINIVASAN: Right? Because if--
17 some of the designations that we do are based on what
18 the community is asking for and we support that.
19 They do a lot of work, but that's not the only
20 designation that we do, and some of the requests that
21 we get, we don't believe is meritorious based on sort
22 of our expert standards. So, it's hard to kind of
23 say, you know, whether the budget itself is what is
24 stopping us or restricting us from doing more
25 designations. I think it's sort of a balancing act,

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2 and so I think the ones that we feel that come to our
3 attention that are meritorious, we advance them.

4 COUNCIL MEMBER LEVIN: Okay. Thank you
5 so much, and thank you so much--

6 CHAIR SRINIVASAN: [interposing] We look
7 forward to seeing you.

8 COUNCIL MEMBER LEVIN: Yes, yes, I look
9 forward to seeing you on Thursday morning.

10 CHAIR SRINIVASAN: Tomorrow or day after.

11 COUNCIL MEMBER LEVIN: Thursday, yes.
12 Wonderful. Thanks so much.

13 CHAIRPERSON GREENFIELD: Thank you very
14 much, and thank you to all my colleagues. This
15 concludes the LPC portion of our Preliminary Budget
16 Hearing, and we thank you for your testimony today
17 and we're going to invite the Department of City
18 Planning to join us. Thank you very much.

19 CHAIR SRINIVASAN: Thank you.

20 CHAIRPERSON GREENFIELD: Alright, we're
21 going to continue the Land Use Preliminary Budget
22 Hearing. We're now going to hear from Department of
23 City Planning. The Zoning Subcommittee is chaired by
24 Council Member Donovan Richards. I want to
25 acknowledge the Chair's leadership on City Planning

2 issues and in particular his partnership on the
3 recent citywide zoning changes. In addition, I want
4 to thank Chair Inez Dickens for her work as the Chair
5 of the Planning Subcommittee. The Department of City
6 Planning conducts planning related to growth,
7 improvements and future developments of the city.
8 It's responsible for initiating change in zoning maps
9 and providing technical and professional assistance
10 to Community Boards. First, I'd like to thank Chair
11 Weisbrod and his staff for their work on New York's
12 historic affordable housing legislation, MIH and ZQA
13 which passed the Council last week. As the population
14 of New York City continues to grow with an increase
15 in the just lost the year of over 55,000 residents,
16 we continue to face a housing shortage. With the
17 total supply of approximately 3.4 million housing
18 units, the residential vacancy rate was just 3.45
19 percent which is well below the five percent
20 threshold that defines a housing emergency. In
21 addition, a typical New York household will spend
22 58.4 percent of its income on rent in 2015. It's
23 clear that New York has a dire housing emergency and
24 we need to continue to grow to accommodate the
25 increase in residence. In order to achieve our goal

along with the Mayor's proposal of 80,000 additional affordable housing units over the next decades, my hope is that the good folks in Albany will actually come together and re-introduce a version of the 421A tax program so that we can continue to encourage the growth of affordable and working class housing, and certainly would love to hear the Chair's perspective on that as we wrap up the budget season in Albany.

It still remains a very important priority.

Mandatory Inclusionary Housing is only the first step of many other steps that'll be taken in this process, and we really can't risk losing out due to the fact that Albany has not acted. In fact, as folks know, 421A was so integral to the success of Mandatory Inclusionary Housing that was mentioned 438 times in the Housing Development Corporation's Feasibility Study. Yes, we counted. We have done our part here in the City of New York. The Council has acted. The Mayor has acted. City Planning has led the way. We need Albany to act to make sure that we can continue to build affordable and working class housing in New York City, and Chair, I'm looking forward to your views. I'm also looking forward to hearing about whether City Planning has the resources necessary to

ensure that we sensitively and thoroughly study the community needs of over a dozen neighborhoods that we anticipate it will be rezoning within the next few years. As neighborhoods are rezoned throughout the city, we're very pleased that the Administration has promised to ensure transparency in this process by tracking commitments on issues ranging from infrastructure upgrades to local hiring and the progress of filling those commitments. I'm especially interested in guaranteeing that the Department of City Planning's new division of Capital Planning and Infrastructure is properly staffed in resources so that those assurances are kept, and of course that was something that the City Council asked for in the course of our negotiations on Mandatory Inclusionary Housing and Zoning for Quality and Affordability. Additionally, the Committee is looking forward to hearing more about the new needs reflected in City Planning's forty-one and a half million dollar budget, including details on the addition of planning specialists, community planners and the Department's paperless filing system. I want to thank you Chair and team for joining us today. The Council has a tradition where we ask our members

2 to--who are testifying to swear in. So, if you don't
3 mind, please raise your right hand. Thank you. That
4 would include you, sir, yes. Yes, you on the right.
5 Thank you very much. Do you swear or affirm to say
6 the truth, the whole truth and nothing but the truth
7 in your testimony and answers to questions here
8 today? Thank you very much. With that, you may
9 begin.

10 CARL WEISBROD: Thank you very much,
11 Chair Greenfield, Subcommittee Chairs Richard, Koo
12 and Dickens, and distinguished members of the Land
13 Use Committee. I thank you for the opportunity to be
14 here today to discuss the Department of City
15 Planning's Preliminary Fiscal Year 2017 Budget. I am
16 joined on my right by our intrepid and amazing
17 Executive Director Purnima Kapoor and on my left our
18 Director of Business Improvement and Fiscal Affairs,
19 David Parish, and I will read part of my testimony,
20 Mr. Chair, and submit the rest in the interest of
21 time and the interest of allowing you to ask as many
22 questions as you wish, and in the interest of saving
23 everyone a lot of brain cells. So--

2 CHAIRPERSON GREENFIELD: [interposing] You
3 sure you want us to ask as many questions as we wish?
4 We could be here for a while. Oh, okay.

5 CARL WEISBROD: Ask as many questions as
6 you wish, and I know you will. So, before I begin my
7 formal testimony on the Preliminary FY 17 Budget, I
8 do want to take this opportunity to thank this
9 committee, the Zoning and Franchises Subcommittee and
10 the Land Use staff here at the City Council for your
11 hard work and constructive engagement with the
12 Planning Commission and the City Planning Department
13 staff on reaching a successful conclusion with
14 respect to historic landmark pieces of legislation,
15 Mandatory Inclusionary Housing and Zoning for Quality
16 and Affordability. MIH is the most rigorous
17 inclusionary housing program of any large city in the
18 country, and ZQA is one of the most significant
19 updates to the Zoning Resolution to facilitate
20 affordable housing in decades, and indeed just
21 generally perhaps the most significant update to the
22 Zoning Resolution since 1961, and both serve as
23 models of what we can achieve by working together.
24 Mr. Chairman, as you mentioned in your opening
25 statement, our city is growing. Our population is

now at an all-time high having just, according to the Census Bureau's mid-decade estimates, past the 8.5 million level for the first time in our history. Our life expectancy as citizens fortunately is also at an all-time high, and with immigration and emigration pretty much offsetting each other, this means that our population growth has been due to natural increase that is births over deaths. So, in addition to our four century tradition of welcoming people from all over the globe, we do have an obligation to existing New Yorkers to provide decent affordable housing to them and to their children, and we have a special obligation to our seniors whose population is expected to increase by 40 percent over the next 25 years. MIH and ZQA offer new opportunities. MIH will assure that as we increase desperately needed housing capacity in the City, a percentage of that housing will be affordable not only to first-time occupants but permanently for generations to come. And ZQA will allow us to build housing especially affordable housing and senior housing less expensively and permit us to deploy our tax dollars more wisely. So I think we can all take pride in what we've accomplished together, and I thank all of

2 you. Now, let me turn to the budget. The
3 Department's Adopted FY 16 Budget had an expense
4 appropriation of 38.1 million dollars. Fifty-nine
5 percent of that comes from tax levy sources and 41
6 percent comes from federal and state funding. Of
7 this total 38 million dollar allocation, roughly two-
8 thirds was allocated for personnel services,
9 supporting the salaries of 320 fulltime staff,
10 including myself, as well as the 12 other members of
11 the City Planning Commission. The majority of our
12 staff, 195 employees are funded by federal and other
13 grants, while 125 fulltime staff are tax levy funded.
14 The balance of our budget, 12.9 million was allocated
15 to other than personnel services. The single biggest
16 component of that category at 5.6 million dollars has
17 been budgeted for environmental consulting, which we
18 need to complete city environmental quality review
19 before the zoning recommendations within our
20 neighborhood plans and be approved by the City
21 Planning Commission and ultimately by the City
22 Council. These consultant funds are used to secure
23 services that require extensive personnel or
24 equipment that we be cost ineffective for the City to
25 maintain on a permanent basis. As discussed at last

2 year's hearing the Department's Adopted Budget for FY
3 16 included increases from FY 15 in both the
4 personnel services in OTPS categories. And just to
5 briefly recap, our personnel service spending in FY
6 15 totaled 21.2 million out of a budget of 23.3
7 million dollars. In FY 16 the budget was increased
8 to 25.2 million dollars for personnel services, a
9 result of the need for the Department to add 34 lines
10 into various planning functions and supplemental
11 grant funding for personal services related to
12 resiliency, and this increase has enhanced our
13 overall planning capacity. Our OTPS funding in FY 15
14 totaled 3.5 million out of a budget of 4.5 million,
15 and in FY 16 the budget was increased as I mentioned
16 to 12.9 million, and there were three main elements
17 of the 8.4 million dollar increase. Our ambitious
18 program of neighborhood planning efforts required a
19 much larger amount of accompanying environmental
20 studies for city environmental quality review. This
21 represented four million dollars of the increase.
22 The cost of moving the Department's headquarters to
23 120 Broadway incurred a non-recurring budget expense
24 of 1.3 million dollars. Additional rent charges for
25 FY 16 were budgeted at 2.4 million dollars, and this

2 move was undertaken. As you well know that our
3 previous base at 22 Reid [sp?] and Two Lafayette had
4 reached such dilapidated conditions that it was
5 approaching the point where it was no longer
6 habitable. I will provide more background on this
7 later in my testimony. And then finally, the
8 Department's IT initiative regarding paperless filing
9 for ULURP applications required an initial 0.7
10 million dollars, 700,000 dollar outright [sic], for
11 one-time expenses required for implementation such as
12 software and data conversion. There are three main
13 differences between this fiscal 16 Adopted--FY 16
14 Adopted Budget and the January Plan, which was--
15 showed an increase of about four million dollars, and
16 that's primarily due to staggered federal, city and
17 state budget cycles. The Adopted Budget reflected
18 only a portion of the anticipated total federal and
19 state grant funding for the fiscal year. The
20 majority of this off-cycle funding is related to the
21 Department's transportation planning work and comes
22 from the New York Metropolitan Transportation
23 Council, NYMTC, and the State Congestion Mitigation
24 and Air Quality Program. The net effect of these
25 differentially timed funding flows increased our

budget by 1.6 million dollars. Similarly, 1.2 million of the increase amount was a roll-over of an unspent federal community development block grant resiliency funding from the previous year's cycle, and this grant will continue to fund resiliency studies across the City. Subsequent to the FY 16 adopted plan, the Department also absorbed an additional 1.8 million from the City Tax Levy funding for the aforementioned paperless filing system to allow for contract registration for the vendor to begin work. And early in the year we had predicted the need for an increase of personnel service budget of about 1.2 million dollars, but thanks to prudent management of the timing of new hires and salary amounts, that increase was reduced by 600,000 dollars. Looking forward to FY 17, the current preliminary plan totals 41.5 million, but once again as anticipated, federal and state grants are included in the November plan. We expect our budget to be about 44 million dollars. There are some meaningful changes that I would like to note. Most notably we have budgeted for an additional 20 planners as a result of the sustained increased demands on the Department given the number and complexity of our neighborhood planning efforts

2 that the Department is leading as well as the
3 anticipated increase in private applications. We
4 require more planners in our borough offices as well
5 as in planning specialists and technical specialist
6 positions. The overall authorized headcount would
7 increase to 339 positions. Ten of these new
8 positions would be allocated to our borough offices,
9 which are responsible for working directly with
10 communities to develop neighborhood plans. Four
11 positions would be allocated to provide technical and
12 environmental review for neighborhood plans entering
13 ULURP. Six positions would be filled with planning
14 specialists who will contribute to our neighborhood
15 plans by providing specialized expertise in specific
16 areas such as demographic analysis, capital planning--
17 -Mr. Chairman, I know an issue you care deeply about,
18 as do we--housing, zoning and urban design. There
19 are a few other factors that I'd just like to
20 mention. A closer examination of our OTPS spending
21 is identified, 400,000 dollars in savings through
22 reduced operating expenses. We've received a net
23 increase of 1.7 million in additional funding to
24 cover a full year of occupancy now at 120 Broadway.
25 And additional 400,000 is proposed for our paperless

2 filing system to cover ongoing operational expenses,

3 and these costs will only be incurred after the

4 system is online and implemented, which we expect

5 later this year. Broadly speaking, we continue to

6 look for both grant opportunities and efficiency

7 savings to minimize our costs. We use grant funding

8 for a wide variety of planning efforts, including

9 resiliency, transportation and hazard mitigation

10 studies. The Department is currently working under

11 five grants and is engaged in resiliency efforts

12 funded through the CDBG disaster recovery program.

13 In total, grants accounted for 5.6 million dollars in

14 FY 16, and of that total, 2.6 million is related to

15 community development block grant disaster recovery

16 funding. Last November, the Department moved its

17 offices from the aforementioned space at 22 Reid

18 Street and Two Lafayette to 120 Broadway, a Class B

19 building with professional workspace. I'd like to

20 thank the City Council, OMB, DCAS, and DoITT for

21 yours and their support and for working with us on

22 this major undertaking which has resulted in our

23 relocation taking place on time and on budget, and I

24 might add that this occurred in the midst of work on

25 three major zoning actions: Mandatory Inclusionary

2 Zoning, Zoning for Quality and Affordability, and our
3 work in East New York, and I know you are familiar
4 with all of those endeavors. Late in 2016, later
5 this year, a new public hearing space will open in
6 the basement of 120 Broadway and this space will be
7 unique in that it is centrally located and easily
8 accessible, connected in fact to the Four, Five, J,
9 and Z Trains which literally come into the building.
10 A lower Manhattan location is also in very close
11 proximity to the A, C, E, R, and Two and Three
12 Trains, and the new hearing space will double the
13 amount of seating available for hearings of the City
14 Planning Commission, the Board of Standards and
15 Appeals and the Mayor's Office of Contract Services.
16 Until the hearing space is complete we continue to
17 maintain a ground floor presence at 22 Reid Street
18 and working in concert with DCAS, we expect to
19 complete our move this fall as I noted. I'd just
20 like to mention a few of our agency's achievements
21 and priorities through the years ahead. Your head
22 [sic] has already noted our city is growing. Our
23 population is at an all-time high as is our life
24 expectancy, and the gap between the demand for and
25 supply of affordable housing is vast. Climate change

2 also requires us to plan a more resilient waterfront
3 city. Our agency's planning efforts therefore center
4 around four priorities: housing production and
5 affordability, livability, economic development
6 resiliency and sustainability. I'd like to briefly
7 highlight the agency's top strategies and initiatives
8 to help us achieve these priorities. And just, I
9 will submit most of them, but I do want to focus and
10 highlight the work we are doing directly with you,
11 the City Council on several citywide and neighborhood
12 specific initiatives, including the North Brooklyn
13 Industry and Innovation Plan, Industrial Business
14 Zones, and Industrial Policy on Hotels and Mini
15 Storage in IBZ's, SoHo NoHo [sic] Study, which we
16 have undertaken, a fresh look at the Fresh Program,
17 the food retail expansion to support health program
18 initiative that I know that the Subcommittee Chair
19 Richards has been very focused on, community
20 initiated planning in neighborhoods across the City,
21 and a new look at our Voluntary Inclusionary Housing
22 Program now that the Mandatory Inclusionary Program
23 has passed. And with your indulgence, Mr. Chair and
24 Subcommittee Chairs, I will submit the rest of my
25 testimony and entertain questions.

2 [applause]

3 CHAIRPERSON GREENFIELD: Thank you very
4 much.

5 CARL WEISBROD: Thank you. I'm sorry?
6 Thank you.

7 CHAIRPERSON GREENFIELD: Thank you very
8 much. We're going to--we're going to start with some
9 questions, and then we're going to pass it on to the
10 Subcommittee Chairs, and then we're going to open up
11 to Council Members for questions as well. One of the
12 items that I discussed in my testimony was
13 specifically the lack at this point of 421A. We know
14 that it expired and for reasons beyond my paygrade,
15 the good folks in Albany haven't been able to come up
16 with a solution. What's your take on the importance
17 of 421A for development overall in this city?

18 CARL WEISBROD: Well, I think, you know,
19 in the short-run we do believe we have tools in many
20 neighborhoods to meet our housing goals, but there's
21 no question that in the long-run and particularly in
22 strong neighborhoods that can and--strong market
23 neighborhoods that can and should support Mandatory
24 Inclusionary Zoning without additional subsidies,
25 421A or a program like it is essential, and it is

2 really important if we are to get the full benefit
3 that we all seek from Mandatory Inclusionary Zoning,
4 we need a program like 421A if not 421A itself to be
5 the underpinning and support for such a program. So,
6 I know all of us share your concern, Mr. Chair and
7 Mr. Chairman, and the concern of the Council that the
8 legislature does act on this as soon as possible.

9 CHAIRPERSON GREENFIELD: I just want to
10 follow up on one point on that. The overwhelming
11 majority of units in New York City are rental units
12 with lack of 421A. We're understandably hearing from
13 developers that they may shift towards building
14 condos instead. What do you think? What do you
15 think that impact will have on the market in terms of
16 the lack of availability of more rental units?

17 CARL WEISBROD: Well, you know,
18 fundamentally is a rental city. It's unlike many
19 other cities in this country and around the world.
20 Two-thirds of our households are rental cities, and
21 421A program that the Mayor proposed and that was
22 adopted fundamentally by the legislature with one
23 unfortunate provision that led to its undoing didn't
24 include--didn't provide tax relief for condos, and a
25 large part of the strategy and policy of the city was

2 to tilt more toward rental housing. We really need
3 more rental housing in the city, and if developers
4 get tax relief neither for rentals nor for condos and
5 co-ops, at least in this economic climate and
6 especially in the strongest markets, we are likely to
7 see more condominium development than rental
8 development, and that's not desirable. On the other
9 hand, I will say one of the advantages of having
10 Mandatory Inclusionary Housing in place is that in
11 markets that we do rezone and where we do increase
12 housing capacity and that are strong markets, there
13 will be an obligation even absent 421A for
14 condominium developers who provide affordable
15 housing. But on balance, absent 421A is going to put
16 a thumb in the scale against rental housing, and
17 that's unfortunate.

18 CHAIRPERSON GREENFIELD: Thank you. One
19 of the issues that we consistently talk about is
20 providing more transparency and accountability for
21 promises that are made within the rezoning process,
22 and whether that's an individual rezoning or
23 community-wide rezoning, it certainly it's an area of
24 concern that came up in the East New York rezoning as
25 we--winetow [sic] is hopefully wrapping that up. And

2 as part of our negotiations with the Mandatory
3 Inclusionary Housing and Zoning for Quality and
4 Affordability, there was a side letter from the Mayor
5 to the Speaker, which listed a whole slew of items
6 that will ensure more transparency including linking
7 to the Department of City Planning's website, those
8 commitments and to have those commitments reflected
9 the neighborhood development fund and the capital
10 budget, and of course, the most significant of which
11 is the creation of the Division of Capital Planning
12 and Infrastructure to work closely with OMB on a
13 capital budget and a neighborhood development fund,
14 which really is brining City Planning back to its
15 roots where the roots of City Planning was not simply
16 in rezoning but actual planning and infrastructure as
17 well. Can you talk to us a little bit more about
18 this new division? Do you have the appropriate
19 staffing and resources, and how--what it's going to
20 look like in terms of the future tracking of those
21 commitments through the Department of City Planning?

22 CARL WEISBROD: Yeah. So, first let me
23 talk about the division which we set up about almost
24 two years ago. It was, as you say Mr. Chairman, with
25 the very, very specific goal of creating a much

2 closer working relationship between the Department of
3 City Planning and the Office of Management and
4 Budget, and the recognition that our 10 year capital
5 strategy should reflect not only the fiscal realities
6 of the city, but the planning and growth realities of
7 the City as well. And so that relationship, thanks
8 to the creation of our Office of Capital Planning has
9 deepened over the past two years. It is currently a
10 division of four people. It is likely to grow by
11 another one or two people as our relationship with
12 OMB and other City capital agencies grows deeper and
13 wider, and as I believe I testified when we were here
14 on East New York, the capital budget is really the
15 major driver of where infrastructure, new
16 infrastructure, new public investments in the city
17 are reflected. And City Planning's expertise is to
18 project where our growth is going to be, where--which
19 neighborhoods really need the public investments, and
20 how to really provide a link between the capital
21 agencies and their priorities. OMB and its
22 priorities and the growth and redevelopment of the
23 City and that's what this unit is doing, and in terms
24 of reporting requirements, I know that we are working
25 on an ongoing reporting relationship to the City

2 Council so that the commitments that are made in our
3 neighborhood plans and as those neighborhood plans
4 are approved ultimately by the City Council, that
5 those commitments are kept and that not only City
6 Council but the public large and most especially the
7 people who live in those neighborhoods will be able
8 to track the progress of them.

9 CHAIRPERSON GREENFIELD: Thank you, and
10 as I mentioned before, I like to limit myself to
11 three questions, and I open up to other members. So,
12 my final question, and I'll come back with more
13 questions later, is in regards to pre-applications. I
14 know around this area there's been significant
15 conversations. The Manhattan Borough President's
16 Office would regularly submit FOIA requests for pre-
17 applications. What's the Department's position on
18 publicizing pre-applications? Whether it's putting
19 them out on the website, or obviously you have to
20 turn them over in terms of the FOIA requests. What
21 are the pros and the cons, and why are they currently
22 held--currently they're held tight to the
23 Department's so-called vest [sic].

24 CARL WEISBROD: Well, you know, they are
25 public information, and there in various stages of

2 development. Some applications are very simple, and
3 they are processed very quickly. Some are highly
4 complex and they--there's a back and forth on them
5 over a period of months and sometimes even years, and
6 we are working hard at reducing the time it takes,
7 working hard at being as clear as we can possibly be
8 to applicants and speak with one voice. And as I
9 mentioned with respect to paperless filing, I think
10 the--once we get paperless filing online, the
11 transparency of our application process or pre-
12 application process will be even clearer. So, I--

13 CHAIRPERSON GREENFIELD: [interposing] So,
14 just to be clear, once you get paperless filing
15 online, you expect that the pre-application
16 statements which is, for those watching at home what
17 these are called when folks reach out to your office,
18 that that would be filed online as well in real time?

19 CARL WEISBROD: I have to get back to you
20 whether they'll be filed online, but they will
21 certainly be electronically available and easier to
22 retrieve.

23 CHAIRPERSON GREENFIELD: Okay. We have a
24 keen interest obviously, and once again, we just
25 really want to start a conversation about the merits

2 of the current system obviously which require the
3 Borough President to FOIA them as opposed to City
4 Planning putting them online. Is there any reason
5 why City Planning would be hesitant to share that
6 information at an early stage, specifically the pre-
7 application statements?

8 CARL WEISBROD: I think it's as you say,
9 I mean, they are certainly public information, but
10 there is a certain fluidity to them because
11 discussions go back and forth, and currently absent
12 an electronic system it's highly burdensome to divert
13 staff to posting all of this online when we're--when
14 the data may be stale in a week or two weeks or three
15 weeks, and so just to keep it current is in that kind
16 of online setting absent an electronic system is
17 just--would divert a considerable number of staff
18 people who we would much rather use to provide real
19 planning services.

20 CHAIRPERSON GREENFIELD: I understand.
21 Just for those watching at home because somewhat of a
22 technical conversation, the reason we're pushing this
23 is because many times in communities and
24 neighborhoods they don't really know what's happening
25 in terms of development and the pre-application

2 statements at least shows that there's an intent to
3 change the zoning of that particular site and
4 obviously potentially have development there, and
5 even though it's a very early stage, that would
6 provide information potentially to community
7 stakeholders who are interested in knowing what kind
8 of development is happening in their neighborhood.
9 So if you could follow up and get back to us on that
10 particular point on the new and improved paperless
11 filing system, which I know that you're consistently
12 ramping up, including another 400,000 dollars this
13 year in related operational expenses, whether that
14 would include the pre-application statement. That
15 would be very helpful to us. So we would appreciate
16 that. I'm going to turn it over to Chair Richards to
17 be followed by Chair Dickens, and then we're going to
18 move to other members as well. Thank you.

19 COUNCIL MEMBER RICHARDS: Thank you, Mr.
20 Chairman, and thank you, Chair Weisbrod for being
21 here and your staff. First let me--

22 CARL WEISBROD: [interposing] Thank you,
23 Chair Richards. I think you were out of the room when
24 I thanked Chair Greenfield, but thank you for your
25

2 efforts in chairing over an extensive period of time
3 to really quite extraordinary and historic hearings.

4 COUNCIL MEMBER RICHARDS: Thank you.

5 Twenty hours of my life was taken away at least for
6 the hearings, so you'll make that back up to me later
7 on.

8 CHAIRPERSON GREENFIELD: Excuse me,
9 Chair. Just one second. Sergeant, for the two Chairs
10 we're actually going to turn the clock off and then
11 we're going to turn it on for the other members out
12 of respect for the Chairs.

13 COUNCIL MEMBER RICHARDS: I'm not going to
14 be that long.

15 CHAIRPERSON GREENFIELD: We'll give them
16 the opportunity to speak. The last time he said he
17 wasn't going to be that long, we were here until
18 midnight. So, just a fair warning--

19 COUNCIL MEMBER RICHARDS: [interposing]
20 Okay.

21 CHAIRPERSON GREENFIELD: for those of you
22 in the audience.

23 COUNCIL MEMBER RICHARDS: Exactly.

24 Depends on your definition of long. So, let me first
25 credit you with obviously massive undertaking of MIH

2 and ZQA, and obviously you alluded to our historic
3 victory in which Chair Greenfield and this Council
4 really passed on some historic legislation, but, but,
5 a big but, at the same time the co-census [sic]
6 around the City was that the Department of City
7 Planning's messaging failed to really inform
8 communities on both of these complex pieces of
9 legislation in a way that everyday New Yorkers can
10 comprehend, which led to obviously a lot of Community
11 Boards turning down the plan even with the revisions.
12 I'm sure there's still Community Boards who don't
13 necessarily understand even the provision we made,
14 but we did notice that, and this fiscal year's
15 Preliminary Budget you included around I think a
16 little bit over 800,000 dollars in the budget
17 dedicated to new positions to advance neighborhood
18 studies. And one of the thoughts I wanted to hear
19 just City Planning's thinking around is hiring from
20 local communities, in particular. What is your
21 strategy to ensure we're hiring people who really
22 underrated in particular the local communities in
23 particular that are going to go through the rezoning,
24 and have you thought of--and I sort of think of DDC
25 in this fashion. When DDC has a project tin your

2 local community, they have, I believe they're
3 required to have a local person that people can go to
4 every day if they have questions. And as we go
5 through these rezonings, and there's going to be a
6 lot of questions, I'm wondering is DCP considering
7 having such people dedicated to communities? And I
8 believe you're going to hire I think around six
9 people, so I'm wondering where are those people
10 coming from and how are you posting in the local
11 communities that are going to be rezoned?

12 CARL WEISBROD: I'll tell you several
13 things. First of all as with all city agencies, all
14 of our job posting are online. We are seeking and
15 sort of cast as wide a net as we possibly can to get
16 talented people. We do require for most of our
17 planning positions, a planning degree and ideally
18 depending on the position, certain kinds of expertise
19 or some experience. We are, as everyone in this
20 Administration, deeply committed to diversity and to
21 reflect the City's demographics as a whole, and that
22 is a very, very, very high priority for us. I would
23 say beyond that, Chairman Richards, that probably
24 more than any other city agency we are particularly
25 engaged with the Community Boards in this City. We

2 have our planners, and every borough office has--we
3 have assignments to individual Community Boards. We
4 do, as we learn from every experience, we want to--we
5 have a liaison to those Community Boards, but we now,
6 I think, learning the experience with ZQA and MIH--
7 and I will come back to that in a minute. Our goal
8 is to see that not only are we appearing in Community
9 Boards when we have a particular item that happens to
10 be in the Community Board's agenda, but to appear
11 regularly at Community Boards. So we have even a
12 better understanding of the dynamics that are
13 occurring in that community and the issues that that
14 community faces. We also have revamped this year our
15 Community District Needs Statement so that we're
16 getting more direct information from--and clearer
17 information from Community Boards on what their needs
18 are, and working much more closely through our
19 Capital Coordin--our Planning Coordination Division
20 with other city agencies and OMB so that those
21 community needs can be reflected and understood by
22 the agencies to which they are directed. Up until
23 now they've been all over the place. They haven't
24 been in terms of how they're communicated to us, and
25 we want to provide and are beginning to provide a

2 degree of uniformity so that agencies can respond
3 more clearly to what the needs are in communities all
4 over the City. I will say with respect to ZQA and
5 MIH that these, as you know, were new programs, novel
6 programs, very unusual maybe unprecedented since 1961
7 when we had presented a citywide text of such
8 complexity. It's very unusual, and in fact, I think
9 that most of the Community Boards did understand it.
10 Most of the Community Boards were at their core
11 supportive of both the goals of the MIH and the goals
12 of ZQA, and a majority of the Community Boards
13 probably were either in support of ZQA and MIH or
14 opposed to it with modifications. That is, they
15 would have supported it with certain modifications,
16 and I think, you know, due to the testimony you heard
17 here that these were both complicated and in many
18 respects controversial for communities and reflected
19 a balancing of interest which we all try to achieve,
20 and you as the ultimate decision makers, the City
21 Council, did strike a balance that I think reflected
22 the best in our city, but that's not everything that
23 is historic and as comprehensive as these two pieces
24 of legislation are going to get unanimous from
25 everybody.

2 COUNCIL MEMBER RICHARDS: I definitely get
3 that, and I think that's why the Council certainly
4 fled [sic] on a lot of the modifications to ensure
5 that we reached our local Community Board and tried
6 to address many of the concerns. My only concern
7 with that, and I know that we have to go through
8 ULURP for Community Boards, you know, we have to work
9 with the Community Boards because we're required
10 through ULURP to definitely do that, but I don't want
11 us to get stuck in that box because there's a broader
12 community out there outside of Community Boards, so
13 houses of worship, civic associations who may not
14 have leadership on the local Community Boards that,
15 you know, may be--that they just aren't reflected on
16 the Community Boards. CBO's out there that just are
17 not part of the infrastructure of Community Boards,
18 in which I have nothing against Community Boards. I'm
19 in my own. In particular 14 has people who have been
20 on there for 40 or 50 years, you know, and they--you
21 know. So it's not to take away from Community
22 Boards, but I want to ensure we're not getting stuck
23 in a box just because we have to go through a process
24 that instills [sic] them, because sometimes the
25 broader community may not agree with the local

2 Community Board, but they just have no idea of what
3 is going on.

4 CARL WEISBROD: Yeah.

5 COUNCIL MEMBER RICHARDS: It's a lot of
6 information that's so insulated. So I want to make
7 sure we don't get stuck there, and that's why I'm
8 bringing it back to the point of the planning
9 specialist for the boroughs, because their job should
10 be not necessarily just to communicate with the
11 Community Board, with the broader community to get
12 information out. So, just going back to that
13 question, will the specialist be dedicated? Will
14 they be citywide or will they be dedicated by the
15 borough, or?

16 CARL WEISBROD: They're--we have probably
17 the most decentralized of the--among the most
18 decentralized, the city agencies. So, most of our
19 additional planners as we have now will be dedicated
20 to the boroughs, not centralized, but they'll be
21 supported in a central office. And I just want to
22 respond to your point. I think your point is a good
23 one, and it's a fair point that while Community
24 Boards are obviously very important and are the
25 legally recognized entity for ULURP, they're not the

2 only voice in communities, and I think we do have an
3 obligation and we are now exercising that obligation
4 to discuss our proposals much more widely than just
5 with Community Boards. I'd say that for all of our
6 neighborhood studies going forward we are--we have
7 created, and we will continue to create advisory
8 committees that reflect a much broader set of
9 interests than necessarily in the Community Boards.
10 We also recognize that the--sometimes the loudest
11 voices aren't the only voices, and that there is many
12 people who don't speak up who aren't engaged and
13 whose views also have to be reflected in what we do.
14 I think, you know, I think our neighborhoods, almost
15 all of our neighborhoods are less monolithic than we
16 sometimes think they are in terms of demographics, in
17 terms of income, in terms of, you know, what people
18 want, and we have to be listening to all of them, and
19 that does put an obligation on us to do that, and
20 that certainly as we learn from MIH and ZQA, as we
21 learn from our neighborhood studies as we go forward,
22 we're constantly learning, and we're constantly
23 trying to do better. That's what--

24 COUNCIL MEMBER RICHARDS: [interposing]

25 SO, just a last question--

2 CARL WEISBROD: this is all about.

3 COUNCIL MEMBER RICHARDS: before I
4 overdue my time because I told the Chairman I'll be
5 shorter than him. I don't think that's happening
6 right now. So, I just want to go back to these
7 positions. So, six new positions are going to be
8 created?

9 CARL WEISBROD: No, they're--

10 COUNCIL MEMBER RICHARDS: I believe, or is
11 it 10?

12 CARL WEISBROD: There are 20 new
13 positions that--

14 COUNCIL MEMBER RICHARDS: [interposing]
15 Twenty new positions, okay.

16 CARL WEISBROD: ten of which will be in
17 the borough offices.

18 COUNCIL MEMBER RICHARDS: And so how many
19 rezonings are we going to go through? So, we
20 anticipate how many at this point?

21 CARL WEISBROD: Well, our--I should say,
22 our goal is to have around 15 neighborhoods. We
23 have,--

24 COUNCIL MEMBER RICHARDS: [interposing]
25 That are [sic]--

2 CARL WEISBROD: as you know, announced
3 seven. Two are--one is being led by--one of the
4 seven is being led by EDC. We're leading the others.

5 COUNCIL MEMBER RICHARDS: It's where I'm
6 leaving to go--

7 CARL WEISBROD: [interposing] I'm sorry?

8 COUNCIL MEMBER RICHARDS: Go ahead. I'll
9 let you finish.

10 CARL WEISBROD: And one of the changes
11 that we--modifications we have made in our approach
12 is that we have many neighborhoods that we are
13 beginning to look at for neighborhood studies, but
14 instead of just sort of announcing them at the outset
15 and then saying we're doing a neighborhood study,
16 we're working much more organically with the local
17 community, with the local Council Member, with other
18 community groups and stakeholders so that before we
19 actually announce a study we have a fairly good hand
20 on the pulse of the community and have a sense of
21 what the goals are.

22 COUNCIL MEMBER RICHARDS: So these 20 new
23 hires you believe are adequate enough to ensure that
24 we are massaging and working with local communities
25 so we don't have to--

2 CARL WEISBROD: [interposing] Yes. And I
3 should say I think it takes a while for someone to
4 become a good planner. We can't just hire someone
5 and sort of send them out and say, you know, go plan
6 a community.

7 COUNCIL MEMBER RICHARDS: Go plan how to
8 rezone Far Rockaway, right?

9 CARL WEISBROD: So, there is a
10 significant degree of training that takes place. So,
11 we're ramping up and we've started increasing our
12 staff. It's where I talked a little about of FY 15
13 and FY 16 budgets because we have increased our
14 staff, but some of those early hires in FY 15 and FY
15 16 are really just now becoming getting into their
16 own. So, it is a maturing process for them.

17 COUNCIL MEMBER RICHARDS: Well, thank you,
18 and I'll just ask if you can just provide the
19 Committee with a breakdown by borough how many
20 planners.

21 CARL WEISBROD: Sure.

22 COUNCIL MEMBER RICHARDS: So if you can
23 you get that information to us following this
24 committee hearing. I don't want to take up more time.
25 But I want to thank you. Yes, we did get through a

2 huge task last week, and we know we still have a lot
3 more work to do. So we want to make sure that, you
4 know, we're working together to ensure that it's less
5 complicated as we move forward through other
6 rezonings.

7 CARL WEISBROD: Well, I think we all
8 learn and we look forward to working with you and I
9 think we can all take a lot of pride in what's
10 happened, but--

11 COUNCIL MEMBER RICHARDS: [interposing]
12 Yes, how do we tie planning with communities and
13 speak everyday New Yorker's language. So, I think
14 that's the task as we move forward, but I want to
15 thank you for your leadership and thank the Chairman
16 as well. Thank you.

17 CARL WEISBROD: Thank you.

18 CHAIRPERSON GREENFIELD: Thank you, Chair
19 Richards, and I want to recognize we've been joined
20 by Council Member Joe Borelli. And I just have a
21 quick follow up question before we go to Chair
22 Dickens regarding those seven neighborhoods. Are
23 they going to happen in order of the announcement, or
24 that's not necessarily the order they're going to be
25 in?

2 CARL WEISBROD: No, there's not--you
3 know, there's--each neighborhood has its own dynamic.
4 So some are smaller than others. Some are more
5 complicated than others. So, they each proceed at
6 their own pace.

7 CHAIRPERSON GREENFIELD: Got it. Would
8 you like to make some news announced?

9 CARL WEISBROD: It's like all of your
10 children are, you know, their own personality.

11 CHAIRPERSON GREENFIELD: Sure, that's
12 true, but my nine-year-old is probably going to reach
13 high school before my six-year-old, but I certainly
14 hear that point. Would you like to make some more
15 news perhaps and announce a couple of those new
16 neighborhoods, because we know there's seven but
17 you're shooting for 15 today?

18 CARL WEISBROD: No, as I mentioned to
19 Council Member Richards, we are--we've learned our
20 lesson. We're not going to name our neighborhoods
21 until we feel that the neighborhoods organically are
22 at a point where they're ready to be made.

23 CHAIRPERSON GREENFIELD: Yeah, Director
24 Purnima Kapur is very happy by that stance. I'm going
25

1 COMMITTEE ON LAND USE JOINTLY WITH COMMITTEE ON TECHNOLOGY 110

2 to turn it over to Chair Dickens for some questions
3 as well.

4 CARL WEISBROD: Bu they know, they know
5 which ones they are even though we don't name them.

6 CHAIRPERSON GREENFIELD: The
7 neighborhoods know even though they haven't been
8 names.

9 CARL WEISBROD: That's correct.

10 CHAIRPERSON GREENFIELD: Okay, thank you.

11 COUNCIL MEMBER DICKENS: Thank you so
12 much, Chair, and good afternoon, Chair Weisbrod.
13 It's good seeing you again.

14 CARL WEISBROD: It's good to see you,
15 Council Member.

16 COUNCIL MEMBER DICKENS: We've worked
17 over the years--

18 CARL WEISBROD: [interposing] We have
19 indeed.

20 COUNCIL MEMBER DICKENS: on other things.
21 As the Chair of the Subcommittee on Planning, I'm
22 very much aware of the impact that our efforts have
23 in changing and maintaining the type of city that we
24 want to have, that we look forward to. I have just a
25 couple of questions concerning the budget. One is in

2 your testimony you speak about 5.6 million budgeted
3 for environmental consulting. Would there be a
4 savings if City Planning hired environmental staff
5 versus consultancy? And I ask that same question on
6 environmental equipment and the cost of storage of
7 such equipment.

8 CARL WEISBROD: Yeah. Well, certainly on
9 the first point we've looked at this. We always look
10 at this pretty carefully because when at all possible
11 we like to bring activities and services in-house,
12 because all things being equal, we do think that
13 that's a better way to proceed. With environmental
14 work, however, it's really not cost efficient at all
15 because the nature of the work is on one hand very
16 specialized, and on the other hand very lumpy,
17 because we'll--we have, you know, periods where we
18 are required to do very extensive environmental
19 reviews such as now when we have literally seven
20 neighborhoods and studies underway, each of which are
21 very, very complicated and comprehensive, and if we
22 hired people that--if the nature of the work that
23 they do is so highly specialized, that if they're not
24 doing environmental work, we can't just shift them to
25 do other things. That said, we do have an

2 environmental assessment and review division that
3 oversees all of the work that outside consultants do,
4 and even perhaps more importantly oversees the work
5 of our 600 or so private applications that are in our
6 pipeline at any given time. So we do have an
7 internal staff, but for the complex environmental
8 reviews, it really wouldn't make sense.

9 COUNCIL MEMBER DICKENS: Because that's
10 so important, because today particularly since we've
11 passed the MIH and the ZQA we're going to anticipate
12 the additional increased construction and major
13 renovations, and there's going to be a significant
14 impact upon that. And that leads me to my next
15 question, which is the Second Avenue Subway. We now
16 see an--MTA is now beginning the process of RFP-ing
17 for the extension that will go into East Harlem, and
18 realizing that now what current building of the
19 subway, the Second Avenue Subway, the impact that it
20 has had upon businesses along that corridor and the
21 length of time it has taken to actually do the
22 construction because it's still not available. What
23 if any is City Planning projecting for the loss to
24 the area businesses as it goes into East Harlem, one,

2 and what can be done to assist these businesses both
3 along the Second Avenue corridor and the extension?

4 CARL WEISBROD: Well, you know, in the
5 long run we know that the Second Avenue Subway as it
6 goes into its next phase will have a very important
7 significantly positive impact on East Harlem, and
8 that's one of the reasons why East Harlem is one of
9 our study areas, and I know the Speaker has been
10 taking the lead in our planning efforts in East
11 Harlem and we continue to work with her and her staff
12 on that. I totally understand in the short-run the
13 construction disruption that the Second Avenue Subway
14 has created from 96th Street South. The
15 responsibility for addressing the needs of businesses
16 is really an MTA responsibility and it has been
17 disruptive along Second Avenue. I think that those
18 businesses are now beginning to come out from under
19 and we will see the benefits of the Second Avenue
20 Subway, but we really do look first and foremost to
21 the MTA.

22 COUNCIL MEMBER DICKENS: Alright. I want
23 to ask about the headcount increase. I notice in
24 your testimony, and this is a piggy-back question on
25 Council Member Richards' about the six positions on

2 the planning specialists. Currently, I provide
3 funding to my Community Boards to assist them in
4 hiring consulting specialists in planning. Will any
5 of these positions be available to Community Boards
6 at no cost to them so that they can avail themselves
7 of the knowledge because of the rezoning that we now
8 are doing throughout the City, it's in--because the
9 Community Boards are representative of each of our
10 communities. Now, they may not take into
11 consideration each individual, but they're
12 representative and that's the best we have. It's a
13 system, and it has worked. So, will they be able to
14 avail themselves of these planning specialists?

15 CARL WEISBROD: Well, I'm going to ask our
16 Executive Director to respond specifically to these
17 six positions, but let me say, you know, 10 of the 20
18 positions that we are going to hire for will be
19 allocated to our borough offices where they will be
20 working directly with communities and Community
21 Boards and others as I mentioned to Council Member
22 Richards. The six positions, specialist positions,
23 are for our internal headquarters division such as
24 Urban Design and Capital Planning and Environmental
25 Review and the like where they have been resources

2 not only to our own staff, but frequently resources
3 to community organizations as well, and perhaps Ms.
4 Kapur can add to that.

5 PURNIMA KAPUR: I think you did answer.
6 I mean, our--it's really our borough offices that are
7 the ones that work closely with the Community Boards.
8 The centralized positions support the work throughout
9 and they're--sort of we are calling them planning
10 specialists, but they are more because they are non-
11 borough office and non-technical review. So, they go
12 into Transportation Planning, Urban Design, Housing
13 Economic Infrastructure Planning, Capital Planning,
14 and such.

15 COUNCIL MEMBER DICKENS: So they will be
16 additionally hired staff and not consultancy
17 contracts. And your consulting contracts, this is
18 just a side question. Are any of them MWBE's?

19 DAVID PARISH: Yeah.

20 CARL WEISBROD: I'll ask Mr. Parish to
21 respond.

22 DAVID PARISH: Thanks for the question.
23 Yes, one of the six on-call consultants--one of the
24 six on-call consultants is an MWBE. Each of the
25

2 other five contracts also has MWBE goals that they
3 achieve through subcontractors.

4 COUNCIL MEMBER DICKENS: Are you able to
5 share with us the name of that MWBE that is actually
6 an MWBE?

7 DAVID PARISH: Yeah, it's Phil Habib
8 Associates.

9 COUNCIL MEMBER DICKENS: It's who?

10 DAVID PARISH: Phil Habib Associates.

11 COUNCIL MEMBER DICKENS: Now, that's
12 MWBE. Is it also an MBE? There's a difference.

13 DAVID PARISH: Yes, it is.

14 COUNCIL MEMBER DICKENS: Alrighty. My
15 last question is dealing with your testimony where
16 you spoke about on page four the roll-over of unspent
17 federal community development block grants. Has
18 there been sufficient outreach from your office that
19 is done in order for communities to understand about
20 the use that can be done for the community
21 development block grants?

22 CARL WEISBROD: Well, the community
23 development block grants that we get are--I think
24 have been largely allocated funding from OMB, because
25 the City itself gets a significant allocation of

2 community development funds and a substantial portion
3 of our staff generally is just funded by community
4 development block grant funding, and then we get very
5 specific funding essentially for resiliency and
6 recover post Sandy. So, that's really what the roll-
7 over CDBG funding is for. That correct?

8 DAVID PARISH: Yeah, so it was awarded as
9 a one-time grant to be spent down over multiple
10 years.

11 COUNCIL MEMBER DICKENS: Oh, okay. I
12 understand. Now, on--I just want to go back for just
13 a minute to the MWBE's. You said that the others that
14 are not MWBE's themselves they have goals.

15 DAVID PARISH: Yes.

16 COUNCIL MEMBER DICKENS: Just what is
17 goals? What is the definition of goals, because
18 usually goals doesn't really have any significant
19 meaning? It means, I--you know, I promise I will
20 look into seeing that 30 percent will be, but somehow
21 they never get to the 30 percent. Is there any teeth
22 actually in what you're doing when you say goals?

23 DAVID PARISH: So, these are targets set
24 by the Mayor's Office of Contract Services that we
25 report against. For the most part we've beaten these

2 goals over the years. We have had some difficulties
3 in certain sectors, and we can get you more
4 information on that.

5 COUNCIL MEMBER DICKENS: What is that
6 percentage of your goal that you're talking about?

7 DAVID PARISH: It's a different
8 percentage for women-owned businesses.

9 COUNCIL MEMBER DICKENS: Well, just give
10 me just a generalized how much is the percentage?
11 What is that percentage?

12 DAVID PARISH: So, it's by group. So for
13 example, it's 10 percent for African-Americans of
14 dollars spent. It's six--

15 COUNCIL MEMBER DICKENS: [interposing] I
16 didn't hear that. Ten percent you said?

17 DAVID PARISH: It's 10 percent of dollars
18 spent for African-Americans. It's six percent for
19 Asian-American businesses, and each group accordingly
20 has a dollar percentage.

21 COUNCIL MEMBER DICKENS: Thank you, and
22 thank you so much, Chair.

23 CARL WEISBROD: Thank you.

24 CHAIRPERSON GREENFIELD: Thank you very
25 much, and now that we concluded the questioning by

2 Chairs, we are going to invite Council Members to ask
3 questions, and is our tradition we're going to ask
4 them to stick to a three-minute clock. First Council
5 Member to ask questions will be Council Member
6 Barron. Thank you.

7 COUNCIL MEMBER BARRON: Thank you, Mr.
8 Chair. Thank you to the panel for coming.
9 Specifically, how much land does the City still have
10 possession of, and what's the value of the land that
11 we still have? Do you know?

12 CARL WEISBROD: Gee, I don't--that, I
13 think we have to get back to you. Good question.

14 COUNCIL MEMBER BARRON: Okay. I'd
15 appreciate getting that information.

16 CARL WEISBROD: I don't--I think we can
17 probably get back to you on the amount, on the
18 percentage of overall land. I'm not sure we can get
19 back to you on the value, but we'll do our best.

20 COUNCIL MEMBER BARRON: Okay, thank you.
21 Now, we know that the Federal Transportation Study
22 was about three years ago which led them to the East
23 New York Plan for Sustainability, and your document
24 says that there's a deep commitment to ground-up
25 neighborhood planning and engaging the community to

2 bring about healthier, more inclusive, more vibrant
3 communities. The Federal government in their plan,
4 in their analysis of what they have found in these
5 transportation studies has said that there is
6 definitely an increase in gentrification that comes
7 about as a result of these plans that are being
8 implemented around these transportation hubs. So,
9 the community is very much concerned in East New York
10 about displacement of people who are already there as
11 well as displacement of businesses that have been
12 there for many years and now are being subjected to
13 increased rents that they would have to pay. I know
14 that you talk about a plan and you have the
15 Neighborhood Development Fund and a billion dollars
16 in that for linking with transportation
17 infrastructure, community facilities, parks and other
18 programs. Is that money going to be divided
19 equitably amongst the 15 communities? What is the
20 formula that's going to be used for the division of
21 that money? And then there's a concern also that as
22 the East New York Plan is still be considered that
23 there are according to your own document here, areas
24 that are "not part of the proposal for the land
25 action," and those areas are the--some new zonings,

2 expanded programs, and capital investments. We see
3 that there is intention to work with the School
4 Construction Authority for construction of a new
5 school, but according to what I've read in the plan,
6 there's a need for about 1,700 new seats, and the
7 school that's being proposed offers 1,000 new seats.
8 So those are some of the questions that I have, and I
9 also wanted to ask about the fact that even though
10 the community is involved with the plans, much of
11 what they wanted is not reflected in the plan. They
12 wanted to see some kind of commitment so that they
13 will have the benefit, the local people will have
14 benefit of being involved in the construction that
15 goes on. I know the proposal talks about a goal
16 through MIH to work with Hire NYC to make sure that
17 there's a connection, but there's no commitment of
18 any kind of percentage or goal or objective that they
19 could reach. So, those are some the questions that I
20 would offer.

21 CARL WEISBROD: Yeah. So, let me try to
22 respond, and much of this we did discuss during the
23 hearing on East New York. But let me first start
24 with gentrification, because we know that in East New
25 York in our quite comprehensive environmental impact

2 statement indicated that gentrification and the
3 potential for displacement was occurring in East New
4 York absent any sort of neighborhood plan, and in
5 fact, absent new housing, absent a neighborhood plan,
6 many thousands of people in East New York were at
7 risk. The neighborhood plan is intended to in part
8 address that issue. We think that the neighborhood
9 plan for East New York and what the Planning
10 Commission approved and what is now before the
11 Council for its consideration helps address that
12 issue. It's a very complicated issue in New York.
13 It's a very complicated issue around the country.
14 It's fundamentally as I said at the outset, our city
15 is growing, and we are not producing enough housing
16 to meet our needs, and that's what we have to do if
17 we're going to keep our housing not only affordable,
18 but even available for people who live here. So,
19 that's, I would say, number one. In terms of the
20 Neighborhood Development Fund, it is not being
21 distributed or allocated on any sort of formulaic
22 way, it's being--it will be allocated as public
23 investments that are needed, are identified and it's
24 a means of assuring that commitments that the City
25 makes are kept, and that for decades has not always

2 been the case. And third, as again I testified when
3 I was here talking about East New York, the
4 Neighborhood Development Fund is not the principal
5 mechanism to provide public investments in
6 neighborhoods that either are part of the
7 neighborhood plan or neighborhoods that are growing
8 that are not subject to a comprehensive neighborhood
9 plan. For example, the school that the
10 Administration committed to in East New York isn't
11 being funded out of the Neighborhood Development
12 Fund. It's being funded out of the School
13 Construction Authority's budget. The major
14 investment in the redevelopment of Atlantic Avenue is
15 largely funded out of the regular capital budget,
16 although it is being enhanced to some extent by the
17 Neighborhood Development Fund. And how the
18 Neighborhood Development Funds resources are
19 allocated really depends on each neighborhood. As I
20 indicated just in terms of the timing of each of our
21 neighborhood studies, all of these neighborhoods are
22 different. They have different needs. Some are
23 smaller. Some are larger. Some need more capital
24 investments and public investments than others. So,
25 each one will be treated on its own, but the goal of

2 the Neighborhood Development Fund is really to assure
3 that commitments that are made are kept.

4 CHAIRPERSON GREENFIELD: Thank you,
5 Council Member.

6 COUNCIL MEMBER BARRON: Thank you. If we
7 have a second round, I have some additional
8 questions.

9 CHAIRPERSON GREENFIELD: Unfortunately,
10 we do not, so I'm sorry about that, and we actually
11 have to wrap up because due to circumstances beyond
12 our control, if you may, the hearing started today a
13 little bit late, and so we're running into some other
14 hearings, including public testimony as well. Final
15 question for you, Chair. The neighborhoods that have
16 been slated to be rezoned, both the seven
17 neighborhoods in the eight that have yet to be
18 announced, what's the timeline on that in general?
19 So when is City Planning hoping to wrap up the first
20 seven and then the next eight when we say there's
21 going to be 15 neighborhoods rezoned in this city?

22 CARL WEISBROD: Well, certainly the seen
23 that are--have been announced, we expect to see all
24 of them in the public review process in the next--
25 within the next year or so. Maybe a little later

than that. Those that have not been announced, we expect that at the very least see announced over the next year or so. We do have a--we want to do them right. We don't want to be subject to an artificial deadline because just to get something into the public review process without it being ready without feeling comfortable that we're doing the right thing, I think would be the wrong approach, and again, you know, it's not the only development that's taking place in the city by a longshot, but these are neighborhoods that we believe are not just areas where we want to create more housing, but where we see an opportunity to help create a better neighborhood generally, and that's, I have to say, one of the differences in how we're approaching neighborhood development generally is not simply to look at it as a rezoning exercise, but to look at it as a comprehensive approach where literally all parts of the city and all city agencies are engaged. I hope what we presented to you in East New York is an indication of that, and I think you could see that so many agencies in the city have been contributing to it, and it really is, I want to stress the word, comprehensive as well as planning. And as I said to

2 you and this committee and others, rezoning is just a
3 tool, it's one tool of many tools that we're--

4 CHAIRPERSON GREENFIELD: [interposing]
5 Sure.

6 CARL WEISBROD: trying to employ.

7 CHAIRPERSON GREENFIELD: So, just to be
8 clear, we're hoping those seven will be certified
9 within the next year or so, is that--

10 CARL WEISBROD: [interposing] Year or so.

11 CHAIRPERSON GREENFIELD: Okay, a year or
12 so.

13 CARL WEISBROD: Yeah, within a year or
14 so.

15 CHAIRPERSON GREENFIELD: And then also
16 within the next year or so that there'll be an
17 announcement on the additional eight. That's the
18 rough timeline.

19 CARL WEISBROD: Yeah, and again, as I've
20 said, we've started working a number of communities--

21 CHAIRPERSON GREENFIELD: [interposing]
22 Sure.

23 CARL WEISBROD: and I think they'll be
24 announced over time.

2 CHAIRPERSON GREENFIELD: Great. And the
3 final question really has to do with the Zoning
4 Handbook. If you recall, we had a conversation at a
5 prior hearing, and we agreed and you agreed that when
6 MIH and ZQA was done, we get a new Handbook. My law
7 students and Sally Goldenberg [sp?] are anxiously
8 awaiting. So, we want to know when are we going to
9 get an update for the 2011 edition of the Zoning
10 Handbook?

11 CARL WEISBROD: We're going to start in
12 that. That certainly is a task that we're committed
13 to doing, but we recognize we need to do it.

14 CHAIRPERSON GREENFIELD: Okay, excellent.
15 You know, if you need additional resources for that,
16 let us know. It's a high priority for us. This is
17 the best cheat sheet for anybody in the Land Use
18 world as many folks who are watching absolutely know.
19 So we certainly appreciate that. I want to thank you
20 and your team for coming out here. I see Danielle
21 Deservo [sp?] as well who was very instrumental to
22 the MIH and ZQA negotiations. I want to thank her
23 for her work and your entire team, and we appreciate
24 your leadership, and we look forward to continue
25 working with you, and with that we're going to

2 conclude this portion of the hearing, and we are
3 going to invite the good folks from DoITT to come up
4 and testify next. Thank you.

5 CARL WEISBROD: Thank you very much, Mr.
6 Chairman.

7 CHAIRPERSON GREENFIELD: Paging Chair
8 Vacca. Paging Chair Vacca. I'm going to turn it
9 over to Chair Vacca to start these proceedings. If
10 we can quiet on the set, please. Thank you.

11 CHAIRPERSON VACCA: Good afternoon. I
12 welcome you all here today to the Committee on
13 Technology held jointly with the Committee on Land
14 Use for the Fiscal 2016 Preliminary Budget Hearing
15 for the Department of Information, Technology and
16 Telecommunications. I'm James Vacca and I'm Chair of
17 the Committee on Technology, and I want to thank my
18 colleague David Greenfield, Chair of Land Use, for
19 co-chairing today's hearing with me. DoITT's Fiscal
20 2016 Proposed Expense Budget totals 589.9 million
21 dollars, which compared to last year's Adopted Budget
22 of 553.1 million is an increase of approximately 36.8
23 million or 6.5 percent. Today, we will examine all
24 components of DoITT's Fiscal 2017 Budget including
25 the approximately 37.6 million in new needs that

DoITT had identified since the adopted plan. Some of these new needs include more staff to execute 24/7 IT security, infrastructure and 9/11 [sic] tech support. New positions in the Mayor's Office of Media and Entertainment are proposed, and the Mayor's Office of Data Analytics are project to create a new procurement tracking system for the City would also see manpower increases. These committees hope to hear more about these items. Since DoITT has identified many areas that require more funding, it's important to examine the agency's new and continuing revenue sources. As we have all heard, the Administration has rolled out several innovative technology-driven initiatives that are expected to bring in additional revenue, Dot New York City, the City's top-level domain, and LinkNYC, the city's new Wi-Fi hub that will replace all existing payphone infrastructure. LinkNYC in particular is expected to steadily bring in over 20 million dollars a year in revenue in FY 17 and beyond. These communities are eager to learn how the transition from payphones to Wi-Fi hubs will earn the City more revenue while providing exceptional services to New Yorkers for free. Of course, we will also want to examine the

2 ways in which the City can save money and avoid more
3 cost over-runs for ongoing projects. With the
4 multibillion dollar Emergency Communication
5 Transformation Program, ECTP, nearing completion,
6 these committees will want to find out how much more
7 money will be needed to complete the project and what
8 the projected maintenance cost will be over the next
9 few years, particularly with respect to PSAC II
10 located in my district. Additionally, we hope to
11 hear more specific information about DoITT's budget
12 plan regarding new positions to carry out new
13 provision in the Open Data Law. DoITT's plans going
14 forward and the New York City wireless network, the
15 agency involvement in several new back-end projects,
16 and DoITT's involvement with the operation of
17 Community Boards. So, I'd like to welcome
18 Commissioner Anne Roest here today to give her
19 testimony, and we'd like you to proceed.

20 CHAIRPERSON GREENFIELD: Thank you. I'm
21 just going to make a quick opening statement with my
22 Co-chair Vacca. Thank you very much. Good
23 afternoon. My name is David Greenfield. I'm the
24 Chair of the council's Committee on Land Use. We're
25 going to cover the Fiscal 2017 Preliminary Budget for

2 DoITT. There are significant land use considerations
3 relating to building and maintaining infrastructure,
4 and of course, franchises which we oversee through
5 the Land Use Committee. I want to thank Chair Vacca
6 for co-chairing the hearing and for his leadership on
7 these issues. DoITT of course provides citywide
8 coordination and technical expertise in development
9 and use of data voice and video technologies in city
10 service and operation. They also provide
11 infrastructure support for data processing and
12 communication services for numerous city agencies,
13 researches and manages IT projects, administers the
14 city's franchises including television, public
15 telephones, mobile and high capacity
16 telecommunication franchises. The goal of the
17 Committee is to ensure that tax payers are getting
18 best return on their investment, and we intend on
19 examining DoITT's financial plans, budget proposals
20 and other operational issues. We did this year--last
21 year we got timed-out because we had you stuck
22 between two different hearings. This hearing you'll
23 be very pleased to know we have an unlimited amount
24 of time. We put you up last, so take all the time
25 that you need, and the Chair will have plenty of time

2 for his questions, and so we're all going to hang out
3 here for a while, and if we hang out past 8:00 p.m.,
4 I'll buy Chinese food for everyone, but hopefully it
5 won't get to that point. Our tradition here in the
6 City Council is that we ask all folks who work for
7 the Administration to please raise right your hand.
8 Do you swear or affirm to say the truth and the whole
9 truth in your testimony and responses to questions
10 from Council Members today? Thank you.

11 Commissioner, you may proceed with your testimony.

12 COMMISSIONER ROEST: Okay, thank you so
13 much. Good afternoon Chairs Greenfield and Vacca and
14 members of the City Council Committees on Land Use
15 and Technology. My name is Anne Roest and I am the
16 Commissioner of the Department of Information
17 Technology and Telecommunications or DoITT, and the
18 New York City's Chief Information Officer. Thank you
19 for the opportunity to testify today about DoITT's
20 Fiscal 2017 Preliminary Budget. With me are Annette
21 Heintz, Deputy Commissioner for Financial Management
22 and Administration, John Winker, our Associate
23 Commissioner for Financial Services, and Charles
24 Fraser, our General Counsel. DoITT's Fiscal 2017
25 Preliminary Budget provides for operating expenses of

2 approximately 590 million; allocating 144 million in
3 Personal Services to support 1,747 full-time
4 positions, and \$446 million of OTPS Services.

5 Totaling 126 million, the Intra-City funds
6 transferred from other agencies to DoITT for services
7 provided accounts for approximately 20 percent of the
8 budget allocations. Telecommunications costs
9 represent the largest portion of the IntraCity
10 expense, which was 112 million in Fiscal 2016. The
11 2017 Preliminary budget reflects increases of 32
12 million and 36 million from the Fiscal 2017 November
13 Budget for Fiscal 2016 and Fiscal 2017, respectively.
14 The increases to the Fiscal 2017 Preliminary Budget
15 are largely attributed to funding received to support
16 various key programs, including PSAC operational
17 support, the implementation of a 24 by seven support
18 model for both the IT Operations and IT Security
19 groups, OTPS funding associated with the ongoing
20 maintenance costs required to support recently
21 approved, capitally-funded initiatives, and funding
22 required to implement the Citywide Procurement
23 Innovation Project. Highlights of our Preliminary
24 Budget include enhancing cyber security and
25 preparedness. As we described in our Strategic Plan,

we remain focused on securing the City's technology, telecommunications and information assets from cyber-attack and disruption; managing the overarching security of the City shared data and information technology assets through the management of an integrated security network, consolidating desktop and server security on a single citywide platform; maintaining email intrusion prevention systems, next generation firewall protection, and continuous security monitoring. In keeping pace with rapidly evolving threats by centrally implementing and enforcing citywide policies and standards as well as the ability to update them and to protect the security of the city's infrastructure, its critical digital assets, and the personal information of New Yorkers. We're always looking to improve our efforts and to further ensure the city agencies can meet the evolving challenges of protecting our systems. We continue to make investments in our people and platforms. Since the start of the de Blasio Administration we have increased our security headcount and invested tens of millions of additional dollars in new training and technologies to improve our security posture and keep pace with the ever-

evolving threat landscape. In Fiscal 2017, we are committing 3.5 million to add 30 new positions to the Citywide Security Operations Center, bringing the best talent and resources to bear against adversaries who seek to disrupt or diminish the delivery of City services. This investment will provide for enhanced monitoring and detection, response to confirmed incidents, real time analysis of potential intrusions, and continuous threat analysis and cyber forensics investigations. These efforts also include the hiring and onboarding of a Citywide Chief Security Officer, charged with overseeing development and delivery of a comprehensive information security strategy advising City leadership on proactive and progressive strategies to mitigate current and future cyber risks, and to create and deliver of security updates to City's Executives. The citywide Chief Security Officer will also drive collaboration with state, federal, and private partners and manage coordination across all sectors in case of a security incident. As you know, DoITT delivers IT services including hardware, software, and technical support to city agencies. While this has been our role from the start, as part of our Strategic Plan we aim to

better align our resources to best deliver these services. With 47 new positions at an annual cost of 4.8 million, in Fiscal 2017 we will implement a blended support structure to provide off-hour--that means night and weekend coverage for essential citywide IT functions, as well as absorb the planned increase in workload to manage the City's emergency 911 network. To deliver world-class services we need quality people, and a pillar of our Strategic Plan is to invest in human capital. As part of this effort, we aim to reduce our reliance outside consultants, and to that end we hosted an IT Career Fair for experienced professionals last fall, highlighting more than 100 open positions across nearly a dozen of the agency's units, including Application Development, IT Infrastructure, IT Security, Quality Assurance, Wireless Services, and more. We had nearly 500 candidates attend, many of whom sat through interviews with hiring managers on site, and a number of second interviews were scheduled. On a parallel track, we're working with agencies to identify opportunities to insource work and reduce reliance on external IT consultants. Last May the Administration reached an agreement with DC 37 to

reduce reliance on external information technology consultants by transitioning and insourcing work performed by IT consultants to the City's workforce where appropriate. Accordingly, DoITT is meeting with agency CIOs to review the current use of consultants and identify positions that can be insourced, based on some qualifying criteria. We're also piloting an insource pool, or roving team of City employees housed in DoITT, serving in roles that were once filled by consultants, to assist City agencies with projects requiring specific technical expertise rather than having those agencies outsource consultants. We've been funded for over 30 heads for this insourcing pool, with the goal of having multiple teams that can be deployed to multiple agencies simultaneously. While most of what I have described entails internal-facing support and services, DoITT also plays an important external role: Facilitating Greater Access to Technology. This is particularly pertinent in light of the de Blasio Administration priority to provide greater, more equitable citywide broadband access. As enumerated in OneNYC: The Plan for a Strong and Just City, every resident and business will have access to affordable,

reliable, high-speed broadband everywhere by 2025.

To that end, DoITT has worked with the

Administration's broadband lead, Counsel to Mayor

Maya Wiley, and her team, to deliver a number of

game-changing accomplishments. Last spring, the Mayor

committed to a 70 million investment in broadband

infrastructure over the next decade. Last summer, he

announced a 10 million dollar program to bring free,

high-speed broadband services to more than 16,000 New

Yorkers in five public housing developments in the

Bronx, Queens and Brooklyn. In keeping with the

Administration's five-borough focus, the Mayor

announced in the State of the City address that this

initiative will be expanded to include the Jefferson

Houses in Harlem and Stapleton Houses on Staten

Island. Finally, LinkNYC, an initiative that

transforms antiquated payphones into state-of-the-art

links providing free Wi-Fi at speeds of up to 1

gigabit per second, free domestic phone calls, a USB

charging station, and a built-in tablet to browse the

web or access government services, officially

launched last month and will extend to more than 500

installations across all five boroughs by this

summer. Overall, more than 7,500 and up to as many as

2 10,000 links will be installed citywide over the
3 coming years as the network grows to be among the
4 largest, fastest, and most secure free municipal Wi-
5 Fi system in the world. Privacy, too, has been a
6 foremost consideration from the start. With LinkNYC
7 personal info will be kept personal, and will never
8 be shared or sold for third party use. To date, more
9 than 140 Links have been installed, with 65 currently
10 powered on and available to the public. I appreciate
11 the opportunity to underscore some of our top budget
12 priorities for the year, and this concludes my
13 prepared testimony, and is now ready for questions.

14 CHAIRPERSON VACCA: Thank you,
15 Commissioner. I wanted to go into NYCWiN a little
16 bit.

17 COMMISSIONER ROEST: Okay.

18 CHAIRPERSON VACCA: I know it wasn't
19 covered in your testimony, and you know, we've been
20 receiving complaints about the quality of services.
21 Maybe you can just go into what NYCWiN is and what
22 has been some of the issues, what have been some of
23 the issues there.

24 COMMISSIONER ROEST: Okay. So, NYCWiN is
25 a secure private network that was built for the city

several years ago. It is built on a proprietary technology and has been rolled out to a lot of agencies. It was initially developed with a thought that it would become a public safety network. That has not been the primary use of the network. It's been a lot of--we have a lot of agencies using it for a lot of purposes, but it is expensive to maintain, and we are re-evaluating just what we should be doing with NYCWiN going forward in the light of new developments like First Net [sic] for public safety. There will be a public safety private network called First Net that will be rolled out by the federal government and managed by the localities over the next few years. So, just looking at how expensive it is to maintain and the purpose that it's served, we are re-evaluating what we should be doing with NYCWiN. We did an RFEI asking the vendor community if they had thoughts about what the future should be of the NYCWiN system. I will say that I did not receive any really inspiring submissions about where we should be going, and right now we're looking at how we can move some of our existing customers from the NYCWiN system onto commercially provided wireless network access and start to sunset NYCWiN as it

2 exists today. Now, there are some customers who
3 believe they still need a private secure network to
4 do their business, and the commercially available
5 networks would not meet their needs. So we're
6 working specifically with those customers to see what
7 other options we have. We have not come up with a
8 final concrete plan for those customers. We're
9 looking at a five-year window to resolve where we're
10 going to be putting people for secure network
11 connectivity, but we don't have all those answers
12 yet.

13 CHAIRPERSON VACCA: But let me ask, this
14 NYCWiN, I'm still not clear on what is it supposed to
15 be. It's supposed to be a hook-up for all the
16 agencies for secure connections to--it seems very
17 generic.

18 COMMISSIONER ROEST: Yeah.

19 CHAIRPERSON VACCA: That's the word I
20 could use. What is it?

21 COMMISSIONER ROEST: So it's a wireless
22 network that's secure and only for City use. So, if
23 you think about Verizon's cellular network in the
24 City, it's a private version of that for the City.
25 And again, it was after 9/11, it was determined that

2 the City could use robust network, especially for
3 public safety. So we built a wireless network that
4 covers the entire City for the use of the agencies.

5 CHAIRPERSON VACCA: But so we spent
6 around 400 million dollars on this, the City?

7 COMMISSIONER ROEST: Yes.

8 CHAIRPERSON VACCA: And now we don't know
9 what we're going to do with it. We don't even know
10 if we need it.

11 COMMISSIONER ROEST: I'd say that that's
12 true. I think it was a good idea at the time. It has
13 served a great use for the City, the agencies that
14 have used it. It's been great, but when we look at
15 the current cost benefit, we agree with you.

16 CHAIRPERSON VACCA: So not every agency
17 is using it to begin with?

18 COMMISSIONER ROEST: Not every agency. I
19 can get you the counts of how many agencies, though.
20 It is--there's a large number of agencies and a large
21 number of nodes on the network.

22 CHAIRPERSON VACCA: Large number of nodes.
23 Now, we're spending around 40 million dollars a year
24 for maintenance of this system, aren't we?

2 COMMISSIONER ROEST: We are. I'm not
3 ready to talk about the numbers, but we are working a
4 vendor, Northrop Grumman, to reduce the operating
5 cost for this year and years going forward. They've
6 been cooperative and understand where the city is
7 with this. So we are looking at reducing the cost
8 while not reducing the level of service we're
9 providing over the next few years.

10 CHAIRPERSON VACCA: So you issued a
11 request for Interest, RFI--

12 COMMISSIONER ROEST: [interposing] Right.

13 CHAIRPERSON VACCA: to see if private
14 sector companies would be interested in redesigning
15 the system, basically.

16 COMMISSIONER ROEST: So we--

17 CHAIRPERSON VACCA: [interposing] Are you
18 saying that no one came forth with an acceptable new
19 usage?

20 COMMISSIONER ROEST: There were no new
21 great ideas. There were some ideas that pretty much
22 some vendors offered to take over the maintenance at
23 a lower cost or to upgrade to a new technology that
24 wasn't so proprietary. So there were some ideas in
25 there, but none that provided a low enough cost

2 option to make it worthwhile for the city, given the
3 use that the network has.

4 CHAIRPERSON VACCA: I'd like you to come
5 back to the Committee at a certain point and let us
6 know the progress we're making. It was a significant
7 investment to begin with, and now not to be sure of
8 where we're going with it is a little concerning. I
9 don't want tax payer money to be wasted, but we did
10 make an expenditure, and then there is an expense
11 relating to the maintenance of the system. So we're
12 begin hit on both sides for something that may--I
13 mean, this may be a boondoggle the way it sounds to
14 me. That's the way it sounds to me.

15 COMMISSIONER ROEST: I certainly wouldn't
16 say that. A lot of agencies have gotten a lot of use
17 out of it, but the other place we find ourselves is
18 that this system was implemented years ago, and the
19 technology is end-of-life. So we would have to make
20 another significant investment to go forward over the
21 next several years. So I'd love to come by and talk
22 to you about it, share the numbers, show you the
23 usage that it has had, and explain where we are and
24 where we're going.

2 CHAIRPERSON VACCA: Okay, thank you.

3 Commissioner, can we go into PSAC II? I think the
4 cost is nearly one billion dollars in capital money
5 that's been laid out for PSAC II, and it's in my
6 district. So, of course, I'm going to go into it.
7 Can you tell me some of the--can you--more spending.
8 Can you give me an update on where we stand? When
9 will it begin to be operational, and is there a
10 phase-in of operations, and perhaps give me an
11 update?

12 COMMISSIONER ROEST: Sure. So, we
13 committed when we did the assessment in June of 2014
14 that we would go live in June of 2016, and we intend
15 to hit that date. In June of 2016 we'll open the
16 PSAC for call-taking for the Police Department.
17 They'll be seating people there. The technology will
18 be in place, and that will be the initial opening of
19 the PSAC. Over the next 12 to 14 months we'll be
20 rolling in additional police, 911 workers and Fire
21 Department. The exact dates for those we don't have
22 yet. It just depends on, you know, hitting milestones
23 for the project, but we're sure about the first date,
24 mid-June of 2016. We'll open the PSAC, and then

2 we'll have additional folks rolled in over the next
3 year.

4 CHAIRPERSON VACCA: I do want to bring up
5 something that I brought up to the previous
6 Administration. I brought this up to this
7 Administration as well, and that is regards to local
8 hiring. We never received numbers. Supposedly,
9 everybody who works in--a large amount of people that
10 work in Brooklyn are going to end up coming to the
11 Bronx to work here. The logistics of that situation
12 are from a transportation point of view is just
13 unbearable because it's not near a train station or
14 anything of that type. You have to take a train to
15 the bus. And also, from a Bronx perspective, we are
16 not going to receive any type of consideration for
17 employing local people. So, like any other Council
18 Member, I mean, I've objected. I've asked for targets
19 as to what are we going to do for local hires here in
20 the Bronx for a facility like this costing the City
21 one billion dollars. We have no expectation that
22 local residents will have any opportunity to work
23 here? And I was wondering for--I'm asking for
24 specifics. How many jobs can the people of the Bronx
25

2 expect from this billion dollar investment that we're
3 getting?

4 COMMISSIONER ROEST: So, and this
5 conversation has come up before, and I know that
6 there's some interest in working with you to get the
7 word out in the Bronx. We've got to work, of course,
8 within the civil service system for the hiring of
9 folks, but we could certainly do some recruiting in
10 the Bronx to get people familiar with and ready to
11 apply through the civil service system or take tests
12 depending on what the job is, and I do know that the
13 Police Department specifically, as they'll be the
14 first ones moving in, are interested in meeting with
15 you and talking about what we can do, and maybe even
16 asking for your help in getting the word out in the
17 Bronx.

18 CHAIRPERSON VACCA: You know, it is
19 already March or April I should say almost, and I
20 haven't heard from them. So this is news to me, and
21 if you could expedite that I'd appreciate it, because
22 no one's contacted me yet.

23 COMMISSIONER ROEST: We will do that. I
24 know that the initial group that's going to be in
25 there are existing workforce and especially they're

2 looking for folks who live in the Bronx who might be
3 more interested in that work location, but as we hire
4 we certainly should and will reach out to you and see
5 how we can do some recruiting locally.

6 CHAIRPERSON VACCA: Okay. Now, your
7 budget under new needs talks about 9.2 million in
8 fiscal 2016 and 20.3 million in fiscal 17 to promote,
9 to add 77 positions for 24-hour, seven day per week
10 IT security and 24-hour, seven day a week IT
11 infrastructure and 911 tech support. Can you give us
12 a breakdown in a general way why do you need those
13 positions? How did you arrive at that number, and is
14 this the beginning of additional positions you intend
15 to hire in future fiscal years for these purposes?

16 COMMISSIONER ROEST: I don't see a need
17 for additional people in these roles going forward at
18 this point in time. So where this originated from,
19 first I'll talk about the 47 positions that are for
20 IT support, and that's a consolidation or a blending
21 of requests we had for technical support off-shift
22 for the agencies we support; for example, Sanitation,
23 and some of the other agencies, Homeless Services
24 that really do operate seven by 24, and DoITT has not
25 been staffed in all areas seven by 24 in the past.

2 So that's been a request that we've had outstanding
3 for a while. Then with the introduction of the
4 PSAC's, we absolutely have to have seven by 24
5 support staff in all areas available to help if
6 there's any issues in the PSAC's. So we blended. We
7 had two different requests that added up to a lot
8 more than 47 positions. We blended those two, and
9 we'll have a team that provides support both to the
10 agencies and to the PSAC's in areas like network
11 support, server support and storage. So that's 47
12 people, and that was--we came to that number through
13 actually laying out a shift schedule for every
14 different expertise that we needed over those shifts.
15 So, the 47 is a full coverage of all those shifts.
16 So I don't anticipate needing any more. And some of
17 the positions will be located at the PSAC and others
18 will be in PSAC II and others will be in Brooklyn
19 near PSAC I. The other 30 positions are for IT
20 security, and that's another area where we have not
21 had seven by 24 support over the years, and we just
22 think that's critical. The Administration obviously
23 agreed that we need to be monitoring actively and
24 have all resources on-hand to resolve any security
25 incidents no matter when they happen, nights or

weekends. So that again, laying out a shift schedule to cover the expertise we needed in security that was the additional 30 positions.

CHAIRPERSON VACCA: Okay, thank you, Commissioner. Chair Greenfield?

CHAIRPERSON GREENFIELD: Thank you very much, Chair Vacca. Just a few questions before I turn it over to our colleagues. Since 2014, the headcount position at DoITT has gone up from 1,136 to 1,747, a significant increase. Can you just sort of explain that increase? And that includes for us the 83 positions for this year.

COMMISSIONER ROEST: Can you take some of that?

JOHN WINKER: Yes, my name is John Winker. I'm the Associate Commissioner for Financial Services. The headcount that you talk about has been growing over the last number of years, primarily in the IT services areas. We have seen some increase in our headcount related to grants. I can give you a specific breakdown by division following this hearing, but generally it's been spread across multiple projects, including the ETCP, PSAC support,

2 IT security area, as well as IT Services just in
3 general.

4 CHAIRPERSON GREENFIELD: Okay. I mean, in
5 three years it's a 50 percent increase. So there's
6 nothing in particular that you ascribe to that? It's
7 not--it's somewhat unusual for a city agency to have
8 such a significant increase in the last few years.

9 JOHN WINKER: Well, we have--

10 CHAIRPERSON GREENFIELD: [interposing] Can
11 you give us a little more specificity? That would be
12 helpful. Thank you.

13 JOHN WINKER: Well, we could talk about
14 the fact that we brought in support for the PSAC's
15 in-house whereas we were doing a lot of that work via
16 consultants. We've had consultant conversion
17 initiatives. We've had increases related to IT
18 security as we just laid out, and you know, various
19 other things. I mean, last year alone we had an
20 increase of 100 positions just related to in-sourcing
21 of consultants, etcetera. So, as I said, I can give
22 you a breakdown specifically following this hearing.

23 CHAIRPERSON GREENFIELD: Great, you can
24 send it to me. I certainly would be grateful for
25 that. I want to talk a little bit about LinkNYC as

well. We've seen some concern from some folks, especially some of the civil libertarian community, and I think you may be sort of referring to that when you said in your testimony, "Privacy too has been a foremost consideration from the start." Can you sort of elaborate? The concern seems to be around the apparent requirement that you have to submit your email before you can log onto the internet, and that therefore that information may be trackable in terms of an individual's internet usage or where they are visiting or what they are doing, and then who has access to that information and how long information is retained. So, I believe privacy is a foremost consideration, but it seems like it's legitimate questions. So, I'd love to get your answer on that in particular as to why is there that requirement, and what happens with that information?

COMMISSIONER ROEST: So the information that's collected is simply the email address, and I do want to say that I think the LinkNYC privacy policy is one of the strongest that's been created around internet service providers, and I think if folks went back and read the privacy policy of their internet service provider, they would agree that the

2 Link privacy policy is much stronger. Email
3 addresses are collected so that we can notify the
4 customers of the system if the privacy policy in fact
5 changes or if there are technology issues with the
6 Link. The email address is stored for 12 months. I
7 know there were reports that there's no time limit on
8 that. They're stored for 12 months after the last
9 time someone used the Link, and again, it's so that
10 we're able to reach out to folks if we need to around
11 the privacy policy or technology issues. That
12 information is not shared with anyone. We don't
13 collect other information such as name, date of birth
14 that a lot of the other providers do collect, and
15 it's never shared or sold with anyone for commercial
16 use.

17 CHAIRPERSON GREENFIELD: So, the browser
18 history, is that in fact collected or retained or is
19 there no collection of the browser history as it
20 relates to the email addresses?

21 COMMISSIONER ROEST: At this point in
22 time, there is no collection of browser history,
23 period, related to email addresses or not. It's not
24 being collected. If there is a need to collect it in
25 the future--because don't forget that the revenue

2 from the Links is based on marketing where it's add
3 revenue. So, there would be some value in the
4 browsing history to know unrelated to personal
5 information, what people are looking at and where
6 they're going and what they're interested in. That
7 helps to determine the appropriate add, you know,
8 sponsors to go out and look for sponsorship. So,
9 there could be a point in time where we will collect
10 browsing history or the vender will collect browsing
11 history, but it will not be sold for commercial use,
12 and it will not be associated with personal
13 information, and there will be some conversation
14 about it before that happens, but right now it's not
15 being collected at all.

16 CHAIRPERSON GREENFIELD: Okay, but so if
17 that is the plan, which it sounds like it is, doesn't
18 that lead credence to the concern that civil
19 libertarians have about connecting the email to that
20 browser history, which comes back to the original
21 question which is, you know, wouldn't it just be
22 easier to simply not to collect the email addresses?

23 COMMISSIONER ROEST: So, if we didn't
24 collect email addresses, then--there were a couple of
25 other issues that were raised by the NYCLU and one

2 was that we absolutely need to notify people if
3 there's ever a request for their information from law
4 enforcement. We need some way to reach out to
5 customers to notify them if their information were
6 ever subpoenaed. So, we believe that there are valid
7 reasons to collect email address. It is how everyone
8 in the industry notifies the customer if the privacy
9 policy has changed or if there are technology issues.

10 CHAIRPERSON GREENFIELD: Okay. Not
11 convinced, but I certainly hear you, right? Because
12 it does sound like if there's an email, the email--
13 you can have browser information attached to that,
14 and in fact what you are saying is that there is a
15 mechanism. Somewhat contradictory, right? There
16 would be a mechanism that if information was
17 requested, that information can be accessed, too,
18 right?

19 COMMISSIONER ROEST: So you're making the
20 loop that we're connecting in the browser history to
21 email address, and--

22 CHAIRPERSON GREENFIELD: [interposing]
23 Well, you just said that you need for NYPD purposes,
24 you have to inform the--certainly based on NYCLU's
25 requests, doesn't mean that you've agreed to it, but

2 that the NYCLU would like you to inform the user when
3 their information is being accessed, and obviously if
4 their information is going to be accessed, then that
5 certainly has to be connected somewhat to browsing
6 history and other uses as well, right?

7 COMMISSIONER ROEST: So, I think we're
8 getting a little bit ahead of ourselves, because
9 right now we're not collecting any of that
10 information, and so if there were requests for
11 someone's personal browsing history, we just wouldn't
12 have it, and before we do collect it and before we
13 figure out how we could provide it, there's going to
14 be more conversations around--

15 CHAIRPERSON GREENFIELD: [interposing] So
16 what information aside for an email address, what
17 information is currently being collected? Do you
18 know, for example, which device is hooked up to which
19 portal? I mean, or is that--is it we're just
20 limiting it to just email addresses?

21 COMMISSIONER ROEST: We're only collecting
22 email addresses from the customers.

23 CHAIRPERSON GREENFIELD: Nothing else?

24 COMMISSIONER ROEST: No. And I do want to
25 say, too, this is a voluntary system. If someone

2 doesn't want to provide their email address, they can
3 simply walk up to the tablet and use the tablet
4 without providing any information at all. So, this
5 is a voluntary system. I think most people are
6 comfortable with providing their email address, and
7 if they're not, they still get to use the phone or
8 the tablet or the charging station that the Links are
9 providing.

10 CHAIRPERSON GREENFIELD: Got it. I
11 noticed that there's been an increase in cost around
12 different security, and one of the items that you
13 mentioned was the citywide security official. Can
14 you talk to us about--there's been a lot of, a lot in
15 the news recently about attempted and successful
16 hackings or different government agencies. How many
17 attempts have there been in terms of hacking New York
18 City agencies that you're aware of, and how many of
19 those have been successful?

20 COMMISSIONER ROEST: Well, giving you an
21 exact number would be difficult. We have people
22 every day trying to get into our system, whether
23 they're just scanning our network ports or sending
24 phishing emails. I can tell you that we are aware and
25 mitigated 130 times when people were sent a phishing

2 email. They actually clicked on the link and became
3 infected on their own--on their personal computer,
4 and we were able to get in there and clean that up.
5 None of those turned into a breach incident. In
6 other words, no data got out of the system, but
7 people did click the link. We know of no other
8 successful breach of computer systems.

9 CHAIRPERSON GREENFIELD: So as far as you
10 know, there's been no breach of data in any of the
11 City's networks that you're responsible for?

12 COMMISSIONER ROEST: Since the last time
13 you asked that question, yeah.

14 CHAIRPERSON GREENFIELD: Since the last
15 time that we've asked, yes.

16 COMMISSIONER ROEST: That's correct.

17 CHAIRPERSON GREENFIELD: Since last year.

18 COMMISSIONER ROEST: Right.

19 CHAIRPERSON GREENFIELD: Okay. Very good.
20 Great, thank you. Turn it over back to the Chair.

21 CHAIRPERSON VACCA: Thank you. Let me
22 follow through, Commissioner. I wanted to talk about
23 the Open Data Law, and last year we included money in
24 the budget, an additional 1.1 million is included in
25 FY 2017 for consultant and six additional positions

for the Mayor's Office of Data Analytics. Now, we were told by DoITT in the fall that the headcount was needed to comply with the recent package of Open Data bills, which the City Council passed, and I just want to make sure that this increase is part of that need, and will these positions be dedicated solely to Open Data or to other projects or other initiatives that your agency has?

COMMISSIONER ROEST: So, my understanding of those seven positions, one is dedicated fulltime to Open Data, and the others will work on Open Data initiatives, you know, from time to time along with other things that MODA is responsible for. So, it's one of those positions full-time. In addition, DoITT does provide support to the Open Data. So, it's DoITT and MODA working together, but my understanding is one of those positions is fulltime Open Data and the rest will be part time and contributing to the Open Data efforts.

CHAIRPERSON VACCA: Alright. I have to point out, Commissioner, and I had spoken to you outside that even many of the Community Boards are not even aware of what Open Data is. I met with a Community Board District Manager the other day, and I

2 said to him, "Are you using Open Data?" He said he
3 didn't know what it was. So, we in the Council work
4 very hard on this. We think it's a fantastic thing
5 for transparency and government, and if the Community
6 Boards are not using Open Data, then we have a major
7 problem. They are city agencies. They're on the
8 front line of city government every day, and they
9 should be doing this to assess agency performance.
10 So, I need you to train the Community Boards, but I
11 need you to commit that whatever it takes we're going
12 to get Open Data out there. We're going to help
13 nonprofits, Community Boards, whatever to use the
14 Open Data portal. It's very important to this
15 Council, to my committee. It's been a priority.
16 Now, I did have some Community Board questions, for
17 example. Now, is there only one IT Tech Support
18 position for all the 59 Community Boards? This is
19 what I'm told, and I have to tell you the truth, that
20 when one of the District Managers told me who the
21 person was, who's great, he was the Tech Support from
22 agency when I was a District Manager. It's the same
23 person, who's great, but one for 59 Community Boards
24 doesn't do it, because--no pun intended. But we have
25 many Community Boards that are not technology savvy

2 at all, and your agency should be in the vanguard of
3 this, and I just don't see one person as being
4 sufficient. So, can you go into that, or is there--
5 do you see a need to supplement this based on what
6 I'm outlining?

7 COMMISSIONER ROEST: So, I haven't had any
8 direct feedback from the Community Boards about
9 services that they're not receiving that they do
10 need, but happy to sit down and talk about what the
11 technology support requirements are. I do want to
12 say that that one person, and I do hear great things
13 about him in particular, is backed up by DoITT. So
14 if there's an issue, he's got the resources of his
15 organization to help him. So it's not only one
16 person that ever works on Community Board issues. He
17 could come back to DoITT if he needs, you know,
18 network support or server support. You know, he's
19 got resources behind, but perfectly willing to sit
20 down and talk about what kind of services the
21 Community Boards are getting and if there's
22 outstanding needs that are not being met.

23 CHAIRPERSON VACCA: Now, one of the
24 Community Boards in my district, Community Board 12,
25 is working toward getting City net connectivity and

VOIP [sic]. They have been working with DoITT for several months to realize the project. Two other Community Boards in the City have City Net. Is DoITT looking to connect all our Boards to City Net, or if not, why?

COMMISSIONER ROEST: So, we've been doing that as requested, if the Community Board has reason to be connected to City Net. There is a cost to the Community Board that have to be willing to bear. But yes, if a Community Board has reason to be connected to City Net, we're certainly open to come out and talk to them and help them get connected in VOIP. I'll have to--

CHAIRPERSON VACCA: [interposing] VOIP. Are you aware of that?

COMMISSIONER ROEST: Yes, I'm familiar with their VOIP program, but yes, and my VOIP guy is saying same thing.

CHAIRPERSON VACCA: Same thing.

COMMISSIONER ROEST: If they're interested--

CHAIRPERSON VACCA: [interposing] So there is a cost to the Community Board--

2 COMMISSIONER ROEST: [interposing] in
3 VOIP, we'll come out.

4 CHAIRPERSON VACCA: but they could get
5 either/or they could get both?

6 COMMISSIONER ROEST: They could get
7 either/or, or both. Again, they'll have to be
8 willing to bear any cost associated with
9 connectivity.

10 CHAIRPERSON VACCA: Okay.

11 COMMISSIONER ROEST: So, City Net is a
12 requirement for VOIP.

13 CHAIRPERSON VACCA: Excuse me?

14 COMMISSIONER ROEST: City Net is a
15 requirement to--

16 CHAIRPERSON VACCA: [interposing] For
17 VOIP.

18 COMMISSIONER ROEST: For VOIP.

19 CHAIRPERSON VACCA: So VOIP's the next
20 step beyond City Net?

21 COMMISSIONER ROEST: Right.

22 CHAIRPERSON VACCA: Okay. Now, some
23 Community Boards have websites. Some do not. They're
24 not uniform at all. Some Boards do a better job than
25 others. So, my question is, what can your agency do

2 to help facilitate that Community Boards have
3 websites and post minutes? I have Community Boards
4 that don't even post their minutes online.

5 COMMISSIONER ROEST: So, again, I'd like
6 to come and talk to the Community Boards themselves.
7 I think we can have a session. We'll have people
8 come in. We'll talk about what options are
9 available. We do a lot of hosting of websites.
10 Building out 59 websites would be a lot of work.
11 We'll have to figure what that would take and how we
12 could do it, but certainly yes, we agree that they
13 should be supported in that.

14 CHAIRPERSON VACCA: One thing I'd like to
15 suggest is that maybe on a borough by borough basis
16 that you convene a meeting with the Community Boards
17 to see what their needs are and try to see where you
18 can help. We'll give them the information that they
19 need. There should be some type of transparency here
20 that I don't see, and there's not a knowledge in the
21 district offices that there should be. So, certainty
22 about Open Data, like if we start with Open Data, but
23 then other technology needs and all. There should be
24 an agenda and a meeting and some type of a--I think
25 your agency may want to take the lead in this,

2 because of the Boards being so--the Boards have often
3 times representing different communities. There are
4 59 of them. So, it's not a united--it's not one
5 Community Board in the City. So therefore, because of
6 this governance structure there's often a need for an
7 agency like yours to say, well, we want to be of help
8 and we want to tell you what we offer and what we
9 have done, and we want your suggestions where to go.

10 COMMISSIONER ROEST: So, we have gone out
11 and done some training around Open Data and some
12 other specific issues, but we haven't done a town
13 hall kind of forum that you're suggesting, and I will
14 take that back. I think that's a good idea.

15 CHAIRPERSON VACCA: Thank you. Council
16 Member Dickens?

17 COUNCIL MEMBER DICKENS: Thank you so
18 much, Chair Vacca and of course Chair Greenfield.
19 Thank you for your testimony. I thank you for coming
20 down--

21 COMMISSIONER ROEST: [interposing] Thank
22 you.

23 COUNCIL MEMBER DICKENS: this afternoon
24 for the hearing. According to the Prelim Plan for
25 Fiscal 2017, DoITT's contract budget includes a total

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2 of 261 million for 147 contracts. This is 45 million
3 dollar increase from the 159 million allocated for
4 fiscal year 2016. Can you tell me what some of the
5 contracts are that will be a part of this additional
6 budget? That's one. Why are they so expensive, two?
7 Three, can you tell me if any of these 147, with
8 regard to the 147 that you plan to issue on those
9 contracts, how many are different varying contractors
10 from existing, or these are going to be additional
11 contracts? And lastly, my questions on MWBE.

12 COMMISSIONER ROEST: Okay. I'm going to
13 let Deputy Commissioner Annette Heintz take some of
14 the contract questions.

15 ANNETTE HEINTZ: Yeah, hi.

16 COUNCIL MEMBER DICKENS: Thank you.

17 ANNETTE HEINTZ: Hi, Council Member.

18 Yes, we had an increase of about 45 million dollars
19 in the contract spend budget, and a few of it is for
20 some citywide contracts that we're handling. We have
21 the new Microsoft contract. We're also handling the
22 contract for the Procurement Improvement Initiative,
23 which was included in that budget. We have also the
24 DOE Main Frame System which we operate which is
25 supposed to be getting a major upgrade this year. So

2 we had allocation to do contract work for that, and
3 then we had some other, our security, our MacAfee
4 contract is being--is coming up with the maintenance.
5 So, we've got a few other smaller maintenance
6 contracts that have to be increased. That's where
7 mainly it's spent [sic].

8 COUNCIL MEMBER DICKENS: Mostly your
9 vendor's done through RFP's or what? Do you just--

10 ANNETTE HEINTZ: [interposing] Yeah, well,
11 it depends. A lot of our contracts are goods and
12 maintenance services, and generally we will either
13 use the intergovernmental state and general services
14 contracts as a backdrop, and we will bid through
15 those. So, it is actually a bid. It's not
16 considered an RFP. It's a competitive bid. It goes
17 out to only certain selected vendors, pre-selected
18 vendors that are already on state and general service
19 contracts.

20 COUNCIL MEMBER DICKENS: Well, now if
21 that's--if it goes out for competitive bidding
22 process and you use only those that are on a pre-
23 determined list, how is that impact upon MWBE?

24 ANNETTE HEINTZ: Yeah. Well, so these
25 are larger contracts. Most of our MWBE we reserve

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2 for the smaller contracts, and we'll do general bids.

3 So we give all of our under 20,000 dollar business to

4 MWBE's, our 100,000 dollar and under, our 200,000

5 dollar and under, but the larger contracts we do as

6 the pre-selected, and that's because they're already

7 backed by some heavy-duty provisions, contractual

8 provision.

9 COUNCIL MEMBER DICKENS: So you're saying
10 that there aren't any MWBE's that would qualify for
11 larger contracts?

12 ANNETTE HEINTZ: There are. We have
13 about two that qualify for very large contracts, and
14 they are on the pre-selected list. Out of the 147,
15 our general numbers is 25 percent of our contracts go
16 to MWBE's.

17 COUNCIL MEMBER DICKENS: But they're
18 under 20,000 dollars, you say.

19 ANNETTE HEINTZ: No, they're of all.
20 They're of all amounts. Our average amount for the
21 first quarter--second quarter of 2016 is nine million
22 dollars already to MWBE's.

23 COUNCIL MEMBER DICKENS: Nine million in
24 totality or you mean nine million dollar contracts?

25 ANNETTE HEINTZ: Nine million--

2 COUNCIL MEMBER DICKENS: [interposing]

3 Because I think you mean in total.

4 ANNETTE HEINTZ: Nine million dollars in
5 contracts was given during the--

6 COUNCIL MEMBER DICKENS: [interposing]

7 Total amount?

8 ANNETTE HEINTZ: was given up to the
9 second quarter of this fiscal year, yeah.

10 COUNCIL MEMBER DICKENS: What is the
11 average amount of a contract for a MWBE, for one
12 contract for MWBE?

13 ANNETTE HEINTZ: Yeah, we--

14 COUNCIL MEMBER DICKENS: [interposing]
15 For procurement. I'll be specific. For procurement.

16 ANNETTE HEINTZ: For procurement--

17 COUNCIL MEMBER DICKENS: [interposing]

18 Yes.

19 ANNETTE HEINTZ: it's generally in the
20 150,000 dollar range. This quarter is about 113,000.
21 Last year it was almost up to 190,000. So it
22 generally stays in the 100 to 200,000 dollar range.
23 That's the average, but this fiscal year already
24 we've issued--I mean, it really depends on what is
25 coming up for renewal, right? We have a seven million

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2 dollar contract that was issued this fiscal year to a
3 MWBE. We also have a two million--

4 COUNCIL MEMBER DICKENS: [interposing] Is
5 that for procurement?

6 ANNETTE HEINTZ: Yes.

7 COUNCIL MEMBER DICKENS: Okay.

8 ANNETTE HEINTZ: We also have a two
9 million dollar contract that was issued to a MWBE.
10 So, we do issue larger contracts, but when you look
11 at the overall hundreds of them the average is
12 usually the 200--

13 COUNCIL MEMBER DICKENS: [interposing]
14 What'd you say is the percentage that is issued to
15 MWBE's? And I'm going to separate MWBE and MBE's.
16 I'm going to be specific.

17 ANNETTE HEINTZ: We don't have the
18 breakout for the M versus the W in that, but we do
19 have 25 percent utilization for MWBE. Last fiscal
20 year that was our utilization, and so far in this
21 fiscal year, that's also our utilization.

22 COUNCIL MEMBER DICKENS: How many--

23 ANNETTE HEINTZ: [interposing] We're
24 pretty consistent.

25

2 COUNCIL MEMBER DICKENS: What was the
3 percentage last year for MBE? Or you don't have that
4 either?

5 ANNETTE HEINTZ: No, that's something
6 we're going to have--

7 COUNCIL MEMBER DICKENS: [interposing]
8 You don't have the breakdown for that either, even
9 for last year?

10 ANNETTE HEINTZ: No, we had some goals
11 broken out that way, but not actual numbers.

12 COUNCIL MEMBER DICKENS: Alright. What
13 could you do to do further outreach to increase the
14 percentage of the MBE contracts and the MWBE
15 contracts as well as not just for procurement, but
16 also to increase for that they will now be a
17 subcontractor, if you will, or to increase from
18 150,000?

19 ANNETTE HEINTZ: So, you know, we've been
20 kind of charged by the Mayor's Office to try to
21 increase MWBE spend as you know, and DoITT has taken
22 a number of initiatives so far. We're going--we're
23 about to start a MWBE Council with our new Chief
24 Diversity Officer where we're going to invite some
25 MWBE's to meet with us on a regular basis so we could

2 identify challenges and opportunities. Last
3 Wednesday we had a very well-attended expo up in
4 Harlem. Almost 100 MWBE's attended.

5 COUNCIL MEMBER DICKENS: So, it wasn't--
6 it could have been better than that, because I
7 stopped by, by the way. So you didn't know, but I
8 came by.

9 ANNETTE HEINTZ: No, that was good.
10 You're welcome to come by. We did--what we did was
11 we brought in our largest partner vendors and
12 manufacturers, and they all hosted tables, and we
13 had--the MWBE's had an opportunity to network with
14 them, find out what kind of work was going to be
15 getting done over the next year or two, and to see
16 how their associated technical services might fit in
17 with any of those contracts. I heard that and have
18 gotten great feedback from the MWBE vendors that the
19 right people were there. We also had state and
20 federal government there, representatives to talk
21 about how to get certified on those contracts, but in
22 addition we have been doing things. When an MWBE
23 does not win a bid, we call them up and we debrief
24 with them to discuss why, either if they were like
25 the higher bid, so that they can understand why they

2 didn't win, and we've opened that up to them to give
3 us a call anytime they want.

4 COUNCIL MEMBER DICKENS: Now, are there
5 any goals set in for your--for those that win the
6 contracts that the prime contractors that they would
7 be encouraged? Are there goals, and in addition to
8 goals, are their teeth [sic] set into the contracts,
9 which is what the state is now beginning to do, that
10 would demand that MWBE's be made a part of?

11 ANNETTE HEINTZ: Well, we have a number
12 of contracts that are subject to subcontractor goals
13 under Local Law One, and we have a lot of larger ones
14 coming up. Some of our larger contracts right now,
15 our citywide system integrated contracts, were RFP'd
16 before Local Law One and they're not subject, and so
17 we've gone so far as to ask those vendors to take a
18 pledge that they will in the spirit of Local Law One
19 meet subcontractor goals of 20 to 30 percent and to
20 explain why they don't. Our larger contracts will
21 all have subcontractor goals coming up now, including
22 our staff consulting contract which is also not
23 subject to Local Law One, but we did put into the RFP
24 a mandated goal for suppliers of 30 percent in line
25

2 with Local Law One. Once again, we did that on our
3 own and are asking these vendors to commit to it.

4 COUNCIL MEMBER DICKENS: Yeah, I agree,
5 and DoITT has been very good at implementing Local
6 Law One, although Local Law One didn't go far enough,
7 and it didn't put any real teeth in it. But I thank
8 you so much for your testimony. Thank you for coming
9 down.

10 ANNETTE HEINTZ: You're welcome.

11 COUNCIL MEMBER DICKENS: Thank you,
12 Chair.

13 CHAIRPERSON VACCA: Thank you, Council
14 Member Dickens. Council Member Kallos?

15 COUNCIL MEMBER KALLOS: Thank you, Chair
16 Vacca. I look forward to working with you on
17 anything we can do to make sure Community Boards have
18 access to improved technology. I know that's
19 something Gale Brewer, our Borough President in
20 Manhattan, is incredibly interested in. I'll
21 actually say the first conversation I had with
22 Council Member Salamanca was exactly about the
23 technology there, and along those lines I was curious
24 whether or not DoITT has considered taking the
25 Senate.gov, New York senate.gov website and just re-

2 appropriating that for Community Boards. You would
3 replace the 63 senators with 59 Community Boards, and
4 it comes with a content management system based on
5 Druple [sic] and a content--sorry, a client
6 relationship management tool called CiviCRM [sic],
7 and all of it would be free, and after--well, the
8 software is free on Open Source. Of course, you'd
9 actually still have to use your internal staff to set
10 it up. And I understand that the State Senate, even
11 though they are of a different party than many of us
12 in New York City, would be very interested in sharing
13 that code with us.

14 COMMISSIONER ROEST: So, no, I had not
15 considered it, but certainly will.

16 COUNCIL MEMBER KALLOS: Perfect. Now,
17 the next piece is a long list as you may have been
18 accustomed to. I've been admonished by some folks
19 because they feel that sometimes if you say thank you
20 too many time it seems that it is not in earnest, but
21 this in earnest. So, first wanted to start thank you
22 for my connected commute every morning. We now have
23 free Wi-Fi, mobile and help points on the 4, or 5, 6
24 in my district, and that is rolling out citywide, and
25 after two hearings--two fiscal years' worth of

hearings on that I want to thank you for that. Also want to thank you for .nyc. Anyone here please visit benkallos.nyc. that's my website, and I encourage everyone here to please buy a .nyc website I believe that we were able to raise 1.2 million dollars in fiscal year 2015, and I am hoping to continue that. It's only 29.99 a month--sorry, a year, and please do sign on. You can also email me at bkallos@benkallos.nyc. It is the domain name everyone in New York City should have, and the test of a true New Yorker. I'd also like to thank you for your partnership and support on personal information security legislation that we heard with, again, that was Borough President Gale Brewer and the Technology Committee Chair Jimmy Vacca, and we look forward to working with you on passing that legislation. I also wanted to thank you for your partnership on the City Record, working with the civic tech community particularly Beta NYC, and actually academia, and instead of just finding a huge vendor that was going to charge us an arm and a leg, we've actually been able to partner with the NYU School of Engineering to digitize the archives of the City Record so that we can use the past to prepare for the future. I also

2 would like to thank you for supporting legislation
3 for Free and Open Source as well as building a
4 repository of all the software that we're using, and
5 so herein lies some of the questions, and I just want
6 to thank you and your team and your staff for that
7 laundry list of thank you's because that was
8 different than the first time I asked questions.

9 With regard to my favorite question which everyone
10 knows I was going to ask, Microsoft. So, in the
11 November Plan DoITT added an additional nine and a
12 half million dollars in fiscal year 2016 for
13 additional services needed for the Microsoft
14 Enterprise License Agreement. This funding is for
15 licensing cost for additional computers and was added
16 to cover the license cost under the Microsoft
17 Enterprise License Agreement contract. This
18 increased funding brings the total cost of the five-
19 year agreement to 124 million dollars. Depending on
20 which Microsoft products there are, there a whole
21 slew of Free and Open Source alternatives. Other
22 countries like Germany, the United Kingdom, others
23 are switching over the Libra [sic] Office, which is
24 free and open-source software where we could actually
25 make whatever changes we wanted, and in fact, I can

2 actually give it to you right now for free. I have it
3 on my USB key, and it's not even illegal for me to
4 hand you an entire operating system in software. So,
5 the first question would just be what can we do to
6 eliminate the amount of money that we're paying to
7 Microsoft year and year and year again for the same
8 software over and over again?

9 COMMISSIONER ROEST: So, I just want to
10 let you know, I did download Libra Office at home,
11 and have been--yeah. One computer, just a few more
12 to go. So, we think actually that we worked hard to
13 get a good deal with Microsoft, as you know, the
14 amount of software that's available to us now also
15 increased. So it a true up in the number of licenses
16 we have, but it's also that there's a lot more
17 functionality in the licensing that we did procure.
18 I do agree with you that we should be looking at free
19 and open source wherever we can, and we've got a few
20 initiatives going on now where we're looking at
21 options, but I have not yet seen an open source
22 version of the Office products that is truly ready
23 for primetime and an organization like this that does
24 so much work with the outside.

2 COUNCIL MEMBER KALLOS: I guess what I
3 would say is for agencies that aren't using the full
4 suite of Microsoft products, switching them over
5 could have significant cost-savings, and if the
6 company behind Libre [sic] Office, which I believe is
7 Collabra [sic]--do we have somebody who knows that in
8 the audience? I think it's Collabra. I think
9 they're the product owners as much as you can have
10 one. If they even just had a million or two million
11 dollars, the changes we would see in it would be
12 huge. I'd like to move on to LinkNYC. It's
13 something I've been following and been a fan of going
14 back to my campaign for City Council back in 12 or 13
15 when we even started rethinking the phone booth. I'm
16 excited to see it launching in my district. I'd love
17 to work with you, and will DoITT work with
18 individual Council Members to do local launches for
19 our local press and for our local newsletters so that
20 people know what it is? I know that there's already
21 been a citywide launch, but I would love to have
22 local launches.

23 COMMISSIONER ROEST: I know that we're
24 speaking with your staff about that opportunity.

2 COUNCIL MEMBER KALLOS: And so along
3 those lines, was curious about when it was first
4 pitched, the idea was there could be micro-targeting.
5 So, right now, if I want to advertise on the MTA, I
6 can't. I have to advertise on the four, five, six
7 line. I can't just say I want to advertise at 86th
8 and Lexington, but that's different with LinkNYC. I
9 can just say, "I want to advertise on the corner in
10 front of my pizza shop, and I want to advertise that
11 if you walk into my pizza shop and mention LinkNYC
12 you'll get 10 cents off or something like that."
13 Along those same lines, I would love to be able to
14 advertise a small thing that's happening right now in
15 the City on the active LinkNYC screens which is until
16 April 3rd. I'm not sure if you know what's happening
17 in the City until April 3rd. We're giving away one
18 million dollars in many, I think, 26 Council
19 Districts. We have something called Participatory
20 Budgeting, and I would love to get an add up at every
21 single one of the kiosks letting people know, and
22 then in my district we would love to make sure it's
23 targeted to benkallos.com/pb. Is that something that
24 we can turn around quickly, or would the process of
25

2 getting that add up take longer than through April
3 3rd?

4 COMMISSIONER ROEST: What I can do is
5 connect you with the folks who do the advertising,
6 sales and management at the City Bridge or City
7 Bridge Group.

8 COUNCIL MEMBER KALLOS: Okay. I email
9 engage at Link.nyc and hopefully I will hear back
10 from them soon. Along those same lines, in fiscal
11 year 2016 you're expecting to recognize 20.5 million
12 dollars, but in--and they're only going live this
13 summer, which would be in fiscal years 2017. So, I
14 guess, are really going to get that 20 million
15 dollars, and is the 23 million dollars, shouldn't
16 that be twice as much, or how is that we're seeing a
17 similar number for a cycle in which they're really
18 only live for some of them for three months, or is it
19 just a contract minimum.

20 JOHN WINKER: Well, I think it's just the
21 fiscal year budgeting amount of 20 million dollars.
22 It grows to 23 next year. This year I think we're
23 projected to come in about 18 million.

24

25

2 COUNCIL MEMBER KALLOS: Okay, so I guess
3 they're not even installed yet, and we're going to
4 get 18 million.

5 JOHN WINKER: That's correct.

6 COUNCIL MEMBER KALLOS: And that's just
7 because--

8 JOHN WINKER: [interposing] There is
9 actually a guaranteed minimum. That's really one of
10 the conditions of the actual franchise.

11 COUNCIL MEMBER KALLOS: And so far I
12 haven't heard any complaints, but when we dealt with
13 City Bike we got how to deal with them. If
14 constituents start reaching out to our offices and
15 saying this isn't the right place. It needs to be
16 moved five feet that way, 10 feet that way, or to the
17 other side of the street; what is the process for
18 moving a LinkNYC kiosk?

19 COMMISSIONER ROEST: It would be the same
20 as the phone books. You can reach out to DoITT and
21 we'll work with you.

22 COUNCIL MEMBER KALLOS: And my final
23 question, just thank you for the indulgence and for
24 this oversight, is on our franchise agreement we've
25 been having some trouble with our franchises. I

still can't get FIOS. I live on the Upper East Side. I can't get FIOS. I think other people who work at DoITT can't get FIOS either. This is a large citywide problem, and yet there's a franchise agreement. They said they would do it. Similarly, Comcast is--sorry. Charter is now purchasing Time Warner. What are we getting for our franchise agreements, and perhaps maybe we can have more competition so that there's actual? So, I have a choice between Time Warner or Charter and FIOS.

COMMISSIONER ROEST: So, I don't have FIOS either. But I--

COUNCIL MEMBER KALLOS: [interposing] They install it if you ask?

COMMISSIONER ROEST: Not yet. But I do want to thank, though, the City Council for holding the hearing with Verizon. I think that was very helpful in getting the message across to them that they must comply with the agreement to provide FIOS to everyone, and as recently as this morning the Counsel to the Mayor and I met with Verizon. They are at the table. They are working with us to come up with a plan that would have them meeting their-- the terms of the franchise agreement, which is FIOS

2 to everyone. So, we're not through all the details
3 of that yet, but I do know that they understand how
4 serious this is, and that they must comply.

5 COUNCIL MEMBER KALLOS: Can we cancel the
6 franchise for noncompliance and sue them for
7 noncompliance if you and I don't have FIOS by this
8 time next year?

9 COMMISSIONER ROEST: I'll look to my
10 Counsel.

11 CHARLES FRASER: I don't think we really
12 want to cancel the franchise, because we do want the
13 competition, and they've invested several billion
14 dollars in it as they frequently say.

15 COUNCIL MEMBER KALLOS: But we could re-
16 let it.

17 CHARLES FRASER: We don't have the
18 ability, I don't believe, to confiscate their
19 infrastructure and sell it off, I don't think. I
20 come back to it. It's really not in our interest to
21 start over again after they build out some two
22 million customers. You're right, they should build
23 out better and faster, and we've been on this, as I
24 think you know, with Verizon, as the Commissioner
25

2 mentioned, we met with them just this morning in the
3 other side of City Hall.

4 COUNCIL MEMBER KALLOS: DO you have FIOS?

5 CHARLES FRASER: I do not, no.

6 COUNCIL MEMBER KALLOS: Does anyone on
7 the panel have FIOS?

8 CHARLES FRASER: See, I don't FIOS. I
9 want my New York Ones [sic]. So, you know.

10 CHAIRPERSON VACCA: Why don't I--I want to
11 thank Councilman Kallos, of course, and I want to
12 emphasize that I think this thing with Verizon has
13 gone on long enough. The hearing I held was months
14 ago. I don't remember the month off-hand, but I
15 thought by now we'd be closer, but if you say we're
16 getting close, Commissioner, it's a compliance issue.
17 There's an agreement, and this is a compliance issue.
18 So anything you can do to expedite that, I would
19 appreciate it, because we expect there to be a
20 resolution soon.

21 COMMISSIONER ROEST: We expect there will
22 be a resolution soon, and the other thing we're
23 working with them on is once we come to an agreement
24 about how they will comply and get FIOS rolled out to
25 everyone, what are the teeth in that agreement to

2 make sure that they do meet whatever agreement we
3 come to. So, that's part of the negotiation to make
4 sure that we can ensure compliance.

5 CHAIRPERSON VACCA: Thank you. One last
6 question, Chairman Greenfield?

7 CHAIRPERSON GREENFIELD: Thank you very
8 much. My--the real question that I want to ask is
9 how could there be unused urinals in a boy's bathroom
10 at PS290 that you're spending money to get rid of
11 those in participatory budgeting? But that's not for
12 today, but maybe later you can explain to me what
13 that's all about. But the question, the question--

14 COUNCIL MEMBER KALLOS: In my district
15 you can be a delegate and help decide.

16 CHAIRPERSON GREENFIELD: Well, you know,
17 you encourage me to go to websites, so I did. It just
18 peaked my curiosity. I can't imagine that boys are
19 not using urinals. But in any event, the question
20 that I have for DoITT is, it's really two quick
21 questions. The first is regarding the Procurement
22 Innovation Project. In fiscal 2017 you're adding
23 significant funding for the Procurement Innovation
24 Project. Can you just sort of give us the bigger
25 picture of how this is going to work? What about a

2 procurement tracking system and sort of what your
3 role is in that citywide procurement tracking system?

4 COMMISSIONER ROEST: Sure. MOCS is the
5 business owner of that project but of course is
6 working with DCAS and DoITT. Our role in that is
7 supporting the technology, supporting the
8 implementation, and also we're one of the biggest
9 users. We do a lot of procurements. So, we are also
10 a customer at the table for that. It's going to be
11 end to end procurement. So, from RFP or request to
12 invoicing, and replace some of the current systems
13 that are in place now, APT being probably the biggest
14 system that will be replaced.

15 CHAIRPERSON GREENFIELD: Got it. And a
16 final question is that there is a program known as
17 SESUS [sic]. Sounds like a disease. It may in fact
18 be a disease because it's not functioning very well.
19 We've heard lots of complaints and issues with this
20 program. I think--I don't know what it stands for,
21 but I think it's officially the Special Ed IT system
22 which is used to track Special Ed and services as
23 well as the providers as well, and this is long been
24 something that we've heard many complaints about and
25 has been the subject of a lot of work. What is the

2 status? Is this something that you guys are
3 repairing, fixing, scrapping? What's happening with
4 this SESUS system?

5 COMMISSIONER ROEST: So, DoITT has
6 recently become involved in evaluating the SESUS
7 system. We've been working really closely with DOE
8 and with folks in OMB and City Hall, and we're
9 putting together a plan to address short term,
10 anything we can do to improve SESUS in the short term
11 around infrastructures, network bandwidth, those
12 kinds of improvements, and then improvements around
13 the actual business processes, how we support the
14 business processes with technology. So, in there
15 with DOE we're looking at the existing
16 infrastructure, the existing system and we're coming
17 up with a plan. We don't have that plan yet, but
18 we're working in support of DOE. So we're partnering
19 with them and working with them on how to go forward.

20 CHAIRPERSON GREENFIELD: So, SESUS is
21 DOE's invention, for lack of a better term? Right?
22 This is their product and you're now coming in and
23 trying to help them fix it?

24 COMMISSIONER ROEST: We're in there, yes,
25 to support their--

2 CHAIRPERSON GREENFIELD: [interposing] It
3 wasn't your product, just to be clear?

4 COMMISSIONER ROEST: IT was not. It was
5 not.

6 CHAIRPERSON GREENFIELD: Okay. Is it an
7 independent product or was it created just for the
8 DOE?

9 COMMISSIONER ROEST: So SESUS is really a
10 collection of small systems, one of them being Tie
11 Net [sic] which is a system that Vendamaximus [sic]
12 owns, but then there was implementations built around
13 that. So it's not just a COT [sic] system, it's the
14 Tie Net system along with other smaller peripheral
15 integrated systems. Did that answer your question?

16 CHAIRPERSON GREENFIELD: Yeah, no, it
17 does. Thank you.

18 CHAIRPERSON VACCA: Thank you. Thank
19 you, Commissioner. Thank you to all your staff. We
20 have one witness, Dominic Mauro, Reinvent Albany.

21 CHAIRPERSON GREENFIELD: So, you're
22 dismissed, and we're going to ask the witnesses to
23 come up now. Thank you very much for your testimony.
24 Thanks for coming out today.

2 CHAIRPERSON VACCA: Okay, Mr. Mauro,
3 would you please proceed?

4 DOMINIC MAURO: Good afternoon. My name
5 is Dominic Mauro, Staff Attorney for Reinvent Albany
6 which is a member and co-chair of the New York City
7 Transparency Working Group. Like this committee, we
8 are big supporters of the New York City Open Data Law
9 and have worked hard for the successful
10 implementation of the law. Over the last few years
11 this committee has heard testimony from civic
12 technologists, public interest groups and scholars
13 about what is working and what is not working with
14 the Open Data Law. In response to public concerns,
15 City Council recently passed seven new laws intended
16 to increase agency compliance with the Open Data Law.
17 These new laws impose a number of new mandates on the
18 City's Open Data team and will require more staff.
19 Currently, the implementation of the Open Data Law is
20 directed by the Mayor's Office of Data Analytics in
21 conjunction with the staff from DoITT who operate the
22 City's Open Data platform and automate the
23 publication of agency data. This structure was
24 established on April 17th, 2013 by Mayor Bloomberg's
25 Executive Order 306, which also created MODA.

2 Importantly, under the Bloomberg Executive Order, the
3 Head of MODA is both the Chief Analytics Officer and
4 Chief Open Platform Officer, which is the Chief Open
5 Data Officer. At the time of the order, again April
6 2013, the Head of MODA reported directly to the
7 Deputy Mayor for Operations and was a peer of the
8 Head of the Mayor's Office of Operations. Today, the
9 Head of the MODA reports to the Head of the Mayor's
10 Office of Operation who then in turn reports to Tony
11 Shaurus [sp?], Deputy Mayor of Operations. This is
12 effectively a major demotion for the Head of MODA
13 which we believe has led directly to problems with
14 agency non-compliance with the Open Data Law,
15 including the complete absence of a public feedback
16 process for reporting and correcting problems with
17 agency data. While we greatly respect MODA's
18 management team, we believe they are like a data
19 analytics fire brigade running from one massive data
20 challenge to another, including Universal Pre-K and
21 the Legionnaire's Disease outbreak in the Bronx. Our
22 impression is that this running from one data
23 challenge to another has led to a lack of continuity
24 and an inability to put in the necessary processes
25 and systems to make Open Data work in New York City.

2 Accordingly, we suggest that this Committee ask the
3 Mayor to issue an Executive Order separating the jobs
4 of Chief Analytics Officer and Chief Open Platform
5 Officer as well as creating a new fulltime Director
6 of Open Data and fulltime Deputy Director of Open
7 Data who are both 100 percent dedicated to the Open
8 Data Law's implementation. This fulltime Open Data
9 staff should either report directly to the Mayor's
10 Office of Operations or the Chief Technology Officer.
11 Funding for this new fulltime Open Data management
12 staff is already in the budget. To put it bluntly,
13 Open Data is not going to work until someone in City
14 Hall's fulltime job is to make work. Thank you.

15 CHAIRPERSON VACCA: Thank you, and based
16 on what I heard today, you may be right. And it's
17 something that the Committee's going to pursue based
18 on what we heard today and based on what we see in
19 the budget. I thank you so much.

20 DOMINIC MAURO: Thank you.

21 CHAIRPERSON VACCA: There being no other
22 witnesses--

23 CHAIRPERSON GREENFIELD: [interposing]
24 Thank you, Dominic. Just want to double-check to
25 make sure, because this is the opportunity to testify

2 on all three portions of this hearing. Are there any
3 other witnesses that would like to testify and have
4 not yet registered to testify? Alrighty, hearing
5 none, we'll conclude our hearing. I'd like to thank
6 our Land Use staff, Roger Mann [sp?], Julie Luben
7 [sp?], Dillon Casey, Amy Levitan. Technology, I want
8 to thank Brad Reed [sp?]. In Finance we'd like to
9 thank Ken Grace and Johnathan Seltzer [sp?]. I'd
10 also like to thank my Counsel, Alaina Sechera [sp?]
11 for their work in putting today's outstanding
12 hearing.

13 CHAIRPERSON VACCA: Let me add that I
14 want to thank my Legislative Director Stacey Gardner
15 for her assistance as well.

16 CHAIRPERSON GREENFIELD: And I want to
17 thank Council Member Ben Kallos for keeping us on our
18 toes and keeping these hearings interesting. We
19 certainly appreciate that, and I would like some more
20 details on why we're getting rid of those urinals in
21 those public schools for the boys. I don't know
22 about that, but certainly appreciate you having it up
23 on your website so we can have more information. The
24 Land Use Committee and Technology Committee hearings
25 on the Preliminary Budget are hereby adjourned.

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2 [gavel]

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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 April 29, 2016