

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 15, 2018  
Start: 9:50 a.m.  
Recess: 4:32 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: RAFAEL SALAMANCA, JR.  
Chairperson

PETER A. KOO  
Chairperson

COUNCIL MEMBERS: Adrienne E. Adams  
Inez D. Barron  
Costa G. Constantinides  
Chaim M. Deutsch  
Ruben Diaz, Sr.  
Vanessa L. Gibson  
Barry S. Grodenchik  
Ben Kallos  
Andy L. King  
Rory I. Lancman  
Stephen T. Levin  
I. Daneek Miller  
Francisco P. Moya  
Antonio Reynoso  
Donovan J. Richards  
Carlina Rivera  
Ritchie J. Torres  
Mark Treyger

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

Meenakshi Srinivasan, Chair  
Landmarks Preservation Commission

Sarah Carroll, Executive Director  
Landmarks Preservation Commission

Ardie Capeer, Budget Director  
Landmarks Preservation Commission

Ali Rasoulinejad, Director  
Community and Intergovernmental Affairs  
Landmarks Preservation Commission

Marisa Lago, Director  
Department of City Planning

Anita Laremont, Chief Analytical Officer & General  
Counsel, Department of City Planning

Purnima Kapur, Executive Director  
Department of City Planning

Jon Kaufman, Chief Operating Officer  
Department of City Planning

Samir Saini, Commissioner & Citywide Chief  
Information Officer, Department of Information  
Technology & Telecommunications, DOITT

Evan Hines, First Deputy Commissioner  
Department of Information Technology and  
Telecommunications, DOITT

Michael Pastor, General Counsel, Department of Information Technology and Telecommunications, DOITT

John Winker, Associate Commissioner for Financial Services, Department of Information Technology and Telecommunications, DOITT

Annette Heintz, Deputy Commissioner for Financial Services and Administration, Department of Information Technology and Telecommunications, DOITT

Lance Van Arsdale, Assistant Business Manager  
Local 3 IBEW,

Derek Jordan, Business Representative  
Local 3 IBEW,

Robert Brill, Telecommunications Counsel  
Local 3 IBEW,

Jelani Anglin, Founder & Co-Executive Director  
Good Call

Eugene Lynch, Co-Founder & Head of Technology  
Good Call

Malik Reaves, Neighborhood Manager, Good Call

Brunetta Tanner, 311 Chapter Chair, DOITT 911 Call Center  
Appearing for: Ralph Paladino, Second Vice President, Clerical Administrative Employees, Local 1549.

Eddie Douglas, Senior Counselor, DC37



[sound check] [gavel]

CHAIRPERSON SALAMANCA: Alright, good morning. I'd like to welcome everyone here today. My name is Rafael Salamanca. I am the Council Member for the 17<sup>th</sup> Council District of which I serve as the Chair of the Land Use Committee. I want to welcome my colleagues who are members of the committee and who are joining us today. I would like to welcome Council Member Koo, Lancman, Grodenchik, Chair Adams and Council Member Diaz. I want to thank Council Members Moya, Kallos and Adams for their leadership and work with the Zonings, Landmarks and Planning Subcommittees. This hearing is going to be held jointly with the Technology Committee, and I welcome Chair Koo and members of the Committee who will be joining later when we do our oversight over the Department of Information Technology and Telecommunications. This hearing will cover the Fiscal 2019 Preliminary Budget for the Landmarks Preservation Commission, the Department of City Planning and DOITT. Chair Koo will speak to some of the issues regarding DOITT at 11:30 a.m. I want to remind everyone that if you would like to testify, please fill out a witness slip with the sergeant-at-

1 arms. We're going to begin this hearing with hearing  
2 from Landmarks Preservation Commission and the  
3 Landmarks Subcommittee is chaired by Chair Adrienne  
4 Adams. I want to thank Chair Adams for her work on  
5 these issues. The Landmark Preservation Commission  
6 designates regulation and protects New York City's  
7 historic and cultural resources. LPC's Fiscal 2019  
8 Preliminary Budget Totals \$6.7 million. The  
9 department's Fiscal 2019 Preliminary Budget is  
10 \$456,000 or nearly 7.5% more than the Fiscal 2018  
11 Adopted Budget of \$6.3 million. We would like to  
12 thank Chair—it's Srinivasan. I'm sorry I messed that  
13 up [laughter] for joining us today. Before we hear  
14 from the Chair, I would turn it over to Council  
15 Member Adams for her opening remarks.  
16

17 CHAIRPERSON ADAMS: Good morning. My  
18 name is Adrienne Adams, and first, I would like to  
19 thank Chair Salamanca and the members of the  
20 committee for holding this hearing today. Today, we  
21 will hear from the Landmarks Preservation Commission  
22 to discuss the agency's Fiscal 2019 Preliminary  
23 Budget, which totals \$6.7 million. As such, we will  
24 review LPC's budgetary actions included in the  
25 Preliminary Plan, as well as any current or proposed

1  
2 modifications to agency operations. LPC is entrusted  
3 with the responsibility to preserve our collective  
4 history in New York City through the landmark  
5 designation process. Landmark designation is an  
6 honor that the city imparts to exemplary buildings  
7 that capture a unique moment in the history of our  
8 city. However, the landmark process can be  
9 controversial. Property owners of designated  
10 landmarks face uncertainty about future costs for  
11 maintaining landmark buildings. They ask: How much  
12 will this landmark status cost for upkeep of their  
13 property, and what resources are available to them to  
14 help pay for that maintenance. LPC has also proposed  
15 several new rules, which introduced more uncertainty  
16 into the landmark designation process who is  
17 responsible for determining alterations to buildings,  
18 and how will these decisions be determined. The  
19 landmark process can also be controversial by the  
20 stories that these landmarks tell about our city.  
21 Whose story is being told through our landmark  
22 designations, and who decides what stories should be  
23 told by our landmarks. Today's hearing is about  
24 transparency, and we hope the public will have  
25 answers to some of these questions before we're

1 finished here today. Thank you, Chair Srinivasan for  
2 being here today to answer our questions. I will  
3 hand it over to you now to read your testimony.

4  
5 MEENAKSHI SRINIVASAN: Thank you so much.  
6 Good morning, Chair Salamanca and Chair Adams and  
7 members of the Land Use Committee. I'm Meenakshi  
8 Srinivasan, Chair of the Landmarks Preservation  
9 Commission. Today, I'm joined by Sarah Carroll, our  
10 Executive Director; Ardie Capeer (sp?) our Budget  
11 Director and Ali Rasoulinejad, our Director of  
12 Community and Intergovernmental Affairs. The  
13 Landmarks Commission, which is the mayoral agency  
14 responsible for protecting and preserving New York  
15 City's architecturally, historically and culturally  
16 significant buildings and sites has been at the  
17 forefront of preservation policy and a model for many  
18 municipalities all over the country. The  
19 preservation of historic resources provides enormous  
20 benefits and contributes to the vitality of the city,  
21 and it's in part what makes New York a dynamic global  
22 destination. I'm excited to be here before a new  
23 Land Use Committee and thank you for inviting me to  
24 testify about the Commission and its Fiscal Year 2019  
25 Budget. I'd like to start by outlining the

1 Preliminary Budget, and then give you an overview of  
2 our achievements over the last term and highlight  
3 some of our new initiatives. The LPC's Adopted  
4 Budget for Fiscal Year 2018 was \$6.26 million, and  
5 for Fiscal Year 2019 the Preliminary Budget is \$6.74  
6 million, which comprises \$6.15 million in city funds,  
7 and \$596,000 in federal community development block  
8 grant funds. Of the over all Preliminary Budget, 87%  
9 is allocated to personnel services, and 13% is  
10 allocated to other than personnel services. Our  
11 budget supports agency departments including the  
12 Research Department, responsible for evaluating and  
13 balancing properties for designation; the  
14 Preservation Department that reviews permit  
15 applications for work on designated properties; the  
16 Enforcement Department that investigates complaints  
17 of potential violations and helps correct non-  
18 compliances; and the Archeology and Environment  
19 Review Departments that assist city, state and  
20 federal agencies for their environment review  
21 process. The agency's total headcount in the  
22 Preliminary Fiscal Year 2—the 2019 Budget is 85  
23 including 77 full-time positions and eight part-time  
24 positions. This is an increase of four full-time  
25

1 positions above the current headcount of 81, which  
2 includes 73 full-time positions and 8 part-time  
3 positions. There are currently a total of 77 staff  
4 members including 71 full-time and 6 part-time  
5 positions. We're in the process now of filling the  
6 remaining positions. The increase in our budget of  
7 500--\$456,000 includes funding for four new full-time  
8 positions as well as provides us \$240,000 in one-time  
9 funding for the agency's relocation to the Municipal  
10 Building at 1 Center Street to 253 Broadway. Of the  
11 CDBG funding about 80% is allocated to personnel  
12 supporting critical community development related  
13 functions such as surveys, environmental review,  
14 archeology, community outreach and education where  
15 about 20% or approximately \$115,000 is allocated for  
16 a historic preservation Grant Program for low-income  
17 homeowners and not-for-profit organizations. The LPC  
18 designated and regulates more that 36,000 buildings  
19 in all five boroughs including 1,408 individual  
20 landmarks, 120 interior landmarks, 10 scenic  
21 landmarks and 141 historic districts and extensions.  
22 We also received close to 14,000 applications  
23 annually for work on these designated properties.  
24 Under my tenure the Commission has taken a multi-

1  
2 pronged approach to ensure good government practices  
3 and to promote equity, diversity, efficiency, and  
4 transparency in all aspects of our work. I am proud  
5 that from 2014 to 2018 with the help of our Research  
6 Department, the Commission extended landmark status  
7 to 3,861 buildings and sites across the five boroughs  
8 including 63 individual landmarks, 2 interior  
9 landmarks, and 10 historic districts. This is the  
10 second highest total for an administration in its  
11 first term since 1974. The majority of these  
12 properties are within historic districts extending  
13 protections to 3,771 buildings and sites that reflect  
14 New York's diverse neighborhoods. These include  
15 Central Ridgewood, Crown Heights North, Bedford  
16 Historic Districts and the Mount Morris Park Historic  
17 District Extension. We are also pleased that the  
18 agency has no backlog to calendar properties for  
19 designation. We commenced a highly public 18-month  
20 process in 2015 to address items that have been on  
21 the Commission's calendar for decades, some since  
22 1966. This initiative led to the designation of 26  
23 seller (sic) buildings and structures by the end of  
24 2016, and the IRT Powerhouse in 2017. These  
25 designations represents all five boroughs and

1  
2 celebrate a diverse array of architectural styles,  
3 time periods, building typologies and historical  
4 significance. Throughout the last four years, we  
5 have also worked closely with the Department of City  
6 Planning to evaluate historic preservation  
7 opportunities in neighborhoods undergoing rezoning or  
8 neighborhood plans. As a result, we designated 12  
9 buildings in East Midtown and the Empire Dairy  
10 Complex, which includes five buildings in East New  
11 York. The Commission is also considering  
12 designations in East Harlem—in East Harlem with four  
13 properties under consideration, and in the past week  
14 we also calendared two properties in the Far  
15 Rockaways. Both these neighborhoods have been  
16 recently rezoned. We're currently working with City  
17 Planning to evaluate historic resources in Gowanus,  
18 Bushwick and Inwood. In 2017—Fiscal Year 2017, we  
19 designated 26 individual landmarks, two interiors and  
20 two historic districts for a total of 319 buildings  
21 and sites. Thus far in Fiscal Year 2018, we have  
22 designated 11 individual landmarks and one interior  
23 landmark including old Saint James Church in  
24 Elmhurst, the IRT Powerhouse on the west side of  
25 Manhattan and the interiors of the New York Public

1  
2 Library at 42<sup>nd</sup> Street. We have also calendared nine  
3 additional buildings, one interior and two historic  
4 districts including Boerum Hill Historic District  
5 Extension and Central Harlem 130<sup>th</sup> to 132<sup>nd</sup> Street in  
6 Upper Manhattan. I'm excited to let you know that on  
7 March 20<sup>th</sup>, we will bring before the Commission a  
8 recommendation to calendar the Coney Island Boardwalk  
9 as a scenic landmark. I will now turn to our  
10 Preservation Department, which is the largest  
11 department within the agency and which helps owner of  
12 designated buildings to navigate the permit process  
13 to restore, alter and rehabilitate their buildings.  
14 The staff issues approximately 94 to 97% of the  
15 permits administratively pursuant to the Commission's  
16 rules, and they present approximately 3 to 6% of the  
17 applications to the Full Commission each year. In  
18 Fiscal Year 2017, the Commission received 13,874  
19 permit applications, and took action on 13,556  
20 applications during the same period. Through  
21 February of this year, we received—in this fiscal  
22 year we received 8,786 applications and have taken  
23 action on 79,029 applications. The number of—yes,  
24 7,929 applications. Excuse me. The number of  
25 applications received last fiscal year reflects about

1 16.6% increase with number of applications the LPC  
2 received in-four years earlier in Fiscal Year 13.  
3 Our review or headcount has increased by 33% in the  
4 same period. This has allowed us to continue to  
5 issue permits efficiently and provides support for  
6 those seeking to make changes whether they are large  
7 property owners, small property business or  
8 homeowners. In 2017, we also launched an internal  
9 tracking system that is time sensitive to make a  
10 review of applications much more accountable. In  
11 order to improve our regulatory functions even  
12 further, we have commenced the capital process with  
13 the Citywide Administrative Process Act for proposed  
14 amendments to our agency rules that will update  
15 standards and codify well established commission  
16 policies and staff practices for ministerial staff  
17 level approvals. Over the past year we have  
18 conducted significant outreach to preservation  
19 advocates, property owners and industry groups and a  
20 public hearing will be scheduled form March 27. We  
21 believe that these amendments will create a more  
22 streamlined process for permits, will make our  
23 regulatory procedures much more efficient and cost-  
24 effective, and will provide more transparency for  
25

1  
2 property owners, community residents and others in  
3 your districts. The Commission also implements a  
4 modest historic preservation ground program targeted  
5 for low and moderate income homeowners and not-for-  
6 profit organizations to help restore or repair the  
7 facades of their landmarked buildings. In Fiscal  
8 Year 2018, the program is award—has awarded three  
9 grants, one residential grant in the Prospect Park  
10 South Historic District in Brooklyn and not-for-  
11 profit grants including the Renee and Chaim Gross  
12 Foundation in South Village Historic District and the  
13 Henry Street Settlement an individual landmark on the  
14 Lower East Side. We're also speaking with OMB and  
15 HUD to clarify the types of projects at religious  
16 properties that may qualify for a Grant Program, and  
17 thanks to the urging of Chair Salamanca. Over the  
18 past four years, we have made great strides in  
19 harnessing technology on our website to achieve our  
20 goal to provide more transparency and accessibility  
21 to the commission's work. Regarding our research and  
22 designation work, since 2014, all designation reports  
23 have been made available online. In 2016, we  
24 launched the interactive Landmarks web map Discover  
25 NYC Landmarks that provides an intuitive and

1  
2 interactive tool to access information regarding our  
3 designations. Last year we launched the Historic  
4 Building Data Project in which we transferred  
5 information from 50 years of designation reports into  
6 a geographic information system database. In  
7 December 2017, we enhance our Landmarks Web Map with  
8 building-by-building data on all buildings with  
9 historic districts and searchable information on the  
10 approximately 36,000 buildings and sites under the  
11 Commission's purview. We believe that this readily  
12 available information is invaluable to property  
13 owners, community groups, residents and members of  
14 the public. On our regular websites (sic) since  
15 2015, we have made all Commission level application  
16 presentations and commission decisions of available  
17 online. Since 2016, a searchable online permit  
18 application database has also been made available  
19 allowing interested parties to view the status of LPC  
20 applications and issue permits including staff level  
21 approvals. In 2016, the Commission also launched a  
22 digital archive dedicated to our robust  
23 archaeological collections making New York City the  
24 first municipality to host such digital archives. And  
25 within the past year we unveiled and interactive

1 story map to celebrate the centennial of the Women's  
2 Suffrage in New York, and we have previously launched  
3 an interactive map on the LGBT Historic Designations.  
4 I will end by just saying how honored I am to lead  
5 this agency. It is a tremendous privilege to be  
6 trusted with the Commission's mandate to preserve New  
7 York's heritage for us and future generations. Thank  
8 you again for allowing me to testify, and I'm happy  
9 to answer any of your questions. Thank you.  
10

11 CHAIRPERSON SALAMANCA: Thank you, Madam  
12 Chair. I would like to recognized we've been joined  
13 Chair Moya. Just for the panel, we've—we—we would  
14 like to swear you in so the Counsel will—will swear  
15 you in.

16 MEENAKSHI SRINIVASAN: Okay.

17 LEGAL COUNSEL: Please state your names.

18 MEENAKSHI SRINIVASAN: Meenakshi

19 Srinivasan.

20 SARAH CARROLL: Sarah Carroll.

21 ARDIE CAPEER: Ardie Capeer.

22 ALI RASOULINEJAD: Ali Rasoulinejad.

23 KENDALL CHRISTIANSON: Do you swear or

24 affirm that that the testimony that you will give

25 today and the testimony you've just given will be the

1 truth, the whole truth and nothing but the true, and  
2 you will respond to all questions truthfully as well.

3 MEENAKSHI SRINIVASAN: I do.

4 SARAH CARROLL: I do.

5 ALI RASOULINEJAD: We do. We do, yes.

6 CHAIRPERSON SALAMANCA: Alright, well  
7 thank you very much. So, I want to just touch base a  
8 little bit in terms of your—your new rules and your  
9 proposed amendments. Can you speak a little bit  
10 about what they are very detailed? Well, not too  
11 detailed, but, you know, point them out and how—how  
12 is that process going to work? I know that there is  
13 a—a proposed hearing that you're going to have on  
14 March 28<sup>th</sup>.

15 MEENAKSHI SRINIVASAN: They said, yes.

16 CHAIRPERSON SALAMANCA: Yes. I'm sorry,  
17 the 27<sup>th</sup> regarding these proposed changes.

18 MEENAKSHI SRINIVASAN: I'm just going to  
19 give you a little bit of background. Agencies adopt  
20 rules that codifies their policies and practices. It  
21 is seen as a very confluent way of showing everyone  
22 what the Commission does. We have an extensive body  
23 of rules that essentially explains what type of  
24 applications come before that are approved at the top  
25

1 level, but this is what comes before the Commission,  
2 and at this point about 98% or 96% of the  
3 applications are approved at the staff level. We've  
4 been working on this Rules Initiative over the past  
5 several years to find ways to continue to streamline  
6 our process, and to allow for the regulatory process  
7 to meet up with current and future demands. So, the  
8 broader goals of this initiative is really one of  
9 efficiency of transparency of allowing owners of and  
10 stakeholders to go through a process, which is more  
11 streamlined and predictable, and really to encourage  
12 compliance with the law, and we believe overall the  
13 goals of our rules would also foster preservation in  
14 the future as well, and I can explain that a little  
15 further. So, broadly speaking the rules do three  
16 things. The first is that it reorganizes our  
17 extensive body of rules to be much more readable and  
18 intuitive. Right now you have sections that are in  
19 different parts of the document, and we're planning  
20 to consolidate them so that they are much more—just  
21 much more comprehensive and understandable. So,  
22 that's the first one, which is a structural change.  
23 The second is that for 50 years the staff has had the  
24 practice of approving certain types of applications,  
25

1  
2 and we this as an opportunity to codify those rules  
3 as art of this proposal, and we believe that the  
4 codification of rules that are for staff level  
5 approvals that are current will make it much more  
6 clear and much more consistent. And so, we believe  
7 that that really will be much more transparent bot  
8 for staff but also for—for stakeholders including  
9 property owners themselves. They'll understand what  
10 they need to do as well as Preservation groups,  
11 community residents and members of the public. The  
12 third thing that our rules would do is that they  
13 would codify what we've seen as consistent Commission  
14 practice to approve certain types of applications,  
15 and those would be codified and delegated to staff,  
16 and it's a--

17 CHAIRPERSON SALAMANCA: [interposing] I'm  
18 sorry. Can you repeat that and what's going to be  
19 delegated to staff? What's going to be delegated to  
20 staff are the types of applications that have come  
21 before the Commission over this past several years.  
22 In fact, a fairly long period of long where the  
23 Commission has consistently approved, and established  
24 criteria for that adoption.

1  
2 CHAIRPERSON SALAMANCA: So, so, staff  
3 will be approving designation without it going to the  
4 Commission?

5 MEENAKSHI SRINIVASAN: This--this--these  
6 are related to applications that come after the  
7 designation has taken place. So, the designation  
8 process hasn't changed. This is really--the rule  
9 changes are really for applications that come before  
10 the Commission, and are approved either by staff or  
11 by the Commission. So, it's really-- Yes, it's  
12 application based, but--and the applicants are  
13 typically property owners who come before us.

14 CHAIRPERSON SALAMANCA: Alright. So,  
15 with this--these changes of rules, I see that you're  
16 going to significantly increase the workload of your  
17 staff members. So, do you believe that in Fiscal  
18 Year 19 you have the adequate amount of staffing  
19 there or are you planning on increasing your--your  
20 staffing?

21 MEENAKSHI SRINIVASAN: Alright, I think,  
22 you know, the number of applications we received,  
23 which is roughly about 14,000 and will increase  
24 yearly, roughly around 1.6% each year on an average,  
25 will remain the same. So, the rule changes, the

1 number of applications we receive will be the same.  
2  
3 What will change is the number of applications that  
4 go, that are approved at staff will be greater, and  
5 the number of applications approved at the commission  
6 will be less. But one thing to note is our staff in  
7 our Preservation Department works on both sets of  
8 applications. So, they work on the Commission  
9 approvals as well. There's always an internal review  
10 to make sure that those applications are complete,  
11 and then they bring it before the commission, and  
12 they coordinate ongoing public hearings as well. So,  
13 as a result of our change, what will happen is that  
14 since the-the staff level approvals tend to be much  
15 more streamlined and timely, it will actually reduce  
16 some of the work that the staff will do. So,  
17 generally speaking when you have staff level  
18 approvals that will take some about a month to-to  
19 approve, and you have commission level approvals,  
20 which take about three to six months. So, there's a  
21 time saving factor, but also just a more streamlined  
22 process for staff level review as well.

23 CHAIRPERSON SALAMANCA: Alright.

24 MEENAKSHI SRINIVASAN: And I just-Yes,  
25 okay.

1  
2 CHAIRPERSON SALAMANCA: And so, are there  
3 any measures that are being considered to ensure the  
4 transparency regarding how decisions are made through  
5 staff?

6 MEENAKSHI SRINIVASAN: So, what happened  
7 was last year we already created a database that's  
8 available on our website, and you can search that so  
9 you can actually find applications that are approved  
10 at staff level. You can find out—well, you can find  
11 out how many have been filed, and you can also find  
12 out the status whether it's under review, and then  
13 when it's approved as well. So, that will be  
14 ongoing.

15 CHAIRPERSON SALAMANCA: Alright. I'm  
16 going to hand it off to Chair Adams. She has more  
17 specific questions.

18 MEENAKSHI SRINIVASAN: Alright. Thank  
19 you.

20 CHAIRPERSON ADAMS: Thank you again,  
21 Chair. I have some questions regarding the grants  
22 and the way that the grants are handled. According  
23 to data provided by your agency to the Council over  
24 the past three fiscal years, ten historic  
25 preservation grants were awarded to both homeowners

1 and non-profit organizations. The total amount of  
2 funding at adoption for Fiscal Year 2016 through  
3 2018, were substantial amounts. I just want to know  
4 who approves the applications for the grants?  
5

6 MEENAKSHI SRINIVASAN: We have staff that  
7 approves the--that works on the grants and then we  
8 have a board within the Landmarks Commission who will  
9 finally award the grants. So, we have people who are  
10 working on the application process, and then finally  
11 there's a board that will approve the grants.

12 CHAIRPERSON ADAMS: Okay. So, a  
13 combination of the staff and then the Board is the  
14 final?

15 MEENAKSHI SRINIVASAN: Yes.

16 CHAIRPERSON ADAMS: The final answer.  
17 Okay. We understand that grant applicants need to  
18 meet a number of criterion--

19 MEENAKSHI SRINIVASAN: Yes.

20 CHAIRPERSON ADAMS: --for consideration.  
21 What is LPC doing or what is the amount of funding in  
22 your advertising budget to spread the word about the  
23 grant opportunity?

24 MEENAKSHI SRINIVASAN: Alright, our grant  
25 is about \$115,000 annually, and there's several

1 funds. So, we do a lot of outreach to encourage  
2 people to apply for the grant, and our outreach  
3 includes during new designations. When we're—when  
4 we're talking to property owners and garnering  
5 support, we talk to them about the Grant Program.  
6 During the designation process, often we will go back  
7 out to communities and gain explain what are—what are  
8 the responsibilities of landmarking and then what  
9 is—what are the various programs available for  
10 financial assistance, one being the Grant Program.  
11 And often one's historic districts are particularly  
12 historic districts where they're—when they're  
13 designated, we will go back to those communities. We  
14 also do targeted outreach. I know that we did one in  
15 Longwood Historic District on the request of Chair  
16 Salamanca, which we thought was very effective, and  
17 we've done several in Addisleigh Park, which is  
18 specific to really understanding the Grant Program.  
19 So, the Grant Program comes from our CDBG Funding  
20 which has federal requirements to them, and they're  
21 basically for low and moderate income, and they have  
22 other kinds of criteria associated with them, which  
23 is that the property must be owned by the person who  
24 is asking for the grant. In the case of the non-

1  
2 profit, the non-profit should be a charitable  
3 organization, own the property and a charitable  
4 organization, scientific education or literary. So,  
5 that should be the bailiwick. Although, I just want  
6 to point out we are exploring with HUD about the  
7 grants and its eligibility to religious properties as  
8 well. So, that's an ongoing piece of work that we're  
9 doing. The other criteria that we have includes  
10 looking at the building itself, the type of work  
11 whether it's restorative in nature, and—and just the  
12 impact of the grant itself on both existing  
13 buildings, the surrounding buildings at 3 (sic)  
14 Historic District, and—and—and the impact within the  
15 historic district overall. So, our grants are  
16 typically for restorative work, and they run the  
17 gamut. They, you know, you could do stoop repair.  
18 You could do repointing and—and remodeling on the  
19 facades. You could do replacement and upgrading of  
20 windows, and repair of other historic features like  
21 cornices, sills and windows. So, those are the kind  
22 of things that come before us, and I think that's the  
23 point I wanted to make.

24 CHAIRPERSON ADAMS: Okay. So, the scope  
25 is very, very broad.

1  
2           MEENAKSHI SRINIVASAN: And just one more  
3 thing. I think our grants roughly run between, you  
4 know, \$10 to \$30,000 per grant. Part of that is to  
5 sort of allow for an, you know, spread--spread that--  
6 those dollars to more people, and so I think that's  
7 where we get the numbers, which is about for the  
8 Program three grants and three grants over the last  
9 three years.

10           CHAIRPERSON ADAMS: That was my next  
11 question. Thank you. [laughs] I also want to know  
12 how many applications are submitted for historic  
13 preservation grants?

14           MEENAKSHI SRINIVASAN: Okay, well, it's--  
15 it's very sort of interesting. In the last two years  
16 we received 20 applications out of which only seven  
17 were really eligible for the grant--

18           CHAIRPERSON ADAMS: I get that.

19           MEENAKSHI SRINIVASAN: --under HUD, under  
20 the criteria. So, other--what unfortunately did not  
21 qualify because either they didn't meet the--mostly  
22 because they did not meet the income level that was  
23 required or they didn't own the property. So, and  
24 then over let's say the last five years, we received  
25 about 60 applications and 234 of them were eligible

1 for the grant and we granted about—we granted 18  
2 projects. And so, over the last five years we've  
3 dispensed about, you know, somewhere about \$450,000  
4 for various grants.  
5

6 CHAIRPERSON ADAMS: Okay and the average—  
7 I think you just answered it—but the average grant  
8 amount requested?

9 MEENAKSHI SRINIVASAN: Right, it's—we  
10 usually give roughly \$10 to \$30,000. In some years  
11 we've given more than that. I think a couple of  
12 years ago it was \$49 or \$50,000. It varies, but it's—  
13 that's roughly I would say on an average.

14 CHAIRPERSON ADAMS: Okay, I just have a—a  
15 couple more. With the understanding that each  
16 landmark is unique, has LPC conducted any surveys of  
17 the cost of maintenance required good standing with  
18 LPC?

19 MEENAKSHI SRINIVASAN: Well, have we done  
20 surveys? I think what we've seen is through our  
21 application process is that many people come to us.  
22 You know, when we think about the 14,000 applications  
23 that could come before the Commission and the fact  
24 that about 63 to 67% is approved at staff level,  
25 those are really applications that's a—that are for

1 maintenance and restoration work. So, I think that  
2 speaks to the fact that many homeowners are very,  
3 very interested in the upkeep of their property. We  
4 see actually a very small amount of properties that  
5 really let their buildings go into disrepair, and we  
6 have another process that deals with that. So, you  
7 know, I—I could confidently say the majority of  
8 property owners really keep their buildings in what I  
9 would say in—in good condition under the Landmarks  
10 Law, and these—there are these few and far between  
11 situations, and those we will pursue another action  
12 to try and get the owners to keep up their property.  
13 [background comments] Right, and yeah. Okay, so the  
14 other thing is just in terms of the cost of  
15 maintaining and it's sort of an interesting question.  
16 The first thing is that if you don't compel property  
17 owners to do work when you're designated, you're not  
18 required to and restore your building if you have  
19 grandfathered features. It's really when applicants  
20 want and owners want to come before the Commission  
21 and they have a scope of work in mind. Then we will  
22 work with them on a couple of fronts. So, we have  
23 technical expertise to guide owners, and explain to  
24 them what kind of work they can do, and what are the  
25

1 best techniques of getting that work implemented. We  
2 are sensitive to the issues of cost, and while  
3 strictly not—you know, it's not strictly within the  
4 Landmarks Law, but I think as an agency, we recognize  
5 that our stakeholders have, you know, different  
6 incomes and different backgrounds, and we're flexible  
7 about the kind of materials that we use, and we will  
8 guide them towards that. You know, we continue to  
9 have conversations with the industry on let's do  
10 substitute materials, and it was acceptable. And so,  
11 we have a pretty good, you know, knowledge base in  
12 being able to—to really—to advise homeowners on work  
13 that they want to do. And finally, we—we will refer  
14 them to different financial sort of sources including  
15 our own grant program, but the others that are  
16 offered by other not-for-profits for example the New  
17 York Conservancy. So, the Landmarks Conservancy they  
18 have several grants. Their grants for religious  
19 properties, which is separate, but they also have  
20 other grants for homeowners, and it's a loan program,  
21 and then there are tax credits that are available  
22 both at the federal and state level, and we encourage  
23 owners to seek that as well.  
24

1  
2 CHAIRPERSON ADAMS: Okay. Do you feel  
3 that you are exhausting your resources to help  
4 property owners to minimize uncertainty around costs  
5 of future maintenance?

6 MEENAKSHI SRINIVASAN: Have we exhausted?  
7 You know, there's always room for improvement, and I  
8 think that one of things we all think—I mean the  
9 rules really is one sort of way of—of furthering  
10 that—that overall goal and making the regular trade  
11 burdens much less burdensome, so to speak. And I  
12 think--just on the rules because I know Chair  
13 Salamanca is very interested and many of the  
14 Commissioners as well as Council Members maybe  
15 interested is that the type of work that we're  
16 talking about, which would be delegated or is already  
17 done it stuff and will be codified is really everyday  
18 work that you see on properties everywhere. So, if  
19 you think about those—the type of work we're talking  
20 about allowing for, you know, still friends to have  
21 windows that you can open that you have, you know,  
22 limited signage and awnings. There is features,  
23 which have to do with code upgrades and  
24 sustainability and—and resiliency. There are other  
25 issues, which is even for façade work it's all

1 restored in nature, but allowing for different kinds  
2 of materials to essentially really meet the goal of  
3 preservation. So, the majority of the scope of the  
4 rules is really about things that that, you know, in  
5 fact sometimes we wonder why are these things coming  
6 before the Commission when they're really very, you  
7 know, they're small in scope and we, you know,  
8 they're ubiquitous in nature, and they haven't yet  
9 been codified as rule, and so this is our opportunity  
10 to do that. And so, we think that that scope of-of  
11 work under our rules is really very much in the same  
12 vain as I think some of the issues that you raised  
13 about the burdens for-for people who own designated  
14 properties.  
15

16 CHAIRPERSON ADAMS: Okay, thank you very  
17 much. I'm going to ask just one more. I had a  
18 question regarding your-your MMR and PMMR  
19 information. We got some indicators that don't have-  
20 that don't have targets associated with them. Can  
21 you explain that?

22 MEENAKSHI SRINIVASAN: Let me just see.  
23 Yeah, I am going to turn this to my Executive  
24 Director of Sarah.  
25

1  
2           SARAH CARROLL: Sarah Carroll. I—we are—  
3 we're happy to address specific ones if you have  
4 questions about them, but I think that ones the  
5 indicators that calculate our performance, in other  
6 words our timeliness or responsiveness, those have  
7 targets. The ones that track the number letters the  
8 agency receives or the number of emails the agency  
9 receives those—because those are coming from the  
10 outside, there's no target for the agency. It's—it's  
11 not necessarily a performance indicator.

12           CHAIRPERSON ADAMS: Okay. I'm going to  
13 turn it back over to Chair with that. Thank you.

14           CHAIRPERSON SALAMANCA: Thank you, Chair  
15 Adams. I just have more questions in terms of that.  
16 You're doing very well in terms of what your—the MMRs  
17 that we're getting here in terms of the four-month  
18 actuals. I mean in Fiscal Year '18 for the last four  
19 months, letters responded within 14 days, 97%. But  
20 I—I feel that you should still have a target that  
21 you—that you want to work out of, and that's—that's  
22 actually one of my recommendations for your agency.

23           MEENAKSHI SRINIVASAN: Uh-hm, uh-hm.

24           CHAIRPERSON SALAMANCA: Now, how many  
25 letters and how many emails are you actually

1  
2 responding to? Because here it just says that you  
3 responded to 97% of them, but what's--what is 97%?

4 MEENAKSHI SRINIVASAN: I think those--I  
5 think they get like thousands of email, and I think  
6 they have the numbers right.

7 SARAH CARROLL: The number--the number of  
8 letters is fairly low.

9 MEENAKSHI SRINIVASAN: Okay, so the  
10 letters are different from the emails, and some  
11 November--let's see. So, if you had 11 letters and we  
12 responded to 95--11 letters and we responded to 95% of  
13 them within 14 days, that would be--I'm turning to our  
14 Budget Director who can do math very quickly.

15 ROGER CAPEER: Let me get the number.

16 SARAH CARROLL: Eleven letters--

17 ROGER CAPEER Eleven Letters.

18 SARAH CARROLL: 95%.

19 ROGER CAPEER Yes. [background comments,  
20 pause]

21 SARAH CARROLL: So, 85 are responded  
22 within the 14 days and 10 letters came afterwards.

23 CHAIRPERSON SALAMANCA: And how many  
24 emails?  
25

1  
2 MEENAKSHI SRINIVASAN: Okay, I have the-  
3 yeah, I think I've got it. Let me see.

4 SARAH CARROLL: No? Okay. So, for  
5 example in--[background comments].

6 CHAIRPERSON SALAMANCA: And while you  
7 look for that information, you know, your-we-this is-  
8 one of the reasons that we're asking in terms of  
9 letters and emails it's just good to know your  
10 workflow and the amount of workflow that you have.  
11 You know, one of the main purposes of your agency is  
12 to actually communicate with the community, and  
13 tracking your communication I think is vital and key  
14 for us when we're looking at staffing for your  
15 agency.

16 MEENAKSHI SRINIVASAN: Uh-hm, yes.

17 SARAH CARROLL: So, just for Jan-oh, for  
18 just this past January, the agency had received 483  
19 emails.

20 CHAIRPERSON SALAMANCA: Okay, 98% is a  
21 very high mark. I mean that is something you should  
22 be very proud of. I'm going to-I know Chair Moya has  
23 some questions. After Chair Moya, we'll go to  
24 Council Member Grodenchik.

1

2

CHAIRPERSON MOYA: thank you, Chair

3

Salamanca and thank you Chairwoman for your time. I

4

just have one quick question. On the old Saint James

5

is that—has that been done already?

6

MEENAKSHI SRINIVASAN: That's been

7

designated, yes.

8

CHAIRPERSON MOYA: Okay, that was my only

9

question.

10

MEENAKSHI SRINIVASAN: It is? Oh, I

11

thought you just want to know if you had—we had

12

support of the church.

13

CHAIRPERSON MOYA: Yeah. No, no. That—

14

that's because that's a big/

15

MEENAKSHI SRINIVASAN: It has been.

16

CHAIRPERSON MOYA: Right.

17

MEENAKSHI SRINIVASAN: Yes,

18

CHAIRPERSON MOYA: Yes, absolutely.

19

MEENAKSHI SRINIVASAN: It's beautiful.

20

CHAIRPERSON MOYA: Yes.

21

MEENAKSHI SRINIVASAN: It's—it's the

22

second—I think ecclesiastic building in Queens.

23

CHAIRPERSON MOYA: Yeah, correct. It's

24

beautiful. Yeah, thank you.

25

CHAIRPERSON SALAMANCA: Chair or Council  
Member Grodenchik.

COUNCIL MEMBER GRODENCHIK: Thank you,  
Mr. Chair. Good morning Madam Chair. It's good to  
see you. I know we all can see much of you, but I'm  
all the way out in Eastern Queens. My quick question  
once a property is designated a landmark does it—are  
there tax benefits that accrue to it, property tax  
benefits or sales tax benefits, or how does the city  
kind of compensate somebody.

MEENAKSHI SRINIVASAN: Right, there—there  
are, there are no tax benefits to it. It's only when  
you do work you consider to seek tax credits through  
either the state or federal programs that are in  
place.

COUNCIL MEMBER GRODENCHIK: Okay, okay,  
that was it. Thank you very, very much.

MEENAKSHI SRINIVASAN: Thank you.

CHAIRPERSON SALAMANCA: I—I have some  
questions. I know you may have answered them with  
Chair Adams. It has to do with the—the grants. How  
many within Fiscal Year 16, 17 and 18 you were—there  
were ten grants that were awarded. How many  
applicants were there?

1  
2 MEENAKSHI SRINIVASAN: Okay, so for--  
3 [background comments, pause] So, in total there were  
4 30 applications over the last three years.

5 CHAIRPERSON SALAMANCA: How many?

6 MEENAKSHI SRINIVASAN: 30, 3-0.

7 CHAIRPERSON SALAMANCA: 30, okay.

8 MEENAKSHI SRINIVASAN: [background  
9 comments] And there were 10 that were eligible, and  
10 we granted all 10 of them. One of them we granted,  
11 but they actually withdrew the application later on.  
12 So, we granted it to them. They withdrew the  
13 application.

14 CHAIRPERSON SALAMANCA: So, and are these  
15 applications like public facing, accessible to the  
16 public?

17 MEENAKSHI SRINIVASAN: Are they  
18 accessible to the public?

19 ARDIE CAPEER: Yes, our current  
20 applications can be found on our website on the  
21 Landmarks website [nyc.gov/landmarks](http://nyc.gov/landmarks). We have both  
22 our non-profit application and our [coughs] other  
23 (sic) application on our website.

24 CHAIRPERSON SALAMANCA: Yeah. So, 30  
25 applicants in—in three years. What was the criteria?

1 Why were these—why were some of these applicants  
2 turned down?  
3

4 MEENAKSHI SRINIVASAN: Well, mostly it's  
5 because they didn't meet the income eligibility under  
6 the federal or under the HUD rules.

7 CHAIRPERSON SALAMANCA: Okay, and tell me  
8 a little bit advertising and outreach. How—how does  
9 your agency, you know, put this information out so  
10 that the City of New York and all five boroughs knows  
11 that there's grants available for them?

12 MEENAKSHI SRINIVASAN: Right. So, I  
13 think, you know, one thing we talked about was t he  
14 outreach that we do to let either new owners of  
15 designated properties or people within neighborhoods  
16 who owned their property for a long time, and so go  
17 out and actually make presentations to them.  
18 Sometimes I've gone and sometimes, you know,  
19 obviously the team has gone. So, we do sort of fact-  
20 to-face with owners of properties as well as new  
21 owners that are—are—that may have their properties  
22 designated, and I think that's where I kind noted  
23 that we've gone out to Addisleigh Park twice and  
24 we've gone out to Longwood. We also have information  
25 on our website that's available. That's what Ardie

1 was talking about. We have pamphlets, which we  
2 distribute and we mail so people can get that. We do  
3 ELAS (sic) as well, and—and I think the other way  
4 that we get our grant program known is that, you  
5 know, the preservation community is very interested  
6 in the use of grants whether it's our grants or from  
7 the state and city or other non-profits that provide  
8 it because ultimately it's very good for preservation  
9 when buildings are able to restore and upkeep their  
10 buildings. So, very often our sort of orbit  
11 community does a lot of referrals as well. So, we  
12 refer our—when applicants come to us, we refer them  
13 to other—we tell them about our grants, but we also  
14 tell us about other grants, and similarly, we get  
15 referrals from other organizations. For example, the  
16 New York Landmarks Conservancy will refer people back  
17 to us also with the grants.

19 CHAIRPERSON SALAMANCA: Now, this—these  
20 are grants. The funding is coming from the federal  
21 government. Am I right?

22 MEENAKSHI SRINIVASAN: Yes.

23 CHAIRPERSON SALAMANCA: So, what happens  
24 when in a fiscal year you don't use all of the  
25

1 funding that that grant has? Where does that money  
2 go?  
3

4 MEENAKSHI SRINIVASAN: Well, one thing—  
5 you know, but if—if the—if—if the funds for the  
6 grants that we have been awarded are not disbursed  
7 because there's a timing issue, which is we award the  
8 grant. It's put out to bid. We project manage these  
9 grants in the process. So, if there's money that is—  
10 was sort of earmarked for these grants and are not  
11 done during the fiscal years, then we work with OMB  
12 and they will rollover the funds to the next year so  
13 the work can be completed in the next year.

14 CHAIRPERSON SALAMANCA: So, in 2016, you  
15 utilized \$71,713. So, and—and you got a total of  
16 4114,000, correct?

17 MEENAKSHI SRINIVASAN: Right.

18 CHAIRPERSON SALAMANCA: So that—that  
19 funding was rolled over?

20 MEENAKSHI SRINIVASAN: It was rolled over  
21 if it's awarded already to a grant?

22 CHAIRPERSON SALAMANCA: And what if it's  
23 not awarded?

24 MEENAKSHI SRINIVASAN: So, so, yes,  
25 there's sometimes situations where they will be a

1 certain amount that's kind of left on the table so to  
2 speak, and that will go into the general fund. Is  
3 that right? Yes.

4  
5 ARDIE CAPEER: So, for-for funding that  
6 is not spent I mean funding that's been left on the  
7 table, unfortunately, that's money that we're not  
8 able to—we're not able to use. So, only funding  
9 that's been earmarked for particular projects we're  
10 able to roll over.

11 CHAIRPERSON SALAMANCA: So, the funding  
12 that's not used just goes to the General Fund?

13 ARDIE CAPEER: Yes, that's where it goes.  
14 Yes. So, the city, so-so it--

15 MEENAKSHI SRINIVASAN: [interposing] It's  
16 just like with the city, right?

17 ARDIE CAPEER: With the city, but it's  
18 the City CDBG funding. So, the city CDBG—the Federal  
19 CDBG funding is spread over several agencies now and  
20 the LPC. So, there's a general pot. For example, a  
21 couple of years ago, we also receives funding—  
22 additional funding to our CDBG program from an  
23 upgrade of one of our systems our URGIS (sic) system.  
24 So, that was funding, that was extra funding we got  
25 in our budget that was taken from another part of the

1 city's federal funding that wasn't spent. So, that  
2 happens where if there's funding that LPC is not able  
3 to use, but there's another city—another city agency  
4 that has federal CDBG programs, that money can be  
5 spent on those—on those agencies, too, if they  
6 request it.  
7

8 CHAIRPERSON SALAMANCA: So—so—so funding  
9 that's not used, so this \$115,000 that you get for  
10 grants—

11 ARDIE CAPEER: Yes.

12 CHAIRPERSON SALAMANCA: You know, you  
13 have only 10—10 applicants in a matter of three  
14 years. So, there's money that's being rolled over to  
15 the Special Fund, the separate fund that you have for  
16 funding that you get from the federal government that  
17 you don't use? Am I following you there?

18 ARDIE CAPEER: So, so, in the \$115,000  
19 say we were able to award grants for projects that  
20 total \$100,000 just as an example. So, of those  
21 grants that total \$100,000, the remaining \$15,000  
22 unfortunately that's money that's left on the table  
23 that we're not able to spend. That's money that's  
24 available citywide. It's the citywide CDBG program  
25 that I know if the agency could get—to get

1 transferred to another city agency if they request it  
2 for OMB, but that's something that LPC is not being-  
3 has not been able to spend. Now, of the \$100,000  
4 that LPC allocated to projects, if the projects are  
5 not completed within a fiscal year, the \$100,000  
6 let's say half of it got completed for \$50,000, the  
7 other \$50,000 it was earmarked with these projects,  
8 but weren't completed yet, that \$50,000 gets rolled  
9 over to the next fiscal year. So, those are the two  
10 different things in our budget.  
11

12 CHAIRPERSON SALAMANCA: Yeah, I'm just-I'm  
13 just trying to understand. So, if you use your  
14 example that \$15,000 that was left over, it gets put  
15 onto this federal city funding that you have there.  
16 Now, do other agencies have access to that money?

17 ARDIE CAPEER: The other agencies have  
18 access to the general CDBG funding, and there are  
19 different criteria that's on the OMB sites how  
20 that's-how that's spent. Unfortunately, for that  
21 \$15,000 that LPC could not spend, unfortunately  
22 that's money that LPC left on the table, but still a  
23 funding that's available to the city.  
24  
25

1  
2 CHAIRPERSON SALAMANCA: Alright, I'm  
3 going to—we're going to—I'm going to—I would like to  
4 inquire more on this in terms of—

5 ARDIE CAPEER: [interposing] Okay.

6 CHAIRPERSON SALAMANCA: --the funding,  
7 where the money goes. So, we're going to be sending  
8 you something--

9 ARDIE CAPEER: Okay.

10 CHAIRPERSON SALAMANCA: --to get more  
11 clarification on that.

12 ARDIE CAPEER: Alright, thank you.

13 CHAIRPERSON SALAMANCA: I would like to  
14 go back to the New Proposed Rules. I have some  
15 questions here. So, in terms of your—on March 27,  
16 your commission is going to vote on these new  
17 Proposed Rules. So, why should primary facades,  
18 which are typically front on public streets or  
19 otherwise have a significant design or architectural  
20 feature be permitted to be altered via staff approval  
21 rather than approved from the Commissioners?

22 MEENAKSHI SRINIVASAN: Okay, so, just to  
23 clarify, March 27<sup>th</sup>, we're having a public hearing,  
24 but the Commission is not going to voting on that.  
25 So, the process will get comments, and typically we

1 will consolidate all those comments. We have made  
2 our changes. We may have responses to those, and  
3 that will come back to the Commission later on. So,  
4 to the issue with the building facades, which we  
5 agree they have important features. I think they  
6 just have to be sort of clear that the staff level  
7 approvals are not going to change what it  
8 historically looks like. Those kind of changes would  
9 come before the Commission. What the staff level  
10 approvals will do is just--first of all the staff  
11 approves, but basically it's restoration work. So,  
12 it means that, you know, this is what the historic  
13 building façade is and there's upkeep that's required  
14 or, you know, the cornice is broken, and you have to  
15 recreate it. Those kinds of things can now be done  
16 at staff level, and overall--[background comments,  
17 pause]--and in fact there are--when it comes to front  
18 façade, the rules are, in fact, more restrictive.  
19 So, I, you know, the scope of work of our rules,  
20 which it says: Building facades whereas, you know,  
21 with ramps, I think it's good to know that they all  
22 include criteria and sort of a--sort of a philosophy  
23 behind them. So, the restoration rules for the front  
24 facades is, in fact, very conservative. It's all  
25

1 about, in fact, preserving and protecting the  
2 historic features. So, it's—if there are changes  
3 that are being made to the front façade, which  
4 deviate or depart from what it was historically, then  
5 that will come before the Commission. So, for  
6 example if somebody is coming before and asking that  
7 they remove their cornice or they—they want to widen  
8 their windows, then those kind of changes will have  
9 to come before the Commission.  
10

11 CHAIRPERSON SALAMANCA: Alright. I want  
12 to recognize we've been joined by Council Member  
13 Gibson. What types of rooftop additions or rear yard  
14 additions or enlargements will the staff be allowed  
15 to approve under this proposed rule, and how does  
16 this differ from the existing rule?

17 MEENAKSHI SRINIVASAN: Okay. So, in fact  
18 the current rules allow you to do rooftop—rooftop  
19 additions that are non-visible, and rear yard  
20 additions. So, that's already allowed. The changes  
21 that we're proposing are very—they're actually very,  
22 very modest, and in terms of the rooftop additions,  
23 we're allowing for slightly—what we consider  
24 minimally visible rooftop additions, and we're really  
25 talking about these additions that are visible either

1 from very far away from the building or they're, you  
2 know, oblique angles that—that—where the—the rooftop  
3 addition cannot even be associated with the building.  
4 And so, that's kind of the—the change that we're  
5 proposing over there. In terms of the rear yard, our  
6 rules are actually going to be in some ways more  
7 restrictive because it's going to only allow for two  
8 stories, and it's going to actually include design  
9 criteria or basically the staff will be able to sort  
10 of regulate the material and the windows, and the—  
11 these rear yard addition more than they can do right  
12 now. And so, it's a—I think the design criteria are  
13 very big. I think a great improvement of our rules  
14 right, and we're talking about really small  
15 additions. So, I think that, you know, we know that  
16 this is an issue people about it to us, and I just  
17 want to sort of give the Council some sort of  
18 reassurance that the type of applications, which are  
19 larger, which are more complex will continue to come  
20 before the Commission, and yes. So, those will—the  
21 larger ones will go so, it will come before the  
22 Commission that there's no change there. It's really  
23 for the very minimally visible rooftop additions, and  
24 two-story rear yard additions where now we can  
25

1  
2 actually do more than that. And I just want to point  
3 out one other thing about the rules, which is we're  
4 talking about especially the rear yard additions in  
5 what's considered the donut, the area behind where  
6 there's already at least 50% of--of the buildings  
7 already have these rear yard additions. So, when you  
8 think about the existing context there's already an  
9 existing context which sort of supports the fact that  
10 you could--another person can come and have an  
11 addition.

12 CHAIRPERSON SALAMANCA: Right. So, for  
13 rooftop and rear yard additions, the proposed rules  
14 define minimal visible as something that means  
15 certain measurable criteria, or does that not call  
16 attention to itself or distract from any significant  
17 features, and then provides a list of factors that  
18 staff must consider. Can you discuss these factors?

19 MEENAKSHI SRINIVASAN: I'm sorry, Council  
20 Member, can I ask you to repeat that again, please.  
21 I'm sorry.

22 CHAIRPERSON SALAMANCA: So, for the  
23 rooftops and rear yard additions--

24 MEENAKSHI SRINIVASAN: Yes.

25

1  
2 CHAIRPERSON SALAMANCA: --the proposed  
3 rules to define--defines minimal visible--

4 MEENAKSHI SRINIVASAN: Yes.

5 CHAIRPERSON SALAMANCA: --as something  
6 that meets certain measurable criteria, or does not  
7 call attention to itself or distract from any  
8 significant features, and the provides a list of  
9 factors that staff must consider? Can you discuss  
10 these factors?

11 MEENAKSHI SRINIVASAN: Yes.

12 CHAIRPERSON SALAMANCA: In other words,  
13 why are you proposing to change the defined--the  
14 definition of minimal visible from the old  
15 definition?

16 MEENAKSHI SRINIVASAN: Because what we  
17 have found is that this minimal--minimally visible,  
18 which is really the--the change has been routinely  
19 approved by the Commission, and every time it's come  
20 before the Commission, it has been approved. So that  
21 is the--that's the sort of theory behind it.

22 CHAIRPERSON SALAMANCA: [interposing] So,  
23 why should staff be making these decisions and not  
24 the--and--and not the Commission and without public--  
25 without it going through a public process?

1  
2           MEENAKSHI SRINIVASAN: Because it's a-  
3 well, there--there are two sort of ideas here. One is  
4 that applications that come before the commission are  
5 what first are reviewed by staff. The staff already  
6 works with applicants to reduce visibility, and so  
7 it's only when they've--in some ways they've actually  
8 crossed the level of visibility, and so then when it  
9 comes before the Commission approves it. It's--it's  
10 become--I think the staff understands what the  
11 Commission is looking for, and what is--

12           CHAIRPERSON SALAMANCA: [interposing] And  
13 they're--they're not the Commissioners?

14           MEENAKSHI SRINIVASAN: They not.

15           CHAIRPERSON SALAMANCA: Yeah.

16           MEENAKSHI SRINIVASAN: But they are  
17 essentially working on applications to bring them to  
18 a point which is considered--

19           CHAIRPERSON SALAMANCA: [interposing]  
20 They're preparing applications for commissioners, and  
21 commissioners should make that final determination.  
22 That's the point that I'm making here. You're  
23 empowering staff and you're--you're cutting a process,  
24 and--and--and so you're just making the assumption that  
25 the Commissioners are just going to approve this, but

1  
2 I feel that staff should not be making these  
3 decisions.

4 MEENAKSHI SRINIVASAN: [interposing]  
5 Right.

6 CHAIRPERSON SALAMANCA: The  
7 Commissioners—the Commission should make this  
8 decision.

9 MEENAKSHI SRINIVASAN: Right. I think  
10 we're not talking about making the assumption that  
11 Commission—Commissioners will approve it, the  
12 Commissioners do approve it, and they Commissioners  
13 approve it routinely and consistently and then--

14 CHAIRPERSON SALAMANCA: [interposing] And  
15 the Commissioners don't have questions when they come  
16 up and they bring these applications? So, you're  
17 telling me they're just rubber stamping these  
18 applications?

19 MEENAKSHI SRINIVASAN: It—I think it's  
20 because yes I think it's because yes. I think this  
21 as I was telling you. It's because the—the  
22 visibility is so minimal—it's—it's—it's, in fact, for  
23 the same reasons that we've seen and just as I said  
24 before is it's, you know, disconnected from, you  
25 know, it's okay. It's disassociated from the

1 building. So, we're talking about views that are  
2 very far off from the building itself. They're  
3 usually in a situation where the other rooftop  
4 additions or buildings behind it, and you cannot  
5 actually sort of—you can barely see it, and it does  
6 not detract from the, you know, from either the  
7 Historic District or the building where it's  
8 situated.  
9

10 SARAH CARROLL: So, the—the criteria is  
11 based on the standards that the Commission already  
12 uses and the staff is very experienced in the  
13 Commission—Commissioners' standards that they apply  
14 because they routinely prepare these applications  
15 every month, and they listen to the Commissioners,  
16 and we're talking about the kind of visibility that's  
17 so minimal that you can't even tell what's building  
18 it's on. It's through an 8-foot alley looking into  
19 the back of other buildings against the backdrop of  
20 apartment buildings, and you don't see which building  
21 the addition is on, and you're only seeing two feet  
22 of it. So, it's very incidental views that are, as  
23 the Chair said disassociated from the building itself  
24 and in the context of other additions and taller  
25 buildings. Anything that is more visible or

1  
2 noticeable, would still be reviewed and approved by  
3 the Full Commission.

4 CHAIRPERSON SALAMANCA: Alright, my next  
5 question--

6 MEENAKSHI SRINIVASAN: [interposing]  
7 Councilman-Council Member, I just-I wanted to just  
8 point out that, you know, the rules that we have  
9 proposed in part of that process is the Commission,  
10 our Commission will have to approve those rules as  
11 well. So, this is, you know, they're going to be  
12 aware of this, and so, they're-they're a kind of  
13 integral part of the process. The Commission has to  
14 adopt the rules.

15 CHAIRPERSON SALAMANCA: Alright. How  
16 long does it usually take to obtain a certificate of  
17 appropriateness via the Commission review for these  
18 types of changes that we just discussed?

19 MEENAKSHI SRINIVASAN: Well, typically I  
20 think it's somewhere between, you know, it's six-  
21 three to six months. Three to six months. Yeah.

22 CHAIRPERSON SALAMANCA: Alright, and how  
23 long is it expected for approval to take place if  
24 these determinations are delegated to staff?

1  
2 MEENAKSHI SRINIVASAN: You know, if once  
3 the application is complete, it's usually about 30  
4 days, and in some cases it's a little less, 20 days.

5 CHAIRPERSON SALAMANCA: Alright.

6 MEENAKSHI SRINIVASAN: And, yeah, I think  
7 one other point I just want to make is because some  
8 of these changes are so minimal it really—we see this  
9 as a—we do see it as a cost-effective measure as  
10 well, and it allows for more certainty in the  
11 process. The criteria is clear so it's more  
12 transparent, and I, you know, the intention is really  
13 to—to—to lessen some of the burdens for property  
14 owners because we are talking about work, which is  
15 done, you know, routinely.

16 CHAIRPERSON SALAMANCA: Alright, has a  
17 compromise been considered such as LPC staff posting  
18 the proposal information on the website with an  
19 opportunity for the public to comment to the staff  
20 within a certain number of days of posting?

21 MEENAKSHI SRINIVASAN: Well, right now  
22 what we're doing, you know, we've done a lot of  
23 outreach. We know there are different comments that  
24 will come in, and I think part of it we're looking  
25 forward to having our public hearing next week, but

1  
2 it does—that's where we're hoping to sort of hear  
3 comments, and—and then, you know, we'll take that  
4 into consideration. So, right now we haven't but,  
5 you know, we're waiting. The public process and  
6 comments will help us continue to refine the  
7 proposal.

8                   CHAIRPERSON SALAMANCA: Alright, would—  
9 would LPC support some type of public review of staff  
10 determinations?

11                   MEENAKSHI SRINIVASAN: I think we'll have  
12 to look at that with the Council Member.

13                   CHAIRPERSON SALAMANCA: Okay. I want to  
14 recognize we've been joined by Council Member  
15 Treyger. I'm going to hand it off to Chair Adams for  
16 more questions.

17                   CHAIRPERSON ADAMS: Okay. Thank you, Mr.  
18 Chair. I just have one—one more question. I keep  
19 saying one more question, but this really is one more  
20 question. You've had a move pending for awhile. Do  
21 you know when you will be moving?

22                   MEENAKSHI SRINIVASAN: We have our public  
23 hearing on the 27<sup>th</sup>. [background comments] I'm  
24 sorry, the move. I'm so sorry. I'm so focused on  
25 the rules. So, well, we believe that we by the end

1 of this year the work will be done. So, hopefully by  
2 the end of the year we'll be able to do it.

3  
4 CHAIRPERSON ADAMS: Okay.

5 MEENAKSHI SRINIVASAN: The calendar year.

6 CHAIRPERSON ADAMS: The calendar year.

7 Okay, that's only once a year.

8 MEENAKSHI SRINIVASAN: The calendar year.

9 So, yeah, late-late fall, early winter.

10 CHAIRPERSON ADAMS: Okay, thank you.

11 CHAIRPERSON SALAMANCA: Alright, Council  
12 Member Treyger has some questions.

13 COUNCIL MEMBER TREYGER: Thank you,

14 Chairs and welcome. It's great to see you.

15 MEENAKSHI SRINIVASAN: [interposing] It's  
16 great to see you again.

17 COUNCIL MEMBER TREYGER: I see you,

18 Chair. So, I-I-forgive me if I missed this earlier.

19 I'm hearing the news that we will have soon a  
20 calendared item of landmarking the boardwalk at LPC.  
21 Is that correct?

22 MEENAKSHI SRINIVASAN: That is correct,  
23 and which means you weren't here when we broke that  
24 good news, but yes we intend to bring this before the  
25 Commission on March 20<sup>th</sup>, and we're going to

1 recommend that the Commission calendar mark this  
2 property as a--

3  
4 COUNCIL MEMBER TREYGER: Well, I-I  
5 greatly appreciate that, and the work of-of your-of  
6 your staff as well. I thank you for personally  
7 coming down with your team to Coney Island, and so  
8 just-just for clarity so March 20<sup>th</sup> is the day that  
9 you'll recommend for it to be calendared. Is that  
10 correct?

11 MEENAKSHI SRINIVASAN: Yes.

12 COUNCIL MEMBER TREYGER: And just so I  
13 calm my concerns of my constituents, since some items  
14 that have been calendared or on the calendar have  
15 been backlogged for quite some time, folks in my  
16 community would like to be alive including me for the  
17 day

18 MEENAKSHI SRINIVASAN: [interposing]  
19 [laughs] Well, we hope that you are.

20 COUNCIL MEMBER TREYGER: --for this to  
21 happen. Can you just give us a timeframe of what  
22 that means?

23 MEENAKSHI SRINIVASAN: We think we can--  
24 you know, after we calendar we could have a public  
25 hearing, and we hope to try and just, you know, slate

1 this process, but we'd like to complete it either in  
2 spring or summer.

3  
4 COUNCIL MEMBER TREYGER: Okay, very good.  
5 Thank you very for that. I look forward to our  
6 continued partnership in making this a reality. But  
7 Chair, this is—this is a big, big, big news working  
8 with my colleague Councilman Deutsch and my office  
9 with LPC and many residents and stakeholders we will  
10 finally see the legendary iconic Coney Island  
11 Boardwalk become a landmark in New York City, and it  
12 happened without any lobbyists, no conservancies. A  
13 complete grassroots effort from the community. Thank  
14 you to you Chairs, and Chair Salamanca, you—you were  
15 supportive of this in a resolution and Chair Adams I  
16 appreciate your support as well. So, thank you very  
17 much.

18 CHAIRPERSON SALAMANCA: Congrats, Council  
19 Member Treyger. Just want to recognize that we've  
20 been joined by Council Member Deutsch. I just have  
21 maybe one last question. Have there been  
22 conversations with your agency in terms of there  
23 being some federal cuts to your funding?

24 MEENAKSHI SRINIVASAN: Well, as you know,  
25 the Administration is very—working very hard to sort

1 of stave up any kind of federal funding cuts, and so  
2 this past year it has not impacted us at all and  
3 we'll, you know, we understand—we don't know what  
4 will happen, but we—we know that the Administration  
5 will continue to fight any cuts at a federal level  
6 that will affect our agency.  
7

8 CHAIRPERSON SALAMANCA: Alright, and what  
9 is include in the Community Development Funding  
10 Budget?

11 MEENAKSHI SRINIVASAN: So, the Community  
12 Development Funding Budget is roughly about \$595,000,  
13 but \$4473,000 is for basically ten staff positions  
14 and those include five full-time and five part-time.  
15 They are for research and survey work. They  
16 basically fund our environmental review, and they  
17 also fund archaeology, our Archaeology Division and  
18 the Ground Program. So—so, let me just—the \$473,000  
19 is for these four issues. Then we have \$115,000,  
20 which is for the grant, and then we have \$8,000 which  
21 is for, you know, it's administrative costs.

22 CHAIRPERSON SALAMANCA: Okay, alright.  
23 Are there any other questions from members of the  
24 Committee? Is there any testimony or questions from  
25

1  
2 members of the public? Seeing none, thank you,  
3 Commissioner and your team--

4 MEENAKSHI SRINIVASAN: Thank you.

5 CHAIRPERSON SALAMANCA: --for test--for  
6 your testimony today. We will now take a short  
7 recess.

8 MEENAKSHI SRINIVASAN: Thank you, Council  
9 Member.

10 MALE SPEAKER: Thank you.

11 MEENAKSHI SRINIVASAN: And to--and your  
12 committee. [background comments, pause for recess]  
13 [background comments]

14 COUNCIL MEMBER DEUTSCH: Barry. [pause]

15 CHAIRPERSON SALAMANCA: Alright, good  
16 morning everyone. Now, we will continue the Land Use  
17 Preliminary Budget hearing and hear from the Director  
18 of City Planning Maris Lago. The Department of City  
19 Planning is the agency responsible for creating a  
20 vision for the future of our city, and responsible  
21 for the orderly development of our city. We hope  
22 today's hearing will shed light on how DCP allocates  
23 funding and staff time to engage with communities and  
24 land use decisions and that we will be able to  
25 provide the public with more information and on our

1 standing planning initiatives being conducted by DCP.  
2 We're looking forward to hearing more about the new  
3 needs reflected in City Planning's \$45.5 million  
4 budget, efforts to increase language access to  
5 critical agency developed documents and services--

6  
7 SERGEANT-AT-ARMS: [interposing] Quiet,  
8 please.

9 CHAIRPERSON SALAMANCA: --as well as  
10 agency reporting on neighborhood development funding  
11 levels and agency priorities for the coming year. I  
12 have spoken to many of my colleagues leading up to  
13 this hearing, and I want to highlight a few things  
14 that have emerged. (1) They're in the pre-  
15 application process where a number of critical  
16 decisions are made about private application. There  
17 is very limited consultation with Council Members.  
18 Our expectation is that DCP consults with Council  
19 Members, the Land Use staff to ensure that these  
20 decisions have Council Support--

21 SERGEANT-AT-ARMS: [interposing] Keep it  
22 down, please. Please keep it down. Thank you.

23 CHAIRPERSON SALAMANCA: --so we can avoid  
24 a disagreement later in the process when the stakes  
25 are higher. (2) The department has often said to

1 Council members that there are not—that there are not  
2 the resources that to undertake important planning  
3 work. With additional resources do you need to be  
4 responsive to the range of requests that you believe  
5 have merit from this Council, and (3) more broadly on  
6 partnership and communication. I think we can do a  
7 lot better to ensure that we work together to advance  
8 shared policy goals rather than protect the decision  
9 making authority. At the end of the day, I believe  
10 we'll—we will accomplish a lot less not working  
11 together. I hope you take these feedbacks to heart  
12 as you work with the new Council. The Zoning  
13 Subcommittee is chaired by Council Member Moya. I  
14 want to acknowledge the Chair's leadership on City  
15 Planning issues. Before we turn it over, I want to  
16 thank the Chair and his team for joining us today and  
17 with that, the Council will swear you in.

19 LEGAL COUNSEL: Please state your names.

20 MARISA LAGO: Marisa Lago.

21 PURNIMA KAPUR: Purnima Kapur.

22 JON KAUFMAN: Jon Kaufman.

23 ANITA LAREMONT: Anita Laremont

24 LEGAL COUNSEL: Do you swear or affirm

25 that the testimony you will give today including your

1  
2 responses to all questions will be the truth, the  
3 whole truth, and nothing but the truth?

4 PANEL MEMBERS: [in unison] Yes.

5 MARISA LAGO: Well, good morning Chair  
6 Salamanca, and Subcommittee Chairs Moya and Adams and  
7 absentia Kallos, and also the distinguished members  
8 of the Land Use Committee. I want to thank you for  
9 the opportunity to be here today to discuss the  
10 Department of City Planning's, DCP's Preliminary FY  
11 19 Budget. As you just heard, I'm joined by Anita  
12 Laremont, our Chief Analytical Officer and General  
13 Counsel; Purnima Kapur, our Executive Director of and  
14 Jon Kaufman our Chief Operating Officer. Although  
15 the focus of the hearing is the FY 19 Budget, I'd  
16 like to begin with comments on the agency's Work  
17 Program and the exciting services and tools that our  
18 budget allocations allow us to provide for the  
19 public. Since the start of this Administration, DCP  
20 has remained dedicated to the Mayor's goals of  
21 addressing inequality and making New York City the  
22 fairest big city in American. By fostering economic  
23 opportunity, planning for the creation of permanently  
24 affordable housing, and investing neighborhoods,  
25 we're already helping New Yorkers to continue to

1 afford to live in their city, but to state the  
2 obvious there's plenty more to do. One measure of  
3 fairness is the equitable allocation of federal  
4 funding. The federal census count directly affects  
5 federal funding levels for many program programs that  
6 are absolutely critical to the wellbeing of New  
7 Yorkers. These include SNAP, the Supplemental  
8 Nutrition Assistance Program; Section 8 housing  
9 programs; bridge construction and repairs and grants  
10 to local educational agencies to serve disadvantaged  
11 youth. Since this federal funding is based on  
12 population, we must have an accurate 2020 census.  
13 This is a top priority for DCP, and we're so pleased  
14 that this priority is shared by the Council. The  
15 members of DCP's Population Division are nationally  
16 recognized experts in counting urban areas, and while  
17 2020 may seem far off, they are already out in the  
18 field finding housing units throughout all of the  
19 five boroughs that should be counted. Turning to  
20 economic development, I want to highlight last  
21 August's Council vote on the rezoning of East  
22 Midtown. It's just seven months after the rezoning,  
23 and we're delighted that one of the city's most  
24 iconic and largest and employers, JP Morgan Chase has  
25

1 announced the redevelopment of its headquarters in  
2 East Midtown. With 2.5 million square feet of office  
3 space planned, this new headquarters building is  
4 expected to house 15,000 jobs. Chase's decision  
5 gives us confidence that there's a bright future for  
6 East Midtown, and in addition, the sale of air rights  
7 to allow Chase's new headquarters building will  
8 result in tens of millions of dollars going to public  
9 realm and transit improvements. Now, the East  
10 Midtown Rezoning is facilitating the growth of class  
11 A office space, but if we're to combat inequality and  
12 grow the middle-class and also adapt to ever-changing  
13 technologies in the work place, the city also has to  
14 invest in a range of—a wide range of industries with  
15 high wages and job potential and industries that  
16 don't need to or even don't wish to be located in  
17 Manhattan. In Downtown Brooklyn, in Long Island City  
18 in Broadway Junction, DCP is looking at targeted  
19 localized solutions. As just one example, the  
20 Administration's New York Works Plan finds that  
21 Downtown Brooklyn, which is a fast growing  
22 neighborhood sitting on top of 13 subway lines, and a  
23 regional LIRR station is well positioned to increase  
24 the supply of office space. Ensuring that there is  
25

1 both the volume and the variety of work space to  
2 accommodate the full range of today's employers is  
3 essential if we're going to capitalize on Downtown  
4 Brooklyn's attractiveness as a residential  
5 neighborhood. Further, if we can intercept Brooklyn  
6 commuters before they cross the river, this has the  
7 potential to ease congestion in Manhattan subway  
8 lines and also to lower the commute times for many  
9 Brooklyn residents. [background comments, pause] I  
10 apologize for the breaks. I'm getting over the flu  
11 and my voice hasn't still recovered. In addition to  
12 looking at particular neighborhoods, DCP is also  
13 looking at our citywide regulations to identify where  
14 they pose barriers to growth. Our zoning regulations  
15 for office and other work space, were largely written  
16 over 50 years ago, and many of them are now outdated.  
17 The way we work has not only changed dramatically  
18 over the last half century, but it continues to  
19 evolve rapidly. Our zoning shouldn't stand in the  
20 way of creating the types of spaces that are needed  
21 for the jobs of today and tomorrow especially at  
22 highly accessible locations. Let me give you a few  
23 examples of obsolete rules that are on the books and  
24 are getting in the way of private sector growth.  
25

1  
2 Businesses are increasingly gravitating towards  
3 rehabilitative loft buildings because of their  
4 beauty, the cool factor and also because the layouts  
5 of the loft buildings reflect the needs of today's  
6 business culture, but if you look at our zoning, it  
7 makes it nearly impossible to build a new loft style  
8 office building today. A second example: Craft  
9 Breweries are making a serious comeback, but the  
10 zoning that regulates Craft Breweries was adopted in  
11 the 1960s and in 1961 to be exact. These half  
12 century old zoning laws make it almost impossible to  
13 find sites for breweries outside of the heaviest  
14 industrial districts. The final example that I'll  
15 give you is outmoded parking requirements, which  
16 cannot only deter construction of new buildings in  
17 areas that are well served by mass transit, they can  
18 also present-prevent existing businesses from being  
19 able to enlarge. So, we're taking a hard look at  
20 these impediments, and figuring out how we can  
21 modernize our zoning requirements to encourage job  
22 growth. Now, in addition to supporting job growth,  
23 DCP is focused on comprehensive neighborhood planning  
24 that increases the number of new homes in the city  
25 with a special focus on affordable housing coupled

1  
2 with appropriate neighborhood investments. Last week  
3 the Council's Zoning and Franchises Subcommittee as  
4 well as this Land Use Committee voted to support the  
5 Jerome Avenue Community Plan. Thank you so very  
6 much. We estimate that this plan would bring  
7 approximately 4,600 new homes to the area about a  
8 quarter of which would be required to be permanently  
9 affordable under the city's Mandatory Inclusionary  
10 Housing, MIH Program. As part of the plan, the city  
11 has committed to make major investments in the Jerome  
12 Avenue Corridor. Council Members Gibson and Cabrera  
13 deserve special congratulations for their dedicated  
14 work in shaping this important plan, and fighting for  
15 their communities every step of the way. Last year,  
16 the Council approved both the Downtown Far Rockaway  
17 Plan and the East Harlem Plan resulting in new  
18 housing growth—new growth opportunities, but also  
19 significant neighborhood improvements. And DCP  
20 continues to conduct comprehensive neighborhood  
21 planning. With strong leadership by Council Member  
22 Lander, the Gowanus Neighborhood Planning Study is  
23 well underway. Our intensive in-person stakeholder  
24 engagement has been augmented by DCP's online  
25 Community Engagement Portal. It's the first time

1 that we've used an online mechanism to solicit  
2 feedback. It received over 2,000 pieces of E-  
3 Feedback. So, we're quite pleased that it was so  
4 well received. At an earlier phase is DCP's Southern  
5 Boulevard Neighborhood Planning Study. Together with  
6 our sister agencies, DCP aims to engage community  
7 residents and the full range of stakeholders in a  
8 round up comprehensive neighborhood study that will  
9 create a unified vision through collaboration. We  
10 look forward to working closely with Land Use Chair  
11 Salamanca on opportunities to protect and increase  
12 affordable housing, strengthen retail and local  
13 businesses, increase pedestrian safety, and  
14 walkability and revitalize the waterfront improving  
15 community resources. Now, turning to housing to  
16 address the crying need for housing in an already  
17 dense and built-up city, DCP is focusing on  
18 identifying underutilized land. For example, if you  
19 look at our Jerome Avenue, East New York and East  
20 Harlem Neighborhood Plans, we proposed zoning that  
21 encouraged the construction of buildings adjacent to  
22 elevated rail lines. This leveraged land that had  
23 once been thought too difficult to develop, but our  
24 most important tool to spur the construction of  
25

1  
2 affordable housing is MIH, which increases the stock  
3 of affordable housing permanently. The statistics  
4 bear out the wisdom of the Council in adopting MIH.  
5 I'll give you a few statistics. In 2017 alone the  
6 City Planning Commission approved 11,000 total  
7 residential units through both public applications  
8 and private applications under MIH. 2,800 of these  
9 units must be permanently affordable. If we step  
10 back a little further and look back from the date of  
11 the adoption of the MIH program through March 2<sup>nd</sup> of  
12 this year, we've approved 1,800. I'm sorry, 18,000  
13 total units, 4,800 of which must be permanently  
14 affordable, and there's robust pipeline going  
15 forward. Another topic that I'd like to touch upon  
16 briefly, a topic that is critical for a city that has  
17 520 miles of coastline, and a city that is still  
18 bearing the scars of Super Storm Sandy, is  
19 resilience. In 2017, the Council adopted the Special  
20 Coastal Risk Districts that place zoning limitations  
21 on future developments on portions of the east shore  
22 of Staten Island and in Queens the Hamilton Beach and  
23 Broad Channel neighborhoods. All of these rezonings  
24 have the goal of planning for sea level rise in these  
25 especially high risk neighborhoods, and they were

1 greeted with especially strong community support.  
2 DCP is currently working on an update to the Flood  
3 Resilience Zoning that was adopted by the City  
4 Council as an emergency measure in 2013. This 2013  
5 measure eliminated zoning constraints to rebuilding  
6 in the flood zone after Super Storm Sandy. We expect  
7 to advance a citywide amendment to this flood-flood  
8 resilient zoning later this year, and we look forward  
9 to continuing to engage with Council Members and  
10 local communities on this important resiliency  
11 initiative. I'd also like to highlight a recently  
12 released DCP report the Resilient Industry Study.  
13 This study identifies cost-effective strategies that  
14 industrial businesses in the flood plain can choose  
15 to use to reduce their flood risk and to be able to  
16 restore operations quickly in the event of future  
17 flooding. This study is purposely not a rezoning.  
18 It's not regulatory. It is intended to serve as a  
19 toolkit to help interest-interested industry  
20 stakeholders. Now, to more effectively plan in  
21 consort with communities, something that Chair  
22 Salamanca mentioned, DCP strives to be at the  
23 forefront of sharing relevant neighborhood planning  
24 information to help the public including Council  
25

1 members and community boards be as informed as  
2 possible. This includes giving communities access to  
3 cutting edge web tools. I won't describe these newly  
4 developed e-Tools at length other than to note that  
5 the Community District Portal, which I had the  
6 pleasure of sharing with Chair Salamanca, our Zoning  
7 and Land Use Application, which is called ZOLA and  
8 the Online Community District Needs and Request  
9 Application are absolute game changers in the  
10 quantity and quality of granular information that  
11 they provide to the general public as well as the  
12 ease of their use. Finally, I'll turn to the budget  
13 itself. DCP began FY18 with an adopted budget of  
14 \$49.5 million and an authorized headcount of 351  
15 full-time staff lines of which \$32.8 million and 159  
16 positions are funded with city tax level-levy  
17 dollars. DCP's remaining \$16.7 million budget  
18 application and 192 positions are funded primarily by  
19 the federal government. This \$49.5 million budget  
20 allocates \$28.4 million to agency wide personnel  
21 services, and \$21.1 million to non-personnel  
22 services. In comparison to DCP's FY Adopted Budget,  
23 the FY19 Preliminary demonstrates a \$3.9 million and  
24 an 11-position reduction. My written statement goes  
25

1 into extreme detail on a line-by-line basis about the  
2 details of our budget, but the top line message is  
3 that despite a decline in funding the Mayor's FY19  
4 Preliminary Budget adequately supports DCP's robust  
5 work program and allows us to meet the needs of New  
6 Yorkers. Thank you for the opportunity to testify,  
7 and we welcome your questions.

9 CHAIRPERSON SALAMANCA: Thank you, very  
10 much. I just want to recognize that we've been  
11 joined by Chair Kallos, and I just want to also just  
12 give Chair Kallos a shout-out welcome back from  
13 paternity leave. I see that you're having a good  
14 time. [laughter] [background comments] And I also  
15 want to recognize we've been joined by Council Member  
16 Barron. So, I just have a few questions here in  
17 terms of staffing. So, as of February of this year,  
18 the department has an active headcount of 288  
19 positions while the Fiscal Year 2019 you're proposing  
20 340—you're—you're proposing 340 positions. But  
21 there's a rent freeze in—in your agency at the  
22 moment. So, why are you in—in this budget why are  
23 you requesting an increase in—in—in your headcount  
24 when you still have a vacancy that you have not  
25 filled?

1  
2           MARISA LAGO: I'd be glad to explain  
3 that, Chair Salamanca. We have currently 19  
4 positions that are in the hiring process. Seven of  
5 them have already been hired. They're just going  
6 through the processing. Another 12 are already  
7 posted. We also have four people who are on leave  
8 and expecting to return. So, we're holding the  
9 positions open so that they can return from their  
10 leaves. We have a number of dormant positions, 16  
11 federally funded positions that are dormant. These  
12 are grant funded, and what we have elected to do is  
13 to spend the grand funds more slowly at a—at a slower  
14 pace so that we can carefully manage grant funding.  
15 Finally, we have 12 positions that are yet to be  
16 hired, 7 of which are detailed in our new requests  
17 that were just approved in January. And so while the  
18 overall number may sound large as we go through it  
19 piece by piece, we actually are quite comfortable  
20 with our ability to (1) satisfy the Work Program at  
21 City Planning, but also to be able to bring people on  
22 board in the needed positions.

23           CHAIRPERSON SALAMANCA: So, how many  
24 positions are available that are not grant funded  
25 that you can control right now at the moment?

1  
2                   MARISA LAGO: We currently have 16 grant  
3 funded positions that we are holding open.

4                   CHAIRPERSON SALAMANCA: Okay. Can you  
5 talk to me about has the staff turnover affected the  
6 department's ability to keep these positions filled?

7                   MARISA LAGO: No one likes staff turn-  
8 turnover, but as a manager for decades it is an  
9 absolute fact of life. We would actually note  
10 members of the Council staff who have come from the  
11 Department of City Planning, and we welcome seeing  
12 our planners go to other positions with city  
13 government, within the administrative branch.  
14 Fortunately, we have found that City Planning is an  
15 employer of choice for planners and so we have been  
16 fortunate in being able to recruit to backfill these  
17 positions.

18                   CHAIRPERSON SALAMANCA: Alright, and on a  
19 totally different topic, prior commitments. The  
20 Mayor has committed to the Council in writing as part  
21 of the MIH negotiations that the administration will  
22 revise the Voluntary Inclusionary Housing Program to  
23 produce more affordable housing. The Administration  
24 has not lived up to their end of the bargain. What's  
25 taking so long?

1  
2                   MARISA LAGO: We remain committed to  
3 relooking at the Voluntary Inclusionary Housing  
4 Program and as we mentioned at the beginning, the  
5 look was—is very dependent on the contours of the  
6 421-A Program. So, starting with the adoption of the  
7 revised 421-A Program we have been working internally  
8 to look at this. We expect in the next few weeks to  
9 be able to sit down with the Council's staff, and  
10 talk through our preliminary ideas about how VIH  
11 voluntarily--Voluntary Inclusionary Housing Program  
12 should be adopted. I would also note that HPD had  
13 already adopted new rules that prohibit the use of  
14 421-A units to generate off-site bonuses. This  
15 ensures that we promoted affordable housing  
16 production without over-subsidizing units. So, we  
17 are very much looking forward to the conversation  
18 with Council staff.

19                   CHAIRPERSON SALAMANCA: So, when are  
20 those conversations going to happen?

21                   MARISA LAGO: In the next few weeks.

22                   CHAIRPERSON SALAMANCA: Okay, alright.  
23 I'm going to open it up for my colleagues to ask  
24 questions. I'm going to start with Council Member  
25 Lancman and he was on, and then we're going to go to

1 Chair Moya, Council Member Miller, and then Chair  
2 Kallos.  
3

4 COUNCIL MEMBER LANCMAN: Thank you, Mr.  
5 Chairman. Good morning. Are we still in the  
6 morning? Yes, barely. Good morning. I had asked  
7 you to provide some information on the length of time  
8 that it takes for applicants to get plans approved,  
9 and you included that in your testimony, and I  
10 appreciate that very much. I really do. So, I just  
11 want to drill down a little bit on-on that. You-you  
12 say that a large portion of review process is beyond  
13 the control of the Department of City Planning  
14 especially when applicants submit incomplete  
15 materials and are not responsive to DCP requests for  
16 required information. So, tell me how-how often is  
17 it that you have applicants who are-are really unable  
18 to provide you with the information that you need?  
19 I-I, you know, I raise these questions because in  
20 speaking with the-the real estate community, it comes  
21 up a lot. These are professionals by and large.  
22 They're spending a lot of money and they're hiring  
23 experts to-to-to do most of these-these applications.  
24 I mean is that really a recurring problem that the  
25 developers can't get their act together?

1  
2           MARISA LAGO: Thank you for the question  
3 Council Member. It's all over the lot. When people  
4 think of the development process, we tend to think of  
5 the largest developments, but we also process routine  
6 subdivisions' smaller applications, and the reasons  
7 why a project applicant might choose not to respond  
8 immediately could have things unrelated to the  
9 request. The financing could have fallen through.  
10 The market could have changed, and so applications  
11 have or applicants have many reasons. Sometimes they  
12 encounter as they are developing their project or  
13 their plans for the project would discover that  
14 economic subsoil conditions are changing.

15           COUNCIL MEMBER LANCMAN: Were you  
16 finished? I didn't want to interrupt. Okay. So, you  
17 testify that despite an increased amount of complex  
18 applications, DCP's overall MMR performance figure in  
19 FY17 is at 75% above the pre-established target of  
20 70% year to date. You're tracking at 78%. So, you  
21 describe a little bit above I think what determines  
22 whether or not you're—you're on target. So, so what  
23 is an on target process from your perspective for  
24 approvals?

1  
2           MARISA LAGO: The target is an estimation  
3 of on average what we would expect, and again, I  
4 would note the wide variation in our applications  
5 ranging from a-a subdivision all the way up to a  
6 neighborhood rezoning, and what we attempted to do  
7 was to break it into very large an inexact  
8 categories, one of which is the smaller, less complex  
9 projects, and the others, which are our more major  
10 activities. I'm always struck in a discussion about  
11 the length of time that some applicants believe that  
12 it takes too long. Some communities believe that the  
13 process isn't long enough. I do think that we as a  
14 city should be proud of having in place four decades  
15 of time tested process that gives predictability that  
16 there will be a seven-month land use review process  
17 and a process that provides multiple points of  
18 opportunity for the public to participate in the  
19 formal land use review process.

20           COUNCIL MEMBER LANCMAN: So, is for each  
21 category of application or-or-or each type of  
22 application? You've got-you've got different targets,  
23 and-and they're actual targets. This-this I s a six-  
24 month, this is a-some of them are 15 months. I mean  
25 is-is that how you-you-an application comes in and

1  
2 you put it in the category, and like okay this is in  
3 the six-month range, and this is in the 15-month  
4 range?

5                   MARISA LAGO: Yes, and I'll turn it over  
6 to Jon Kaufman who is the keeper of our metrics.

7                   JON KAUFMAN: Thank you, Chair. The  
8 targets were set again as--as the Chair has described  
9 based on looking historically how long these things  
10 take, and then trying to make them all shorter or  
11 this administration. The duration does depend a lot  
12 on the type of zoning action, and that's why the 15-  
13 month ones all involve SEQR, which we all know takes  
14 a lot longer to sort of get through that process.  
15 So, that's why those are--are so much longer, and they  
16 are the very large complex ones that we've had an  
17 increase on recently. We--we visit those targets from  
18 time to time, and we want always to do better, and  
19 you'll see have made improvement in that overall. At  
20 the end of the day, again, applicants can radically  
21 impact our numbers if in a given period of time they  
22 just don't have the materials ready or they have, you  
23 know, financial difficulties or something has changed  
24 in the marketplace.

1  
2 COUNCIL MEMBER LANCMAN: Good. So, I—my  
3 understanding is that there's been an increase in  
4 applications the last few years whether it's to meet  
5 new—new the new--the zoning regime that was put in  
6 place or just increased economic activity. Have—has  
7 the—has the department increased the—the amount of  
8 staff to review these applications? And if you can  
9 give me those numbers.

10 MARISA LAGO: The answer is clearly yes  
11 that this Administration had been very supportive of  
12 increasing the staff at City Planning, and has of  
13 note in particular the increase in staff in the  
14 Environmental Assessment and Review Division because  
15 a significant part of land use review is the legally  
16 required environmental assessment, and Anita Laremont  
17 oversees this, and so I will turn it to her to talk  
18 about the increase in her department.

19 ANITA LAREMONT: Yes. So, we have very  
20 significantly increased the number of staff, and  
21 we've endeavored to try to match the staffing to the  
22 complexity and volume of work that we see now. So  
23 that we can support the efforts of the agency and not  
24 be a bottleneck in terms of our ability to get things  
25 to certification in a timely fashion, but we have to

1 point out that we have a very wide range of types of  
2 projects, and where an environmental impact statement  
3 is required. The lead time is significantly longer  
4 than it is for projects where that isn't required,  
5 and can take up to a year, sometimes a year and a  
6 half just for the completion of that aspect of the  
7 application.  
8

9 COUNCIL MEMBER LANCMAN: And would more  
10 staffing make that process go quicker or just the  
11 nature of the—the inquiry?

12 MARISA LAGO: No, we believe that we are  
13 now properly staffed after having significantly  
14 increased the amount of staff, but again, it is the  
15 nature of the application, the complexity and in  
16 particular the environmental assessment, which is a  
17 multi-multi-part assessment across many factors.

18 COUNCIL MEMBER LANCMAN: Alright, well I  
19 appreciate your coming with this information and  
20 being able to answer these—these questions. I think  
21 it's a conversation that we need to continue because  
22 I do hear it from developers across the board both  
23 big and small. I'm guessing you do, too. I'm sure  
24 some of it is they're just chomping at the bit to get  
25 their project done, but I'm not sure that with the

1  
2 ebb and flow of-of applications that department  
3 staffing has kept up or been-or been aligned, and not  
4 through any fault or lack of will on your part, but  
5 things do need to just move quicker than-than they  
6 are.

7                   MARIS LAGO: I'd welcome that  
8 conversation. Thank you, Council Member.

9                   COUNCIL MEMBER LANCMAN: Thank you very  
10 much. Thank you, Mr. Chairman.

11                   CHAIRPERSON SALAMANCA: Thank you Council  
12 member Lancman. Now, we'll hear from Chair Moya.

13                   CHAIRPERSON MOYA: Thank you, Chairman  
14 Salamanca and thank you Madam Chairwoman for your  
15 testimony today. I wanted to talk a little bit about  
16 the issue of performance measures especially when it  
17 comes to the planning information and policy  
18 initiatives that are presented to the public. In our  
19 neighborhoods and community boards, they're  
20 struggling to keep up in the face of gentrification  
21 and displacement. How much money has been allocated  
22 to help communities or contribute into the  
23 neighborhood planning?

24                   MARISA LAGO: The issue of gentrification  
25 is one that affects so many of our neighborhoods and

1  
2 certainly comes up in the context of our neighborhood  
3 wide rezonings. The way to address gentrification is  
4 through a whole of government approach. It is not  
5 something unique to or rezoning is the sole answer.  
6 We work hand in glove from the outset of a  
7 neighborhood plan with the Department of Housing,  
8 Preservation and Development. We welcome the  
9 Council's adoption of the Right to Counsel Law. We  
10 welcome the other measures undertaken by HPD whether  
11 it is the landlord ambassadors, whether it is going  
12 with the Community Affairs Unit door-to-door on door  
13 knocks to make sure that tenants are aware of their  
14 rights. But again, if one looks just at the  
15 rezoning, one misses the entirety of the tools that  
16 we bring to bear to address this issue.

17 CHAIRPERSON MOYA: But just how much money  
18 is actually allocated to help those communities? So  
19 when you're talking about those programs, how much  
20 actual money goes into your budget?

21 MARISA LAGO: I don't have access to  
22 HPD's breakdown of the dollars that they've dedicated  
23 to each of the programs. I could note that on a  
24 community-by-community rezoning basis we don't go in  
25 with a fixed statement that there are X amount of

1 dollars for this program. We look at what the need  
2 is in the community, and then work with HPD to craft  
3 the right set of tools. I'd also notice--note  
4 actually that it is also not just HPD that come to  
5 mind first and foremost, but also the Department of  
6 Buildings with its focus on enforcement responding to  
7 complaints about the conditions within housing.

9 CHAIRPERSON MOYA: Also the planning  
10 process is--is very difficult to comprehend. How much  
11 money is, or how much funding is given to community  
12 boards to look through this very complicated planning  
13 process?

14 MARISA LAGO: I'm afraid I don't have  
15 that at my fingertips the Council's allocations for  
16 community boards, but we can follow up on that.

17 CHAIRPERSON MOYA: So, is--is it that you  
18 rely on the Council Members to individually fund  
19 that, or is--?

20 PURNIMA KAPUR: The community boards are  
21 funded through the city's budget process. It's not  
22 City Planning that directly funds any of that. What  
23 we do is provide our staff resources to communities.  
24 We have liaisons to each of 59 community boards who  
25 are available to those community boards for all kinds

1  
2 of planning efforts. We also provide a lot of  
3 resources in assisting the community boards in—in  
4 putting together their community needs statements, in  
5 aligning their needs with various agencies. So, our  
6 support to the communities is through our own staff.

7           CHAIRPERSON MOYA: So—but why wouldn't we  
8 want to have engrained in the DCP Budget, money that  
9 would actually help train community boards to  
10 understand its process? If we have right now an  
11 initiative by this Administration that is looking to  
12 up-zone all of our neighborhoods, these are  
13 volunteers. They're not experts. So, when these  
14 plans come in, they're not individuals that have the  
15 opportunity to understand this process. So, my—my  
16 question is why wouldn't DCP dedicate a funding  
17 stream to educate community boards on the rezoning  
18 issues?

19           PURNIMA KAPUR: We dedicate our staffing  
20 to that purpose. I mean we don't—our budget does not  
21 give us a distinct line for that kind of support, but  
22 we are neighborhood based. We have offices in all  
23 five community boroughs, as you know. We have  
24 planning liaisons to each of the community boards.  
25 We attend all the meetings, and we do work with new

1  
2 community board members each year to provide support  
3 in understanding the land use process, our staff--

4           MARISA LAGO: [interposing] I might add  
5 on this that picking up on something that Ms. Kapur  
6 just mentioned, which is that in some instances we  
7 see community boards that have had stability both in  
8 their membership and also in their district managers,  
9 and that are quite expert. When we see that there is  
10 a community board where there has been significant  
11 turnover, we send our neighborhood liaison, our  
12 experts out to conduct a training on zoning and land  
13 use, recognizing that it is a-while we understand our  
14 neighborhood and the fabric of it, the language that  
15 is used in zoning can be different. We recently  
16 conducted such a training for a community board in  
17 Brooklyn, which was just so well received. So, we  
18 would always welcome from either Council members or  
19 from community--community boards requests for input.

20           JON KAUFMAN: I would just ask--add to  
21 that we also train on them on the many tools that we  
22 discussed before. So, things like the Community  
23 Portal and so that we have regular training sessions  
24 for all new Council-board--community board members to  
25

1  
2 join and understand the tools they can use to  
3 understand our processes better.

4           MARISA LAGO: Let me elaborate on that.

5 The community boards for years have put out a  
6 statement of needs, and then their requests.

7 Historically, these were separate processes and they  
8 were done on paper. Over the past few years we have

9 developed a uniform online portal so that the

10 requests that come in are now in standard format

11 across the city. This has been received tremendously

12 well by the community boards and again to Ms. Kapur's

13 point of using our staff, we sent out our staff to

14 work with each of the community boards so that they

15 would understand how to use the new online portal.

16 The portal actually benefitted from our consultation

17 with the community boards because they gave us

18 feedback. We view this as a win-win because at this

19 point with the information of the communities needs

20 and statement of needs and requests coming in

21 electronically, we have found that agencies are able

22 more quickly to be able to respond, and we put out

23 publicly for each community board what their top

24 three requests were, and this is again a way using

25 our new technology to bring more transparency, to

1 bring more information to the public including  
2 community boards.

3  
4 CHAIRPERSON MOYA: So, I'll give you just  
5 a rime example of what-what's going on. Community  
6 Board 4 just recently had a meeting on what was a  
7 rezoning, a building that was coming in. The Land  
8 Use Committee was trying to explain what the rezoning  
9 was about. At the end, it wasn't explained right  
10 because they didn't understand the process, and then  
11 it gets voted down because they were fighting over  
12 who took over for the lease on the building, and so  
13 that's where we get very complicated. And my point  
14 is that what we need is a dedicated funding stream  
15 because if we don't, communities like ours, Community  
16 Boards 3 and 4 are the ones that are going to be  
17 suffering from a lot of these rezonings that come  
18 into our communities. So, for me it's very critical  
19 that when you say that there are these trainings, I  
20 can say we haven't see that okay, and I would like to  
21 see if there's been requests from Community Board 4  
22 or 3, and if you have gone out there to reach out to  
23 them. I'd like to see if that's been done, and if  
24 you could get that back to me, I'd appreciate that.

1  
2           MARISA LAGO: And Council Member, I will  
3 take your raising it as a request and we'll reach out  
4 to the district managers for both—both community  
5 boards.

6           CHAIRPERSON MOYA: Great. Also,  
7 obviously the community boards are short staffed.  
8 They can't compete with the developers. They have  
9 massive budgets. How much money would it cost to  
10 create and give clinics to explain the rezoning and  
11 the ULURP process?

12           MARISA LAGO: Again, our staff stands  
13 ready to conduct these trainings. Given that they  
14 are at the Department of City Planning are trained as  
15 planners, they have the appropriate expertise, and as  
16 Ms. Kapur mentioned, we do have a liaison for every  
17 community board.

18           PURNIMA KAPUR: In addition to that, I  
19 will add that I—I think almost every borough  
20 president at the beginning of the fiscal year when  
21 new community board members are brought into  
22 community boards, whole sessions on land use, our  
23 staff works closely with that to actually go conduct  
24 a specific training on land use and onto the ULURP  
25

1  
2 process for new community board members. We stand  
3 ready to supplement that on an ongoing basis.

4 CHAIRPERSON MOYA: [interposing] So, I-I  
5 understand you have that, but I think there needs to  
6 be a more proactive approach to the community boards  
7 where there needs to be I think a—a better thought  
8 out process on how that outreach is done so that they  
9 know that this is—these resources are there for them.  
10 Because I attend almost every community board meeting  
11 possible. I go to the Land Use meetings as well, and  
12 you can see that they are struggling because they  
13 don't understand it. They don't know that these  
14 resources are available, and I think that's very  
15 important when rezonings are coming into communities—  
16 communities of color they are facing a real threat of  
17 gentrification in our communities.

18 MARISA LAGO: Well, as I said, we've  
19 taken your requests or your mention of Community  
20 Boards 3 and 4 as a request for training, and we  
21 would welcome requests from other Council members who  
22 would want to have training as broad or as narrow  
23 that would be useful to them.

24 CHAIRPERSON MOYA: And also one last  
25 question on—on performance measures. Have there been

1 budget allocations for studies on the impact the  
2 rezonings have on low-income children and seniors?

3  
4 PURNIMA KAPUR: Each of our neighborhood  
5 plans that goes through a rezoning process has an  
6 extensive assessment of every impact that is required  
7 under the EIS, the Environmental Impact category. So  
8 that is our disclosure document on the impacts of  
9 whatever actions are going through the process.

10 CHAIRPERSON MOYA: Okay. On neighborhood  
11 planning, considering all the resources going into  
12 changing whole neighborhoods through rezoning, has  
13 DCP considered putting the same resources into  
14 analyzing and breaking down AMIs to the community  
15 board levels to give real affordability?

16 MARISA LAGO: The issue of AMIs is a  
17 challenging one, and for purposes of federal funding  
18 programs, the AMIs are set at the federal level.  
19 We're—if I might continue. We're very aware of the  
20 fact that the AMIs that are set at a broader level  
21 don't match the community district AMIs, and in our  
22 neighborhood rezonings we work very closely with HPD  
23 to look for ways of driving affordability ever lower.  
24 I would use as an example the Jerome Avenue rezoning  
25 that was recently approved by this committee where

1 there were commitments both to housing perseveration  
2 but also to looking at lower levels of affordability.  
3 I would note that this is done not just in the  
4 context of neighborhood rezonings, but in the  
5 Peninsula Project, for example, was another example  
6 of working with Council Members, with HPD to look for  
7 ways to make the affordability more than the minimum  
8 that is required by the programs.

10 CHAIRPERSON MOYA: But we know that  
11 Rockland County and Westchester County actually took  
12 themselves out of that, and they're not included in  
13 that AMI process. Why can't we do that here?

14 MARISA LAGO: I'm afraid that I am not an  
15 expert on the AMI process. I would be glad to  
16 consult with my colleagues at HPD and get back.

17 CHAIRPERSON MOYA: I'd appreciate that.  
18 Thank you very much Madam Chairwoman, and thank you,  
19 Chairman.

20 CHAIRPERSON SALAMANCA: Thank you, Chair  
21 Moya. I just want to piggyback on some of the  
22 comments that Chair Moya made. You know, I was—as a  
23 previous district manager for 5-1/2 years, City  
24 Planning never offered a training in my community  
25 board. The only time—and I know this predates you—

1  
2 but the only time whenever they would come and want  
3 to educate the community is when they wanted to push  
4 one of their own projects, and that's a reality. How  
5 many city planners do you have available in all five  
6 boroughs that are available to-to all 59 community  
7 boards?

8 JON KAUFMAN: Well, [coughs]--excuse me.  
9 Right now there's about 96 spread across the five  
10 boroughs.

11 CHAIRPERSON SALAMANCA: Ninety-six in all  
12 five boroughs?

13 JON KAUFMAN: And varying tenure across.

14 CHAIRPERSON SALAMANCA: And can you give  
15 me the breakdown per borough, how many city planners  
16 you have per borough?

17 JON KAUFMAN: The-we-there is some  
18 flexibility maybe on how active a certain borough is  
19 versus another, and so they're a little bit. We do  
20 like them to get attached in their neighborhoods, but  
21 over time they may shift between boroughs.

22 CHAIRPERSON SALAMANCA: Well, the Bronx  
23 and Brooklyn right now are very active. So, I would  
24 love to see those numbers to see what breakdown there

1 is in those two boroughs. You think you can get me  
2 that information before the end of this year?

3 JON KAUFMAN: Sure.

4 MARISA LAGO: Sure.

5 CHAIRPERSON SALAMANCA: Thank you.

6 MARISA LAGO: The other thing that I  
7 might note is, if I might, Chair, is that picking up  
8 on Mr. Kaufman's point, when we realized that there  
9 is a lot of activity in a borough, we will assign  
10 from the central staff folks to be lodged in the  
11 borough. I believe currently in the Bronx we have a  
12 transportation planner embedded in the borough. We  
13 assign members of our Urban Design Division to be in  
14 the boroughs because we recognize that the activity  
15 ebbs and flows, and so we do have this surge  
16 capacity.

17 CHAIRPERSON SALAMANCA: Yeah. My-my  
18 other question I raised this last year and my concern  
19 is when there's a rezoning occurring, for example in  
20 my community I have a lot of grassroots organizations  
21 that are very involved because they're concerned with  
22 gentrification, and the displacement of communities,  
23 and the local community boards they're very involved  
24 and they put out their recommendations. At times  
25

1 they feel that projects are not conducive for their  
2 communities. Ten out of ten times City Planning the  
3 City Planning Commission will approve these projects  
4 against the local community boards. So, are you  
5 really working with the local-local community and  
6 local grassroots organizations to address their  
7 issues before these projects are approved?  
8

9           MARISA LAGO: Absolutely, Council Member.  
10 We work with communities and we recognize that  
11 frequently the case within communities is communities  
12 have multiple needs, and don't always speak with one  
13 voice. We think it's important to engage-to-we rely  
14 heavily upon the leadership of the Council Members  
15 because we recognize that the Council is the ultimate  
16 decision maker, and we also recognize that at times  
17 the requests that are coming from the community are  
18 not land use requests. They go beyond that, and so  
19 if one looks at the discussion, the debate before the  
20 City Planning Commission, if one attends the public  
21 hearings and sees the questioning from the Commission  
22 members, we will reflect things that we have heard  
23 that go beyond zoning, that go beyond land use. So,  
24 we are not able to address them, but we know that  
25 discussions as in the Jerome Avenue rezoning or as in

1 the—the Spofford, the Peninsula rezoning, issues that  
2 are outside the arraignment (sic) of the City  
3 Planning Commission can be addressed more broadly by  
4 the Administration.  
5

6 CHAIRPERSON SALAMANCA: Yeah, my—my other  
7 question and then I'm going to give it off to my  
8 colleagues for questions. I just went through my  
9 ninth ULURP in the two years that I've been in the  
10 Council. Thousands of new units approved and I've  
11 ensured that there's a whole new set-aside, and I've  
12 always done option 1 ensuring that we have low-income  
13 units, and also mixed-income units from my working—my  
14 working families. There's—there's a—there's an issue  
15 throughout the city of New York in terms of  
16 affordability, and I feel that other—in other  
17 districts as ULURPs come up, more prominent  
18 districts, you know, we've encourage our colleagues  
19 to go deeper in affordability in those projects.  
20 What is—what is your take on that and can you be a  
21 partner with us to encourage our communities to go  
22 deeper in affordability in terms of their—their land  
23 use projects?

24 MARISA LAGO: With respect to the level  
25 of affordability, we very much look to the Council

1  
2 Members who are the representatives of their  
3 districts. As we've looked at rezonings in  
4 particular, neighborhood rezonings, we recognize that  
5 the easiest to harvest opportunities are when there  
6 is city-owned land because that gives us the most  
7 opportunity to bring to bear the tools. When it's a  
8 private application, again there is a slightly  
9 different dynamic, but we would welcome a discussion  
10 with any Council Member about the need for  
11 affordability across the full range of incomes.

12 CHAIRPERSON SALAMANCA: Yeah, I really  
13 would encourage your agency to—to partner at least  
14 with me and my other colleagues in lower income  
15 communities to encourage my colleagues to go deeper  
16 in affordability because there's a need in terms of  
17 housing for low-income families. Alright, I am going  
18 to hand this off to Council Member Miller.

19 COUNCIL MEMBER MILLER: Thank you, Chair  
20 Salamanca, and thank you for your insightful—your  
21 insight on—on the issues around this as well as Chair  
22 Moya. Obviously communities of color we are—we—we  
23 are concerned with how do we maintain the cultural  
24 integrity of these communities and—and what we have  
25 not seen, and—and—and quite frankly, it, you know,

1  
2 it—it even comes down to just cultural integrity that  
3 sometimes I want to go to Chinatown to get Chinese  
4 food, right. I don't want to get it from the corner  
5 because I need that cultural authenticity because  
6 that is the character of New York City. So, my line  
7 of questioning is how do we maintain the integrity of  
8 these communities that we've seen diminished over the  
9 past two decade—decades, and what role has your  
10 agency played?

11                   MARISA LAGO: Thank you for raising this  
12 important dimension of what defines a neighborhood  
13 because it is not just purely land use and whether  
14 it's an R-5 or an R-6 zoning district. I think we  
15 have a good example in the East New York neighborhood  
16 rezoning. We at the time worked closely with a  
17 multitude of neighborhood organizations, but once a  
18 rezoning is adopted, we don't step back and walk away  
19 from the community. We worked with the community  
20 recently to apply for arts funding from the  
21 Department of Cultural Affairs, and we're extremely  
22 pleased that there were a small number of grants and  
23 one of them was granted to an arts—a very  
24 neighborhood based arts organization in East New  
25 York. The—this coming Saturday actually I won't be

1  
2 going to the St. Patrick's Day Parade because I'm  
3 joining a group who is going to go out and walk the  
4 neighborhood with the selected arts organization to  
5 be able to see the community through the eyes of the  
6 artists in the community. This was a need that was  
7 identified as part of rezoning, and we were pleased  
8 to see it come to fruition and to see the Department  
9 of Cultural Affairs provide funding. Another example  
10 that I would give was in the rezoning of East Harlem  
11 where again neighborhood character was absolutely at  
12 the forefront, and in the discussions about what  
13 funding was needed, the need to support not just  
14 neighborhood businesses, but Neighborhood Arts  
15 organization came to the fore. And so, again I  
16 welcome your interest on it and I do think it's  
17 important as rezonings take place for neighborhood  
18 organizations and also Council Members to bring it to  
19 the fore

20 COUNCIL MEMBER MILLER: So, and—and as—as  
21 was mentioned before in terms of engaging community  
22 and community boards and community groups, and what  
23 impact they would actually have, but I think the  
24 determination is the fact of the matter is that  
25 they've had realistically very little impact on what

1  
2 actually has occurred in terms of rezoning and-and so  
3 forth in these communities. In lieu of community  
4 participation what cultural sensitivities do we have  
5 on-from your side? Peripherally, if I look at those  
6 there, one would think that that exists, but the  
7 reality is that communities change every day, and  
8 don't reflect the values of indigenous folks. What  
9 is the demographics of your staff as I see diversity  
10 and recruitment? How do we know because the  
11 sentiment amongst my colleagues has always been we  
12 create public policy and incentives and we turn it  
13 over to Planning, and it ends up being tree-lined  
14 streets and bike lanes, and that's not the intent.  
15 What does the staff and-and-look like and what could  
16 we do more to ensure that we're reflecting the values  
17 of these communities?

18           MARISA LAGO: I'm so glad that you raised  
19 the issue of staffing because I do think that-Well,  
20 first, I will note that perhaps it's because of my  
21 age, but City Planning is far and away the most  
22 diverse staff workplace that I've had the privilege  
23 of working in, and that includes having spent seven  
24 years in the Obama Administration. But we can do much  
25 better. With respect to gender, the gender divide

1 rather accurately reflects the demographics and I  
2 think you can look. This is the senior management  
3 team of City Planning. With respect to race, we do  
4 quite well with respect to hiring Asian-American  
5 planners, but with respect to African-American and  
6 Hispanic planners, I think that we can do far better.  
7 There are a number of initiatives that we've  
8 undertaken, and the one that I am most pleased by is  
9 that last year, and again this year, we're having a  
10 summer internship paid, and historically, internships  
11 have been a stepping stone to getting a job, but if  
12 an internship is unpaid, we exclude a portion of the  
13 population that might not be able to afford to not  
14 get paid for the summer. Our last year's internship  
15 costs was far and away the most diverse internship  
16 and I must admit as we are selecting interns, it is  
17 with a conscious eye to increase the diversity of our  
18 staff. With respect to the numbers themselves, I'll  
19 turn it over to Mr. Kaufman.

21 JON KAUFMAN: Yeah, and this is something  
22 that obviously we take quite seriously. We know  
23 we're planning with communities and need to present  
24 those communities with the planners we get out there.  
25 I mean our-our agency is, you know, there's very

1  
2 different ways to measure diversity. You know, one  
3 way would be we would say there's non-white, and our  
4 agency is 53% White and 47% non-white, and that's  
5 again we know how important it is to represent all  
6 communities and diversities, and we—that number is  
7 the best it's been in five years, and so we grab—we  
8 recruit very aggressively. We track this every  
9 quarter. We try to make sure that we're going to  
10 places where we can get diverse candidates, and—and  
11 bring them—you know, bring them into the city and  
12 help fill the city.

13           MARISA LAGO: [interposing] If I could  
14 pick up on going to the places, we're—we're fortunate  
15 at City Planning that planners want to come and work  
16 here, and so name the school, the planning school if  
17 folks want to come to City Planning. We focus on  
18 recruiting broadly, not just at the Ivy Leagues. I'm  
19 passionate about this because I'm a graduate of  
20 Cooper Union, and know the value of going to smaller  
21 perhaps less well known schools that nonetheless  
22 produce exceptional candidates. The one other thing  
23 that I would want to mention that while information  
24 is not gathered, with respect to the LGBTQI  
25 community, City Planning is an employer of choice

1 among the community, and that is a point of pride for  
2 us as well.

3  
4 COUNCIL MEMBER MILLER: Thank you so  
5 much, and thank you, Mr. Chair.

6 CHAIRPERSON SALAMANCA: Thank you,  
7 Council Member Miller. Council Member Reynoso.

8 COUNCIL MEMBER REYNOSO: Thank you, Chair  
9 and to my colleagues who were making comments before  
10 me I just want to recognize a common theme in regards  
11 to rezoning that's happening in these neighborhoods.  
12 One, they're mostly happening in predominantly black  
13 and brown districts, low-income districts, and when  
14 talk about community board education, and just  
15 preparing communities for-to engage in these  
16 rezonings related to the budget, it doesn't seem like  
17 DCP has a citywide plan to address the housing crisis  
18 or issues that we have in the city of New York. It  
19 feels more like DCP has a piecemeal approach of going  
20 into poor neighborhoods and looking to rezone them in  
21 an effort to address their housing issue. So, as  
22 maybe being a borough wide director, it would make  
23 sense so that's the approach you would take may even,  
24 but as Chair of the entire DCP, can you really speak  
25 to what your vision is related to the building of

1 housing in the city of New York to address this  
2 crisis that also includes areas that are mainly  
3 predominantly white and affluent? They seem to be  
4 completely out of the—the conversation so far, and  
5 every single time a rezoning happens in this Council,  
6 it seems like there's communities just busting down  
7 the doors to come in here to—to—to let us know that  
8 they want us to stop those projects from happening.  
9 So, what is your citywide vision and do you have it?  
10 And if it's on paper, I would love to see it.

12 MARISA LAGO: Thank you for the question,  
13 Council Member. We've heard this frequently, so I  
14 appreciate the opportunity to address it. We  
15 certainly have a citywide tool to address the  
16 affordable housing crisis and that's MIH. It applies  
17 citywide, and when we think about the application of  
18 MIH, which allows us to require permanently  
19 affordable housing, we think about it in a number of  
20 different dimensions. One is the use of city-owned  
21 land, and that is where we work hand in glove with  
22 HPD because again on city-owned land there is the  
23 opportunity to go beyond the minimums that are  
24 required by the MIH program, but there are also the  
25 private applications and we can't underestimate the

1  
2 significance of the private applications. They tend  
3 not to attract the same amount of attention as the  
4 neighborhood rezonings, but just the steady stream of  
5 private applications is chipping away. In my  
6 testimony are the numbers of—the numbers of units  
7 that have been produced. We wouldn't be reaching  
8 those numbers without the private applications.  
9 Turning to your question about how are neighborhoods  
10 selected, we look for two key criteria. One of them  
11 is neighborhood and Council Member support. We have  
12 undertaken neighborhood rezonings when Council  
13 Members, when neighborhood groups have come to us and  
14 said we want a comprehensive neighborhood re-look  
15 because absent community interest it would be an  
16 exercise in futility. I would actually note on the  
17 Jerome Avenue plan, it started in Council Member  
18 Gibson's district and Council Member Cabrera came to  
19 us and said: Hey, I thought you were manning (sic)  
20 the corridor in my district as well at us. So, we  
21 would—so that's one factor. The second factor is  
22 looking at neighborhoods that are transit rich  
23 because putting housing in areas where it's tough to  
24 get to doesn't serve the purpose of having people in  
25 connected communities where the additional units

1 provide people access to the subway system, to buses  
2 and the ability to get to jobs. So, this would be a  
3 call not just to the members of this committee, but  
4 to the whole Council. We would welcome Council  
5 members from districts of any economic strata coming  
6 to us and saying please, let's undertake a  
7 comprehensive neighborhood plan that can result in  
8 more housing. I would also note that under Council  
9 Member Lander's leadership, we have been for the past  
10 few years actively engaged building on your bridge in  
11 Gowanus initiative, and looking at the opportunities  
12 in the Gowanus neighborhood, which is an upper income  
13 neighborhood.  
14

15 COUNCIL MEMBER REYNOSO: So, you know,  
16 God bless Council Member Lander. He's like as lefty  
17 as they come in the City Council. If there's any  
18 Council member or any district that's going to do  
19 their job to be a partner in-in building affordable  
20 housing in the city of New York, it's probably going  
21 to happen in Council Member Brad Lander's district,  
22 one of the few affluent districts where I think it  
23 would happen. So, I think you guys are-- You know,  
24 I don't want you guys to use him as an example. I  
25 think he's an exception and his district is an

1 exception, and his district is an exception, but  
2 where it does happen is mostly in minority  
3 communities of color again. You say that you have  
4 tools that help you do this work citywide. The tools  
5 are great, but if you only use those tools in  
6 communities of color that are poor, then it doesn't  
7 matter if it's a tool that can be used citywide.  
8 You're not using it citywide. It's a concern and I  
9 don't even want you to answer that question. I kind  
10 of what to move to—to the gentrification issue that  
11 we're having here and the displacement issue. It's  
12 the number one concern that communities have  
13 regarding rezoning, displacement and gentrification.  
14 They want to fight against that, and Bushwick is a  
15 rezoning that's happened that we're working on in my—  
16 in my district that I—that I'm very happy about the  
17 process that we've been able to create. And during a  
18 meeting of one, you know, the Director of Brooklyn  
19 made mention to something, and I'm just going to  
20 state what he said. He said our intention is to  
21 preserve the character and the buildings, not the  
22 people in them. So, he said this at a community  
23 meeting in which folks are trying to fight to (1)  
24 rezone it so they can preserve the character and  
25

1  
2 their buildings, but also to preserve the people that  
3 have been there for the last 40, 50, 60 years that  
4 were in Bushwick when it was burning, that were in  
5 Bushwick when the crime was high, that were in  
6 Bushwick when on one else wanted to be there when the  
7 city abandoned them. But this person comes into this  
8 meeting, and I want to be clear this is not a low-  
9 level staff or-or an intern. This is the Director of  
10 the Brooklyn Office made this statement that he  
11 cared-that his goal is to preserve the character in  
12 the buildings not the people living in them. And I  
13 want you to speak to me because that comes down to  
14 like the foundation by which your agency is operating  
15 in these rezonings. It speaks to what the concern is  
16 for residents in these poor communities, what they  
17 think your intention is, which is just build. Don't  
18 worry about the people. Just build. Speak to me how  
19 this statement made by a director of our Brooklyn  
20 Office is different from what you believe and (2) if  
21 it is, then why have folks in your office that speak  
22 against your-your goals or your principles?

23 MARISA LAGO: The Director of the  
24 Brooklyn Office and immediately apologized at the  
25 building, and Council Member, I apologize to you as

1 well. That is not the approach most decidedly. We  
2 look at neighborhood character, neighborhood  
3 character is defined by the buildings. It's defined  
4 by the parks. It's defined by the streets, by the  
5 retail strips, but it is also principally defined by  
6 the people. It is the people who make a  
7 neighborhood, and again, I apologize on behalf of the  
8 department. That is not our approach.

10 COUNCIL MEMBER REYNOSO: That's—that—I'm  
11 glad you apologized, and I just want to say that when  
12 this happened, the community was fighting for about  
13 30 more minutes asking for an apology, and it didn't  
14 happen, and then I believe the statement that  
15 happened afterwards was: "In the sake of moving this  
16 process forward, I will apologize" is what happened.  
17 I really--

18 MARISA LAGO: [interposing] My  
19 understanding is different.

20 COUNCIL MEMBER REYNOSO: [interposing] I  
21 just really want to put it in perspective for my  
22 colleagues here that this is the Director of the  
23 Brooklyn Office, and if he's the person in charge of  
24 rezoning Brooklyn or assisting in the rezoning of  
25 Brooklyn, if he goes to sleep at night believing

1 this, then we should all be very concerned because  
2 this is the real intention of the Brooklyn Office.  
3 And I just—I don't think that anything has been  
4 addressed regarding this incident in the D—in DCP.  
5 It's almost like can we throw—can we sweep this under  
6 the rug and move forward, and—and that is a concern.

8           MARISA LAGO: Council Member, I would  
9 have to disagree with that characterization. One,  
10 there was an apology at the meeting. Second, I was  
11 informed immediately afterwards, and three, I'm so  
12 pleased to have the opportunity to say that is not  
13 our approach and I apologize for that statement.  
14 That does not reflect how we view neighborhoods.  
15 Neighborhoods are made up of buildings, people,  
16 parks, stores but mostly people.

17           COUNCIL MEMBER REYNOSO: Well, I'm hoping  
18 that moving forward we have folks that come into the  
19 community that abide by your principles. It would be  
20 very hard to see that director come back to Bushwick  
21 and be taken seriously, and to be honest, I think we—  
22 we burned some bridges that need to be burned in an  
23 effort to—to rezone. And then I want to talk about  
24 economic development. There's a North Brooklyn  
25 Industrial and Innovation Plan where DCP has been

1 working for over three years to develop comprehensive  
2 reforms for manufacturing and zoning that would allow  
3 both industrial and commercial businesses to grow.

4 It is not mentioned in your testimony, but this is a  
5 very important initiative for economic development in  
6 the city, and it's part of both the Mayor's

7 Industrial Action plan, and New York and New York  
8 Works Plan. We did an Engine of Opportunities Plan

9 here in the City Council and presented it. When we

10 meet, it seems like for the most part we are in

11 alignment in regards to our goals when it comes to

12 manufacturing in our industry. But then the—I

13 recently received a plan after 4-1/2 years of work

14 received a plan that speaks almost against everything

15 we were discussing internally that were common

16 grounds I guess between DCP and let's say the City

17 Council and myself. So, I would love to know when

18 that study is going to be completed after four years,

19 and—and whether or not you guys are taking it serious

20 because at this point nothing should—that study

21 didn't need to take four years.

22  
23 MARISA LAGO: What's interesting with

24 respect to studies of this nature is again some

25 people say that why have they taken so long? Others

1 will say wait, we need more studies, but I share your  
2 sense of impatience with respect to this. For  
3 members of the Council that might not be as aware,  
4 the North Brooklyn Industrial Study is the most in-  
5 depth planning study of industrial areas that the  
6 department has conducted in decades. Most of our  
7 zoning for industrial areas dates back to 1961. The  
8 goal is to look at our manufacturing areas, areas  
9 that are zoned and in the city and to look at how the  
10 zoning how the land use aligns with today's reality.  
11 Certainly the nature of work has changed markedly.  
12 We're also in particular looking at industrial areas  
13 that are close to transit and that are close to  
14 office sectors. Don't think of the traditional  
15 offices in the Financial District or in Midtown, but  
16 in the work places for some of the new Tammy economy  
17 the Technology based economy, and looking at how  
18 heavy industry, light industry and then this new  
19 economy office space can co-exist. We have produced  
20 a draft of the study. We do not want to release it  
21 until we have worked with the affected Council  
22 Members in particular Council Member Reynoso, but  
23 also Council Member Levin whose district encompasses  
24 this. We had had a meeting scheduled ahead of this,  
25

1 but unfortunately it didn't come to pass. We would  
2 welcome the opportunity to sit down with you. The  
3 reason I mention it for the benefit of the other  
4 Council members is while the work looks very closely  
5 at North Brooklyn, we think that it can inform us as  
6 we look at other M-zoned areas that have good mass  
7 transit access. So, we do it as a stepping stone, as  
8 a lens into possibly other areas of the city, but  
9 Council Member, we are looking forward to  
10 rescheduling with you at your convenience.

12 COUNCIL MEMBER REYNOSO: So, the reason  
13 that meeting was cancelled is because I requested it  
14 be cancelled. Because what you gave us as a draft  
15 was something that I believe was an insult to the  
16 work that we've been doing for the last four fours,  
17 one, and two that there are rumblings that DCP has a  
18 better plan that it's holding onto in an effort to  
19 leverage against my Bushwick rezoning. I just want  
20 you to know the--the level of trust that--that--that  
21 exists between my community and DCP is non-existent.  
22 You can't--you can't do a rezoning when the people  
23 don't trust each other. We can't do a good job I  
24 guess in a rezoning. We want to work together. We  
25 want to build together and I really feel that DCP is

1 falling short on its ability to-to build in-in a way  
2 that would make it-would encourage other communities  
3 to want to go through this process. So, I thank you  
4 for your time, and I hope that moving forward we  
5 could build a relationship that has some semblance of  
6 trust and faith, but at this moment, you know, DCP  
7 has been an agency that has been extremely difficult,  
8 and disheartening to work with.

10 MARISA LAGO: Council Member, I'd welcome  
11 the opportunity to work with you on either or both of  
12 those. I do think that not speaking and not meeting,  
13 isn't-is not the most productive way forward. So, I  
14 would hope that we would be able to sit down with  
15 you, and forge a path forward.

16 CHAIRPERSON SALAMANCA: Thank you,  
17 Council Reynoso. Madam Chair, as I'm sitting here  
18 I'm getting text messages from my district managers  
19 from the different community board, and they're  
20 telling me that they just feel that City Planning  
21 does not listen to the community's input. A perfect  
22 example in my district the Southern Boulevard Study,  
23 City Planning is trying to move forward on this  
24 project, but they only have 300 surveys for a  
25 community that I represent over 170,000 people a

1  
2 disproportion—only 300 surveys, and they want to move  
3 forward on this—on this study. How can you move  
4 forward on a study with only 300 surveys? They need  
5 to do a better job, and the procession in the  
6 community is that there's a plan already in place,  
7 and, you know, and so City Planning is coming here  
8 they want to quote/quote "work with us on this  
9 study" but a plan is already put in place and City  
10 Planning wants to tell us what we need in our  
11 communities, and it's frustrating.

12           MARISA LAGO: Council Member, I share  
13 your frustration on the difficulty of getting  
14 responses to surveys of getting community input. I  
15 think it's something that we share. I'll use the  
16 Jerome Avenue Plan as an example. There we need to  
17 engage one over a period of time and that's the  
18 purpose of conducting a study. We also need to  
19 engage in different ways. On the Jerome Avenue Plan,  
20 we found that going out with a City Planning table to  
21 community events whether it was Boogie on the  
22 Boulevard, the local street fairs, and engaging  
23 people. We've recognized that challenge. People  
24 work hard during the day and so may not want to come  
25 to a community board meeting, or in the Gowanus

1 example we had a number of weekend meetings hosted  
2 with a Council Member, but again, there is an element  
3 of self-selection. So, any ideas for better ways to  
4 get a higher survey response. We know that in  
5 Gowanus, using an online portal was tremendously  
6 successful. It might not be as successful in other  
7 neighborhoods, but certainly it is a tool that we now  
8 have that we would be willing to deploy. I'd also  
9 note again that a study is the beginning of a  
10 process, and so, if the community board if you,  
11 Council Member, have ideas for better engagement,  
12 absent leadership from a Council Member the  
13 opportunity for a comprehensive neighborhood plan is  
14 markedly diminished.

16 CHAIRPERSON SALAMANCA: Alright. So, we  
17 have up next Chair Kallos followed by Council Member  
18 Lander, followed by Council Member Barron, followed  
19 by Council Member Richards.

20 CHAIRPERSON KALLOS: Good afternoon. How  
21 are you holding up with the passing of Stephen  
22 Hawking?

23 MARISA LAGO: Council Member, it is—I am  
24 so glad that you mentioned that. I the privilege—I  
25 studied Physics at Cooper Union, and many years ago,

1  
2 and had the privilege of meeting Stephen Hawking,  
3 and he is one of the geniuses of our time coupled  
4 with a wit. I think not only has he expanded the  
5 boundaries of science, but he has also—he was a  
6 living testament to the fact that disabilities are  
7 just different abilities.

8                   CHAIRPERSON KALLOS: Okay. I—I never got  
9 to meet him. I've read all of his work at least the—  
10 for—for the general public. I haven't read his  
11 academic work as per se, but thank you for bringing  
12 your science background to government. We need more  
13 of that. I also want to thank you for your  
14 partnership. Just to share with my colleague Reynoso,  
15 I have—have protests about issues that were before  
16 Department of City Planning, and then had the  
17 Department of City Planning meet with us the same  
18 day, and appreciate the commitment to having the  
19 ongoing dialogue where we've been able to get to  
20 resolution. I want to just touch on quick, four  
21 items. In 2017, we were able to pass Local Law 101  
22 relating to having a Board of Standards and Appeals  
23 Coordinator at DCP, and you have complied to an  
24 extent by posting on a page on your large site called  
25 Mandatory—Mandated and Other Notices that a person

1 not their name, but just their email and Vargas has  
2 been assigned. So, if you could share that person's  
3 name, and consider creating a dedicated Board of  
4 Standards and Appeals page. That would be helpful  
5 and even to explain to people what this agency that  
6 no one has ever heard of and is yet more powerful  
7 than City Planning. [laughs]

9 MARISA LAGO: I would be glad to share  
10 the person's name. She is a member of our Zoning  
11 Division, Nicole Vargas. I actually think that it is  
12 better not to put a particular person's name on a  
13 website because if the person happens to be away, the  
14 information would go to the BSA Coordinator, and  
15 whoever is covering while she was—is away will access  
16 to the information.

17 CHAIRPERSON KALLOS: I—I—fair enough, and  
18 then also just also seeing where you've weighed in is  
19 also part of it. So, that's the reason for pushing  
20 for that. I want to just echo the comments of the—  
21 the Zoning Chair and the Land Use Chair regarding  
22 Urban and the Land Use Chair Regarding urban  
23 planners, and their importance. I think it's an  
24 important expertise, and I—I believe you would agree  
25 with me that receiving the train—receiving a training

1 here and there short of an academic credential just  
2 isn't quite the same. Inez Dickens is one of my  
3 favorite Council Members, now an Assembly Member.  
4 She had been setting aside expense funding, which I  
5 have now started to do as well. So, we have an urban  
6 planner that we fund out of City Council expense who  
7 doesn't work for City Planning, but has a duty just  
8 to Community Board 11 and Community Board 6 now.  
9 He's created a cottage industry. His name is George  
10 James. His name is in the times every other week  
11 challenging something, and I-I urge my colleagues to  
12 set aside expense funding for each of their community  
13 boards with the respective colleagues to hire urban  
14 planners to work just on that. But, Introduction 732,  
15 which we—we introduced last year and heard and what  
16 have you would say that each community board should  
17 have a dedicated urban planner or even have them  
18 pooled, but I think what you're hearing across the  
19 board is that there isn't—any, but there is no urban  
20 planner at each community board who is looking at  
21 every zoning or BSA application, and I believe you  
22 would agree that when there's an urban planner like  
23 George James or another, going through, we're getting  
24 different results in the same situations. So, I  
25

1  
2 guess would you be willing to either support the  
3 legislation when it's reintroduced or provide funding  
4 or advocate for funding to actually give an urban  
5 planner dedicated to each community board where their  
6 client is the community board and they may end up  
7 opposing something that DCP or CPC is pushing or-or  
8 the Mayor through ECF?

9           MARISA LAGO: Again, I would view that as  
10 a Council prerogative, Council Member.

11           CHAIRPERSON KALLOS: Fair-fair enough.  
12 [laughs] But-but I-fair enough. In terms of your  
13 testimony, you talked about trying to limit parking,  
14 and what I can say is in a-there's groups like  
15 Transportation Alternatives and-and Streetspac and  
16 Full Disclosure. They've endorsed many of the people  
17 here, and one of the thoughts that we're looking at  
18 in urban planning is actually taking back the  
19 streets, and rethinking the streets and saying,  
20 should the streets belong to five people who need a  
21 place to park their car or should we have loading and  
22 unloading in every single new building. Should we  
23 have parking in every new building, and as the future  
24 is coming very quickly, and we're looking at a future  
25 where people might actually be able to share cars

1 actually requiring that there be parking in buildings  
2 so that people can go. And there's a lot of  
3 jurisdictions where when you need to shop at a store  
4 you go there, you park at a garage. The store  
5 validates your parking, and we could actually take  
6 the space that's—if you look back at our history, the  
7 streets belonged to the people. There were no cars  
8 on the street. There were push carts. That's where  
9 Macy's started, and so can we think about requiring  
10 parking and new construction at least particular in  
11 Manhattan to—and—and pull the parking off the street  
12 and widen our—our common spaces?  
13

14 MARISA LAGO: I'm glad you mentioned  
15 that, Council Member. While I was in Washington,  
16 D.C. a much more car dependent city, I very  
17 reluctantly purchased a car, and was so pleased in  
18 returning to New York to be able to get rid of it,  
19 and once again, be car free.

20 CHAIRPERSON KALLOS: Me, too.

21 MARISA LAGO: You bring—who needs one  
22 with a Metro Card, right? I—you've raised lots of  
23 interesting ideas, and I think the key is going to be  
24 looking neighborhood by neighborhood because  
25 obviously the Manhattan Core is very, very different

1 from the South Shore of Staten Island. When we look  
2 at parking, at possible changes to parking  
3 requirements it is in the context of transit rich  
4 neighborhoods. Some of the things that you mentioned  
5 are the type of long-term thinking that we are  
6 engaged in. Something that you didn't mention, but  
7 that I do think will change the future use of our  
8 streets are increasingly autonomous vehicles, and as  
9 you know, Council Member, it's not an on/off switch.  
10 Vehicles are becoming increasingly more autonomous.  
11 I think these are all useful planning issues in which  
12 to engage, and I welcome your work on it.

14 CHAIRPERSON KALLOS: So, I—I think along  
15 that in terms of planning, in the budget is it  
16 possible to start breaking our by project. I was  
17 really pleased during the Mayor's Town Hall where you  
18 talked about looking at closing loopholes. In my  
19 district, we have a situation where there's density  
20 of ten. It's the maximum allowed under law, 12 with  
21 affordable housing. We haven't really closed the  
22 loopholes that allow people to build luxury housing  
23 in my—on the Upper East Side and then put the  
24 affordable housing component in Queens or in East  
25 Harlem, and similarly, what we're seeing is that

1 building that's 10 FAR that would normally be 20  
2 stories tall, and 210 feet. We said—we—we—every -  
3 every day that goes by, we get another release from  
4 another developer that's figured out a way to make  
5 their building. The newest one is 370 feet tall,  
6 and—and where all the buildings surrounding it are  
7 under 200 feet, and it—it—those are going to be ultra  
8 luxury units that I don't know anyone who can afford  
9 to live there, and I appreciate a commitment to  
10 trying to close the loopholes that allow people to  
11 get much taller. I'm okay with height if was 37  
12 stories of affordable housing, but it's—I don't know  
13 how many stories of ultra luxury. So, what is the  
14 timeline, and how much funding do you have so that  
15 you can keep up with development, and I know that you  
16 prefer not to respond to existing projects, but when  
17 you made your announcement in January, these projects  
18 hadn't been announced yet, and would love to get this  
19 done before another 20 projects are built.

21 MARISA LAGO: Thank you for the question,  
22 Council Member. It's something that you and I have  
23 discussed on a number of occasions, and I welcome the  
24 fact that you've brought focus to this issue. I  
25 would disagree with the characterization of this as a

1  
2 loophole. I think what has happened is that as  
3 building technologies have changed, the economics of  
4 construction have also changed and we have found a  
5 number or proposed buildings that have surprised  
6 communities with respect to the shape of them. And as  
7 I committed, as the Mayor committed at the Town Hall,  
8 this issue of it's—in the shorthand called excessive  
9 voids is something that we are working with some—with  
10 other agencies to address. But, I think we need to  
11 be clear that the issue is one where we need to take  
12 a long hard look because there are so-called voids  
13 that we absolutely celebrate. We need to go no  
14 further than the municipal building with the soaring  
15 entryway, and so we now that our city deserves great  
16 architecture. We know that we've seen results that  
17 weren't anticipated, and so I will reiterate the  
18 commitment that we anticipate by the end of the year  
19 being able to have a nuanced approach to address the  
20 so-called excessive voids.

21 CHAIRPERSON KALLOS: I appreciate the end  
22 of the year. If it could be sooner, it would be  
23 great. Thank you.

24 CHAIRPERSON SALAMANCA: Thank you, Chair  
25 Kallos. Now, we'll hear from Chair Adams.

1  
2                   CHAIRPERSON ADAMS: Thank you, Chair  
3 Salamanca. Thank you Chair Lago for being here. I  
4 thank your team for being here as well. Just to  
5 revisit a couple of items that my colleagues have  
6 brought very eloquently to the table, I know that  
7 you're not HPD, but because of your partnership with  
8 HPD, do you have any ideas about what can be done to  
9 improve the inequality found using AMI as the income  
10 standard for affordable housing?

11                   MARISA LAGO: On that, I'm afraid I will  
12 have to defer to the experts at the HPD and I'm glad  
13 that you mentioned the partnership. It-we are  
14 pleased by how well our teams work together.

15                   CHAIRPERSON ADAMS: Okay, thank you very  
16 much. Getting back to the grassroots education piece  
17 here, I'm a former Chairperson of community board 12,  
18 Queens. That's the second largest community board in  
19 the borough, and I'm-I'm just really, really  
20 interested to go back to what Chair Moya spoke about  
21 as well as Chair Reynoso, and that is the involvement  
22 at the grassroots level of the community boards being  
23 the first line of governance to our city agencies.  
24 I'm very concerned because in-in my work with the  
25 community board since 2009, I've never really seen or

1 participated in any training with city planning. I  
2 don't know if that has gone through the Land Use  
3 Committee at Board 12. I don't think so because that  
4 was never facilitated to the full board to all of the  
5 members. So, I'm just curious to know how the  
6 process of training occurs. Is it something that  
7 happens on a yearly basis? Is it something that's  
8 facilitated via the borough presidents? Is it  
9 something that's taken directly to the committee  
10 chairs on the boards, because personally again I have  
11 not seen that involvement intricately within  
12 Community Board 12.

14 PURNIMA KAPUR: So, you know, as you are  
15 well aware, the Community Board Members are nominated  
16 by the elected officials, the borough presidents and  
17 the local Council Members. On a yearly basis the new  
18 com-new representatives on the community boards are  
19 they are brought on board, we are often asked by the  
20 borough president to come and facilitate those  
21 meetings. I've been a director of the Bronx and the  
22 Brooklyn Offices both, and I have done personally  
23 some of those sessions in my time there. Those are  
24 meetings where who attends is not our call, you know,  
25 but we are part of-of the team that is talking to

1  
2 them about land use issues in particular, and I'm  
3 assuming they—they are given training in other  
4 aspects of their roles as well. In addition to that,  
5 any community board that has asked us to come talk to  
6 them, on any issue, we are always ready, and, you  
7 know, our boroughs are there as the first line, and  
8 they are very responsive to any request for any kind  
9 of training.

10 CHAIRPERSON ADAMS: So, are you  
11 confirming then that this training had indeed taken  
12 place in the Borough of Queens?

13 PURNIMA KAPUR: I am not. I can get back  
14 to you on that.

15 CHAIRPERSON ADAMS: Okay, thank you.

16 MARISA LAGO: The other thing, Council  
17 Member is we would welcome requests from any Council  
18 Member on behalf of a community board. Should I  
19 treat your request as a training request for CB12?

20 CHAIRPERSON ADAMS: Oh, yes.

21 MARISA LAGO: Will do. Thank you.

22 CHAIRPERSON ADAMS: As well as I'm sure  
23 that my colleague Chair Moya would agree with me also  
24 for his community boards as well. Thank you so much.

1  
2 PURNIMA KAPUR: So, actually, I can  
3 confirm for you that the Queens training did take  
4 place, Council Member Adams.

5 MARISA LAGO: We can confirm that a  
6 Queens training did take place.

7 PURNIMA KAPUR: Last April.

8 CHAIRPERSON ADAMS: Okay, last April at-  
9 at-with the Borough President? Okay, we've got the-

10 PURNIMA KAPUR: [interposing] At Borough  
11 Hall.

12 CHAIRPERSON ADAMS: At Borough Hall.

13 PURNIMA KAPUR: Generally, it's at  
14 Borough Hall. Yes.

15 CHAIRPERSON ADAMS: Yes. Was that the-do  
16 you know if that was the only training that's taken  
17 place in the past?

18 PURNIMA KAPUR: I think this is a yearly  
19 training.

20 CHAIRPERSON ADAMS: I'm speaking about in  
21 Queens specifically though.

22 JON KAUFMAN: I mean the other audits  
23 were reported with the recent release of the  
24 Community District Needs Statements. We've sat down  
25 with all 50 or maybe all 59 District Managers and

1 Land Use Chairs or Land Use Chairs or whoever the  
2 board wants to promote to sort of get to the training  
3 on how to use the form, and in the process learn more  
4 about the city and the things that they can request  
5 from the city, and that's been done in all five  
6 boroughs. I would say we've talked to 57 District  
7 Mangers to make sure they're familiar with the form  
8 and the new Land Use Chairs as well.

10 CHAIRPERSON ADAMS: Alright, so my  
11 recommendation to the community boards specifically  
12 to my community board will be to have an in-house  
13 training with City Planning instead of primarily  
14 going through the Borough President's Office. It's  
15 just to make sure that all of the membership is  
16 educated as far as City Planning and City Planning  
17 regulations, and this ULRUP and all of that is  
18 concerned. Thank you.

19 CHAIRPERSON KALLOS: Inez Barron.

20 COUNCIL MEMBER BARRON: Thank you, Mr.  
21 Chair. Thank you to all of the chairs that are here  
22 from the committees and to the panel that's here as  
23 well. I didn't get a specific number. Did I miss it  
24 or did you not have an answer as to the number of  
25 blacks who are a part of your department. I heard

1  
2 you say 53% white, and 47% non-white, but did you  
3 give us a number as to how many are black?

4 MARISA LAGO: We'll be glad to provide  
5 that. Just a moment.

6 COUNCIL MEMBER BARRON: Okay, and then  
7 while he's looking that up, I wanted to echo the  
8 comments of my colleagues, Council Member Moya,  
9 Council Member Salamanca in terms of looking at the  
10 issue for gentrification. The federal government  
11 when it first supported the call for development of  
12 residences along the transit rich zones in its  
13 document stated that this often times results in  
14 gentrification and displacement of those who were  
15 there. And while I'm on that, you said—my colleague  
16 Reynoso said that that the Brooklyn Deputy Director  
17 in his statements—in his statement talked about not  
18 being concerned about maintaining the people who  
19 present live there. Is he still the Brooklyn  
20 Director?

21 MARISA LAGO: Yes.

22 COUNCIL MEMBER BARRON: What consequences  
23 or what training or what happened to him for him  
24 having made that statement, which I hear now extended  
25 for 30 minutes or so?

1  
2           MARISA LAGO: Again, the statement did  
3 not extend for 30 minutes. The discussion and the  
4 community reaction may have extended. I will note  
5 that (1) he apologized at the meeting. Informed me  
6 immediately, and I again am apologizing on behalf of  
7 the department. That is not our view. That is not  
8 our policy.

9           COUNCIL MEMBER BARRON: So, was any kind  
10 of entry or any kind of training given to him?  
11 Because obviously his mindset has him think that  
12 that's okay. So, was there any kind of training  
13 offered to him or any kind—any kind of cultural  
14 sensitivity?

15           MARISA LAGO: I'll note that he  
16 immediately realized that he misspoke and apologized  
17 on the spot.

18           COUNCIL MEMBER BARRON: Hey, well, that's  
19 not what my colleague said, which is why I offered  
20 that question, but in terms of displacement, the East  
21 New York Rezoning was the first model that came, and  
22 I heard the Chair—Chair Salamanca say that in his  
23 community people are very concerned because their  
24 input was not reflected, and that was, in fact, also  
25 the case with the East New York Rezoning. The

1 community said that it wanted to see more provisions  
2 for low-income housing. That was never reflected in  
3 the documents. The community board rejected it. I  
4 had a little piece of the 96 blocks. I think maybe 6  
5 blocks, and I did not support it. The borough  
6 president did not support it, but it did come  
7 forward, and my colleagues voted it in so it is  
8 policy. But the community said that it wanted to see  
9 more appropriation of apartments and units to better  
10 match the AMIs--which one of my colleagues also  
11 talked about--of the community. Specifically, 53% of  
12 Community Board 5 has an income of less than \$35,000,  
13 and only 17% has an income of \$75,000 or greater.  
14 So, that's what exists, 53% at 35, 17 at 75. The  
15 plan only allowed for 12% at 35 and brings in 55% at  
16 75. It's almost a total reversal of what presently  
17 exists. So, do you think that, in fact, is a form  
18 for gentrification or contributes to gentrification  
19 when it's a total flip from 53% presently there  
20 providing for only 12% at that income band, and where  
21 you have 17% now moving to 55%.

23 MARISA LAGO: Council Member, the  
24 rezoning in East New York, which was approved by the  
25 Council with support from the Council--

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COUNCIL MEMBER BARRON: Yes.

MARISA LAGO: --does not specify income bands. Income bands are specified on a project by project basis. We share--

COUNCIL MEMBER BARRON: [interposing] The report that was printed has percentages. That's where I got the figures from. I didn't make them up.

MARISA LAGO: We prepare an Environmental Impact Statement--

COUNCIL MEMBER BARRON: [interposing] Yes.

MARISA LAGO: --which is a disclosure document. The actual housing that will be developed is very much driven by the market. In East New York currently market rate housing doesn't pencil out, and so the development that we're seeing is further subsidized by the Department of Housing Preservation and Development, and that gives the opportunity to drive even deeper levels of affordability. Also, as I've--as I've mentioned, when there is city-owned land, that gives us the opportunity to apply even more tools to make housing city-owned land affordable to a lower AMI level.

1  
2 COUNCIL MEMBER BARRON: Again, the  
3 figures that I quoted are what's in the printed  
4 document. So, I didn't make them up. They didn't  
5 come out of the air. So, I would request that you do  
6 some further investigation I can perhaps share those  
7 with you. Thank you, Mr. Chair.

8 CHAIRPERSON SALAMANCA: Thank you,  
9 Council Member. Council Member Landers followed by  
10 Council Member Richards and Rivera.

11 COUNCIL MEMBER LANDER: Thank you, Mr.  
12 Chair. Thank you Chair. I'll be brief. We've been  
13 going on a while, but I—and I appreciate—first I  
14 appreciate the energy that the Brooklyn staff and the  
15 resources that you guys have put into the Gowanus  
16 process, and you've mentioned it a few times here,  
17 and I really agree it has been really encouraging to  
18 watch lots of people come out and get involved. We  
19 worked hard. It is indeed a higher income and wide  
20 neighborhood than many of the others, but it—there's  
21 public housing residents, and we worked to make it an  
22 inclusive process. Your team has done a really good  
23 job of it, and we still have a long way to go there,  
24 but I think we are poised for a rezoning process.  
25 Look, no one is—is like jumping up and down about the

1 prospects of, you know, high-rise residential  
2 development at heights taller than the surrounding  
3 brownstone neighborhoods. That's not going on a  
4 poster the people are going to be marching with the  
5 street—through the streets with any time soon, but  
6 the process that we have organized together has moved  
7 a lot of people to see the possibilities of a  
8 comprehensive rezoning and a set of investments that  
9 make the neighborhood stronger and more inclusive,  
10 and I do think in response to what a few of my  
11 colleagues have said about the challenges and fears  
12 of gentrification being in a neighborhood where  
13 there's going to be less displacement because there  
14 are fewer low-income people in privately owned  
15 housing. It means this is an opportunity we should  
16 be taking in other higher income neighborhoods around  
17 the city, and I hope Gowanus will not be a one-off,  
18 but will be a model for the forms of planning, and in  
19 doing this work in neighborhoods. There is still  
20 going to be resistance even if it's not built around  
21 gentrification and displacement, but that's work that  
22 we have to do together. So, I guess just all I want  
23 to ask about is given some of what we've heard today,  
24 about the desire for more engagement about some of  
25

1 the- It does seem to me it's worth really reflecting  
2 on what's been working and not working, what we  
3 learned from what we're doing in Gowanus, what we're  
4 learning from the other neighborhoods, and just  
5 elevating our collective gains, City Plannings' for  
6 sure, but all of ours and how we do engagement on  
7 these hard issues, what we've learned and how we're  
8 going to move forward to do it productively. So, I  
9 just wonder what you guys are doing internally across  
10 five borough offices to take a set of people who yes  
11 are all professionals but who all—all of us could be  
12 learning from what's working and what's not working,  
13 and we do this work better. And I just wonder if you  
14 could reflect on how you guys are thinking about  
15 doing that and maybe it's something we could partner  
16 on. There's clearly a lot of appetite for my  
17 colleagues to figure out how we—how we do this work  
18 more effectively.

20 MARISA LAGO: Thank you, Council Member,  
21 and I certainly hope that other Council Members in  
22 higher income districts will follow your lead seeing  
23 the productive work that is occurring in Gowanus. I  
24 think when we look at the rezonings initiatives or  
25 the comprehensive neighborhood plans that are

1 underway, those that have been approved and I'll put  
2 Jerome, those that are in the making there are a  
3 couple of threads of good lessons learned. It starts  
4 with the Council Members' leadership. That is an  
5 absolute indispensable factor. I think the other is  
6 looking for ways to engage people where they live and  
7 where they work, and I think that we had that  
8 extensively in Jerome going out to the neighborhoods,  
9 taking advantage of other events, not City Planning  
10 or Council Member sponsored events, but neighborhood  
11 events and making ourselves available there. One of  
12 the tools that we use is not just our neighborhood  
13 planners but our urban designers. We have an urban  
14 design team that can take input from a community  
15 about how they want their community to look and feel,  
16 and sketch it into a drawing, and for those who don't  
17 speak the language of our R6, R8 zoning, seeing a  
18 sketch. People who might not immediately understand  
19 what improvements to the public realm mean, seeing a  
20 sketch of a neighborhood boulevard with trees, with  
21 dividers helps bring the community's wishes to a  
22 visual—a visual a more tangible form. I think  
23 another key, and I'll particularly note the Jerome  
24 Avenue initiative was reaching out—identifying and  
25

1 reaching out to neighborhood anchors. What are the  
2 institutions that are major employers and not have a  
3 bested interest in the community? I spent so much  
4 time in the Bronx in addition to the Planning Team  
5 meeting with the heads of these anchor institutions  
6 who weren't going to move who were going to stay  
7 there and so wanted to see the neighborhood thrive.  
8 Reaching out to major nonprofits who again have a  
9 stake in the—in the neighborhood. They are in  
10 addition to grassroots organizations part of the  
11 fabric of the community, and I think the final is  
12 recognizing that every neighborhood is different.  
13 The issues that we are confronted and we're able to  
14 address in the Jerome Avenue Corridor are very  
15 different from the Gowanus mix that people speak  
16 about wanting to preserve in your neighborhood. So,  
17 I don't think while we can learn lessons, we should  
18 never bring a cookie cutter approach.

19  
20 COUNCIL MEMBER LANDER: And I'll just add  
21 so I appreciate all of that. I agree with almost all  
22 of it. The only thing I'm going to disagree with is  
23 the thing that you said at the very beginning about—  
24 and I appreciate your coming before the Council and  
25 saying it's got to be led by Council Member

1 leadership, but we're not going to meet fair housing  
2 goals for the city. We're not going to honestly  
3 confront segregation if we are 200% differential to  
4 those communities that don't want any additional  
5 development, and I don't really think it's true that  
6 like the people of East New York or the people of  
7 East Harlem or the people of Jerome Avenue were  
8 jumping up and down saying bring growth. Rockaway  
9 was a little bit different given under investment.  
10 So, I'm just—I'm glad that HPD's launched the Fair  
11 Housing process despite rollback of the Carson HUD,  
12 but—but we have a collective obligation to do this in  
13 a way that honors Fair Share principles and we can't  
14 just let kind of the door be closed. So, that's a  
15 conversation for another day, but I think it's been  
16 reinforced by what a lot of folks are saying here  
17 that we can show in Gowanus that you can make it  
18 work, but we can't wait for people to be convinced  
19 before we start if we want to do this in a way that  
20 that is truly equitable. Thank you, Mr. Chair.

22 CHAIRPERSON SALAMANCA: Thank you, thank  
23 you, Council Member Lander. We'll have Council  
24 Member Richards and then leave it at that.

1  
2           COUNCIL MEMBER RICHARDS:  Alright.  Thank  
3 you Chair and thank you, Chairs and certainly I want  
4 to start by thanking you for the work that we did in  
5 Far Rockaway and I think Brad just alluded to it.  
6 Far Rockaway was a different beast, but it does come  
7 down to leadership, and that's without a doubt, you  
8 know, and I'm not tooting my own horn by any means  
9 but, you know, I just want to start off with a  
10 comment.  Please at least when you think of my  
11 district while I respect the community boards, and I  
12 appoint people, by any means they do not speak for  
13 the larger community.  So, I will put it on the  
14 record from my community board and no one else has to  
15 agree, but for my board, you know, we want to have a  
16 larger conversation with the larger community when it  
17 comes to planning because as you saw, there's a  
18 disconnect, and depending on how diverse the  
19 community board is, there can be a difference of  
20 opinion.  A good instance of that is on  
21 affordability.  There were those on one part of the  
22 community board who felt that we should nothing but  
23 100 or more higher AMI, and my contention was that's  
24 not going to happen.  So, just want to put that out  
25 there that, you know, community boards don't speak

1  
2 for everyone sometimes, and we need to diversity  
3 community board and we need term limits on community  
4 boards as well. Just in terms of community  
5 engagement, and I think you largely got it right in  
6 Rockaway. I mean I've-I've never seen the level of  
7 engagement with City Planning. Probably, I haven't  
8 heard of anyone else who you've gone to people's  
9 kitchen tables. So, I think largely this was a great  
10 model. I do think that we have to figure a way to  
11 engage communities way in advance, and I think you  
12 did it right there, but we're a model and I think one  
13 way of doing that is to create a community engagement  
14 unit with City Planning, and I'm not sure if you've  
15 given thought to this. I will float we're looking at  
16 some legislation possibly, but it is something that I  
17 think you're going to have to really seriously  
18 entertain. And one, you know, the other question is  
19 how are we retaining and how are we doing outreach to  
20 ensure there are more planners of color coming into  
21 City Planning who are representative of the very  
22 communities that it seems to be a lot of city-owned  
23 land as that, right, and we know for a lot of the  
24 communities you're looking at like a Far Rockaway,  
25 these are largely communities that have a lot of city

1 land, you know, a lot of disinvestment. So,  
2 therefore, you're moving in a—in a certain direction.  
3 So, I want to hear your thoughts on that, and then  
4 lastly—well, I'll just touch on—I think Brad alluded  
5 to this, too, just on fair housing, you know, we're  
6 going to have to be bold—and—and I know that we—we  
7 like to— Having support is important when it comes  
8 to projects, and I know the city moves—likes to be in  
9 a place where, you know, the press perhaps is not  
10 attacking you every second and—and, you know, we want  
11 flowers and green grass. But, you are going to have  
12 to make tough decisions, and—and that comes with the  
13 leadership with the department. It comes from the  
14 leadership within the Mayor's office, and, you know,  
15 if—if you're looking for every project, at least in  
16 terms of trying to create fair housing, if you're  
17 looking for everyone to sing Kumbaya on every  
18 project, you'll never get to the levels of  
19 affordability in different communities, and—and we  
20 need to also continue to encourage our colleagues to  
21 do that, to take some ownership like Brad as well.  
22 My last question is flood resiliency text. When can  
23 we anticipate that coming online? You know,  
24 obviously we're seeing more Nor'easters and other  
25

1 things happening, and we need to really move fast in  
2 terms of climate change. So, those are—those are my  
3 questions of the Community Engagement Unit. I  
4 mentioned community board, flood resiliency text and—  
5 and your thoughts on moving tougher.

7 MARISA LAGO: Certainly. You said that  
8 you wouldn't toot your own horn, but if I could toot  
9 your horn be it—

10 COUNCIL MEMBER RICHARDS: [interposing]  
11 But, but—

12 MARISA LAGO: [interposing] No, no,  
13 Council Member.

14 COUNCIL MEMBER RICHARDS: --look, I won't  
15 stop you.

16 MARISA LAGO: Council Member Lander  
17 disagrees with me but I do think that it is Council  
18 Member leadership first and foremost and that is what  
19 is key to the rezoning in Downtown Far Rockaway, and  
20 as you said in a neighborhood where the demographics  
21 had changed since the last time we looked at the—at  
22 the zoning. With respect, you—one of your questions  
23 was with respect to retaining an outreach to minority  
24 planners and that is something that we are keenly  
25 focused on. I had mentioned before the—the fact that

1 we have summer internships that are paid and that are  
2 focused on developing a diverse pipeline. The other  
3 is by expanding the reach of the schools that we look  
4 at. Obviously, we hire people who trained as  
5 planners, but they don't have to come from only a  
6 small number of schools, and we are so fortunate that  
7 we have in the city Hunter, which has an excellent  
8 Urban Planning Program. We have Rutgers, which has a  
9 strong program. These are more urban schools, and  
10 we'll have—we face the challenge that the planning  
11 profession overall doesn't reflect the demographics  
12 of the city, but that means we need to make the extra  
13 effort and to go beyond the usual suspect schools.

14  
15 COUNCIL MEMBER RICHARDS: And not just  
16 schools. Is there a way you can create a program  
17 and, you know, within City Planning? Is there  
18 something that you can be doing internally, a  
19 fellowship? I don't know what it looks like, but  
20 something that would really do that. I don't think  
21 we should just look for schools. I think we need to—

22 PURNIMA KAPUR: We—and we ae doing that,  
23 Council Member. I think what starts to happen is  
24 we've attracted some very strong minority planners,  
25 and we are really using them now to go out to

1  
2 American Planning Association, American Institute of  
3 Architects and to the schools to job fairs when those  
4 are held, and their cohorts to start helping us in  
5 building a network. We are creating within City  
6 Planning diversity groups that allow our planners to  
7 present their own point of view on some of the hiring  
8 decisions on some of the ways of increasing  
9 diversity. We are very, very focused on this issue.  
10 We are also partnering actually with schools before  
11 to-to help them recruit more minority candidates into  
12 the schools themselves and the-the summer training  
13 programs, the summer-we don't do just internships. We  
14 have created a Land Use Academy where we introduce  
15 them to, you know, planning. Some of them are coming  
16 to us not yet sure if they would pursue planning as  
17 they look at graduate schools. So, we are trying our  
18 best--

19 COUNCIL MEMBER RICHARDS: You mean after  
20 they look at the rezonings, applying okay. [laughs]

21 PURNIMA KAPUR: Well, they do, they do  
22 come to your meetings and that's actually often very--

23 COUNCIL MEMBER RICHARDS: [laughs] Like  
24 do I want to get yelled at?

1  
2 PURNIMA KAPUR: We are open to listening  
3 to other thoughts that you or your colleagues might  
4 have, but this is something we feel very strongly  
5 about, and we want to as much—

6 COUNCIL MEMBER RICHARDS: Now, do you  
7 have a goal in mind? Is there a percentage goal that  
8 you're thinking about because you should probably  
9 start there like 30% more by, I don't know. The  
10 Mayor comes up with all these goals, right. So,  
11 could we think about that within the department? You  
12 know, perhaps getting to a 30% workforce where, you  
13 know, ore more. You know, I don't want to say 30 but  
14 50, whatever it is.

15 MARISA LAGO: I certainly would want to  
16 be aggressive on this.

17 COUNCIL MEMBER RICHARDS: And—and  
18 probably should think about that.

19 MARISA LAGO: Continuing with a number of  
20 the other items that you've mentioned. We are so  
21 pleased that HPD with the Administration decided to  
22 go ahead with the Fair Housing Analysis despite the  
23 rollback in Washington. The—

24 COUNCIL MEMBER RICHARDS: [interposing]  
25 I'm sorry, and you didn't answer my question:

1 Community Engagement Unit. [background comments]

2 Okay, I got it. Okay.

3  
4 MARISA LAGO: [laughs] I have a star  
5 next to that one saving the best 'til last.

6 CHAIRPERSON SALAMANCA: [interposing]  
7 I'm—I'm sorry. I don't mean to rush you. We can  
8 just get straight to the point here because we have  
9 one more Council Member and I have another hearing,  
10 and then I have to be out of here by 2:00 p.m.

11 MARISA LAGO: Okay.

12 CHAIRPERSON SALAMANCA: Thank you.

13 MARISA LAGO: Just trying to address the  
14 multi-part question, and I'll be quick about it.  
15 With respect to expecting flowers and green grass and  
16 roses thrown at us for rezonings we know that that is  
17 not a reality, but we also know that absent Council  
18 Member support it makes it incredibly difficult to  
19 get a rezoning done and so again, welcome the fact  
20 that so many members of the Council are focused on  
21 getting a broader array of Council Members to ask us  
22 for rezonings. With respect to the Flood Resiliency  
23 Text, we have conducted an unprecedented amount of  
24 outreach early on and we anticipate that later this  
25 year we can actually begin the more formal engagement

1 and so will be re-engaging. We recognize that while  
2 the federal government may have delayed on preparing  
3 the Revised Flood Zone Maps, Mother Nature doesn't  
4 follow the federal government's timeframe and we need  
5 to put in place these protections. And then finally  
6 on Ms. Kapur will address the issue of the Community  
7 Engagement Unit.  
8

9 PURNIMA KAPUR: So, we recognize the need  
10 to engage with communities in—in a meaningful and a  
11 ground-up way, you know, from the get-go. We have  
12 been learning as we have been doing these, you know,  
13 three, four, five rezonings now, and we are—we  
14 recently hired someone to be our community engagement  
15 person who is going to work across the five boroughs  
16 in dealing with lessons learned, where our engagement  
17 has been successful, where we've met, you know, faced  
18 challenges, what have been the best strategies that  
19 we've identified. And this is someone who comes to  
20 us from Boston, has been involved with contentious  
21 community building exercises and—and getting, you  
22 know, concession—consensus on—on these kinds of  
23 challenging—

24 MARISA LAGO: [interposing] I would note  
25 that—

1  
2 COUNCIL MEMBER RICHARDS: [interposing]  
3 I'm talking about a unit, but a person is a good  
4 start.

5 MARISA LAGO: Well, a couple of things.  
6 One, this is a very senior hire. It reports directly  
7 to Ms. Kapur. Second, I had had the advantage years  
8 ago of working at the Boston Redevelopment Authority  
9 and seeing that they had first rate staff. We've  
10 raided one of their best who had headed their  
11 Community Engagement Unit, and this person has the  
12 authority to work with the front line planners, and  
13 make sure that there is consistency borough to  
14 borough in the depths of the meaningfulness of the  
15 engagement.

16 COUNCIL MEMBER RICHARDS: Well, thank  
17 you. I want to thank you Chair, and I'm just sad we  
18 got another Red Sox fan coming into New York City  
19 government, but-but we look forward to meeting this  
20 person and working with them and--

21 MARISA LAGO: [interposing] Sure.

22 COUNCIL MEMBER RICHARDS: --broadening in  
23 that a little bit more. So, thank you.

24 MARISA LAGO: I'd also note that she is a  
25 diverse candidate.

1  
2 CHAIRPERSON SALAMANCA: Thank you, Chair  
3 Richards. I'm sorry. Council Member Rivera.

4 COUNCIL MEMBER RIVERA: So, I will—I had  
5 a couple of questions, but I'm just going to stick to  
6 one for time, and this has to do with commercial  
7 zoning, and I know there are a lot of challenges and  
8 changes that have come to our community. So, we're  
9 all trying to think a little bit more creatively on  
10 how we help small businesses survive and thrive in  
11 New York City. So, we've heard from stakeholders in  
12 numerous communities including our community boards  
13 of which I am from a community board and I spent time  
14 in the Economic Development Committee talking on—  
15 talking about updating commercial overlay zoning and  
16 how we feel it would be helpful encouraging the  
17 growth of small business. So, the DCP unfortunately  
18 you seem to lack sufficient resources to fully engage  
19 with communities on commercial corridor zoning issues  
20 like expanding commercial overlays and establishing  
21 more special enhanced commercial districts. So, my  
22 question: Are there any plans to devote additional  
23 resources to this issue, and if not, would it make  
24 more sense to have SBS take a more active role on  
25 commercial corridor zoning issues?

1  
2           MARISA LAGO: Thank you for the question  
3 and in particular recognizing the vitality and the  
4 commercial mixed nature of your district where we see  
5 commercial, institutional, community facility and  
6 residential units to-by job. (sic) We work hand in  
7 glove with the Small Business Services. It's  
8 interesting. At the various mayoral town halls how  
9 frequently commissioner Greg Bishop and I are both  
10 standing up to be by the Mayor's side as he addresses  
11 these questions. So, they are absolutely  
12 indispensable partners. With respect to the Special  
13 Enhanced District, those are by nature going to have  
14 to be tailored on a community-by-community basis. We  
15 don't see that the approach that was taken for the  
16 Upper West Side for instance would be appropriate on  
17 a citywide basis. Ms. Kapur, would you want to  
18 elaborate?

19           PURNIMA KAPUR: I mean I would just say  
20 that we would be happy to sit down with you on your  
21 particular concerns if there are corridors that you  
22 would like us to review more carefully. We are  
23 engaged in a citywide sort of overall jobs plan  
24 issue, and this is a part of that, but we would be  
25

1 more than happy to discuss any particular corridors  
2 that you might want to discuss.

3  
4 COUNCIL MEMBER RIVERA: So, sure. I was  
5 on my community board as far back as 2011, and we  
6 were speaking on this exact thing back in-back then.  
7 So, they've had a number of meetings. They've-  
8 they've brought the Council in to make a  
9 presentation, and so this conversation has been  
10 ongoing, and so I hope that you have some information  
11 on Community Board 3 and what they'd like to do to  
12 encourage small business growth in the area. If not,  
13 that's disappointing, but I'm happy to connect you  
14 and talk to you a little bit more about it.

15 PURNIMA KAPUR: Love to. Okay.

16 MARISA LAGO: Okay, great.

17 CHAIRPERSON SALAMANCA: I would like to  
18 thank you for your testimony, and we will be sending  
19 out a letter with more questions to see how we can  
20 follow up on some of our questions that needed some  
21 follow ups. Alright, so we're going to take a recess  
22 and up next will be DOITT. Thank you.

23 [sound check] [background comments]

24 CHAIRPERSON KOO: Okay, let's begin,  
25 yeah. [gavel] Good afternoon everyone even though I

1 said to everyone here, I said good morning.  
2 [laughter] Good afternoon everyone. I welcome you  
3 all here today for the Fiscal 2019 Prelim--  
4 Preliminary Budget hearing for the Department of  
5 Trans--for the Department of Information Technology  
6 and Telecommunications also known as DOITT. My name  
7 is Peter Koo, and I am the Chair of the Committee on  
8 Technology. Today's hearing is joint with the  
9 Committee on Land Use, and I would like to thank my  
10 colleague, Council Member Salamanca, Chair of the  
11 Committee on Land Use for Co-chairing today's hearing  
12 with me. The department's proposed Fiscal 19 Expense  
13 Budget totals \$602.6 million including \$136.5 million  
14 in intercity payments from other agencies for  
15 providing telecommunications and data services and  
16 support for which DOITT coordinates payment. DOITT's  
17 Fiscal 2019 Preliminary Budget is \$25.7 million less  
18 than the Fiscal 2018 Adopted Budget of \$628.3  
19 million. This relatively lower funding for Fiscal  
20 2019 results primarily from the department's Citywide  
21 Savings Program and other federal and state money  
22 that has yet be recognized in the Fiscal 2019 Budget.  
23 At today's hearing we hope examine all the components  
24 of the department's Fiscal 2019 Budget. This  
25

1 contract budget that is projected at \$264.9 million  
2 for Fiscal 2019 and these anticipated revenue streams  
3 the majority of which comes from cable television  
4 franchise fees. The committee would also like to  
5 discuss the department's citywide savings program,  
6 which is expected to generate savings of  
7 approximately \$10 million in Fiscal 2019. I would  
8 also want to hear updates on the potential budgetary  
9 impact that the repeal of Net Neutrality Regulations  
10 may have on the city. Additionally, we would like to  
11 talk about the cost of maintaining the city's IT  
12 systems. City investments in technology will  
13 provide long-term benefits for New York City with the  
14 goal of making it more productive and more efficient.  
15 However, we must be diligent and prudent concerning  
16 which project we select in order to ensure that costs  
17 for technology projects do not spiral out of control.  
18 Ultimately we must ensure that we are making the best  
19 use of taxpayers' dollars. For this reason, the  
20 committee is interested to hear updates on major  
21 ongoing ID related projects mainly the rollout of the  
22 text to the 9-1-1 system, the progress of the LINC  
23 NYC rollout, the status of the Public Safety  
24 Answering Center 2, also known as PSAC2 among others.  
25

1  
2 I would like to welcome DOITT Commissioner Samir  
3 Saini and his staff. After the testimony, members of  
4 will have opportunity to follow up with questions for  
5 the Commissioner. After that, I hope that the  
6 Commissioner and his staff will remain to listen to  
7 the public testify. In closing, I would like to  
8 thank the Committee staff for working to put this  
9 hearing together including Sebastian Bacchi, John  
10 Russell, Malaika Jabali, Patrick Mulvihill and our  
11 Land Use staff as well as my own staff. Now, I will  
12 ask the Committee Counsel to please swear in the  
13 Commissioner. [background comments] Oh, so, so—I'm  
14 sorry. Yeah. So, let's hear the opening statement  
15 from our Land Use Chair first. Yeah.

16 CHAIRPERSON SALAMANCA: Thank you Chair  
17 Koo. Good afternoon. I am Rafael Salamanca. I'm  
18 the Chair of the Land Use Committee. This hearing  
19 will cover the Fiscal 2019 Preliminary Budget for the  
20 Department of Information Technology and  
21 Telecommunications, DOITT, because there are  
22 significant tech issues related to the city's  
23 franchise agreements with cable and telecommunication  
24 companies and the building and maintenance of IT  
25 infrastructure throughout the city. This is a joint

1 hearing with the Committee on Land Use and the  
2 Committee on Technology. I would like to thank my  
3 colleague, Council Member Peter Koo, Chair of the  
4 Committee on Technology for Co-Chairing today's  
5 hearing. DOITT provides citywide coordination and  
6 technical expertise in the development and use of  
7 data, voice and video technology in the city services  
8 and operations. They also provide infrastructure  
9 support for data processing and communication  
10 services to numerous city agencies, researches and  
11 manages IT projects, and administers the city cable  
12 television, public-public paid telephone and mobile  
13 and high capacity telecommunication franchise  
14 agreements. In fact, in 2017 the city of New York  
15 filed a lawsuit against Horizon for its failure to  
16 provide fiber Internet to New Yorkers as it breached  
17 its original 2008 agreement. Furthermore, earlier  
18 the same year, the city filed a lawsuit against  
19 Charter Communications, the parent company of  
20 Spectrum, as its Internet speeds were 80% slower than  
21 advertised. For this reason, we would like to hear  
22 the role DOITT plays in the administration of  
23 franchise agreements. In particular, we want to know  
24 why DOITT can help in crease transparency of pricing  
25

1  
2 of Internet and telecom services and the consequences  
3 for non-compliance with set agreements so-so as to  
4 ensure that no cooperation—corporation no matter how  
5 large or powerful can break a promise to New Yorkers  
6 and get away with it. With an Operating Budget of  
7 \$600 million, and hundreds of millions more in  
8 capital investment, we must thoroughly examine  
9 DOITT's financial plan, plan projects and operating  
10 challenges to ensure that we are optimizing our  
11 return on this substantial investment. We hope  
12 today's hearing will contribute to our efforts and  
13 fund—and funding ways to use technology to make  
14 government more efficient. We look forward to  
15 working with DOITT towards meeting that goal. I  
16 would like to thank the DOITT Commissioner, Samir  
17 Sani. Did I say that right? Almost and his staff for  
18 joining us today.

19 COMMISSIONER SAINI: [interposing]  
20 That's—that's fine.

21 CHAIRPERSON SALAMANCA: Alright, thank  
22 you.

23 CHAIRPERSON KOO: Thank you Chair  
24 Salamanca. Now, Commissioner and staff please raise  
25 your right hand. Do you swear or affirm to tell the

1 truth and to answer truthfully to City Council  
2 Members' questions?

3  
4 COMMISSIONER SAINI: Yes.

5 CHAIRPERSON KOO: And you may proceed,  
6 yeah. Please identify yourself and then speak, yeah.

7 COMMISSIONER SAINI: Great. Good  
8 afternoon Chair Salamanca and Koo and members of the  
9 City Council Committees on Land Use and Technology.  
10 My name is Samir Saini, and I'm the new Commissioner  
11 for DOITT, Department of Information Technology and  
12 Telecommunications, and also the Citywide Chief  
13 Information Officer for New York City. I want to  
14 thank you for the opportunity to testify today about  
15 DOITT's Fiscal 2019 Preliminary Budget. With me are  
16 several leaders within my team. Let me introduce  
17 them. To my left is Evan Hines. He is our First  
18 Deputy Commissioner. To his left is Michael Pastor.  
19 He is our General Counsel. To my right is John  
20 Winker. He's our Associate Commissioner for  
21 Financial Services and to his right is Annette  
22 Heintz. She's our Deputy Commissioner for Financial  
23 Services and Administration. It is my pleasure to  
24 testify in front of you today. I've been in the role  
25 for four week, five weeks, but it's—I'm glad to have

1 the opportunity to be here today to talk about this  
2 budget. I'm also excited to talk about an initial  
3 vision for this department. As I am new to the role,  
4 quite of what I'm doing is inspecting the services we  
5 provide, the value we add, and really looking towards  
6 building a strategic plan over the next year on how  
7 we can do more, and ultimately partner with on  
8 improving quality of life for all New Yorkers. So,  
9 I'd like to start with a summary of the budget and  
10 then after that get into a summary of our department  
11 and just the high level vision of three key pillars  
12 or focus areas I'd like to partner with you on that  
13 create the foundation for a strategic plan for this  
14 agency, but lets get into the numbers first. So,  
15 DOITT's Fiscal 2019 Preliminary Budget provides from  
16 operating expenses of approximately \$602.5 million  
17 allocating \$148 million in personnel services to  
18 support 100-1,748 full-time positions and \$454  
19 million for other than personnel services or OTPS.  
20 Intercity funds transferred from other agencies  
21 account for \$136.5 million or about 23% of the total  
22 budget allocation. For Fiscal 2018 telecommunication  
23 costs represent the largest portion of the intercity  
24 expense projected at \$110.7 million. For Fiscal Year  
25

1 2018, the Budget Appropriation increased by \$32  
2 million from Fiscal Year 19, November Financial Plan.  
3 The increases to the Financial 2018 Preliminary  
4 Budget are largely attributed to funding received  
5 from NYPD for their ITB Mobility project, which will  
6 basically enable and deploy Smart Phones and Tablets  
7 for every police patrol unit within NYPD and other  
8 funding associated with ongoing required maintenance  
9 for recently approved capital funded initiatives.  
10 For Fiscal Year 2019, the budget appropriation  
11 decreased by \$3 million. This net decrease is a  
12 result of the savings and efficiency programs DOITT  
13 is implementing including insourcing Verizon support  
14 staff with existing in-house positions, replacing  
15 external—replacing existing software products with  
16 less expensive alternatives and reducing maintenance  
17 costs through aggressive negotiations and vendors.  
18 As I mentioned earlier, I'll now provide a summary of  
19 what we do at DOITT, and just the high level vision  
20 of where I would like to take—we would like to take  
21 this—this Department over the next year. So our name  
22 notwithstanding, DOITT is a lot more than just the  
23 city's IT Department, and I learn that—that more and  
24 more each day I am here, and I'm still counting—  
25

1 counting the days. We do a lot. We serve over 100  
2 governmental agencies. We deliver a wide array of  
3 services roughly 50 odd very discrete and—services  
4 across those—those agencies and entities. Some  
5 examples are—are service desk support, email hosting,  
6 project management, architectural design, software  
7 development, cyber security, vulnerability services,  
8 back-up storage services, and really everything in  
9 between. So, it is a wide array of services we  
10 provide, and—and a very unique set of services we  
11 provide to each of—each of the agencies within the  
12 city. In other words, we—we provide an array of  
13 services that our New York City employees every  
14 single one of them and the public really rely on  
15 every day to ensure that the city is running. So,  
16 that said, we pride ourselves, right on the work we  
17 do to have a—what we would say an operationally  
18 excellent organization and we've done a great job  
19 thus far from what I can see in—on that front, but  
20 the question is: Where do we go from here? We can  
21 always do more. So, let me outline three areas that  
22 I believe will enable us to do more not just for the  
23 city agencies, but also for the public at large.  
24 The—the first is really an aggressive strategy to  
25

1 transform the DOITT Department into running like a  
2 service business. This isn't something that's made  
3 up. It's something that's happening or-and-and  
4 happening across other public entities and private  
5 entities. It's-it's about embracing a frameworks and  
6 approach to-approaches to-to offer a menu of services  
7 to agencies and to run IT to the highest level of-of  
8 efficiency so that ultimately the agencies that  
9 subscribe to services from DOITT gain a higher level  
10 of the liability from those services, quality from  
11 those services and also security from those services.  
12 This is mainly about basically running IT better and  
13 making sure that the core services we provide, the  
14 basic stuff that doesn't get a lot of pats on the  
15 back, but I assure you happens and needs-and needs to  
16 happen well, and moving forward needs to happen even  
17 better continues on that path, and that's things like  
18 our Service Desk. That's things like our hosting  
19 services for-for applications from multiple agencies.  
20 That's collaboration services. That's communication  
21 services. It's basically the-the-the nuts and bolts  
22 and basics of IT. So, we will do more in this space,  
23 and we will embrace a service management framework to  
24 get there. The second focus area is really around  
25

1  
2 DOITT optimizing the services we currently provide to  
3 the over 100 agencies around the city in such a way  
4 that there is a balanced array of what I'll just call  
5 sort of high touch services, medium touch services  
6 and light touch services. So, effectively what—and  
7 I'll go through what each of these mean. So, High  
8 Touch. High Touch is our goal to continue to expand  
9 services where we are getting—we are partnering at a—  
10 at a very deep level with these agencies to help them  
11 with improving the services they provide to—to the  
12 public. So, for example, let's take ECTP. ECTP was  
13 a major program to transform and modernize 9-1-1  
14 Emergency Services. This is PSAC1, PSAC2. This is  
15 Text 9-1-1, which we'll talk about a little later,  
16 and that's Next Gen 9-1-1, et cetera. An example is  
17 we jumped in 2014 with ECTP and I think as you know,  
18 ECTP has been very successful under budget, right and  
19 on schedule. So, we're proud of that kind of  
20 engagement with NYPD and Fire and that's the kind of  
21 work that we believe we can do for other agencies at  
22 that level of High—High Touch. Another example is  
23 311. We're currently working intimately with the 311  
24 Department to lead their implementation for total  
25 modernization of the 311 platform and a mobile app

1 with it. We're doing not just the project  
2 management, but we're actually—we're actually  
3 managing the team that's building the solution  
4 itself. This is High Touch, and this is the kind of  
5 work that we want to keep doing. Medium Touch.  
6 Medium Touch is again a kind of service where we are  
7 enabling the agencies to do more, but not necessarily  
8 to the level where we're actually managing the—the  
9 development of—of a solution or the project  
10 management, right, of a project. A good example is  
11 Cloud. You've heard the term Cloud. It's a—it's a  
12 popular, but effectively what the Cloud means and  
13 what our agencies are asking for is the need to be  
14 able to stand up a system, an application that serves  
15 employees to better serve the public or directly for  
16 the public very quickly that can scale and—and  
17 perform at levels that—that they expect, and that's  
18 one of the—that's an example of a service we're  
19 offering today that we love to—we'd like to expand  
20 that would be called Middle Touch or Medium Touch.  
21 We would—if an agency wants Cloud services, they come  
22 to us. We would go ahead and have the contract  
23 vehicle for them to do it, but we also have the  
24 gateway, the technical gateway for them to stand up  
25

1 that environment in days, in days. Not months and  
2 not years, but in days and then begin to actually get  
3 that system up and running so it starts creating-  
4 creating value. So, that's an example of really  
5 getting-getting-adding value but not needing to be,  
6 right, side-by-side with the agency. And the last-the  
7 last piece is Light Touch. Light Touch is-a good  
8 example of Light Touch is MSAs. One thing I'm seeing  
9 our team do incredibly well even in the five weeks  
10 I've been here is their ability to establish MSAs  
11 with-with-that offer the absolute best pricing for  
12 products, for IT products and services that any of  
13 our agencies can buy from. Obviously the value there  
14 is we leverage economies of scale, and when we go in  
15 to negotiate, we-we have and we'll continue to get  
16 the best deal there is. In fact, today I just got  
17 word that we're finalizing all new MSAs that again  
18 any of our agencies can procure from. This is Light  
19 Touch, but this is by no means any more or less  
20 important, right thank the Medium Touch or High Touch  
21 services that I described. The last pillar is one-  
22 one that I'm personally connected to and one that I  
23 was leading the charge around-in my previous role at  
24 CIO for the city of Atlanta, which is advancing  
25

1 digital equity, and strengthening our democracy to  
2 ultimately empower New Yorkers, all New Yorkers  
3 directly. So, why is this a pillar? Well, we're  
4 already doing this to some extent. This pillar and  
5 strategies around taking what we're already doing  
6 with LINC NYC, and I'll talk a little later in the  
7 Q&A on where we are with that. Combining it with the  
8 work we're already doing by administering the  
9 franchises for both cable and for poll-poll  
10 attachments and really leading the charge to drive  
11 equitable broad band adoption on every street and in  
12 every home, in every borough across the city. This  
13 lays a clear path to meeting the Mayor's target for  
14 broadband for all by 2015, and we already have the  
15 ingredients to make it happen. A cohesive strategy  
16 is needed. That's something we're going to pull  
17 together because it is that important. The other  
18 piece of this is strengthening democracy, and this is  
19 really taking a page from Mayor de Blasio's State of  
20 the City and focus around what we can do to increase  
21 participation, and-and civic engagement within the  
22 public. Technology should play a role in that, and  
23 that's a conversation that DOITT wants to have to see  
24 what we can do to help move that forward. So,

1 finally, I-I would love to end this testimony on a-on  
2 a positive note, but there is a-a grave topic, and  
3 subject that's on all our minds. I'm sure many folks  
4 in the audience, and that is tied to Charter. So,  
5 I'm going to go ahead and talk about Charter now, and  
6 then we can even-we'll obviously talk about it some  
7 more afterwards. So, as many of you are aware, we  
8 recently released the results of two separate audits  
9 for-for-chart-against Charter and the-the audits were  
10 tied to evaluating the compliance to two-two  
11 provision within our franchise agreement. One having  
12 to do with labor relations, and the other having to  
13 do with revenue recognition. The-as of this week,  
14 talking about the first one on the revenue  
15 recognition, the company has provided us with  
16 additional financial information, and we-that we-that  
17 we requested of them, and we are actually in the  
18 process of analyzing that data to determine what then  
19 next steps will be. Again, this is on the revenue  
20 side. On the other provision, which is tied to labor  
21 relations, our-on probe there, we did not find the  
22 company in default, but this does not mean the  
23 company is not in good standing with us. We found  
24 that Charter has been operating on an overly broad  
25

1 definition of what it—what it means for a vendor to  
2 be located in New York City. DOITT will audit  
3 Charter again within the next 12 months and ensure  
4 that they adhere to this—a stricter standard for  
5 choosing local vendors. We are also prepared to take  
6 punitive action pending the outcome of—as you’re I’m  
7 sure already aware the NLRB complaint filed against  
8 Charter, and if a violation is found, we will be  
9 ready to take action. So, obviously these audits are  
10 happening against the backdrop of a terrible labor  
11 dispute, and we all know there’s 1,800 fine men and  
12 women that have been on strike for far too long. We  
13 need a fair agreement, and we’re open to discussing  
14 with—with—with Council what we’re doing right now,  
15 right, and—and really work together on—on holding  
16 Charter accountable. I appreciate the opportunity to  
17 highlight some of DOITT’s priorities for—for the year  
18 to come. This concludes my prepared testimony, I  
19 will now be pleased to address any questions you  
20 have. Thank you.

22 CHAIRPERSON KOO: Thank you, and thank  
23 you Commissioner. Commissioner Saini, now that you  
24 have the time to settle in DOITT so I think you’re

1 leading a really good agency because DOITT, the name  
2 it says it's going to do it, right? [laughter]

3 COMMISSIONER SAINI: As the name says.

4 CHAIRPERSON KOO: And then you don't do  
5 it once. You do it twice or three times. [laughter]

6 COMMISSIONER SAINI: Well, do it once  
7 maybe. We should rename the department. [background  
8 comments]

9 CHAIRPERSON KOO: So—

10 COMMISSIONER SAINI: [interposing] Or  
11 don't do it at all.

12 CHAIRPERSON KOO: Yeah, no you have to do  
13 it, yeah, at least once or two times or three times.  
14 So, my question what is the overall assessment of  
15 management and operations at DOITT? If necessary,  
16 please elaborate.

17 COMMISSIONER SAINI: An excellent  
18 question. So, I'm still doing it. [laughter] So,  
19 pun intended.

20 CHAIRPERSON KOO: Yeah.

21 COMMISSIONER SAINI: Anyone catch that?

22 MALE SPEAKER: [off mic] I did.

23 COMMISSIONER SAINI: Great. Thanks. So,  
24 I am, in fact, doing that right now. So, I have laid  
25

1 out 100-day plan, which effectively takes me to June  
2 22<sup>nd</sup> where I will have a complete assessment of the  
3 organization, the people, the internal processes, the  
4 technology we use, but also a strategic plan coming  
5 from it that takes gaps or opportunities or risks  
6 within the current organization and addresses them to  
7 really align with the three things I just mentioned  
8 earlier, those three core pillars. So, I—I can't  
9 talk about it just yet because I'm literally in the  
10 middle of it, just really four weeks, five weeks in,  
11 but I would be happy to share the results of the  
12 assessment, and the plan itself within or right after  
13 my 100-day plan.  
14

15 CHAIRPERSON KOO: Thank you. Yeah. So,  
16 what initiative have you put in place or plan to put  
17 in place to improve operations?

18 COMMISSIONER SAINI: Well, I can tell you  
19 a few things right, that I'm already—that will all—  
20 that will be done within the 100 days, and not wait,  
21 right, for the plan to be published on the 100<sup>th</sup> day  
22 So, one item that I feel is critical for any of  
23 organization is to strengthen project governance.  
24 So, clearly DOITT and all our agencies work on a  
25 whole lot of projects some of which you're—you're

1 already aware of. But the governance of those  
2 projects, the—the ability for us to be able to have a  
3 pulse on their health in terms of risks and issues  
4 and schedule and budget across the board in a  
5 standard and consistent way is very critical. What's  
6 also critical is having an escalation path and  
7 knowing, having the ability for projects that will  
8 inevitably run into risks and issues, and any project  
9 that claims that they're—they don't have risks and  
10 issues, is lying—is—but having a governance and  
11 escalation path where risks and issues can be  
12 mitigated is key to success for projects. So, my  
13 commitment is to have project governance in place  
14 soup to nuts for all critical projects that are in  
15 flight, and review of the new projects before and  
16 within the 100 days such as one example of something  
17 I'm very, very keen on doing. Another item I can  
18 share that's going to be very key is going to be  
19 continuing to basically get our—the key projects in  
20 that portfolio that are going live within the next  
21 100 days of live, and some of them you just described  
22 to included Text 9-1-1 and—and several others.

24 CHAIRPERSON KOO: What about staffing?  
25 My understanding is that there are only two people

1 helping to write scripts to automated datasets, and  
2 there are vacancies and important roles such as the  
3 Open Data Team. Do you expand the headcount to  
4 change in order to improve operations?  
5

6 COMMISSIONER SAINI: I do not. So, again,  
7 I've been five weeks in the role, but from what I've  
8 seen so far in conversations with OMB and looking  
9 at the services we're providing I feel like we are  
10 adequately staffed to—to deliver on the services that  
11 we—that we offer.

12 CHAIRPERSON KOO: [off mic] So, we go to  
13 Council Member Cohen (sic) for questions.

14 COUNCIL MEMBER COHEN: Thank you, Chair,  
15 and thank you Commissioner.

16 COMMISSIONER SAINI: Thank you.

17 COUNCIL MEMBER COHEN: --for your  
18 testimony, and thank you for the meeting that we had  
19 recently. It was a—it was a pleasure to meet with  
20 you.

21 COMMISSIONER SAINI: Me, too.

22 COUNCIL MEMBER COHEN: You—you brought up  
23 something that obviously I'm really interested in  
24 looking at which is Charter and it's franchises.

25 COMMISSIONER SAINI: Uh-hm.

1  
2 COUNCIL MEMBER COHEN: But one of the  
3 questions is our committees intend to review all the  
4 proposed authorizing resolutions submitted by DOITT  
5 pursuant to the City Charter. In that regard, the  
6 definition of telecommunications in Chapter 48,  
7 Section 1074 enacted in 1989 is-is-is pertinent right  
8 now. Can you please let the committee know if the  
9 Administration intends to submit any proposed  
10 authorizing resolutions that will modify-that will  
11 modify the Charter definition of telecommunications?

12 COMMISSIONER SAINI: So-so, I'm going to  
13 pass that question over to my Michael Pastor, our  
14 General Counsel. He's been intimately involved  
15 right, in the audits--

16 COUNCIL MEMBER COHEN: Right.

17 COMMISSIONER SAINI: --that have been  
18 done so far, and I think he'd be better to-to take  
19 that question. Michael.

20 MICHAEL PASTOR: Thanks, Evan. I'm happy  
21 to do that, Council Member. I don't actually have  
22 that definition in front of me or-or memorized. I  
23 can say I'm not aware of any authorizing resolution  
24 off the top of my head that wouldn't be typical of  
25 the other authorize-authorizing resolutions that have

1  
2 come in the past related to the portfolio of  
3 franchises such as the telecom franchise, the cable  
4 franchise. So, I'd have to take a look at the  
5 definition to answer precisely--

6 COUNCIL MEMBER COHEN: Right.

7 MICHAEL PASTOR: --but I'm not aware of  
8 any unique authorizing resolution, you know, coming  
9 down the pipe or anything that we would done.

10 COUNCIL MEMBER COHEN: Okay, great, and  
11 if we could just follow up on that?

12 MICHAEL PASTOR: I'm happy to do so. I'll  
13 that cite right down to you.

14 COUNCIL MEMBER COHEN: And then secondly,  
15 along those lines, the New York City Council's  
16 authorizing resolution for the provisioning of a  
17 variety of telecommunication services. The  
18 inalienable properties of the city contain similar  
19 paragraphs and sections. For example Authorizing  
20 Resolution AR538 of 2006. AR538, which concerns  
21 cable television services mandates in paragraph 1 and  
22 subparagraph 3-subpart 3 that on or before July 1 of  
23 each year, DOITT shall file with the Council a report  
24 dealing--detailing the revenues received by the city  
25 from each franchise guaranteed pursuant to the

1 resolution during the preceding calendar year. Can  
2 you just walk me through what steps DOITT takes to  
3 prepare and ultimately submit each year the reports  
4 required by the Council's Authorizing Resolution?  
5

6 COMMISSIONER SAINI: Sure, I—I think the  
7 starting point would be the requirements that we have  
8 to obtain the revenue information from all of our  
9 franchisees, which is in, I think every franchise  
10 agreement of which I'm aware. That would be the data  
11 that presumably would then feed into anything we  
12 submitted to the council on an annual or even more  
13 frequent basis.

14 COUNCIL MEMBER COHEN: Got it, and just  
15 following with that, is—is a particular officer  
16 responsible in DOITT that just handles that, or--?

17 COMMISSIONER SAINI: Yes, so we have a—a  
18 Director of Franchise Audit, a position in the  
19 Franchise Administration Division. That position is  
20 currently vacant, but we have just hired a new person  
21 to fill the vacancy. That person is starting luckily  
22 for all of us a week from Monday.

23 COUNCIL MEMBER COHEN: Great. That's  
24 good to hear.

1  
2                   COMMISSIONER SAINI: That's the point  
3 person there.

4                   COUNCIL MEMBER COHEN: Yes, and do these  
5 reports provide information to the Council on only  
6 the commissions paid to the city or do they also  
7 provide the basis for how the Commission's reports  
8 are arrived at?

9                   COMMISSIONER SAINI: I—I'm not positive,  
10 Council Member, but my understanding is that what's  
11 reported to us is not just what is paid, but what the  
12 revenues are that form the basis of the payment. I  
13 can't speak to would be submitted precisely, but I do  
14 know that—I think we obtain more than just what is  
15 paid to us from the franchises.

16                   COUNCIL MEMBER COHEN: Got it. Okay, and  
17 in this regard do the reports to the Council break  
18 down the revenue reported by each individual  
19 franchisee as well as by the type of franchise?

20                   COMMISSIONER SAINI: I'll—I'll have to  
21 confirm that for you, Council Member. Again, I  
22 think—I think we have that information. I'm just not  
23 sure how it's submitted pursuant to the particular  
24 board you're referring to.

1  
2 COUNCIL MEMBER COHEN: I'm getting—I'm  
3 getting—I'm just trying to get to the—to the point  
4 there figure out whether or not they're actually  
5 meeting that.

6 COMMISSIONER SAINI: Uh-hm. Understood.

7 MICHAEL PASTOR: The requirement. That's  
8 right.

9 COMMISSIONER SAINI: And to—and to your  
10 point I mean one of the audits that's ongoing right  
11 now relates to revenue reporting. So, that's  
12 something that we take seriously making sure we're  
13 actually being told accurate information about what  
14 their revenues are for all franchisees?

15 COUNCIL MEMBER COHEN: Right. For—oh,  
16 when will the AR538 reports be submitted in 2018 or  
17 when will they be ready for submission?

18 COMMISSIONER SAINI: I'll also have to  
19 check on that as well, and I think you'd mentioned  
20 that the resolution says no later than a particular  
21 date. It definitely will be timely.

22 COUNCIL MEMBER COHEN: Okay, and one last  
23 question. Do you have any doubt that those holding  
24 the New York City cable television franchises have  
25 been using the inalienable property for years to

1 provide broadband Internet access services including  
2 VOIP to its customers and were only able to do as a  
3 business matter due to their ability under the cable  
4 franchise to build up a customer base?  
5

6 COMMISSIONER SAINI: So, I guess if the  
7 question is has the cable franchise—cable franchises  
8 facilitated other businesses that those companies do,  
9 I think—I think the answer to that will probably be  
10 yes.

11 COUNCIL MEMBER COHEN: Got it. Have any—  
12 this is the last one. I'm sorry. Have any New York  
13 City telecommunication franchisees put DOITT on  
14 notice that they intend to not pay any commissions  
15 previously paid to the city that were guaranteed by  
16 way of the provision of broadband access to their  
17 customers by the use of the inalienable property of  
18 the city?

19 COMMISSIONER SAINI: I'm not aware of any  
20 such notice.

21 COUNCIL MEMBER COHEN: Okay. Great, and  
22 I—I just want to say thank you to all of you for  
23 coming here and testifying and thank you again for  
24 the meeting that we had in my office, and I really  
25 look forward to working with you as we move forward

1  
2 in trying to bring resolution to what is going on  
3 with the issues with Charter as well.

4 COMMISSIONER SAINI: Yes, thank you.

5 COUNCIL MEMBER COHEN: Thank you.

6 CHAIRPERSON REYNOSO: Thank you. Now, we  
7 have Chair Salamanca to ask questions.

8 COMMISSIONER SAINI: Thank you.

9 CHAIRPERSON SALAMANCA: Thank you, Chair  
10 Koo. Good afternoon--

11 COMMISSIONER SAINI: [interposing] Thank  
12 you.

13 CHAIRPERSON SALAMANCA: --Commissioner.  
14 I just want to know briefly what role does DOITT  
15 plays in the franchise agreement that makes companies  
16 more transparent on the cost of Internet and cable  
17 services?

18 COMMISSIONER SAINI: Right. So, so,  
19 again I'm going to hand that question over to our  
20 General Counsel Michael Pastor.

21 MICHAEL PASTOR: Hi, hi, Council Member.  
22 Basically, the role that DOITT plays to the extent  
23 it's not laid out otherwise in law would be laid out  
24 in the franchise agreement, and the franchise  
25 agreements do require the inclusion of different

1 types of information to us as the franchising  
2 authority. So, to the—to you question as to  
3 transparency, our ability to obtain information from  
4 the franchisees is laid out in there, and then is  
5 enforceable via the audit power.  
6

7 CHAIRPERSON SALAMANCA: Alright. Can you  
8 give the committee an update on the franchise  
9 agreements between the city, Spectrum, Cable Vision  
10 and Horizon?

11 MICHAEL PASTOR: Sure. So, all those  
12 agreements I believe are set to expire in 2020.  
13 There will be a—presumably and authorizing resolution  
14 of the City Council to the extent the body wants to  
15 do that to renew those franchise or to enter into new  
16 ones or other cable providers. So, that's the—the  
17 universal cable providers in the city. Those three  
18 franchises they all expire I believe at the same time  
19 in 2020.

20 CHAIRPERSON SALAMANCA: And so when you—  
21 when you work with these companies to renew these  
22 franchise agreements what—what improvements do you  
23 foresee that you're going to add to these agreements  
24 that can provide better consumer protection?  
25

1  
2           MICHAEL PASTOR: So, I'll answer that two  
3 ways, Council Member, and I think number one, we're  
4 not just thinking about 2020 with respect to consumer  
5 protections. I think we, and this is something that  
6 we haven't had a chance to talk to our own  
7 commissioner about, but I think we have some ideas  
8 for what we want to do the consumer protection front  
9 long before that point, but I would also say that  
10 once it comes to the renewal, you know, we look at  
11 any ideas that come our way, and—and see if it's  
12 something that we can add and improve the agreements.

13           CHAIRPERSON SALAMANCA: Alright, let's  
14 talk about—

15           COMMISSIONER SAINI: [interposing] Just  
16 one other—one other comment. It's important to share  
17 is because Michael shared this with me is just so  
18 that the Council is aware, these franchise  
19 agreements, these are non-exclusive agreements,  
20 right, so a new—correct, Michael?

21           MICHAEL PASTOR: Correct.

22           COMMISSIONER SAINI: So, you can have  
23 other providers come in now, and I just wanted to  
24 make that point, right, that they're—that that there  
25 is a cable provider that can come in, right, and

1 provide service here. That's great for everybody  
2 because competition is a very good thing, right,  
3 especially in this space. The problem is it's cost  
4 prohibitive, right, because of the cost for the  
5 infrastructure, right, to--that's required to actually  
6 deliver cable and broadband services to--to the home,  
7 but it is absolutely a non-exclusive arrangement.

9 MICHAEL PASTOR: Very much so.

10 CHAIRPERSON SALAMANCA: Have you been in  
11 conversations where other companies other than the  
12 four that we normally mention: Verizon, Spectrum,  
13 Cable Vision, has there been other--other companies  
14 other than that--that main group who have expressed  
15 interested in coming in and offering services?

16 MICHAEL PASTOR: Cable TV Services. I  
17 mean we have conversations with all types of  
18 corporations beyond those three. I don't have an  
19 example of them of a specific discussion with us  
20 about coming in to compete on that front.

21 CHAIRPERSON SALAMANCA: Alright. In  
22 terms of the Verizon Filed--Franchise Agreement, the  
23 city recently filed a lawsuit against Verizon for not  
24 meeting the terms of its franchise. Can you provide

1 us with an overview of what led us to this lawsuit  
2 and what corrective measures we hope to achieve?

3  
4 MICHAEL PASTOR: Yes. I'm somewhat  
5 limited in what I can say because it is an active  
6 litigation in the State Supreme Court, but in-in-in a  
7 nut shell, Verizon's contract with the city stated  
8 that they agreed to go by to pass-to pass everyone in  
9 the city with--with its fiber optic cable, and we do  
10 not believe that they complied with that provision,  
11 that they have not passed every home in the city as  
12 they promised to do, and that's why DOITT in  
13 conjunction with the Law Department decided to take  
14 them to court.

15 COMMISSIONER SAINI: Verizon-Verizon made  
16 a promise to New Yorkers and they broke it. So,  
17 we're taking them to court.

18 CHAIRPERSON SALAMANCA: So, Verizon  
19 claims that it has already met its obligations to run  
20 fiber optic cables past every home in the city as it  
21 argues that the contract did not call for it to  
22 connect that cable to every house or apartment  
23 building in the city. So, attempts have been made to  
24 close that similar loopholes and other franchise  
25 agreements?

1  
2           MICHAEL PASTOR: That's the only loophole  
3 of which I'm—I'm aware, that particular argument but  
4 that's an argument with which we strong disagree as—  
5 as indicated in the court—in the court actin.

6           CHAIRPERSON SALAMANCA: Alright. So—so  
7 there's a loophole that exists. You agree with that?

8           MICHAEL PASTOR: No, we don't agree. We  
9 think the contract is clear and they're violating it.

10          CHAIRPERSON SALAMANCA: Alright. DOITT's  
11 response to Charter Franchise Agreements. So, DOITT  
12 came out with a response. It came out on a Saturday,  
13 which I know when we met, Commissioner, I questioned  
14 why come out on a Saturday--

15          COMMISSIONER SAINI: [interposing] That's  
16 right.

17          CHAIRPERSON SALAMANCA: --not—not during  
18 the week where you can get more media exposure. So,  
19 DOITT's Audits were released on Friday, which  
20 receives less attention. What have you done to  
21 ensure that the full attention of all interested  
22 parties are—are brought to light?

23          COMMISSIONER SAINI: Michael.

24          MICHAEL PASTOR: Sure, yeah. So, there—  
25 there has been—there was certainly no intent

1  
2 whatsoever as we spoke about before, Council Member,  
3 to—to any way shield that report. To the contrary,  
4 we've very proud of it. It's published to our  
5 website. There has been some press about it. It's  
6 available to be read and—and—and I think we think  
7 should be read for those interested in it. So, I  
8 think we're—yeah, as an agency we're very proud of  
9 the work that we did and stand by it and every word.  
10 There was on intent whatsoever to—to—for it not to be  
11 known and—and discussed widely.

12 CHAIRPERSON SALAMANCA: And so, what—what  
13 are—what are going to be DOITT's attempts to sit down  
14 with Charter, and resolve some of these concerns that  
15 were raised out of this report?

16 MICHAEL PASTOR: You care for me taking  
17 that?

18 COMMISSIONER SAINI: Yes.

19 MICHAEL PASTOR: Yes. So, I don't know  
20 about sit down so much at the moment. I mean I think  
21 with respect to the requirement that they used,  
22 vendors that are actually located in the city to the  
23 extent they can. We told them not to start doing  
24 that immediately, and we're going to be auditing—  
25 auditing them at some point to check that they have.

1  
2 With respect to the Labor Law violation that the AOJ  
3 found, again, there's not much to be discussed there.  
4 They were found in violation of—of labor laws, and if  
5 the NLRB Rules in Local 3 Labor (sic) they will be in  
6 default. That's our view. So, to get to your—to  
7 your question as to what we'll be doing, I think most  
8 of all it's going to be on the—the location of city  
9 vendors, and I think the—the third point is we're  
10 going to be reviewing their submission on the  
11 financial audit as well, which we just received.

12 CHAIRPERSON SALAMANCA: Alright, alright.  
13 That's good for me. Thank you, Chair Koo.

14 CHAIRPERSON KOO: Thank you, Chair  
15 Salamanca. I'm sorry I forgot to announce my  
16 committee members. We are joined by Council Member  
17 Holden, Ulrich, Grodenchik (sic) and Council Member  
18 Moya. Yes. Net neutrality. This is a big topic. On  
19 February 23, the Federal Commission—the Federal  
20 Communication Commission, FCC released its official  
21 report in regards to the repeal of Net Neutrality  
22 Regulations. This Obama Era regulation prohibited  
23 providers from blocking websites or charging for  
24 higher quality service for certain Internet content.  
25 The U.S. Congress and Senate now have 60 days to

1 either approve the FCC's move or reject the  
2 Congressional Review Act. What steps has DOITT and  
3 the city taken to mitigate the potential impact of  
4 the laws on Net Neutrality Regulations on the city?  
5

6 COMMISSIONER SAINI: Great. So, let me  
7 be clear about our position on this, and—and it  
8 should be to no surprise for anyone because it's the  
9 position of New York City has been made quite—quite  
10 public. We are absolutely against the repeal, right,  
11 of Net Neutrality. We believe in a free and open  
12 Internet. We reject the notion that anyone should be  
13 able to throttle block access to service or provide  
14 preferential treatment to those that are on—the  
15 Internet. That's our—that's our position, and—and  
16 we're actually quite vocal about it. Some things  
17 that we're doing: So, recently, I can—I can share  
18 with you that our Mayor and 11 other cities have  
19 joined together--and I think the number is actually  
20 higher now—to—to have shared a list of policies that  
21 we will adhere to within our respective cities to  
22 help—to—to combat this—this repeal of Net Neutrality,  
23 and effectively without getting into each specific  
24 item, it is all specific policies for us to—to  
25 partner up and first off assess through our MSAs

1 where there is concerns tied to Net Neutrality with  
2 existing—with existing relationships with existing  
3 carriers. But also moving forward to specifically  
4 partner with—with new providers that adhere to Net  
5 Neutrality rules. And so we're—we're—that's the  
6 action we're taking, and we're not—not afraid to  
7 speak up, right, about it.

9 CHAIRPERSON KOO: So, do you anticipate  
10 any budgetary impact to the city, and if so, which  
11 agents—which agencies will be most affected or  
12 impacted?

13 MICHAEL PASTOR: Yeah, I'm not sure we  
14 know yet, but I think once we look at the MSAs, we'll  
15 have some clarity of what—what does it really mean  
16 right, to—to ensure, right that the current providers  
17 we have adhere to the—the Net Neutrality rules before  
18 they are—they are repealed on April 23<sup>rd</sup>. I believe.

19 CHAIRPERSON KOO: So, my last question is  
20 on the—the Preliminary Mayor's Management Report. In  
21 the Preliminary Mayor's Management Report, there are  
22 several instances—instances where DOITT has set its  
23 target low relative to its performance history. For  
24 example, the average amount of time it takes to  
25 resolve critical service incidents is targeted at

1 three days, but the actuals for the past three years  
2 has been under two days. In fact, DOITT's  
3 performance history has consistently exceeded its  
4 targets. So, will you adjust the targets in the  
5 future performance with those to better reflect the  
6 history of DOITT's performance?  
7

8 COMMISSIONER SAINI: Yes.

9 CHAIRPERSON KOO: Oh, okay. [laughter]

10 New York City specialty line (sic) right? According  
11 to a document released by Council Member Kallos and  
12 Public Advocate James, more that 730,000 households  
13 in New York City did not have access to broadband in  
14 2015. The document New York City Digital Line  
15 Spreadsheet states that nearly half of the households  
16 in New York City without a broadband subscription are  
17 in the Bronx, 32.5% and in Brooklyn, 25.6%. As of  
18 today, can you provide a detailed account of how many  
19 New Yorkers have access to broadband and how many  
20 still need access to it?

21 COMMISSIONER SAINI: Yeah, so I don't  
22 have the exact numbers, Councilman, but I mean I can  
23 tell you the numbers aren't all that much different  
24 than any other city. Effectively, one in four homes  
25 doesn't have broadband. It's a problem. I know it.

1  
2 Everyone knows it. Everyone feels it, and so the real  
3 question is what do we do about it, and I think I was  
4 pretty clear in terms of the Strategic Plan for—for  
5 DOITT, but that third pillar is specifically, right,  
6 to deal with this issue of the grown digital divide  
7 and to—and to drive digital equity, and that's—and  
8 that's encompassing not just broadband in the home,  
9 but also on the streets. So, there's broadband  
10 everywhere. So, you should see a plan, right. We'll  
11 all see a plan around digital equity within—within  
12 the—my 100 days.

13 CHAIRPERSON KOO: Thank you for that. In  
14 Fiscal 2018, DOITT has identified \$29.3 in new needs  
15 of which \$10 million for the Citywide Procurement  
16 Innovation Project contract for the upgrade of the  
17 Procurement and Sourcing Solutions Portal also known  
18 as Passport. What types of improvements are we making  
19 to the city's procurement and technology systems?

20 COMMISSIONER SAINI: So, I'm going to  
21 pass that question over to Annette Heintz. She is  
22 our Deputy Commissioner of Financial Management and  
23 Administration.

24 CHAIRPERSON KOO: Thank you.

25

1  
2                   DEPUTY COMMISSIONER HEINTZ: Hi,  
3 Councilmen. Yeah, that is a project to automate the  
4 city's procurement citywide. The city currently does  
5 not have any automated procurement systems. So, a  
6 lot of things are done on paper. One plot has  
7 already been rolled out. The project is being run I  
8 should say by the Mayor's Office of Contracts and  
9 DOITT is only enabling them by letting them—by  
10 helping to administer the contract and the budget,  
11 but they are in charge of the overall project. We  
12 are going to be one of the four agencies that's going  
13 to be used as a pilot because we do so much  
14 contracting. So, basically it is going—it is  
15 designed to eliminate the paper, improve the  
16 workflow, give us more information, allowed us to  
17 automate procurements to vendors. You know, better  
18 to competitive pricing, and also the plot that was—  
19 that was recently rolled out is a new registration  
20 portal for our vendors. So, a lot of vendors have  
21 been actively using that now, that automated that.

22                   CHAIRPERSON KOO: [off mic] So, this will  
23 make—that will be more efficient and more productive,  
24 right?

25                   DEPUTY COMMISSIONER HEINTZ: Yes.

1  
2 CHAIRPERSON KOO: [off mic] So, in the  
3 Fiscal 2019 [on mic] Preliminary Budget—in the Fiscal  
4 2019 Preliminary Budget, the Citywide Savings Program  
5 states that DOITT will realize approximately \$8  
6 million in saving in Fiscal 2019 and \$10 million in  
7 Fiscal 2009—no, '19. I'm just gong to say \$10  
8 million in savings for Fiscal 2018 and \$10,000 in  
9 Fiscal 2019. Where do these savings come from?

10 COMMISSIONER SAINI: Alright, so I'm  
11 going to address that question to our Budget Czar  
12 [laughs] Associate Commissioner for Financial  
13 Services John Winker.

14 ASSOCIATE COMMISSIONER WINKER: Yes, good  
15 afternoon, Council Member. [coughs] These savings  
16 will be achieved by a couple of different  
17 initiatives, primarily attributable to maintenance  
18 savings by switching from one particular carrier, one  
19 particular service provider of vender to another  
20 that's less expensive. Also reducing our maintenance  
21 on hardware infrastructure that is sort of the end of  
22 life. They're still in production, but they're end  
23 of life and having actually maintenance on those  
24 thins is too-to cost-prohibitive at this point, but  
25

1 those are the two main things that we're looking to  
2 do.  
3

4 CHAIRPERSON KOO: So, I'm sorry, going  
5 back to the PASSPORT, which four agencies that  
6 benefit from it, you know?

7 DEPUTY COMMISSIONER HEINTZ: [off mic] I-  
8 I don't know if this-[on mic] I don't know if  
9 they've selected all four, but of the Department of  
10 Design and Construction will be one of the agencies.  
11 I believe DOITT and I believe I've heard HRA is the  
12 third agency. I'm not sure if they finalized the  
13 selection of the fourth agency. That would be the  
14 Mayor's Office of Contracts.

15 CHAIRPERSON KOO: Oh. So, I'm sorry. I  
16 had to go back to my last question again. You know,  
17 if this savings is coming from our systems or the  
18 equipment is being decommissioned?

19 DEPUTY COMMISSIONER HEINTZ: Right. So,  
20 it's honestly there is no citywide procurement system  
21 at all right now except for on the back end we have  
22 the APT system. So, this is a front end system that  
23 is going to integrate. [background comments, pause]

24 CHAIRPERSON KOO: So, can you clarify  
25 where--where the savings is coming from? Yeah.

1

ASSOCIATE COMMISSIONER WINKER:

2

Essentially it's-it's across a couple of different  
platforms whether it be servers, switches, you know,  
essentially hardware.

3

CHAIRPERSON KOO: Uh-hm. So, do you  
anticipate further savings through IT insourcing in  
the coming financial plans?

4

ASSOCIATE COMMISSIONER WINKER: Well,  
we're-we're always looking at opportunities to save  
money. We are working with our vendors to see where  
there's opportunities going forward. [background  
comments]

5

DEPUTY COMMISSIONER HINES: We also have,  
Council Member-I'm Evan Hines, DOITT's First Deputy  
Commissioner. We also have been continually looking  
to in-source consulting work to city employees, and  
that has been reduced in our budget as well.

6

ASSOCIATE COMMISSIONER WINKER: For  
example, there was one instance where we actually  
brought in this particular round of efficiencies,  
brought in some on-site maintenance that was  
previously, you know, conducted by Verizon. We  
brought that stuff in house. All that maintenance is  
being done by DOITT staff at this time.

7

1  
2 CHAIRPERSON KOO: And what other  
3 strategies are being considered to reduce the high  
4 cost of IT support and maintenance?

5 ASSOCIATE COMMISSIONER WINKER: [coughs]  
6 I—as I said, we’re—we’re looking at all opportunities  
7 to reduce our cost footprint across all different  
8 technology whether it be it be telecommunications,  
9 whether it be hardware/software maintenance services,  
10 any opportunity that we could see to save money,  
11 we’re—we’re looking at those things.

12 CHAIRPERSON KOO: General Contract  
13 Services. This is a large part of DOITT’s current  
14 Contract Budget. What is it? What is General  
15 Contract Service?

16 ASSOCIATE COMMISSIONER WINKER: It’s  
17 maintenance. You’re looking at maintenance on some  
18 platforms whether it be hardware/software  
19 maintenance, facilities maintenance,  
20 telecommunications maintenance, those are the—the  
21 general categories that fall into that.

22 CHAIRPERSON KOO: [off mic] Why is an  
23 individual starting with some maintenance? (sic)

24 ASSOCIATE COMMISSIONER WINKER: Well, I  
25 mean we have—I think primarily we’re seeing a

1 decrease in some of our cable franchise monies. I  
2 think that's really a function of cord cutting and  
3 things like that. It's not a significant reduction.  
4

5 CHAIRPERSON KOO: Now we have Council  
6 Member Garodnick.

7 COUNCIL MEMBER GRODENCHIK: Garodnick,  
8 too, if we get anything. (sic)

9 CHAIRPERSON KOO: Grodenchik.

10 COUNCIL MEMBER GRODENCHIK: Thank you,  
11 sir, that's better.

12 CHAIRPERSON KOO: Council Member  
13 Grodenchik.

14 COUNCIL MEMBER GRODENCHIK: I like—I love  
15 Council Member Garodnick, but he had to cancel out.

16 CHAIRPERSON KOO: To ask questions.

17 MALE SPEAKER: He's no longer with us.

18 COUNCIL MEMBER GRODENCHIK: He's no  
19 longer with us only in spirit.

20 CHAIRPERSON KOO: Don't—don't slide any  
21 germs. (sic)

22 COUNCIL MEMBER GRODENCHIK: It's alright.  
23 It's the second time this week. When my—when my wife  
24 starts to do it, then I'll I have a problem with it.  
25 Mr. Commissioner, thank you for being here today, and

1  
2 I'm going to ask about the Charter Communications  
3 issue, but my colleague Mr. Holden had a good idea.  
4 When you start with broadband maybe you can start in  
5 this room because I've got no service. [laughter]  
6 Also, I'm 16--

7 MALE SPEAKER: We'll look into—we'll look  
8 into that.

9 COUNCIL MEMBER GRODENCHIK: Okay, thank  
10 you. I'm very concerned about the ongoing issue with  
11 Charter Communications vis-à-vis it's contract or  
12 lack of contract with Local 3 of the International  
13 Brotherhood of Electrical Workers. Many of those  
14 people live in my district. I'm very concerned.  
15 Hundreds of Local 3 members. Not all of them have  
16 worked for Spectrum, but certainly their brothers and  
17 sisters do. In your testimony you pointed out that  
18 "Your financial audit found Charter in default for  
19 improperly reporting its gross revenue. Can you tell  
20 me how much they were supposed to report, and how  
21 much they didn't report or if there is another  
22 scenario I'd like to hear that?

23 COMMISSIONER SAINI: Yes, so, I'm going  
24 to pass it over to our General Counsel Master Pastor-

1  
2 COUNCIL MEMBER GRODENCHIK: [interposing]  
3 I appreciate that.

4 COMMISSIONER SAINI: --to our counsel  
5 here.

6 MICHAEL PASTOR: I'm sorry, Councilman.  
7 I don't have the number in front of me. What I have  
8 is the time period. It was Q-3 in 2016. We felt it--  
9 it was--it was our sense that there was something  
10 that--that the reporting did not look right, and  
11 that's what caused the audit, but I don't have a  
12 number for--I think your question was what was it off  
13 by? I don't have that.

14 COUNCIL MEMBER GRODENCHIK: I hate to ask  
15 if you were to estimate, but could you estimate on--  
16 was \$100,000? Was it a million? Was it \$10 million?

17 MICHAEL PASTOR: I hate especially to  
18 estimate when I'm really not sure. [laughter]

19 COUNCIL MEMBER GRODENCHIK: Could you get  
20 that information back to us and the Chairman? I  
21 would greatly appreciate it.

22 MICHAEL PASTOR: Absolutely.

23 COUNCIL MEMBER GRODENCHIK: Was there a  
24 punishment? Have they--has--has DOITT metted--meted out  
25 a punishment to Charter because of this discrepancy?

1  
2           MICHAEL PASTOR: So, no-no punishment as  
3 of yet. The way this works is laid out in-in the  
4 franchise agreement. We noticed their defaults on  
5 the 1<sup>st</sup> of February. They had days from the time  
6 they receive that notice to cure, and they have-  
7 they're-they're going to attempt to cure. They have  
8 provided us with a voluminous set of documents. We  
9 will go through that, and determine whether they have  
10 cured or not. If they haven't, then there will be a  
11 default entered against them and put into their file.

12           COUNCIL MEMBER GRODENCHIK: And what  
13 happens, what is that default being-I mean I've had  
14 defaults entered into my file not for financial  
15 reasons, but what happens if they are found in  
16 default? So, what's the next step after that? Let's  
17 say they can't cure it?

18           MICHAEL PASTOR: Okay. So, basically  
19 there are two types of defaults under the franchise  
20 agreement. There are what I refer to as a sort of  
21 regular default and there is what's called a  
22 revocation default. Certain types of default that  
23 can result in actual potential revocation of a  
24 franchise agreement. This-this particular default  
25 that we've noticed-noticed them of is-is not a

1  
2 revocation default. So, if they do not cure, there  
3 will be default. It will be on their file. It will  
4 be something would under consideration should they  
5 seek to renew in a couple years.

6 COUNCIL MEMBER GRODENCHIK: Okay, I-I  
7 know that you're concerned, and I know that the Mayor  
8 is concerned about the ongoing issue, labor issue  
9 with Charter, and Local 3. Have you or your  
10 predecessor—I can't even try to pronounce her name.  
11 I think it's Roest. I'm not sure about that.

12 MICHAEL PASTOR: Anne—Ann Roest.

13 COUNCIL MEMBER GRODENCHIK: Okay. Not  
14 that it's my business. Have you tried to bring the  
15 two sides together?

16 MICHAEL PASTOR: Well, I've been here a  
17 couple weeks.

18 COUNCIL MEMBER GRODENCHIK: I know you  
19 have. It's a lot time.

20 MICHAEL PASTOR: [interposing] So, I  
21 haven't had time.

22 COUNCIL MEMBER GRODENCHIK: That's why do  
23 or like my question. Does anybody know whether or  
24 not DOITT has tried to bring--?

25 MICHAEL PASTOR: Not, not DOITT.

1  
2 COUNCIL MEMBER GRODENCHIK: Okay. You  
3 had testified earlier that the Franchise Agreement  
4 expires in 2020? Is that correct? What--do you know  
5 the exact date? Is it December 31<sup>st</sup> or is it January  
6 1<sup>st</sup> or--?

7 MICHAEL PASTOR: I think it's October or  
8 November actually.

9 COUNCIL MEMBER GRODENCHIK: October or  
10 November. So that would be about 2-1/2 years--

11 MICHAEL PASTOR: Oh, sorry. It's July 1<sup>st</sup>  
12 yeah of 2020.

13 COUNCIL MEMBER GRODENCHIK: July 1<sup>st</sup>, 2020  
14 so a little over two years from now, and at what  
15 point will DOITT assuming that charter is still a  
16 franchisee of the city of New York at that point, at  
17 what will you open negotiations with Charter or other  
18 interested parties? How--how much lead time do you  
19 generally use?

20 MICHAEL PASTOR: So, actually believe it  
21 or not the process started in--in a way all three  
22 franchisees have the rights within three years of the  
23 expiration to request a formal process a formal  
24 renewal process and all three have done so.

25 COUNCIL MEMBER GRODENCHIK: Okay.

1  
2           MICHAEL PASTOR: That starts that DOITT  
3 is under now to do certain things as part of the  
4 ULURP process at the six month period, and then after  
5 six month period ends would be when sort of the  
6 authorizing resolution, and the RFP process follows.

7           COUNCIL MEMBER GRODENCHIK: Okay, and  
8 once you strike and agreement with anybody whether  
9 it's company A, B or C that has to come before the  
10 City Council before the Franchise and Zoning  
11 Committee to be approved? Is that correct?

12           MICHAEL PASTOR: I believe that's not  
13 correct. I believe--

14           COUNCIL MEMBER GRODENCHIK: [interposing]  
15 Okay, I don't know. That's why I'm asking.

16           MICHAEL PASTOR: Right, I believe the  
17 agreement--the agreement goes to the FCRC for  
18 approval. So, it will be the Council's role upfront  
19 on the authorizing resolution followed by an RFP.

20           COUNCIL MEMBER GRODENCHIK: So, at some  
21 point the Council is involved?

22           MICHAEL PASTOR: Yes, definitely.

23           COUNCIL MEMBER GRODENCHIK: Okay, alright.  
24 That's what I wanted to establish, and let's assume  
25 that Company A built out the hardware and Company A

1  
2 is no—and Company B is now the franchisee of the city  
3 of New York for whatever reason, who owns the  
4 hardware? I mean I can remember being built when I  
5 was much younger, and it was very exciting because we  
6 had Time Warner coming in and we no longer had to rely  
7 on the antenna on top of the building next to me to  
8 get TV.

9                   MICHAEL PASTOR: I believe that the  
10 current franchisee would be the owner of the  
11 hardware.

12                   COUNCIL MEMBER GRODENCHIK: So they would  
13 sell it maybe if they were no longer—what do they do  
14 with that? It's just a question.

15                   MICHAEL PASTOR: Yeah. Yeah, I think  
16 they would.

17                   COUNCIL MEMBER GRODENCHIK: They would if  
18 they could?

19                   MICHAEL PASTOR: Yep.

20                   COUNCIL MEMBER GRODENCHIK: That's  
21 assuming that somebody else didn't want to build out  
22 their own interest there.

23                   MICHAEL PASTOR: I would say that—that  
24 would make sense, right.

1  
2 COUNCIL MEMBER GRODENCHIK: It would make  
3 sense that they would purchase it because otherwise  
4 you'd have to build it out at tremendous cost.

5 MICHAEL PASTOR: I mean or the only  
6 option would be some kind of leasing arrangement. I  
7 mean it's okay. It would be a lease—it would be a  
8 lease or buy whatever is most profitable or whatever  
9 the deal in terms of the dealer.

10 COUNCIL MEMBER GRODENCHIK: Okay. Well,  
11 I thank you for your answers, and I look forward to  
12 working with you not on technology, but you're in the  
13 capable of my friend Mr. Peter Koo. I thank you for  
14 your—for--for your answers today.

15 MICHAEL PASTOR: Thank you, Councilman.

16 COUNCIL MEMBER GRODENCHIK: Thank you,  
17 Mr. Koo.

18 CHAIRPERSON KOO: Thank you Council  
19 Member Barry Grodenchik. [background comments]  
20 Council Member Eric.

21 COUNCIL MEMBER ULRICH: Close enough.  
22 Okay. That was better than yours.

23 COUNCIL MEMBER GRODENCHIK: That's  
24 because you deserve it.

1  
2 COUNCIL MEMBER ULRICH: That's right.  
3 Thank you, Mr. Chair, both chairs for holding this  
4 hearing. I am new to this committee, not new to the  
5 Council. Still here nine years later, but I also  
6 represent a district in Queens where many, many Local  
7 3 members live, and I can remember taking my daughter  
8 to the playground right before school started, early  
9 September, and one of the members, one of my  
10 constituents coming up to me basically in tears  
11 because he is still out of work. He was out of work  
12 at the time. He's still out of work. He was out of  
13 work at the time, and he's still out of work, and  
14 he's wondering how he was going to buy—not only pay  
15 his bills, but buy his children Christmas presents  
16 that year. That is the reality for hundreds of New  
17 Yorkers men and women who don't want anything for  
18 free. They just want to get back to work. They want  
19 to earn a paycheck, and quite frankly I don't think  
20 that the city has done enough to bring this issue to  
21 a satisfactory conclusion here, and I know that there  
22 are various investigations going with the Attorney  
23 General's Office, with National Labor Relations  
24 Board, and various levels, but in our charter  
25 mandated role to review to review franchise

1  
2 agreements, I think that we can be applying a lot  
3 more pressure to make sure that Spectrum does the  
4 right thing, gets back to the negotiating table, and  
5 can get to a fair contract and end this strike. I'm  
6 just reminded of the slow down that occurred over the  
7 summer, and Spectrum tried to blame the workers who  
8 were going on strike and, you know, clearly we know  
9 that's not the case because there have been thousands  
10 of complaints about slow Internet speeds, and cable  
11 outages and other things. You know, just because  
12 other providers can come into the city because they  
13 have--they don't have an exclusive franchise right,  
14 doesn't mean that they're going to. It would cost  
15 millions of dollars or hundreds of millions of  
16 dollars for someone else to come in and lay the  
17 groundwork and the infrastructure to provide this  
18 kind of service. So, I'm wondering what other tools  
19 do we have at our disposal? What are we not doing?  
20 That's what I want to know because whatever we're  
21 doing, it's not working. The strike is still going  
22 on, and I have hundreds of constituents--

23 MICHAEL PASTOR: Sure.  
24  
25

1  
2 COUNCIL MEMBER ULRICH: --who can't  
3 provide for their families. I have to answer to  
4 them.

5 COMMISSIONER SAINI: Absolutely. So, the  
6 question you're asking ironically are the exact same  
7 questions I asked, right, when I came in just a few  
8 weeks ago. Are we doing everything we could possibly  
9 do that's within the confines of the law, right? And  
10 the truth is we're doing everything you could  
11 possibly do that's within the confines of the law,  
12 and that's--that's basically it. I think--I think that  
13 based on what you've heard about the--the current  
14 state we're in, there may be hope, right, that some--  
15 that some action will--will be--will be taken, but I  
16 mean at this point I think we've done everything we  
17 can. We'll just keep looking right, for other  
18 avenues.

19 COUNCIL MEMBER ULRICH: [interposing]  
20 Well, what are--what--let's apply pressure. What about  
21 tax breaks? What about the real estate deals that  
22 they have with the city of New York. I mean what  
23 about all the accommodations that we make them via  
24 other agencies and other things? It's just simply  
25 not right that in the Year 2018 in a--in a union town

1 and a place like New York City that more than a  
2 thousand people can be out of work, and everybody  
3 goes around like business as usual. I just—I—I don't  
4 understand. I don't understand. I know we're saying  
5 we're doing what's in—what's in the confines of the  
6 law, but obviously whatever we're doing is not  
7 working, so we need to do more. So, do you have any  
8 ideas?  
9

10 COMMISSIONER SAINI: Well, I—I—

11 COUNCIL MEMBER ULRICH: Is there anything  
12 on the table?

13 COMMISSIONER SAINI: Sure.

14 COUNCIL MEMBER ULRICH: Is the full  
15 Council involved? I mean like who is involved in  
16 actually making these decisions?

17 COMMISSIONER SAINI: So, let me—I'm just  
18 going to open the floor here for—for others on—on my  
19 panel—

20 COUNCIL MEMBER ULRICH: [interposing]  
21 Please. Thank you.

22 COMMISSIONER SAINI: --to just talk about  
23 this a little more. So sure. Council Member, I  
24 guess what I would say is, you know, we—we are here  
25 at this table, you know, with representatives from

1  
2 DOITT talk about what DOITT can or cannot do. I  
3 think that I can say for the—from the perspective of  
4 the Administration and the Mayor, I think that there  
5 is a willingness to listen to any idea. I—I think  
6 that's not having any particular ones of our own  
7 beyond the pressure we're putting on the Charter with  
8 respect to our—our concurrent audits, but I think  
9 there's a real shared goal at the Administration  
10 level to get this resolved.

11 COUNCIL MEMBER ULRICH: I know. No, I  
12 don't know. I mean I—I go to these rallies. I see  
13 them on TV. Ironically, a lot of the stations won't  
14 cover them because they're in cahoots with Spectrum,  
15 but, you know, there are thousands of men and women  
16 who are rallying and just demanding a fair contract,  
17 and all the politicians go, we all go, the Mayor  
18 goes, everybody is down there, but here we are, and  
19 it's, you know, beware the Ides of March, March 15<sup>th</sup>,  
20 and my constituents are still out of work. Barry's  
21 constituents still out of work. Bob's constituents  
22 still out of work. You know, it's not about taking  
23 one side or the other, union, non-union, corporate.  
24 It's really not about that. It's about bringing this  
25 to a close to help the general welfare of our

1  
2 constituents, and the people of this city who want  
3 very much to see this strike end, and I know that the  
4 city when the city wants to do something, trust me,  
5 we find a way, legal or not legal. I mean I've been  
6 around in the Bloomberg Administration, trust me,  
7 there were plenty of lawsuits against many different  
8 agencies. When there was something that we wanted to  
9 do, we got it done, and in this instance the strike  
10 is still going on. It's gone on way too long, and  
11 all we hear is a lot of speeches and a lot of double  
12 talk. I'm sorry. Not—not out of your mouth, but I'm  
13 saying out of the political leaders, and the folks in  
14 the city who I know have the power to end this  
15 strike. We haven't done enough. The strike is still  
16 going on.

17 COMMISSIONER SAINI: So, I think—I think  
18 what we can do here, right is we'll, of course,  
19 right, go back to the Mayor's Office, right and  
20 discuss if there's any new-new strategies, right.  
21 We-we can—we can implement, but I think to Michaels'  
22 point--

23 COUNCIL MEMBER ULRICH: Why can't we  
24 revoke their franchise agreement?

1  
2           MICHAEL PASTOR: In that respect we're,  
3 you know, bound by the—the letter of the contract.

4           COMMISSIONER SAINI: Well, they're not—  
5 they're not living up to the letter of the contract.  
6 They're not providing the service that they're  
7 supposed to be providing. They're putting out all  
8 this fake info—fake news, fake information. Whatever  
9 you want to call it. They're blaming the union  
10 members when things go wrong. I mean like if they  
11 don't live up to their end of the bargain, why do we  
12 have to live up to ours? Let's send them a 30-day  
13 notice and say if you want us to take away the 30-day  
14 notice, then end the strike. End the strike. We'll  
15 come back to the table and negotiate with you. We  
16 have the power to do this. Let them take us to  
17 court. Why are we on the defense? We should be on  
18 the offense.

19           MICHAEL PASTOR: True. Our view of it is  
20 that we don't have right now, evidence that they have  
21 done anything that constitutes a revocable default.  
22 They're—they're very specifically enumerated. If  
23 they were, if we have evidence of that, we certainly  
24 would investigate and take action.

1  
2 COUNCIL MEMBER ULRICH: I don't know. I  
3 would have court counsel or somebody look at the--the  
4 contract in addition to yourself. Not saying that  
5 you're not capable of doing that, but have court  
6 counsel review this and find something, and then let  
7 them take us to court. Put them on the defense. The  
8 fact that we're on defense and we're no on offense is  
9 very, very like unconscionable. It just doesn't make  
10 any sense to me. Send this company a 30-day notice  
11 we're ending the franchise agreement. We'll see you  
12 in court, and watch how fast they go back to the  
13 collective bargaining table to resolve the strike at  
14 Spectrum. [applause] So, that's--I mean I-I just  
15 like we've got to try it. It may be legal. We may  
16 win in court, by the way. We just don't know, but,  
17 you know, we're second guessing ourselves, and every  
18 day that goes by people are without a pay check.  
19 It's a real--I get stopped on the street. I get  
20 stopped in the supermarkets. I get stopped in  
21 church. I'm out at the playground with my daughter,  
22 people come up. They're not trying to be rude.

23 COMMISSIONER SAINI: Again--

24 COUNCIL MEMBER ULRICH: [interposing]  
25 They're desperate. We've got to do something.

1  
2                   COMMISSIONER SAINI: Councilman, we—we—we  
3 hear you loud—loud and clear. In fact, you know, I—I  
4 just joined the city from Atlanta just a couple a  
5 weeks ago, and I'll you there isn't a day—a day—there  
6 isn't like an hour almost that's passed where I'm not  
7 hearing something right, about—about Charter and—and  
8 what this is—and what's going on around this dispute,  
9 and I just moved here, you know, from—from the south.  
10 So, it's—it's—it is a priority. We will move forward  
11 with discussing what—if there's any—any alter—new  
12 solutions, right or new--

13                   COUNCIL MEMBER ULRICH: [interposing]  
14 Well, there may be a legislative solution. Maybe the  
15 City Council can pass something that's circumvents  
16 any agreement or contract that puts—that applies to  
17 all the providers in the city saying that if they  
18 don't meet these standards or meet this requirement,  
19 that the city can revoke the Franchise Agreement.

20                   COMMISSIONER SAINI: So, it sounds like  
21 you have ideas. So, this is good. So, we—we--

22                   COUNCIL MEMBER ULRICH: [interposing]  
23 Well, I'm just brainstorming.

24                   COMMISSIONER SAINI: Yeah, yeah.

25

1  
2 COUNCIL MEMBER ULRICH: I don't—I don't  
3 pretend to have all the answers, but I see these  
4 people writing a lot of stuff that I've said.

5 COMMISSIONER SAINI: [interposing] So,  
6 so—I think--

7 COUNCIL MEMBER ULRICH: I don't know if  
8 that's a good thing, but--

9 COMMISSIONER SAINI: I don't think that  
10 there's any harm.

11 COUNCIL MEMBER ULRICH: I'd say if we  
12 could pass a law that has to apply to all the  
13 contracts, well then, guess what, all of a sudden  
14 they're not in compliance with the contract.

15 COMMISSIONER SAINI: Yeah, I think—I  
16 think to the extent you want to hold a hearing on  
17 that very topic with the idea that we haven't been  
18 entertaining, we would be open to that.

19 COUNCIL MEMBER ULRICH: I don't know.  
20 I'm—I'm just very frustrated. I know you're  
21 frustrated. I'm not blaming you. You're not the  
22 cause of this strike. You're not the reason why it's  
23 still going on.

24 COMMISSIONER SAINI: No, no, but we—but  
25 we—we feel the same level of accountability and

1 responsibility to make sure that it's resolved. So-  
2 so that means we host hearing, right, to get feedback  
3 from anyone that has great ideas around this. We-we  
4 will-we will host that, and-and take action on that.

5  
6 COUNCIL MEMBER ULRICH: And I-I think  
7 that's something that we definitely need to do, and  
8 se need to move like lightning, and maybe we need to  
9 pass a law stipulating certain things that have to be  
10 included in any franchise agreement, in any contract  
11 and then once that law goes into effect, guess what?  
12 They're not going to be-I don't think they're in  
13 compliance now, but they definitely won't be in  
14 compliance then, and they could take us to court.  
15 They could spend tens of thousands, they could spend  
16 all the money that they haven't been paying their  
17 workers on lawyers for like that. They've got all  
18 the money in the world, and we just have to force  
19 this issue to come to a head because right now  
20 there's no sense of urgency, and, you know, this goes  
21 all the way up to the Mayor. We've got to do more  
22 with other agencies and, you know, the rallies are  
23 great. It's really nice that we-we create a sense of  
24 comradery and we try to keep attention on this issue,  
25 but from a legislative perspective and a policy

1 maker's point of view, I don't think that we're doing  
2 enough, and I want to work with you, my colleagues in  
3 the Council and the Mayor's Office to get their ass  
4 back to the table so we could get people back to  
5 work. That's all I care about, my constituents.

7 COMMISSIONER SAINI: I-I will just take  
8 one opportunity to say I mean one of the--the--the  
9 hurdles we face to doing a lot of the things we want  
10 to do is stuff that comes out of DC and the federal  
11 level in terms of both legislative and regulatory  
12 constrains, and that's a particular area where I  
13 think we can partner with the Council to fight those  
14 fights as well to make change at the federal level  
15 that could maybe unshackle us a bit for things we  
16 might want to do at the federal level.

17 COUNCIL MEMBER ULRICH: [interposing]  
18 Well, let's--let's do it. We got the leaders here in  
19 this city in both parties. You got Chuck Schumer.  
20 He's a very powerful guy. You got Dan Donovan. Dan  
21 Donovan of Staten Island. He's in the Republican  
22 majority in the house. He's probably got a thousand  
23 Local 3 members in his district. You watch how fast  
24 he introduces that bill. You know, political policy,  
25 legislative, whatever it takes. It's March 15<sup>th</sup>

1  
2 guys. I've got a job. I'm getting a paycheck this  
3 week. You're getting a paycheck this week. I've got  
4 Local 3 members in my district they're trying to pay  
5 their mortgages, they're behind on Catholic school  
6 tuition. They blew all their savings because they  
7 thought it would be resolved by now. They're not  
8 getting a paycheck this week. I have to answer to  
9 them. We have to answer to them. We've got to do  
10 more.

11 COMMISSIONER SAINI: Understood.

12 COUNCIL MEMBER ULRICH: Thank you, Mr.  
13 Chairman. Thank you, Commissioner.

14 CHAIRPERSON KOO: Thank you. [applause]

15 Now, I will ask you a question about the video  
16 complaints, you know. In the Preliminary Mayor's  
17 Management Report, it usually includes a metric on  
18 the average time to resolve video customer complaints  
19 of cable services under the Section titled Franchise  
20 Cable Services. [background comments] Why is there  
21 no target set for the average time to resolve all  
22 video cable complaints?

23 COMMISSIONER SAINI: Okay, we're just  
24 pulling up that-that metric on the report.

25 CHAIRPERSON KOO: Yeah.

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COMMISSIONER SAINI: One Second.

[background comments, pause] Councilman, can you,  
can you refer us to what-what page? This is  
obviously a large report you are referring to?

CHAIRPERSON KOO: It's page 318.

[background comments]

COMMISSIONER SAINI: Oh, he's looking. I  
actually don't have it. The, um, the-the-I'm not  
looking at the same thing that you're looking at the  
same thing that you're looking at--

CHAIRPERSON KOO: Oh.

COMMISSIONER SAINI: --but the targets,  
the reason why we would not have a target in there is  
if there is again, not in the franchise agreement  
that if there aren't targets set in there when-when  
people have to get back to-the cable companies have  
to get back to us with complaints. So, it's not  
something that's in our control. Once we send it  
over to them, we just keep prompting them to get an  
answer back for us, and we do, and I believe our  
actual numbers are pretty good. It's-but I think  
that's the reason why we don't have targets is  
because it's something that we can hold them to-hold  
them to.

1  
2 CHAIRPERSON KOO: So--so what is the  
3 process by which DOITT resolves video cable  
4 complaints? Do you refer to the--just to the service--  
5 -

6 COMMISSIONER SAINI: [interposing] So--

7 CHAIRPERSON KOO: --like a provider?

8 COMMISSIONER SAINI: So, so, we--we--that  
9 is if somebody actually has called their cable  
10 company and made a complaint about the--the quality of  
11 the service they're receiving. Then they end up call  
12 311 because they did a mutual resolution with the  
13 cable company. It actually gets referred to DOITT.  
14 What we do is then like advocate on the customer's  
15 behalf working with the cable companies, dealing with  
16 their customer service folks directly, and it usually  
17 does get resolved.

18 CHAIRPERSON KOO: Uh-hm, so--

19 EVAN HINES: [interposing] For billing.  
20 We do it for video as well.

21 CHAIRPERSON KOO: So, while you didn't  
22 include a metric for the average time to resolve  
23 video cable--cable complaints, there's no metric for  
24 the number of complaints DOITT receives, the number,  
25 the number of--

1  
2           EVAN HINES: With the number. Right. The  
3 number of complaints that are received I mean that's  
4 actually not reported in the—I mean—I mean there's a  
5 lot of numbers we could report at some point. I'm  
6 not sure under which commissioner it was decided that  
7 the volume of the complaints was not the important  
8 metric, but it was how fast we were helping to get  
9 them resolved, and so, that's why that was put in  
10 there. Also, the number of complaints that we  
11 received I believe on the city's website. There's a  
12 set of 311 reporting that is Local Law 34 that the  
13 City Council had passed, which required man-mandated  
14 regular 311 reporting on a monthly basis of the  
15 volume of increase to agencies, and actually those  
16 resulting in service requests to each agency and the  
17 time that they were open.

18           CHAIRPERSON KOO: So would it be  
19 difficult if I asked you to agree to include a metric  
20 on the amount of complaints, DOITT receives.

21           EVAN HINES: It would not be difficult at  
22 all, and the Commissioner actually is looking at all  
23 our metrics right since he's arrived to determine  
24 what that report will look like for the Fiscal, you  
25 know, 2018 report.

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CHAIRPERSON KOO: So, you agree to  
include a metric?

COMMISSIONER SAINI: I will agree to  
include that going forward.

CHAIRPERSON KOO: Thank. Now, we have  
questions from Council Member Lancman.

COUNCIL MEMBER LANCMAN: Thank you, Mr.  
Chairman. Good afternoon. Local 3 happens to be  
headquartered in my district, and as my colleagues  
have expressed, the circumstances of so many of their  
workers being so many of their members being out of  
work is—is terrible and devastating, and we feel it  
in my district in a very particular way. And just to  
expound a little bit on Council Member Ulrich's  
comments, the reality is [coughs] that this—this  
problem, this tragedy at this point. I don't think  
that's too strong a word because of what these  
families are—are dealing with, should not be confined  
to a conversation about what DOITT can do about the  
Franchise agreement, and I'm saying this without any  
expectation that you're going to comment or-or-or  
make any kind of statement, but I just have to put it  
out there as Eric said, the—the reality is that if  
the city wanted to bring all the political, economic

1 leverage it has to bear to resolve this problem, it  
2 wouldn't be confined to what could DOITT find in the  
3 Franchise Agreement. The Mayor has chosen to make  
4 this problem as small as possible and as confined as  
5 possible so that ultimately he doesn't have to expend  
6 the political capital to really do anything about it.  
7 Because we've seen when mayor--this mayor is no  
8 different--has their heart--have their hearts set on  
9 achieving something, something big and something  
10 bold, and something audacious, they have enormous  
11 leverage at their disposal. So, to a certain extent,  
12 I sympathize with your--with your plight, your DOITT.  
13 You are correctly confined to what can DOITT do about  
14 it. It's really a much bigger issue, but here we  
15 are. You're in front of me and you're testifying,  
16 and so I'm just going to ask you a couple of  
17 questions--

18  
19 COMMISSIONER SAINI: Sure.

20 COUNCIL MEMBER LANCMAN: --within the  
21 narrow confines of--of what DOITT's real jurisdiction  
22 is. It might have been discussed earlier. I don't  
23 know, but--but as part of the audit, DOITT found that  
24 Charter was, to put it mildly, applying an  
25 extraordinarily loose standard for what a New York

1 City company or vendor is. Can you just explain that  
2 aspect of--of the audit? Because it is one of the  
3 most frustrating parts of this whole charade on their  
4 part. I remember standing with Local 3 members  
5 outside a Spectrum-Charter site in my district, and  
6 they had done their job in identifying, you know, all  
7 these companies that were from outside of New York  
8 City who were doing the work that they should have  
9 been doing, and we called on DOITT to do an  
10 investigation or an audit. So, so can you tell us  
11 what the results of that were? And by the way, I  
12 won't be offended if someone else at the table had  
13 more direct knowledge--

14  
15 COMMISSIONER SAINI: Yeah, well--

16 COUNCIL MEMBER LANCMAN: --and explained  
17 it.

18 COMMISSIONER SAINI: Yeah, and I'll--I'll  
19 definitely punt this to and Michael is--is really our--  
20 our--our expert on it, and heavily engaged in this  
21 discussion. But I want to share one thing Michael  
22 shared with me. I think it's good to share it with  
23 this group, which is that Charter has made the claim  
24 that 80% of--of the work, right, is being done with  
25 company--with vendors within the city.

1  
2 COUNCIL MEMBER LANCMAN: Right.

3 MICHAEL PASTOR: When we as part of the  
4 audit that was conducted what it appears like is that  
5 number is closer to 30.

6 COUNCIL MEMBER LANCMAN: Right. So,  
7 your--your audit confirmed what the workers themselves  
8 knew and--and showed on numerous occasions that that  
9 was a sham. So, could you just explain for us and  
10 for the record how so?

11 MICHAEL PASTOR: Absolutely, Council  
12 Member. I think the--the key point was that, you  
13 know, under Charter's definition, you know, virtually  
14 any presence whatsoever in the city of New York  
15 qualified as located in the city, a business located  
16 in the city so much so that even a self-storage  
17 locker located anywhere in the five boroughs would be  
18 sufficient and--

19 COUNCIL MEMBER LANCMAN: [interposing]  
20 So, if a company--so a company that was headquartered  
21 in another state had its operations in another state  
22 in order to perform the work that Charter had hired  
23 them to do in New York City, had rented a storage  
24 locker to store their material, Charter was counting  
25 that company as--as a being a New York City vendor.

1  
2           MICHAEL PASTOR: That's right, and indeed  
3 in their response to our audit, which is attached to  
4 our audit, they stand there strongly to that  
5 position, and we strongly disagree. I think what you  
6 would normally look for are the factors we laid out  
7 for them: Where—where are you registered to do  
8 business with the New York State Department of State?  
9 What's your business presence in terms of employees?  
10 Other types of things like that, and that's the  
11 standard we expect them to—to play. Therefore, they—  
12 they take the position that yes, if they have one  
13 self-storage locker that's enough, and that's where  
14 the divide is between how they view it and how we  
15 view it?

16           COUNCIL MEMBER LANCMAN: And-and just any  
17 other examples of—of the—a relatively flimsy hook  
18 that—that Charter was using to—to designate a vendor  
19 as a New York City company?

20           MICHAEL PASTOR: That was really the—the  
21 prime example regardless of whether it's a self-  
22 storage locker or not, it was, you know, we have an  
23 address. You know, we have an address and they would  
24 call it a maintenance address or whatever they call

25

1 it, but they could be headquartered elsewhere,  
2 registered to do business elsewhere.  
3

4 COUNCIL MEMBER LANCMAN: Now, do-do you  
5 have it handy, the exact words in the Franchise  
6 Agreement?

7 MICHAEL PASTOR: Yes, we do.

8 COUNCIL MEMBER LANCMAN: We-and-and you  
9 were the one who spoke of it. Were you the one who  
10 spoke with me before?

11 MICHAEL PASTOR: I was. That's right.

12 COUNCIL MEMBER LANCMAN: Which I  
13 appreciate, by the way. Your-your team has been very  
14 accessible.

15 COMMISSIONER SAINI: Great. Excellent.

16 COUNCIL MEMBER LANCMAN: And-and I  
17 appreciate it. Do you have that handy the exact  
18 language?

19 MICHAEL PASTOR: Sure. I'll give it to  
20 you right now, Council Member. It is Section 17.4 of  
21 the Agreement. To the extent feasible and consistent  
22 with applicable law and with due regard to price and  
23 quality considerations, the franchisee, in this case  
24 Charter shall utilize vendors located in the city in  
25

1 connection with the deployment and provision of  
2 service contemplated by this agreement.

3  
4 COUNCIL MEMBER LANCMAN: So, vendors  
5 located in the city?

6 MICHAEL PASTOR: That is right.

7 COUNCIL MEMBER LANCMAN: And Charter said  
8 it was about 80% and your analysis says it's about  
9 30%.

10 MICHAEL PASTOR: I've got finish it.

11 COUNCIL MEMBER LANCMAN: And--and you've  
12 given them until when to--to--to amend their response  
13 based on--on criteria that you've--you've given them?

14 MICHAEL PASTOR: No, no response  
15 necessarily at this point. We told them effective  
16 immediately as of the time that they got the audit  
17 they had--going forward, they had to utilize vendors  
18 to the extent that they could located in the city  
19 pursuant to the definition we described for them.  
20 They--they in their--as I pointed out--the accused us of  
21 sort of pulling out of the hat. We disagree. We  
22 think it's logical and that that--

23 COUNCIL MEMBER LANCMAN: [interposing]  
24 I'm--I'm curious. When--when did they accuse you of  
25

1  
2 pulling it out of the hat? Was this some response to  
3 your audit?

4                   MICHAEL PASTOR: Yes, the formal  
5 response, which you can read if you're—if you're  
6 interested, that's--

7                   COUNCIL MEMBER LANCMAN: I would love to  
8 see that.

9                   MICHAEL PASTOR: Yes, it's attached to  
10 our audit. It's on our website. They hotly contest  
11 all the findings we made including on this point.  
12 They say a self-storage—I want to—I'm paraphrasing,  
13 the self-storage is enough, and that's what we  
14 disagree with. And so, anyway to your question  
15 what's next. What's next is they have to do it  
16 immediately. We're going to be auditing them within  
17 a year, but probably sooner than that. We're going  
18 to be checking in with them to see that they comply.  
19 I should also point out that in the audit in addition  
20 to setting the standard, we put them on notice that  
21 they have to record their efforts in this regard,  
22 too. So, it's not just going to be enough to say,  
23 you know, we've used your standard and that's it.  
24 We've told them to record their efforts. It is an  
25 efforts provision: Record your efforts, and apply

1 the standard we have done and then we'll check to see  
2 whether those comply with the agreement at that  
3 point.  
4

5 COUNCIL MEMBER LANCMAN: Are they  
6 required to update their--their--their--their response,  
7 the information that they've provided to you, their--  
8 their designation of where vendors are located based  
9 on the criteria you gave them, or at some point you  
10 will ask them for tell us what your current vendor  
11 makeup is and--

12 MICHAEL PASTOR: [interposing] It's the  
13 latter. It's the latter, yeah. We'll--we'll choose  
14 what we think--

15 COUNCIL MEMBER LANCMAN: [interposing]  
16 When do you--when do you plan on doing that?

17 MICHAEL PASTOR: [interposing] We--we--

18 COUNCIL MEMBER LANCMAN: Is this  
19 quarterly, yearly?

20 MICHAEL PASTOR: --we put them on notice  
21 that it would be within the year, but I--I would think  
22 it will be sooner than that. I'm not precisely sure  
23 when, but we want to give them, you know, honestly a  
24 chance to come into compliance. The audit--I mean  
25 they've had the report for a while now already, so,

1  
2 you know, our view is they should be compliant right  
3 now, but we'll be checking in-

4 COMMISSIONER SAINI: [interposing] Well,  
5 you-you know, let me-let me go as far as to say  
6 because I'm pretty-I think I'm in charge of this-this  
7 department that we'll get-we'll get this audit done  
8 within the next six months. And I-and I understand  
9 the deal about 12 months. I mean obviously when we  
10 do the audit, there has to be adequate time for them  
11 to actually meaningfully, right, establish location,  
12 you know, partner with vendors that are actually in  
13 New York City and not storage lockers. So, sooner  
14 than such scenes-scenes like we wouldn't see a  
15 movement and the number 12 seems too long. So, I  
16 would say you have my word and the commitment of  
17 DOITT that we'll have an audit done within-within a  
18 six-month period, and we should see those results.  
19 We should see movement, and if we don't then, right  
20 we'll take it from there.

21 COUNCIL MEMBER LANCMAN: Uh-hm. Okay,  
22 and-let me ask you about the [coughs] process. So,  
23 the-the-Franchise Agreements expire in 2020.

24 MICHAEL PASTOR: Correct.  
25

1  
2 COUNCIL MEMBER LANCMAN: The Franchisees  
3 have the option three years out from expiration to  
4 request an RPF, to request a--

5 MICHAEL PASTOR: A form. It's called the  
6 Formal Process.

7 COUNCIL MEMBER LANCMAN: The Formal  
8 Process. They did that. So, and we're in that.  
9 What--what--so what happens next exactly?

10 MICHAEL PASTOR: So what will happen next  
11 within that six-month period is--is DOITT will publish  
12 basically a request for--I'm using too formal a term,  
13 but we'll publish a request to start gathering  
14 information of what we think the community needs are  
15 with respect to cable--

16 COUNCIL MEMBER LANCMAN: [interposing]  
17 No, tell us the term. What's the term?

18 MICHAEL PASTOR: I don't have it in my  
19 head.

20 COUNCIL MEMBER LANCMAN: Oh, okay.

21 MICHAEL PASTOR: The RFP will come later.  
22 That's--that's not within six months.

23 COUNCIL MEMBER LANCMAN: So, it's not the  
24 RFP?

25

1  
2           MICHAEL PASTOR: The RFP won't come  
3 within six months. It comes later and I don't  
4 believe it's actually a formal RFI either. I think  
5 it's something on our website where we—we seek to  
6 gain—gain information and to cite--

7           COUNCIL MEMBER LANCMAN: [interposing]  
8 So, you're soliciting information from the public?

9           MICHAEL PASTOR: Our community feedback.

10          COUNCIL MEMBER LANCMAN: What would you  
11 like to see in the next franchise agreement?

12          MICHAEL PASTOR: What do you think is  
13 best—what do you think is the best thing we would  
14 like to see that.

15          COUNCIL MEMBER LANCMAN: Okay, and then  
16 how long after that do you do the next thing, and  
17 what's the next thing?

18          MICHAEL PASTOR: So, I—I think that the  
19 RFP, and I'll have to come back to you with precise  
20 sort of steps her, Council Member, but I think the  
21 RFP would happen after that. So—so two years out  
22 from the expiration, and—but it would be issued  
23 pursuant to a resolution of this—of this body  
24 authorizing the new—the new cable franchises that  
25

1 would happen in between that point, and the RFP goes,  
2 responses, review, selection, negotiation.  
3

4 COUNCIL MEMBER LANCMAN: And so, our  
5 opportunity to weigh in on this as Council Member  
6 Grodenchik has brought out earlier, is not at the end  
7 of the process where you pick a vendor and then we  
8 decide or a franchisee and then we decide if we agree  
9 or not. It's—it's in that Authorizing Resolution?

10 MICHAEL PASTOR: Correct.

11 COUNCIL MEMBER LANCMAN: Just tell us  
12 little bit about what that Authorizing Resolution is  
13 because it's—it's not the RFP itself. Like what are  
14 we or who are we authorizing to do what, and what do  
15 you understand our authority to be to put things in  
16 their Authorizing Resolution?

17 MICHAEL PASTOR: So, I don't want to  
18 opine too much as to the—as the—to be set on the  
19 Council's part. I mean what it is, it's an  
20 authorizing resolution saying that it authorizes the  
21 franchising authority, DOITT, to enter into  
22 franchises, which are all about the—the right, the  
23 use of the rights-of-way. That's where it comes  
24 from. Basically, you're saying to us you can enter  
25 into franchises with—with companies who then can use

1 our rights-of-way to do telecommunication services  
2 over-over our rights-of-way, and--

3  
4 COUNCIL MEMBER LANCMAN: Okay. So, the  
5 Council has I assume the authority to alter change or  
6 vote out any kind of author-authorizing-authorizing  
7 resolution it wants I would say subject to whatever  
8 state or federal law limitations there are. Like we  
9 don't have-I'm sure you'll come with a beautiful  
10 authorizing resolution-[laughter]-but we don't have  
11 to take it for face value. We can put some stuff in  
12 it that we like.

13 MICHAEL PASTOR: Correct.

14 COUNCIL MEMBER LANCMAN: Right. Alright,  
15 well, you know, we've already begun. We've already  
16 had-started having conversations with the Land Use  
17 Council and others at the City Council about what are  
18 the limits of the Council's authority there, and-and  
19 we're going to be-well, I'm going to do my part to  
20 try to do everything I can to make sure that the  
21 Authorizing Resolution produces an RFP , which will  
22 produce a franchise agreement that makes it  
23 impossible for the next franchisee to-to do what  
24 they're doing to these people, and I don't know what  
25 the limits of those are, but we're going to explore

1 them, and I hope that you will explore them with us  
2 in—in good faith. Alright, well—

3  
4 CHAIRPERSON KOO: Thank you.

5 COUNCIL MEMBER LANCMAN: --that's what we  
6 can ask you from what I understand. So, thank you.

7 MICHAEL PASTOR: Thank you.

8 CHAIRPERSON KOO: Thank you, Council  
9 Member Lancman. Now, I want to change the subject a  
10 little bit. I want to talk about cyber security.  
11 Cyber security is a growing field, and it's a major  
12 concern today. To the extent that it can be publicly  
13 discussed, what measures have you increased to  
14 prevent the city's information technology systems  
15 from being hacked? Have there been—have there been  
16 any security glitches within the last year?

17 COMMISSIONER SAINI: I'll take that  
18 second part first.

19 CHAIRPERSON KOO: Yeah. Huh.

20 COMMISSIONER SAINI: What I just took,  
21 but everyone will use it. There's no—there's been  
22 breaches that we aware of that have occurred, right  
23 in that period. But, you know, like to take in the  
24 first part, what are we doing, right in the cyber  
25 space to protect city assets, infrastructures, you

1 know, systems data, we're doing a heck of a lot.  
2 This administration is absolutely committed to  
3 protecting the—the infrastructure and systems and  
4 data of—of the public and of our employees. We—I can  
5 cite several things that we're doing along this  
6 front. So, so before—so, the most—most recent action  
7 that's been made public has been an executive order  
8 that the Mayor issued last summer to establish what's  
9 called C3 the—the Cyber Command Center. Since that  
10 point, but even before C3 the DOITT team has been  
11 always and continue to be aggressive about  
12 strengthening our cyber posture. We—we do a number  
13 of things to keep us all safe. The first is in  
14 conjunction with C3 the Cyber Command, we have what's  
15 called Comprehensive Threat Managements Capability  
16 today. So, what that means is between C3 and DOITT  
17 and our partnership, we have the ability to detect  
18 active threats, cyber threats to the city, remediate  
19 them and then most importantly I believe learn from  
20 them, right, to strengthen our defensive posture.  
21 There's been significant investment and more to come  
22 around threat management, threatening incident  
23 management that's an absolutely key ingredient to any  
24 Cyber program for an organization. The second thing  
25

1 we're doing with is equally as important is called  
2 Vulnerability Management Services. This is something  
3 again both C3 and DOITT are doing to-to-is a service  
4 we're providing to all of the agencies. This is  
5 around the-the deliberate action of our organizations  
6 to routinely identify vulnerabilities, cyber  
7 vulnerabilities across our environment, and identify  
8 the high risk ones particularly, and aggressively  
9 work to remediate those vulnerabilities before they  
10 are exploited by an active threat. So, the idea is  
11 if you do that really well, then if you do  
12 Vulnerability Management really well when there is an  
13 active threat, and you're threatened management  
14 services are triggered, that it's-that threat is for  
15 the most part benign. The-the third thing is, which  
16 actually I would say is probably the most important  
17 is around policies, setting policies, but more  
18 importantly the awareness and just the cyber security  
19 awareness dos and don'ts to-within-within the city  
20 itself. I say this because the-the biggest threat to  
21 any organization, right is on the inside not-not  
22 deliberately, but accidentally. So, these are things  
23 we all hear about around, for example, fishing  
24 attacks. This-this means by which and a city  
25

1 employee or Council member could receive an email  
2 that looks benign and looks legitimate from another,  
3 you know, employee or Council member or external  
4 party ,and it contains a link or an attachment, and-  
5 but when you open that link or that attachment  
6 malware exists, ransomware exists and havoc, right,  
7 could be caused to not just the-the data of the  
8 individual opening it, but potentially beyond that,  
9 right, to a larger population potentially the entire,  
10 the entire city. That is the risk and-and the-the-so  
11 the good news is we are doing quite a bit, right, to  
12 help protect the city from-from those kinds of threat  
13 vectors from a systems perspective, which is  
14 solutions that are out there that will behind the  
15 scenes open that link or that attachment without you  
16 even knowing that's happening in a quarantined  
17 environment and identify if there is malware, and  
18 then quarantine it, right or tell-or send the message  
19 back that it's safe. Which you didn't even know, you  
20 just opened it. That we're doing, but again, the  
21 threat of-of the phishing attack vector is getting  
22 more sophisticated because the-the industry-the bad  
23 actors launching these phishing attacks are starting  
24 to use AI. This is a problem because what-by-by the  
25

1 use of AI for phishing attacks becoming a lot—a lot  
2 harder to find, and they look a lot more like  
3 legitimate emails and, of course, this is an issue  
4 because you're opening the email while you're at work  
5 within our environment. So, what do you do? Well,  
6 what you do what most organizations do which is  
7 training, training, training and soon you'll be  
8 seeing a campaign launched primarily through C3  
9 around security awareness the dos and don'ts. How do  
10 you identify phishing? How do you find a suspicious  
11 one? There are—there are ways to do this. It's  
12 something that I launched like in the City of  
13 Atlanta, and it's something that we're going to do  
14 here in conjunction with Jeff at Cyber Command. So,  
15 that's just a few of the million things we're doing  
16 to day, and the million things we're going to do  
17 going forward to help keep—keep our city safe.

19 CHAIRPERSON KOO: Thank you. So, for all  
20 those you will do, do you require additional funding  
21 to protect our IT systems. If so, can you give us—  
22 give us an estimate, you know?

23 COMMISSIONER SAINI: I can't provide an  
24 estimate on what it will take. I do think it is an  
25 incremental investment that's required. I'd be—I'd

1  
2 be kidding, too, if I said there—there wasn't. I  
3 don't know what that number is, though. The other  
4 thing is some of that investment, in large part, a  
5 lot of that investment will be sort of shared between  
6 C3, the Cyber Command in DOITT. I don't think it's  
7 an earth shattering numbers, but investments need it  
8 and—and there has been investment quite honestly  
9 right? To this point significant investment, and—and  
10 so there may be more. We'll see—see where this goes,  
11 but right now I can tell you I'm pretty confident in  
12 my five weeks of just sort of evaluating our security  
13 posture on where we stand. And Jeff Wood who has FC3  
14 would attest to the same, and we'll take it from  
15 there.

16 CHAIRPERSON KOO: So, we are also joined  
17 by Council Member Yeger. My—my last questions on the  
18 Next Generation 9-1-1, you know, in 2017 DOITT  
19 released a Request for Proposal looking for vendors  
20 to help build the infrastructure necessary for  
21 upgrades to the 9-1-1 system. No, the 9-9, yeah, 9-  
22 1-1 system, which aim to make the system fully  
23 digitized.

24 COMMISSIONER SAINI: Uh-hm.

1  
2 CHAIRPERSON KOO: The city has also  
3 planned to implement the next-the text to the 9-1-1  
4 in early 2018, now, which would allow individuals to  
5 text messages to contact 9-1-1. The RFP has set its  
6 anticipated purchase start date for December 2018.  
7 So, how many responses from vendors has DOITT  
8 received so far?

9 COMMISSIONER SAINI: So the-so this is  
10 regarding the Next Gen 9-1-1 issue.

11 CHAIRPERSON KOO: Yes.

12 COMMISSIONER SAINI: So-so just to-to  
13 summarize, 9-1-1 there's really two-two initiatives  
14 here again: Text and 9-1-1, which will be going live  
15 before June 30<sup>th</sup> of-of this year, and then our work  
16 to move forward with Next Gen 9-1-1, which is really  
17 broken out into two RFPs of which the first RFP has  
18 been issued, the second will follow. I'm going to  
19 pass over the-the answer to-the-the question to  
20 Annette.

21 DEPUTY COMMISSIONER HERMAN: Okay. Okay,  
22 we-it's going out in classes, and we have one RFP  
23 that is currently farther along in the evaluation  
24 process and I believe there were three vendors we had  
25 had demonstrations or presentations. We can't speak

1 about them until the evaluation is over specifically,  
2 but we expect that to be done in the next two months  
3 or so for selection of a vendor. We have just  
4 started on the second part of the RFP, which is the  
5 logging and recording section of the 9-1-1 system,  
6 and so we're now gathering those responses. I  
7 believe we only received two, and I'm not sure if it  
8 was two or three, but we had interest from two  
9 vendors. These are very bit systems, and so there  
10 are not a lot of vendors out there that can handle  
11 them, and then there's a series of another call  
12 handling RFP that's not drafted yet, which would go  
13 out within the next year. So, there's—it's a lot of  
14 classes and a lot of different proposals, and we've  
15 really just gotten into the section part of the first  
16 one, which is the core network infrastructure for  
17 Next Gen.

19 CHAIRPERSON KOO: [off mic] So, is New  
20 York City, the first city, who is doing this text?  
21 [on mic] Is New York City the first city doing text  
22 to the 9-1-1 system?

23 COMMISSIONER SAINI: We're—we're not the  
24 first. In fact, many cities including Atlanta where  
25 I came from followed a similar—actually the exact

1 strategy of moving forward with deploying text 9-1-1  
2 as an interim measure while moving forward with the  
3 major—the major investment in transformation from an  
4 analog based right 9-1-1 system to a digital—an IP  
5 based 9-1-1 system, which is what we call Next Gen 9-  
6 1-1.  
7

8 CHAIRPERSON KOO: So, now, I'm going to  
9 change the subject a little bit. I want to talk  
10 something about electronic medical records because  
11 I'm a pharmacist, and I always submit when thinking  
12 about how come we do this technology to a facility  
13 and the electronic medical records especially among  
14 the hospital systems in this city. So, according to  
15 an article published in Hooters in October 2017, less  
16 than 1 in 3 U.S. hospitals can find, send and receive  
17 the electronic medical records for patients who  
18 received care somewhere else. Without patient  
19 records, doctors may have to reorder everything the  
20 patient already asked for like X-Ray, MRI, CT Scan,  
21 or—CPC or ProCon (sic) all those things, right or  
22 prescriptions? So, has DOITT made any attempt to  
23 speak with hospitals in New York City—hospital in New  
24 York City to integrate a technological solution to  
25 this problem, you know. But in other countries and I

1 want to Taiwan and you the electronic the ID card.  
2 You take this ID card to every medical doctors or  
3 hospitals. They knew whatever service you received  
4 already, prescriptions, X-Rays whatever so that they  
5 look it up and then you don't have to repeat all  
6 these things again, and that way it save the city a  
7 lot of money.  
8

9 COMMISSIONER SAINI: Sure. I'm going to  
10 pass on the answer to or the question to Evan, but I  
11 just want to share with you sort of my take on this  
12 because we talked about this over coffee, which is I  
13 believe—I agree this is a major problem. So much so  
14 that I—I had shared with you that I was dealing with  
15 this—this very issue personally, right, and so, so,  
16 it is—it is absolutely something that has to change  
17 especially in this day an age, right. Your records  
18 should be able to move, right, wherever you go  
19 independent of what providers you have or what  
20 hospital you go to. So, I'm going to direct the  
21 answer or the question—to—to Evan Hines to take.

22 DEPUTY COMMISSIONER HINES: Right. The—  
23 the city agrees. The city actually has—DOITT is not  
24 involved in it, but the previous Commissioner was  
25 briefed. Health and Hospitals Corporation is

1 actually implementing the Epic System, which is also  
2 used by a lot of private hospitals. It's a very  
3 large project. It will be I believe in all their  
4 hospitals, but we're not involved in the project.  
5 So, you would actually have to ask Health and  
6 Hospitals about the ES (sic) but they are in the  
7 process.

8  
9 CHAIRPERSON KOO: [off mic] So, they are  
10 using the part--[on mic] I mean in the process of  
11 implementing the system?

12 DEPUTY COMMISSIONER HINES: Yes, I  
13 believe so, and they are funded and they are.

14 COMMISSIONER SAINI: And if it's Epic,  
15 my--my sister is a physician's assistant so she talks  
16 about Epic all the time. It is one of the--obviously  
17 one -there's like two systems right that are really  
18 being used for healthcare--healthcare medical records  
19 management--and hospital management. Epic is one of  
20 them. So, that's a--that's good news from the  
21 perspective that the more standardized, right, the  
22 platforms we use, the easier the interoperability,  
23 right, of data, right from--to and from, right that  
24 system from--to others especially something as big as  
25 Epic.

1  
2 CHAIRPERSON KOO: Thank you. [off mic]  
3 We have questions from Council Member Borelli.

4 COUNCIL MEMBER YEGER: Thank you, Mr.  
5 Chairman. Commissioner good to meet you from across  
6 the room and hope to get to know you a little better.  
7 I'm only here around 75 days. I know you don't have  
8 the longer under-okay.

9 COMMISSIONER SAINI: 365 or 720 or  
10 whatever. [laughs]

11 COUNCIL MEMBER YEGER: Is every city  
12 agency required to use DOITT's services for purposes  
13 of managing their-their IT internally, and also to  
14 the extent that certain agencies have web based  
15 applications that interface with the outside world.  
16 Are they required to utilize you in order to (a) set  
17 them up, (b) manage them, (c) provide cyber security?

18 COMMISSIONER SAINI: So, let me take (c)  
19 Right, so, on the cyber security front there is--there  
20 is a requirement--there is a requirement or there is  
21 going to be requirement to strengthen what--what is  
22 needed, right from agencies to ensure the security of  
23 the system's infrastructure within those agencies,  
24 and that's coming from C3, largely from--from the  
25 Cyber Command. Outside of Cyber, there is no

1 requirement for other specific services of the other  
2 agencies. That said, that doesn't mean they don't  
3 subscribe to them. Obviously, one of the first  
4 things I did coming into the city is get a giant map  
5 of all the services we provide in DOITT, and all the  
6 agencies we have, and plot out exactly who's  
7 subscribing to what? It's called the Dot Chart.  
8 It's a lot of dots, and that's a good thing because a  
9 whole lot of agencies are subscribing to a whole lot  
10 of services within DOITT.

12 COUNCIL MEMBER YEGER: Okay, are you able  
13 to speak to particular city agencies. I'm going to  
14 give you an example. The Campaign Finance Board for  
15 example is an agency that many of us here in the  
16 Council interact with. They maintain a web based  
17 program which the Administrative Code requires  
18 campaigns to utilize, and you can't opt out of it--in  
19 order to report a contributions expenditures and  
20 campaign activity. The Campaign Finance Board's  
21 website this application over the last year during  
22 election year went down with the frequency of at  
23 least once or sometimes more a week. They are  
24 claiming that they are performing updates. There was  
25 a suspicion that they were hacked. It was sometime

1 in the middle of last year. They denied it. They  
2 blamed it on a Con Ed fire underground outside their  
3 office. Con Ed says there was no such fire. My  
4 question is with regard—with regard specifically to  
5 that agency, do you have any information that you can  
6 tell us about their interaction with DOITT?  
7

8 COMMISSIONER SAINI: Sure. So, I—I  
9 haven't gotten to that level yet, but I'm going to—  
10 I'm going to ask the panel to see if they have an  
11 answer to that.

12 DEPUTY COMMISSIONER HINES: I'm not sure.  
13 I don't know of us hosting the Campaign Finance  
14 Board. I know we host like the E-lobbyists.  
15 Lobbyist search.

16 COUNCIL MEMBER YEGER: Yes.

17 DEPUTY COMMISSIONER HINES: So, the City  
18 Clerk's Office.

19 COUNCIL MEMBER YEGER: That's part of the  
20 Council, the City Clerk's Office. So, we do—we do it  
21 right, because the City Clerk's Office utilizes your  
22 services?

23 DEPUTY COMMISSIONER HINES: Yes, and you  
24 have Mike McSweeney. So, but we—we could—I could  
25 check with you and get--

1  
2 COUNCIL MEMBER YEGER: Okay.

3 DEPUTY COMMISSIONER HINES: --check with  
4 them and get back with you to be sure. I don't know  
5 off the top of my head.

6 COUNCIL MEMBER YEGER: So, going back to  
7 the Commissioner's answer which was going to be a  
8 requirement. So, the--your--it's not currently a  
9 requirement. It's not something that you can  
10 enforce?

11 DEPUTY COMMISSIONER HINES: So, there--so  
12 to be specific we are aware, and I'm--I'm directly  
13 aware of a number of policies that will be published  
14 coming out of C3 Cyber Command and those policies  
15 will have to adhered to citywide. Period.

16 COUNCIL MEMBER YEGER: Okay.

17 COMMISSIONER SAINI: And that's coming.

18 COUNCIL MEMBER YEGER: Alright, the--when--  
19 when you become aware of for example maybe in this  
20 hearing is the first time that you're aware of it,  
21 when you become aware of a specific note-notation, if  
22 you will, that a particular agency may or may not  
23 have a problem, are you able to--to impose yourself on  
24 them, and I don't want--it's not the right phrase  
25 because I know you're not going to impose yourself,

1 of course, but are you able to jump in and reach out  
2 and say, hey, you may an issue at your agency, we've  
3 become aware of it. We would like to take a look at  
4 it, or do they sort of have autonomy they could do  
5 what they want?  
6

7 DEPUTY COMMISSIONER HINES: So, I guess  
8 it sort of depends on the problem, right. So, if you  
9 mean an outage or like an available-an issue with  
10 availability of someone?

11 COUNCIL MEMBER YEGER: [interposing]  
12 Great. Well, there are regular outages and a-a well  
13 thought suspicion that they were hacked for a period  
14 of time last year, and, you know, the other problem  
15 being that since they are essentially self-certifying  
16 that their systems work well because they don't  
17 utilize your services necessarily. There is, you  
18 know, a fair concern that a website that takes an  
19 enormous amount of financial data, account numbers,  
20 signatures of-signature samples of contributors.  
21 People in this room they write a check to a campaign,  
22 a copy of that check is submitted electronically to  
23 the Campaign Finance Board, credit card numbers,  
24 expiration dates, bank statements from campaigns,  
25 credit card statements. There's an enormous amount

1 of financial information. Social Security numbers  
2 Tax ID numbers submitted to an agency and if they're  
3 not telling you that they have a problem, if they  
4 think they--they could do it alright, and they don't  
5 need your help, are you able to jump and say we think  
6 maybe you need a little help?  
7

8 DEPUTY COMMISSIONER HINES: So, we--we  
9 currently support--agencies come to us all the time.

10 COUNCIL MEMBER YEGER: That's in the  
11 reverse.

12 DEPUTY COMMISSIONER HINES: So, if we're--  
13 if we go and support an agency proactively, right, go  
14 in, the first--well, the first part of that is how do  
15 we know that there was a problem, right. So, we  
16 would have to be told externally by someone, right  
17 because we--

18 COUNCIL MEMBER YEGER: [interposing] I'm  
19 telling you now. So, let's say I'm telling you now.  
20 I'm a Council Member, took an oath of office. I--and  
21 I would like to know that you are able to reach out  
22 to this agency and say that Yeger guy Brooklyn, you  
23 know, he seems to know the--or think that you guys  
24 don't know what you're doing.  
25

1  
2 DEPUTY COMMISSIONER HINES: And so, I-I  
3 believe the Executive Order that the mayor issued  
4 this past summer about Cyber Command says that Cyber  
5 Command in collaboration with DOITT will respond to  
6 citywide cyber incidents. To me if an agency has  
7 been hacked or has had an incident and they're on the  
8 city's network, that's the city's discretion.

9 COUNCIL MEMBER YEGER: Okay, so and-and  
10 even if they're not proactively telling you, you-you  
11 would then go in and say we think you may need your  
12 stuff looked at, we would like to help you out  
13 because we're smarter than you----

14 DEPUTY COMMISSIONER HINES: [interposing]  
15 Yes and no.

16 COUNCIL MEMBER YEGER: And you guys being  
17 smarter.

18 DEPUTY COMMISSIONER HINES: Well, I-I  
19 wouldn't tell them I'm smarter, but--

20 COUNCIL MEMBER YEGER: I will tell them  
21 you're smarter than them.

22 DEPUTY COMMISSIONER HINES: Okay, you  
23 can.

24 COUNCIL MEMBER YEGER: Alright.

25

1  
2                   COMMISSIONER SAINI: I think, I think  
3 but, one Evan I just want to make sure where we  
4 should go back and evaluate is whether the—the  
5 Executive order includes non-mayoral agencies, and

6                   COUNCIL MEMBER YEGER: That's your  
7 question, right?

8                   COMMISSIONER SAINI: I'm simply making  
9 the point, right that if we're going to, you know,  
10 take action off of this executive order let's just  
11 take a hard look at, and maybe—maybe it doesn't say  
12 anything in which case, you know, that gives us the  
13 ability to do so, so that will be the right next move  
14 and then—

15                   DEPUTY COMMISSIONER HINES: [interposing]  
16 And I am speaking to city agencies, mayoral agencies.

17                   COUNCIL MEMBER YEGER: [bell] So, let me—  
18 let me just do a quick follow up with that, Mr. Chair  
19 if I could. I don't want to eat up the rest of the  
20 time, but if—if-so then you are correct. That  
21 particular agency and a number other agencies are  
22 sort of non-mayoral, but they are part of the city.  
23 They are operated out of our budget. They, you know,  
24 may not necessarily be appointed by the Mayor per se,  
25 but they are appointed by people who are appointed by

1 mayor. You know, it's different kind of combination,  
2 but at the end, you know, the Mayor does have  
3 authority to the extent that he's indicated in his  
4 Executive Order to issue an Executive Order that—that  
5 is broadly speaking. So, if you identify, and you  
6 may not, you know, have the precise verbiage here,  
7 but if you identify that there's something lacking,  
8 would you be able to go back to City Hall, and I'll  
9 support you, and I think the Mayor is right on target  
10 on this. I think he's 100% right. He's proactive on  
11 this to ask City Hall, the other side of City Hall  
12 to-

13  
14 COMMISSIONER SAINI: Yes.

15 COUNCIL MEMBER YEGER: --expand if they  
16 can.

17 COMMISSIONER SAINI: I-I would—I would  
18 say yes simply from the perspective of from putting  
19 my peer technology hat on. Unfortunately, cyber  
20 attacks don't understand the difference between a  
21 mayoral and non-mayoral agency. An attack is an  
22 attack on key infrastructure and regardless of where  
23 lines are drawn, right, political lines are—are  
24 drawn, you know, it will do what it—what it was  
25 intended to do, right. So, that's—that's the

1 perspective I would come in with, and then it will be  
2 a matter of the—the Mayor's Office to determine what  
3 we—what we do.

4  
5 COUNCIL MEMBER YEGER: Chair, I have  
6 incredible faith in your confidence, in your ability  
7 to do this and your grasp of what's going on in the  
8 city. I think you know what's got—what's got to be  
9 done. I think you know you know how to get it done,  
10 and I look forward very much to working with you  
11 under our great Chair.

12 COMMISSIONER SAINI: Thank you.

13 COUNCIL MEMBER YEGER: Thank you.

14 CHAIRPERSON KOO: Thank you, Council  
15 Member Yeger. So, to follow up with that, I want to  
16 ask something and—and my coordination between  
17 technology agencies. We know the city has three  
18 major technology—technology officers, which includes  
19 DOITT and then the Citywide Technology Office, the  
20 CTO, and then the Mayor's Office of Data Analytics,  
21 MODA. So, can you explain the level of coordination  
22 between all three offices in terms of data sharing  
23 and their respective roles?

24 COMMISSIONER SAINI: Yes, so, just to  
25 summarize the list. So MODA, the CTO's office, and—

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CHAIRPERSON KOO: [off mic] And DOITT.

COMMISSIONER SAINI: Oh, and the coordination between the three. So, well there's quite a bit. So, let me—let me start with the CTO's office. So, there's the CTO's office. Its core function is to—is—is to take on the charge from the Mayor to ensure and drive Broadband—equitable broadband for all New Yorkers, and so there—and—and it is our role in—in working with them, right particularly because of our responsibilities with— with managing franchise agreements and LINC NYC to help support that—that effort. So, that's one—one piece of it. The other thing that the CTO's office is responsible for is Smart Cities, which is the use, the experimentation and use of sensors, IOT sensors to understand the current state of—of a—of a civic challenge in the city and use data to help to understand that issue and to resolve it, and that's again something we work with them on. Once the CTO's office moves past the testing and piloting of technology, which is key, the ultimate sort of implementation, right of new infrastructure for the city at a—at scale is something we would partner with them on to do. So, that's the working relationship

1 with the CTO's Office, and it's been—it's been  
2 working out quite well. With respect to MODA, the—  
3 the MODA Department and I work closely on obviously  
4 data analytics. So, the role is complementary. MODA  
5 is the group that actually provides—actually does the  
6 analytics themselves to provide insights to agencies  
7 on how they're performing and how they can improve  
8 service quality. The plat—the technology platform  
9 that MODA is—that the analysts are using to do their  
10 analytics and particularly sort of the advanced the  
11 really tough analytics that requires a more deeper  
12 technical expertise are the things that DOITT will  
13 provide that enables MODA to do their work. So, it's  
14 a very sort of complementary set of roles in that  
15 space so--

17 CHAIRPERSON KOO: [off mic] Because of  
18 time—[on mic] Because of time limits and so that's  
19 all the questions I—I have more questions, but I  
20 don't want to—we have a lot of public participation  
21 today. So, thank you very much for all of your--

22 COMMISSIONER SAINI: Thank you.

23 CHAIRPERSON KOO: Thank you for your  
24 leadership. You really enjoy you coming to New York  
25 City. Yeah.

1  
2                   COMMISSIONER SAINI: It's good—good to be  
3 here. [laughs]

4                   CHAIRPERSON KOO: Okay.

5                   COMMISSIONER SAINI: Thank you.

6 [background comments, pause]

7                   CHAIRPERSON KOO: So, now I'm going to  
8 call for the public to—the public participation.

9 Julian Anglin and Eugene Lynch. [background

10 comments, pause] Then we call for Lance [background

11 comments] Van Arsdale; Ralph. So, we do one at a

12 time there. Lance, are you ready? [background

13 comments] Gentlemen, please identify yourself and

14 then you may start.

15                   LANCE VAN ARSDALE: I'm Lance Van  
16 Arsdale, Assistant Business Manager of Local 3 IBEW.

17                   DEREK JORDAN: I'm Derek Jordan, Business  
18 Representative, Local 3 IBEW.

19                   ROBERT BRILL: I'm Robert Brill. I am  
20 Telecommunications Counsel to Local 3.

21                   LANCE VAN ARSDALE: Good afternoon. I  
22 want to thank the committees for once again allowing  
23 me the opportunity to speak to you. My name is Lance  
24 Van Arsdale. I'm the Assistant Business Manager of  
25 Local 3. With the International Brotherhood of

1  
2 Electrical Workers. Our union is currently engaged  
3 in a proactive strike against Charter Communications  
4 Spectrum, a strike that's been going on for nearly a  
5 full year, and in 13 days it will be one full year.  
6 As I sit here today, there are some 1,800 members of  
7 Local 3 on strike against Spectrum. If you include  
8 the family members we are talking about anywhere from  
9 7,000 to 10,000 men, women and children through the  
10 five boroughs who are impacted by the Spectrum—  
11 Spectrum's unfair labor practices. This experience  
12 has taught us all the lesson in how Spectrum thinks  
13 and acts. Suffice it to say the thought process  
14 tracks the trend, which is sadly spreading across our  
15 country today: Monetize and marginalize. Allow me  
16 to provide a bit of history. Spectrum by the way of  
17 a merger and subsequent state and city approvals now  
18 holds a New York City Cable Franchise that was  
19 originally granted to Time Warner Cable. Once  
20 Spectrum moved in, 40 years—40 years of productive  
21 positive labor relations and fairly negotiated  
22 collective bargaining agreements, which provided  
23 pension and health benefits for our members and their  
24 families were tossed out the window, actions that  
25 have resulted in this long-depth striking strike.

1 Spectrum is just getting started. The company's  
2 greed and lust for profit above all else go beyond  
3 the members of Local 3. Through ROPO  
4 misrepresentation and deceptive practices, Spectrum  
5 has adversely impacted an engine and damaged hundreds  
6 of thousands of its customers in New York City and  
7 State, and breached its obligation under the  
8 Franchise Agreement to the city. Time restrictions  
9 prevent me from going into detail. However, I will  
10 along with my spoken testimony submit written  
11 documentation of the relevant public proceedings and  
12 findings of the city, state and federal regulators as  
13 well as allegations of wrongful conduct by the New  
14 York State Attorney General, which includes fraud.  
15 In January, the FCC was the topper, the Declaratory  
16 Ruling Report and Order and its so-called Restoring  
17 Internet Freedom Proceedings, the RFI Order. The  
18 name along should set off alarms. Restoring Internet  
19 freedom remind me of the days during the Cold War  
20 when you could always tell when a country was ruled  
21 by a dictator because it's name always was preceded  
22 by the words: The Democratic Republic of... What  
23 freedom are we seeking here? Under President Obama's  
24 Net Neutrality Order, we have an existing system  
25

1 where all information is available and equally  
2 distributed. We are seeking freedom from equality?  
3 What exactly does this freedom mean to the people and  
4 the city of New York? Under the City's Charter,  
5 Spectrum's broadband revenue in the city is generated  
6 by providing city residents VOIP telephone service  
7 and access to the Internet. Spectrum and its  
8 predecessors have only been able to operate citywide  
9 through the use of what the City Charter calls the  
10 inalienable property of the city, which essentially  
11 is the public rights-of-way, the streets and  
12 sidewalks of the city including what includes beneath  
13 the streets and sidewalks. The RFI Order, the Trump  
14 FCC has sought to limit the availability of  
15 governments of cities such as New York City and  
16 states such as New York State to protect and enhance  
17 their citizens' access to broadband  
18 telecommunications and broadband Internet access  
19 services. Specifically and significantly, for this  
20 hearing the FCC's analysis and the RFI order could  
21 justify a radically reduced stream-revenue stream for  
22 the city. Reduced, radically reduced revenue stream  
23 for the city, which is received through its  
24 telecommunications and franchise framework as well  
25

1 as—as the city’s control of the inalienable property  
2 of the city. The City Charter is a wonderful and  
3 pragmatic governing document. Since 1989 it’s  
4 provide purposes of governance and the inalienable  
5 property and a common sense definition of  
6 telecommunications, which is included in the written  
7 testimony that I—that I turned into the Council. Such  
8 a definition encompasses broadly how we all  
9 communicate today, and in doing so, we all use a  
10 variety of means. If a technology and pace change,  
11 the City’s Charter’s definition covers them all  
12 including wireline and wireless broadband services.  
13 Now, the 29-year-old definition of telecommunication  
14 and the city’s telecommunication regulatory framework  
15 in the city Charter based on the Council’s  
16 franchising Author Resolution, Authorizing  
17 Resolutions are under attack by the Trump Era RF-RIF  
18 Order. The consequences of this—of this may be if  
19 allowed to stand dramatically lessens the revenue to  
20 the city under its telecommunication franchises, and  
21 a very limited ability to regulate its—and  
22 inalienable property related to telecommunications.  
23 It goes without saying that such a regulation—  
24 regulation protects the city’s residents among other  
25

1 things against deceptive practices, and protects the  
2 city's electrical and telecommunication workers  
3 against unfair treatment, unjust wages and working  
4 conditions. In this regard, it bears reminding that  
5 this Council has fought and continues to fight for  
6 all workers in the city to have decent and fair  
7 wages, benefits and working conditions. There are  
8 steps that the Council and all other city officials  
9 could take to address the present shape of things  
10 described above. First, the city should not retreat  
11 one inch from its view of what constitutes an  
12 appropriate definition of telecommunications. In  
13 essence, the city charter is correct, the Trump RIF  
14 Order is wrong. Second, the city inappropriate  
15 litigation, in appropriate litigation with other  
16 cities and states including New York State should  
17 challenge under the U.S. Constitution the Trump RIF  
18 Orders limitation of states and cities regulation of  
19 inalienable property for the purpose of provisioning  
20 telecommunication services such as defined by the  
21 City Charter including wireline and wireless  
22 broadband services. Third, the Council should based  
23 on the evidence disclosed by New York State's  
24 Attorney General, the AG, investigate, determine and  
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1  
2 by way of Council resolution publicly condemn  
3 Spectrum for intentionally and knowing blame—and  
4 blaming member of Local 3 employees for its own  
5 willful intentional failures to provide broadband  
6 services, speeds and capabilities as represented to  
7 their customers. Four, the Council should  
8 investigate and determine the types of  
9 misrepresentations and breaches cataloged in the AG's  
10 lawsuit, the fraud. The New York State Public  
11 Service Commission Audit Report, they are currently  
12 doing and order—audit of Spectrum as we speak. The  
13 DOITT Audit Report also indicates that Spectrum has  
14 not provided with the city with the correct amounts  
15 of commissions revenue. It's been a year. We still  
16 don't know how much money the city is taking in,  
17 whether you're being ripped off by Charter Spectrum  
18 or not. My guess is you are. The scope of this  
19 investigation should include not reporting to all or  
20 not reporting completely or accurately gross revenue  
21 of Spectrum earned from all the telecommunication  
22 sources defined by the city Charter. There was a  
23 little piece of testimony from DOITT that the revenue  
24 may be decreasing because of cord cutting. They  
25 built this system out under the city property under

1 this Charter under the Cable TV Charter, and now  
2 because the people cut the cord because they're tired  
3 of being ripped off by the cable companies, now the  
4 cable companies don't have to pay a franchise fee?  
5 That's unjust for everybody. Fifth, the Council  
6 should pass such legislation as is necessary to  
7 create a public benefit corporation similar to the  
8 New York City Economic Development Corporation, which  
9 should be the holder of the permanent telecommue-  
10 telecommunication franchises as to offer the New York  
11 City residents all types of telecommunication  
12 services. Eighty percent of the buildings in NYCHA,  
13 the wiring is outside of the building for the past 20  
14 years subject to weather, being eaten by squirrels.  
15 There's no broadband service. There's no high speed  
16 in NYCHA buildings. What does this exist? This  
17 public benefit corporation can determine whether as  
18 the provider of last or just service by the way the  
19 consumer preference in direct competition with all  
20 other New York City franchises keep everybody honest.  
21 Six, the Council should pass such legislation as is  
22 necessary to require that telecommunication services  
23 implemented, repaired and service on real property  
24 for the city such as the property described by the  
25

1  
2 City Charter be done only by contractors that are  
3 party to a labor piece or a harmony agreement or a  
4 project labor agreement as applicable. This way an  
5 \$80 billion corporation doesn't gut medical care for  
6 their workers. Seventh, the Council should consider  
7 and report on ways to ensure that the Authorizing  
8 Resolution for cable and other telecommunication  
9 services have terms that mandate stricter reporting  
10 obligations. We don't know if they're ripping us off  
11 because we trust them to tell us whether they are or  
12 not, [pause] and have tougher penalties and default  
13 provisions a year, a year has gone by. We still  
14 don't know what's going on, and then when we do, they  
15 have a right to reform themselves maybe. For  
16 franchisees that get engaged in this conduct such as  
17 alleged in the AG's lawsuit, the piece—Public Service  
18 Order and the DOITT Order Report, their franchise  
19 should be cancelled. Ninth, the Council needs to  
20 analyze the RF—the RIF Order the Trump Order among  
21 other Trump Era FCC initiatives in order to prepare  
22 such counter measures to ensure the protection and  
23 enhancement of the interest of the people of the  
24 city. In conclusion, the AC's lawsuit, the Public  
25 Service Commission's Audit, the DOITT Audit Report,

1  
2 the Trump's FCC RIF Order, and Spectrum's treatment  
3 of its Local 3 employees all evidence that attack is  
4 underway against the telecommunication regulatory  
5 framework that has protected this city and the  
6 residents since 1989. It's time for comprehensive  
7 action. This Council under its new leadership has  
8 the opportunity to act and make a difference. As the  
9 expression from the Games of Thrones goes, a  
10 telecommunications winter for the city is coming, and  
11 the city must ready its dragons. I think the Council  
12 for this opportunity to testify and I look forward to  
13 supplementing this testimony in the days and weeks to  
14 come. Thank you.

15 CHAIRPERSON KOO: Thank you for [off mic]  
16 I-I apologize that I--in the beginning I didn't say  
17 the time limit. From now on going forward, testimony  
18 is limited to five minutes each party. Okay. Thank  
19 you. The next group Jillian Landing and Eugene  
20 Lynch. [background comments, pause] Okay, please  
21 identify your self and you can start. Yeah.

22 JELANI ANGLIN: Yes. So, I am Jelani  
23 Anglin. To my left is Eugene Lynch and Malik Reaves.  
24 We are from Good Call. I am the co-founder and Co-  
25 Executive Director. Eugene is our co-founder and

1 head of Technology and Malik is our Neighborhood  
2 Manager. We run a completely free hotline in case of  
3 arrests called Good Call. Right now the city saying  
4 that we would like to make the city bigger and  
5 fairer. We believe that technology can be utilized  
6 to do this. In the past two years that we've started  
7 Good Call, we have connected over 500 people to legal  
8 support, have user satisfaction rating of over 90%  
9 and a hold time of under a minute. This all has been  
10 done through iterations of technology, and we are  
11 self-funded. We are coming to the City Council today  
12 to ask for \$500,000 to support this. We have been  
13 utilizing our service and our technology from our own  
14 pockets. Right now we are in the process of  
15 expanding to all five boroughs of New York City, and  
16 our team is a team of four. It is very hard to do  
17 this on under \$200,000 of funds. We really do help  
18 people in the community, and that's why we have Malik  
19 here to actually tell his story as he has utilized  
20 our service.

22 MALIK REAVES: How gentlemen. I am Malik  
23 Reaves. Okay, I had an issue back in 2017, October.  
24 Before I met these guys I got into a legal matter on  
25 my way home from work, swiping my Metro card. It was

1 late at night or maybe 12:00 in the morning. Two  
2 undercover detectives approached me, asked me for my  
3 ID. I tried to explain my-my situation. They asked  
4 for my I.D. They arrested me and took me to the 14<sup>th</sup>  
5 Precinct. Now, you're only allowed two calls, and  
6 those calls I had spoke to my cousin, which used to  
7 work with these guys. I then called Good Call. I got  
8 help tremendously. They changed the detective  
9 perspective of me. I was treated nicely. I got an  
10 extra two calls. I actually got four before I went  
11 to the court and seen a judge. The judge threw the  
12 case out, told me to stay out of trouble for six  
13 months, and after that I started working with these  
14 guys. So, I just want people to have the same  
15 experience, and I feel like this-this hotline can  
16 really help. So ever since then I've just been  
17 working with these guys handing our cards to NYCHA  
18 and local people in the community. Thank you.

19  
20 CHAIRPERSON KOO: Thank you. You-you  
21 want to say something.

22 JELANI ANGLIN: Yes, just a bit more.  
23 Thank you. You know, I think that in-

24 CHAIRPERSON KOO: State your name.

25 EUGENE Lynch:

1  
2                   JELANI ANGLIN: Eugene Lynch, Software  
3 Engineer and Co-founder of Good Call. Yeah, I think  
4 that in New York City along with the rest of the U.S.  
5 if you're arrested it is so-so important that you get  
6 in contact with two parties: Your loved ones and a  
7 free lawyer at the very beginning of that arrest  
8 process. You really need their help, and the way  
9 that things currently go, most people don't get in  
10 contact with loved ones at all, and they do—they do  
11 get in contact with a lawyer, but half an hour before  
12 they see a judge for the first time for only ten  
13 minutes and even the best lawyer can't do much with  
14 only ten minutes. So, our hotline allows the  
15 connection between a person who is arrested, which  
16 again like commonly happens for pretty trivial  
17 reasons or no reason at all, it gets them in contact  
18 with that same lawyer one to two days beforehand,  
19 which yeah, a lot can be done in those one to two  
20 days. Thanks.

21                   CHAIRPERSON KOO: So, in the past who—  
22 where you get the funding from?

23                   JELANI ANGLIN: So, we started with a  
24 small from Robin Hood, which was \$50,000. From there  
25 we've just been relying on donations from folks in

1 the community and folks with their cards. Eugene  
2 also works a part-time job. I myself have been  
3 trying to work part-time jobs, but this is completely  
4 self-funded.  
5

6 CHAIRPERSON KOO: So, are you guys a  
7 501(c)(3) or organization?

8 JELANI ANGLIN: Yes, we are in the  
9 process of having our 501(c)(3). We already are in  
10 the City Prep system. So, yes, we do have our 501  
11 and we will have it by the time it--

12 CHAIRPERSON KOO: Yeah, so once you  
13 receive the approval, you can apply for City Council  
14 funding.

15 JELANI ANGLIN: Yes.

16 CHAIRPERSON KOO: And if you have a  
17 problem, my staff will help you in that to do the  
18 process.

19 JELANI ANGLIN: We appreciate that, and  
20 we have submitted a full proposal already in your  
21 data base, and that is the process. So, you can find  
22 that online. I do request, though, to have an in-  
23 person meeting maybe following in the next couple of  
24 weeks before you guys make your decision because we  
25 really want to make sure that we can reiterate the

1 importance of using—utilizing technology to help  
2 folks in low-income communities to deal with these  
3 problems that, you know, marginalize our communities  
4 everyday.  
5

6 CHAIRPERSON KOO: Okay.

7 JELANI ANGLIN: Thank you.

8 CHAIRPERSON KOO: Thank you. Next we  
9 have Brunetta Tanner. [background comments, pause]  
10 Yeah, you identify yourself and start, yeah.

11 BRUNETTA TANNER: Hi. My name is  
12 Brunetta Tanner. I'm the DOITT 311 Chapter Chair at  
13 the 911 Call Center, and I'll be delivering this  
14 presentation on behalf of Ralph Paladino, our Second  
15 Vice President for the Clerical Administrative  
16 Employees of Local 1549. Local 1549 represents over  
17 250 members at the 311 Call Center. As I stated  
18 myself, I am one of those since 2009. Our members  
19 are responsible for giving out important information  
20 to the public, and this is especially true during  
21 disasters and continue—I'm sorry—during disasters.  
22 In 2009, we had 350 members serving the public. 311  
23 has lost over 100 of the staff since that time. Most  
24 of us handle phone calls. Now, we have additional  
25 duties related to social media, which is growing

1 rapid-rapidly. There has been a steady increase  
2 annually in the number of calls received. Records  
3 have been set in the last two years in the call  
4 center, and 2017 there was--there was an 11% increase  
5 in contacts from the previous. In addition, new  
6 programs and more complex types of calls have been  
7 added onto the employee's responsibilities. The  
8 union and the Office of Labor Relations signed a  
9 contract in February of 2017 related to staffing. In  
10 that contract--[coughs] Sorry. The contract  
11 mentioned 311 shall maintain a budgeted headcut--  
12 headcount of 265 call center representatives. In  
13 addition, if 311 absorbs call taking operations from  
14 any other city agency, those new call takers will not  
15 counsel with the 265 CCR commitment provided, and  
16 that agreement has been included in what has been  
17 submitted. The current number of CCRs is 220. That  
18 is as of March 1, 2018. Therefore, there is a 45--  
19 that means there's 45 slots under what it. What it--  
20 what the agreement calls for. Some of this is due to  
21 turnover given to the complexities of the job  
22 function. Some is due to the stress of the job and  
23 what we consider to be low pay. We believe the  
24 hiring rate should be at a higher level while keeping  
25

1 the step annual increases so as to alleviate this  
2 retention problem. We also think that a new civil  
3 service test should be given as soon as possible. In  
4 addition, there are many new programs that have been  
5 added to the 311 responsibilities last year by the  
6 city, but NYC OMB has not agreed with the agency to  
7 hire 30 more CCRs to handle the additional workload.  
8 That and the fact that the volume was up on—was up an  
9 additional 11% last year, leaves us to conclude that  
10 we need an additional 30 more CCR hires over and  
11 above the 45—the 45 that are understaffed given the  
12 older responsibilities. This should bring the number  
13 of CCRs to a total of 295. Our members are required  
14 to work overtime, and are burned out from the  
15 quantity of calls and messaging the City by the  
16 center. Management has consistently denied our  
17 members' requests for annual leave, which tells us  
18 there are—that they are short-staffed. This leads to  
19 moral problems or rather morale problems. I'm sorry,  
20 and also leads to a higher use of sick time than  
21 otherwise would occur. This has contributed to the  
22 turnover in personnel, which is at an annual rate of  
23 20 to 22%. There is so much more turnover that the  
24 agency must assign their trainers to new hires and  
25

1  
2 forego the training needed for new programs and other  
3 enhancement training. DC37 and the city made this  
4 agreement in good faith discussions. It was done so  
5 that the city could be able to continue to utilize  
6 the king contract that DOITT says they need. We are  
7 interested in enhancing this service for the public,  
8 and need the increased personnel to accomplish this.  
9 We ask that the New York City Council seek funding or  
10 require that the city fund a total of 75 call center  
11 representatives in order to meet the demands of  
12 proper servicing. Thank you.

13 CHAIRPERSON KOO: Thank you for your  
14 testimony. I have a question for you now.

15 BRUNETTA TANNER: Okay.

16 CHAIRPERSON KOO: On the—the papers you  
17 gave us, on the page that says the top ten drivers  
18 from compact call volume increase at 311. The first  
19 item here is IDNYC appointment and support. The  
20 annual volume is 129,395, and then you have the  
21 increase there. It says 129,39–129,395% increase.  
22 Where did this—is this a typo error or what?

23 EDDIE DOUGLAS: Right and my name is  
24 Eddie Douglas. I'm a Senior Counselors at DC37. I  
25 believe you guys have a meeting coming up soon--

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CHAIRPERSON KOO: [interposing] Yeah.

EDDIE DOUGLAS: --with Rafael Paladino,  
and he's going to be able to go over all of these  
numbers with you, and explain exactly what it means  
in this document.

CHAIRPERSON KOO: Okay. So, thank you  
for your testimony.

EDWARD DOUGLAS: You're welcome.

CHAIRPERSON KOO: Yeah. Okay, this is the  
last one, and we have Ralph Paladino.

MALE SPEAKER: That was it.

CHAIRPERSON KOO: Oh, this is it. Okay,  
thank you. Uh-huh. So, any more public  
participation? Seeing none, this meeting will be  
adjourned. [gavel] [background comments]

[sound check] [gavel]

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 14, 2018