

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND  
INTERNATIONAL INTERGROUP RELATIONS 1  
CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CULTURAL AFFAIRS,  
LIBRARIES, AND INTERNATIONAL  
INTERGROUP RELATIONS

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November 6, 2023  
Start: 10:14 a.m.  
Recess: 11:19 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Chi A. Ossé, Chairperson

COUNCIL MEMBERS:

Eric Dinowitz  
Amanda Farías  
Shahana Hanif  
Crystal Hudson  
Farrah N. Louis  
Sandra Ung

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES AND  
INTERNATIONAL INTERGROUP RELATIONS 2

A P P E A R A N C E S

Kendal Henry, Assistant Commissioner of Public  
Art at the New York City Department of Cultural  
Affairs

Roy Pingau

Tom Gogan

Gloria Branman

Georgia Weaver

Theo Chino, First National Secretary of the  
Social Democrat of America

1  
2 SERGEANT-AT-ARMS: Today's date is  
3 November 6, 2023. Today's Committee hearing is on  
4 Cultural Affairs, Libraries and International  
5 Intergroup Relations. Being recorded in the Committee  
6 Room by Keith Polite.

7 SERGEANT-AT-ARMS: Good morning and  
8 welcome to the New York City Council Committee on  
9 Cultural Affairs, Libraries, and International  
10 Intergroup Relations.

11 At this time, please place your phone on  
12 vibrate or silent mode.

13 If you want to submit testimony, send it  
14 to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Once again, that's  
15 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

16 Any time during this hearing, do not  
17 approach the dais.

18 Thank you for your cooperation.

19 Chair Ossé, we are ready to begin.

20 CHAIRPERSON OSSÉ: [GAVEL] Good morning.  
21 I'm New York City Council Member Chi Ossé, Chair of  
22 this Committee on Cultural Affairs, Libraries and  
23 International Intergroup Relations. Welcome to our  
24 oversight hearing on an update on the Percent for Art  
25 Program.

1  
2           Let me provide a little background. The  
3 Percent for Art law initiated by Mayor Koch and  
4 passed by the City Council in 1982 requires that 1  
5 percent of the budget for eligible City-funded  
6 construction projects be spent on artwork for City  
7 facilities. The Department of Cultural Affairs  
8 administers the program, and DCLA has developed and  
9 uses a process for determining eligible projects and  
10 for selecting artists on an equitable basis. As a  
11 result of the law, permanent site-specific artworks  
12 for a wide range of public facilities are  
13 commissioned, thus making art broadly accessible  
14 throughout our city. That is an important and  
15 remarkable idea.

16           As of 2023, more than 370 Percent for Art  
17 projects have been completed with an accumulated  
18 value of over 65 million dollars, and there are  
19 currently more than 100 new public art commissions in  
20 progress throughout the five boroughs. That is  
21 important and remarkable as well.

22           It is useful to remember that Percent for  
23 Art was specifically included in the 2017 development  
24 of Create NYC, the comprehensive cultural plan for  
25 New York City which recognized the importance of

1 having art accessible in public spaces. In fact,  
2 Create NYC further noted that the City should support  
3 the maintenance of completed Percent for Art projects  
4 and "create opportunities to support socially engaged  
5 practices in combination with Percent for Art  
6 commissions."

7  
8 The 2019 Action Plan that further  
9 detailed Create NYC included specific mentions of the  
10 Percent for Art program and two different strategies  
11 that it laid out including providing technical  
12 assistance to help under-represented artists apply  
13 for Percent for Art public art commissions in low-  
14 income neighborhoods and passing legislation to  
15 increase the budget for Percent for Art projects for  
16 the first time since the law was established in order  
17 to allow for larger commissions of permanent art and  
18 more artists per project.

19 The Committee would like to know how  
20 those strategies are playing out today. The Committee  
21 is interested in the process used to select artists  
22 and in the personal characteristics of artists chosen  
23 including how those artists represent people of  
24 diverse racial and ethnic backgrounds, LGBTQIA+  
25 individuals, and people with disabilities. The

1  
2 Committee is also interested in the process used to  
3 select facilities including how those buildings and  
4 other facilities are geographically distributed  
5 across the five boroughs and across neighborhoods of  
6 various income levels. Finally, the Committee wants  
7 to understand the financial aspects of the program,  
8 past and present.

9 I want to acknowledge my Colleagues on  
10 the Committee who are present, Council Members  
11 Dinowitz, Hudson, Hanif who's on Zoom, Ung who is on  
12 Zoom, and Louis who is here as well.

13 I would also like to thank my Staff and  
14 the Committee Staff for their work in preparing  
15 today's hearing, May Vutrapongvatana, my Policy and  
16 Budget Director; Christina Yellamaty, the Committee's  
17 Legislative Counsel; Regina Paul, the Committee's  
18 Legislative Policy Analyst; and Sandra Gray, the  
19 Committee's Financial Analyst.

20 Now, I would like to address some  
21 housekeeping items before we begin with DCLA's  
22 testimony.

23 Today is an in-person hearing with the  
24 option of virtual testimony for the public. The  
25 Committee will be accepting registrations for

1 testimony throughout the hearing. Anyone who is  
2 attending in person and who wishes to testify in  
3 person should see the Sergeant-at-Arms to fill out a  
4 witness slip even if you are registered in advance  
5 online.  
6

7 We will begin today's hearing with  
8 testimony from DCLA followed by Council Member Q and  
9 A and then move to public testimony.

10 We will limit Council Member Q and A  
11 including comments to five minutes.

12 During the public testimony portion of  
13 the hearing, witnesses from the public will be  
14 limited to two minutes.

15 As a reminder to all of our witnesses,  
16 please state your name prior to your testimony for  
17 the record.

18 The Committee will also be accepting  
19 written testimony for up to 72 hours after the  
20 hearing.

21 Let me ask our Committee Counsel to  
22 administer the affirmation to the witnesses from DCLA  
23 who may then begin their testimony. Christina.

24 COMMITTEE COUNSEL YELLAMATY: Hi. Good  
25 morning. Please raise your right hand.

1  
2 Do you affirm to tell the truth, the  
3 whole truth, and nothing but the truth before this  
4 Committee and to respond honestly to Council Member  
5 questions?

6 UNIDENTIFIED: I do.

7 ASSISTANT COMMISSIONER HENRY: I do.

8 COMMITTEE COUNSEL YELLAMATY: Thank you.  
9 You may begin when ready.

10 ASSISTANT COMMISSIONER HENRY: Thank you.

11 Good morning, Chair Ossé and Members of the  
12 Committee. I'm Kendal Henry, Assistant Commissioner  
13 of Public Art at the New York City Department of  
14 Cultural Affairs, here to testify in regards to  
15 today's topic, an update on the Percent for Art  
16 program. I'm joined today by a number of my  
17 colleagues from the agency including the Director of  
18 the Percent for Art program, Sergio Pardo Lopez.

19 Today's topic is one that is near and  
20 dear to my heart. I started as an intern in this  
21 program while attending art school, and commissioning  
22 artworks for schools throughout Percent for Art was  
23 my earliest professional experience and clearly very  
24 formative to me so I appreciate the opportunity to  
25 testify.



1  
2                   New York City's Percent for Art program  
3 was created an unparalleled collection of site-  
4 specific artworks that is deeply woven in the fabric  
5 of our city. It also gives artists a prime seat at  
6 the table in shaping our civic spaces and buildings.  
7 These artists work in all disciplines, from all  
8 backgrounds, and hail from every corner of New York  
9 City and across the world. They work in sculpture,  
10 mosaic, paintings, and other medium, in bronze,  
11 stone, tile, glass, environmental and sculpture and  
12 more. Percent for Art is part of New York City  
13 Department of Cultural Affairs' public art portfolio,  
14 which also includes our Public Artists in Residence  
15 and City Canvas programs and, while Percent pertains  
16 specifically to eligible capital projects, we  
17 represent one component of the City's larger  
18 ecosystem of public art. Agencies like Parks and DOT  
19 have their own temporary art programs. Not-for-  
20 profits like Public Art Fund, Creative Time, Time  
21 Square Alliance, Madison Square Park, the High Line,  
22 MOart, and others install temporary artworks in  
23 public spaces around the city, and the Metropolitan  
24 Transportation Authority operates Art and Design

1 program which brings both temporary and permanent  
2 installations to the City's subway system.

3  
4           Often, Percent for Art commissions exist  
5 in civic spaces that are somewhat less traveled by  
6 the general public. They're in schools, in  
7 courthouses, libraries, and waste treatment  
8 facilities. Artworks in these spaces have the power  
9 to connect deeply with their audiences. For instance,  
10 students at PS/IS 48 in Staten Island have their time  
11 in school shaped by artist Penelope Umbrico's  
12 "Cabinet 1526-2013." This artwork features 6,000  
13 hand-drawn images taken from natural sciences  
14 illustrations dating back centuries, depicting birds  
15 and reptiles to shells and stars. The piece extends  
16 from the floor to ceiling so that as students grow  
17 taller, new aspects of the work would be accessible  
18 and visible to them. It's this sort of thoughtful  
19 installation which considers deeply the audiences and  
20 spaces where the artwork will exist we seek to create  
21 through Percent for Art.

22           New York City's Percent for Art program  
23 was signed into law in 1982 by Mayor Ed Koch. This  
24 wasn't the first such program. New Deal Era federal  
25 programs set aside funding for art in public

1 buildings starting in the 1930s, and Philadelphia  
2 pioneered the model at the municipal level in the  
3 1950s, but, given the wealth and artistic talent  
4 concentrated here and the breadth of our public  
5 realm, our program has had tremendous influence in  
6 public art, both here in New York and around the  
7 world.  
8

9           The first Percent commission here in New  
10 York was completed in 1985. Artist Jorge Luis  
11 Rodriguez's "Growth" installed in Harlem Art Park is  
12 an abstract steel sculpture painted bright red that  
13 resembles a blooming flower, a bird taking flight, or  
14 any number of other things based on the viewer's  
15 angle and inclinations. It has become an icon in the  
16 East Harlem community. A temporary art installation  
17 shared space in the same park until this past  
18 weekend, and it's inspiring to see a young generation  
19 of artists riffing off of Jorge's piece and creating  
20 something in direct conversation with it.

21           From the very start, New York City's  
22 Percent for Art has provided space for art that grew  
23 deep roots into communities where it's located. We  
24 have completed over 360 projects since then and have  
25 more than 100 in progress. Whether they are

1  
2 monumental new additions to spaces that experience of  
3 a vast public space or a small commission installed  
4 over the drinking fountain of a school, each one  
5 contributes to our city in some unique and powerful  
6 way.

7           I'll now provide a brief overview of how  
8 the Percent process works. First, an eligible City-  
9 funded project must be initiated. Our agency partners  
10 notify us of the project at its earliest stage, the  
11 earlier the better, so that the art can be truly  
12 integrated into the design process. In accordance  
13 with Local Law, we notify the community of the intent  
14 to commission an artwork (INAUDIBLE) the presentation  
15 to the local community board and/or another local  
16 meeting. We convene a panel consisting of  
17 representatives from DCLA, the design and sponsor  
18 agencies, local elected officials, community  
19 representatives, and arts professionals. These  
20 professionals can include artists who have previously  
21 created public works, arts administrators who work in  
22 the affected communities, architects, and others. A  
23 typical commission consists of two panels. The first  
24 panel reviews dozens of potential artists based on  
25 their past work and submissions to the Percent for

1  
2 Art registry and narrow the field to four to six  
3 finalists. The finalists are then invited to create  
4 proposals for the project and, at this point, the  
5 artists are fully briefed on the details of the  
6 project and have the opportunity to learn more from  
7 the stakeholders about what it means in their  
8 community. These proposals are reviewed at a second  
9 panel where the artist is chosen should they accept  
10 the commission and then work closely with the artist  
11 over the course of the months of design development.  
12 This includes moving through additional community  
13 board presentations, submissions to the Public Design  
14 Commission, and ultimately the fabrication and  
15 installation of their work. Additional non-voting  
16 members can be brought in the process depending on  
17 the specifics of the given commission. For the  
18 Percent for Art project honoring Roberto Clemente in  
19 the South Bronx, for instance, members of the  
20 Clemente family were invited to participate in the  
21 panel process. They stressed that they wanted  
22 Clemente's humanitarian work to be foreground in the  
23 artwork and not just his athletic achievements, and  
24 this was integrated into the artist brief. "Para  
25 Roberto" by artist Melissa Calderón which is

1 installed in Roberto Clemente Plaza on 3rd Avenue and  
2 149th Street in the Bronx achieved this balance by  
3 reimagining what a monument can look like. This sort  
4 of in-depth of community involvement in the  
5 commissioning process is a hallmark of Percent and  
6 yields an art collection that is profoundly  
7 reflective of the people and places of New York City.  
8

9           We rely on both agencies and community  
10 partners to make each commission a success. Our  
11 colleagues at the Parks Department, Department of  
12 Transportation, Department of Design and Construction  
13 are all essential to creating an artwork their  
14 agencies are involved in. The Public Design  
15 Commission, which has oversight over thousands of  
16 artworks (INAUDIBLE) in the City's collection, are  
17 also important partners who help ensure artworks will  
18 stand the test of time. Our work across agencies with  
19 the Percent panels and with local community  
20 representatives fosters an open, democratic dynamic  
21 that is unique to the Percent for Art program. The  
22 commissioning process that we have created here is  
23 used as a model across the country. Many artists  
24 welcome the opportunity to bring this productive  
25 dialogue into the creative process. This process also

1  
2 generates a sense of ownership and buy-in from local  
3 communities where a project will reside. We also have  
4 to be mindful of the balance of artist vision and  
5 local interest as art designated by committee rarely  
6 works, but when a community and artist truly connect,  
7 they can create amazing things.

8           None of this is to say that Percent for  
9 Art process is always without its bumps. Ask 10 New  
10 Yorkers what they think of something and you get 30  
11 opinions, but process helps challenge and incorporate  
12 this input into something more productive,  
13 generative, and collaborative. Residents are  
14 passionate about their neighborhoods and public  
15 spaces, and this is a very good thing. Our process  
16 harnesses this passion and uses it to help shape  
17 public artworks into something that communities feel  
18 invested in.

19           Percent for Art has often provided an  
20 opportunity for early career artists to have their  
21 first major commission. In fact, it is the case for  
22 over 85 percent of the artists we work with. We work  
23 closely with artists on designs and to navigate  
24 concerns that they may not encounter in their studio  
25 practice or when presenting work in galleries or

1 museums. Issues like can someone climb the artwork,  
2 for example, how will materials weather over time,  
3 avoiding pointy edges and angles, and so on. Creating  
4 public art is a whole new practice and discipline for  
5 many artists, and we are here to help them navigate  
6 the process.  
7

8 More recently, Percent for Art has been  
9 central in efforts to diversify the City's overall  
10 collection. The first project announced under this  
11 initiative is the monument honoring Shirley Chisholm  
12 planned for Prospect Park. Designed by artists Amanda  
13 Williams and Olalekan Jeyifous, the Chisholm Monument  
14 recently received conceptual approval from the Public  
15 Design Commission, and we're now working with the  
16 artists to further refine their design.

17 Several other projects in this initiative  
18 were announced just before the pandemic, which  
19 grounded them to a halt before planning really got  
20 started. We are now ready and excited to get more of  
21 these back underway. Even before this new focus, we  
22 were commissioning artists from diverse backgrounds  
23 to create monumental artworks in our city. For  
24 instance, artist Hank Willis Thomas "Unity" on  
25 Tillary Street in Downtown Brooklyn, an enormous arm



1 raised from the median and pointing to the sky in a  
2 gesture that's open to interpretation. At 70 Mulberry  
3 Street in Manhattan's Chinatown, a community hub  
4 which suffered a devastating fire in January 2020 and  
5 is rebuilt by the City, recently commissioned artist  
6 Jennifer Wen Ma to work with the building's designers  
7 to create an artwork that reflects the facility's  
8 central role for its surrounding community.  
9

10           Whether we call them monuments or not,  
11 these largescale pieces are shaping our public spaces  
12 and connecting with deep currents of history,  
13 identity, and values which run throughout our  
14 communities.

15           In addition to community buy-in, another  
16 measure of success is Percent for Art are the awards  
17 that our projects and the artists who create them  
18 receive. In the last five years, Percent for Art has  
19 received 11 Awards of Excellence in Design, over one-  
20 fifth of all such awards given, and one award was a  
21 special recognition for the Percent for Art program  
22 itself. Our artists have gone on to be inducted into  
23 National Academy of Design, they've received  
24 MacArthur Awards. Jeffrey Gibson who received two  
25 Percent for Art commissions including one at PS 26 in

1 Brooklyn will represent the U.S. at the 2024 Venice  
2 Biennale, the first indigenous artist to have a sole  
3 exhibition in the U.S. pavilion there, and have  
4 continued to create works in the public realm across  
5 New York and beyond. Hank Willis Thomas just created  
6 a new monument honoring Dr. Martin Luther King and  
7 Coretta Scott King in Boston. Jean Shin created a  
8 mural from repurposed buttons at the new Perelman  
9 Performing Arts Center in Lower Manhattan. As I  
10 mentioned earlier, we are proud that Percent for Art  
11 provides so many artists a prominent entry point into  
12 creating permanent public commissions.

14 For the program's 40th anniversary, which  
15 we've been celebrating throughout the year, we've had  
16 a number of opportunities to highlight Percent  
17 projects. Starting in May, the steps of City Hall  
18 were wrapped in images from Percent for Art  
19 commissions in the five boroughs. Later last month,  
20 we led fully booked tours and engagement of Percent  
21 projects as part of Open House New York Weekend, and  
22 we've got more in store in the weeks and months  
23 ahead. We are proud of the hundreds of public  
24 artworks created over the lifetime of the program  
25 from Ellen Harvey's "Mathematical Star" in the heart

1 of Bed-Stuy to Chakaia's Booker's "Sugar in My Bowl  
2 II" in Weeksville Heritage Center and to the Totally  
3 Kid Carousel in Harlem's Riverbank State Park, which  
4 kids had the active role in designing to Nobuho  
5 Nagasawa's "Luminescence" in Long Island City. The  
6 list goes on, but these artworks are so important to  
7 the sense of place in each of these locations and do  
8 so much to bring the brilliance of the City's artists  
9 into lives of New Yorkers every day.

11 In 2017, then-Council Member Laurie Cumbo  
12 co-sponsored legislation that updated the Percent for  
13 Art funding formula for the first time since the  
14 program was created. Increasing the funding allotment  
15 to artworks and adjusting for realities of inflation  
16 and the cost of fabrication has allowed us to create  
17 more durable, high-quality works. Due in part to this  
18 update, we've been very excited to have dozens of  
19 projects in the pipeline. Artist Oasa DuVerney is  
20 creating a series of reflective portraits of  
21 influential authors from the African Diaspora for the  
22 Brooklyn Public Library Eastern Parkway Branch.  
23 Artist David Rios is creating a vibrant mural  
24 inspired by Gabriel Garcia Marquez's short stories at  
25 the Hunts Point Library. Christopher Myers is

1  
2 creating two site-specific stained-glass  
3 installations for the renovated Brownsville Library  
4 in Brooklyn. Tatiana Arocha's "The Hawk and the  
5 Heron" will grace a new annex in the Snug Harbor  
6 Music Hall in Staten Island. Katrin Sigurdardóttir  
7 commissioned one of the upcoming Rego Park libraries  
8 in Queens consisting of a large mural that will be  
9 integrated within the library and an artist book that  
10 will be included into the library's collection.

11           The more involved our partners are  
12 including City Council, the more successful the  
13 program can be. We need you to recommend artists from  
14 your communities to submit to our registry. We need  
15 you to engage in panels when projects are  
16 commissioned in your District. Together, we can make  
17 sure the next 40 years of this program continues to  
18 see it bringing artworks to our city in both  
19 (INAUDIBLE) and community-driven, just like the rest  
20 of our city.

21           Thank you for the opportunity to testify  
22 today. I'm happy to answer questions that you might  
23 have.

24           CHAIRPERSON OSSÉ: Thank you for your  
25 testimony. I wanted to start by asking where can we

1  
2 guide artists and folks that we know to submit to  
3 your artist registry?

4 ASSISTANT COMMISSIONER HENRY: We have a  
5 Percent for Art email address specifically put aside  
6 for artists to submit information to, and it's  
7 [percentinfo@culture.nyc.gov](mailto:percentinfo@culture.nyc.gov).

8 CHAIRPERSON OSSÉ: What's the timeline in  
9 which artists who are submitting their work to this  
10 website, what's the timeline on them coming through a  
11 panel process and potentially being evaluated for  
12 having their art presented in one of these public  
13 arts?

14 ASSISTANT COMMISSIONER HENRY: We have a  
15 rolling application process, and we always have a  
16 number of projects in the works. There is also no  
17 guarantee that if you submit to the registry you will  
18 be given a commission, so it's as soon as possible.  
19 You put it in the pool and we show the work, and  
20 hopefully you'll be called as a finalist so there's  
21 no definite timeline. It's constantly being  
22 activated.

23 CHAIRPERSON OSSÉ: How many applications  
24 or submissions do you see a year?

1  
2 ASSISTANT COMMISSIONER HENRY: It depends.  
3 Sometimes we do a call to artists for specific  
4 projects, and we get an influx of applicants in our  
5 registry. Other times, they just flow in regularly so  
6 I would say about 200 a year.

7 CHAIRPERSON OSSÉ: Okay. How do you get  
8 the word out in terms of folks who apply? Is it  
9 solely through DCLA, something that you put out in an  
10 email blast or what's the medium in which you get the  
11 word out about folks who can submit?

12 ASSISTANT COMMISSIONER HENRY: We get the  
13 word out in a number of different ways. Every time we  
14 start a project, that first meeting of the community  
15 board, for example, we use that as an opportunity to  
16 let people know that this is an opportunity and we  
17 get the word out. When we have a new project that we  
18 want to solicit new artists, we may do a call to  
19 artists and get the word out that way. We will put it  
20 on our social media accounts. We may take out an ad  
21 in NYFA and other ways like that so these are some of  
22 the ways that we get the word out.

23 CHAIRPERSON OSSÉ: I'm not sure if you do  
24 this already because I don't think I've noticed this  
25 but it could've been slipped in my inbox, but do you

1  
2 guys do any outreach to local Council Members and  
3 elected officials and making sure that they're aware  
4 that they can (INAUDIBLE)

5 ASSISTANT COMMISSIONER HENRY: Yes.

6 Whenever we start a project, that's the first thing  
7 we do is we send a letter to the local Council  
8 Members, letting them know that the project exists  
9 and asking them for suggestion of artists and  
10 panelists as well.

11 CHAIRPERSON OSSÉ: In terms of the panel,  
12 is it a different panel per project?

13 ASSISTANT COMMISSIONER HENRY: Yes, every  
14 single panel is tailored to the community and the  
15 project.

16 CHAIRPERSON OSSÉ: Very cool. Another  
17 question I wanted to ask, I think you answered this  
18 in terms of like how the panels are chosen, is that  
19 community board members, local elected officials,  
20 stakeholders within the community, they correspond  
21 with DCLA and DCLA picks those panelists through  
22 their discretion?

23 ASSISTANT COMMISSIONER HENRY: Yes. We  
24 don't just pick, if you want to participate in the  
25 process, you can participate in the process one of

1 two ways. You would either be a voting member, and we  
2 choose voting members with a community tie-in but  
3 with an art background or some kind of art knowledge,  
4 and advisors include anyone else who wants to  
5 participate including the general public in our  
6 (INAUDIBLE) process.  
7

8 CHAIRPERSON OSSÉ: Before my next  
9 question, I want to acknowledge that Council Member  
10 Fariás has joined us.

11 I also want to, I'm not sure, I think you  
12 may have touched on this in your testimony, but the  
13 funding for these works comes through DCLA's larger  
14 pot of funding. Is that correct?

15 ASSISTANT COMMISSIONER HENRY: No. The  
16 funding for the Percent for Art projects come from  
17 the capital project itself.

18 CHAIRPERSON OSSÉ: Okay.

19 ASSISTANT COMMISSIONER HENRY: So we take  
20 a percentage of that to commission the artwork.

21 CHAIRPERSON OSSÉ: What is that specific  
22 percentage for those capital projects that goes  
23 toward art?

24 ASSISTANT COMMISSIONER HENRY: There's a  
25 whole math attached to that. As of 2018, it's 1



1 percent of the first 50 million and half a percent  
2 above that not required to exceed 900,000 dollars per  
3 project.  
4

5 CHAIRPERSON OSSÉ: What is the commission  
6 that these artists get for these projects?

7 ASSISTANT COMMISSIONER HENRY: Our  
8 commissions range from a 50,000 art budget to a  
9 million, and the artist gets just for being the  
10 artist 20 percent of whatever that art budget is, and  
11 the rest of the funds goes towards the fabrication,  
12 installation, anything that has to do with the  
13 creation of the artwork.

14 CHAIRPERSON OSSÉ: Is DCLA currently  
15 required to report on the current status of the  
16 Percent for Art program and the progress of the  
17 commissioned works?

18 ASSISTANT COMMISSIONER HENRY: Yes, and so  
19 once the projects are complete, we sort of list them  
20 on Open Data, and, whenever we have a community board  
21 meeting or a public meeting rather, we put that  
22 information on our website.

23 CHAIRPERSON OSSÉ: In your own beliefs, do  
24 you find that the Percent for Art has actually made  
25

1 art more accessible to the people in the public of  
2 New York City?

3  
4 ASSISTANT COMMISSIONER HENRY: Yes. This  
5 is my second time around with the program, having  
6 started as an intern, and, within the art world, the  
7 majority of the public don't get to go to museums and  
8 galleries. Sometimes it's a little bit of an  
9 intimidation factor, and so bringing artwork in  
10 spaces that is publicly accessible, that the public  
11 interacts with on a regular basis, quality artwork,  
12 it already gives artworks that people aren't  
13 necessarily going to get otherwise.

14 CHAIRPERSON OSSÉ: Does DCLA have a map of  
15 all of the public arts that exist in the city?

16 ASSISTANT COMMISSIONER HENRY: There's a  
17 lot of public art that exists in the city that is not  
18 commissioned by us.

19 CHAIRPERSON OSSÉ: That's not commissioned  
20 by you. That is commissioned by you, is there a map  
21 of that?

22 ASSISTANT COMMISSIONER HENRY: Yes, we  
23 have a map. I don't know if it's online yet, but we  
24 have created a map to show where the projects are,  
25 and we present it as part of our presentation

1 sometimes so people get a sense of where they're  
2 distributed.

3  
4 CHAIRPERSON OSSÉ: That's currently in  
5 progress? That's currently being worked on?

6 ASSISTANT COMMISSIONER HENRY: Yeah, and  
7 we're also working on a website, hopefully, knock on  
8 wood.

9 CHAIRPERSON OSSÉ: I'd love to see it when  
10 it's live.

11 How many public art commissions are  
12 currently in progress?

13 ASSISTANT COMMISSIONER HENRY: We have  
14 about 105 working on today.

15 CHAIRPERSON OSSÉ: That's fantastic, and  
16 you said it's around, it ranges per year in terms of  
17 the capital funding projects...

18 ASSISTANT COMMISSIONER HENRY: The per  
19 year is hard to calculate because sometimes it starts  
20 and then it continues and so it's a rolling kind of  
21 scheduling kind of thing, but, yeah, we have 105 that  
22 we're working on right now.

23 CHAIRPERSON OSSÉ: Can you give me a range  
24 of what buildings or facilities these projects are  
25 commissioned in?

1  
2 ASSISTANT COMMISSIONER HENRY: Any capital  
3 project that the City is building is eligible, but we  
4 can't do all the projects obviously. Our focus is on  
5 the ones that are very community interactive,  
6 community-based, community necessity, so we always do  
7 schools, we always do libraries, and we may do  
8 courthouses and things like sewage treatment plants  
9 may come in a little later, and we look at how  
10 they're distributed throughout the five boroughs. We  
11 look at how the community is interacting with those  
12 spaces to make the determination as to what types of  
13 projects that we do.

14 CHAIRPERSON OSSÉ: Would you say that  
15 these projects are geographically distributed on an  
16 equitable level or scale?

17 ASSISTANT COMMISSIONER HENRY: We go where  
18 the construction happens, and so just looking at the  
19 projects that we've done, working on now and we've  
20 done in the past, the majority are in Queens and then  
21 I think Brooklyn is second, Manhattan, Bronx, and  
22 Staten Island follows.

23 CHAIRPERSON OSSÉ: How many new public art  
24 commissions are currently in the artist or building  
25 facility selection phase?

1  
2 ASSISTANT COMMISSIONER HENRY: Give me one  
3 second. I think I have a number for that. We have 17  
4 currently in that building phase right now.

5 CHAIRPERSON OSSÉ: What is the timeline  
6 for these decisions?

7 ASSISTANT COMMISSIONER HENRY: Our  
8 timeline is the same timeline as the construction  
9 project timeline so whatever those are, we align with  
10 that as much as possible.

11 CHAIRPERSON OSSÉ: Is there at least one  
12 public art project in each Council District?

13 ASSISTANT COMMISSIONER HENRY: That's hard  
14 to tell. We have them throughout the entire five  
15 boroughs, and chances are they fall in many Council  
16 Districts, but we could come back to you with the  
17 answer to that question to be more precise.

18 CHAIRPERSON OSSÉ: Before I continue, do  
19 any of my Colleagues have questions?

20 Thank you so much. I'm looking forward to  
21 getting that answer back in terms of if there's a  
22 public art or how many there are broken down by  
23 District. I think that would be interesting to see.

24 ASSISTANT COMMISSIONER HENRY: We can do  
25 that for you.

1  
2 CHAIRPERSON OSSÉ: Whenever you have the  
3 time to do that. I know you guys have a lot to do.

4 What obstacles have you faced in  
5 operating the program?

6 ASSISTANT COMMISSIONER HENRY: That's a  
7 good question. One of the things that we have had to  
8 deal with recently is, like I mentioned, we're  
9 celebrating the 40th anniversary of our program, and  
10 a lot of the earlier projects that we have  
11 commissioned, we've learned a lot of lessons  
12 (INAUDIBLE) need maintenance and conservation so  
13 these are some of the things that we deal with right  
14 now and how to take care of the collection,  
15 particularly in the past and remedy that moving  
16 forward.

17 CHAIRPERSON OSSÉ: Do you know if you have  
18 a breakdown on how many of the artists who are  
19 commissioned to do this work actually live in New  
20 York City? Do all of them live in New York City or do  
21 you see some artists who are international, across  
22 the country?

23 ASSISTANT COMMISSIONER HENRY: Our program  
24 is not limited to artists from New York City. We  
25 could look to see how many are from New York City and

1  
2 give you a count at some other time, but it's open to  
3 the world practically.

4           CHAIRPERSON OSSÉ: That's great that it's  
5 open to the world. It would be interesting to see if  
6 there was a mandate or a requirement for a percentage  
7 of the Percent for Art program to be held aside for  
8 specific New York City-based artists. What would you  
9 think of that? Would that be too restrictive for your  
10 own liking?

11           ASSISTANT COMMISSIONER HENRY: With every  
12 single project, we sort of tap into the community  
13 first and we chat to artists there first and see what  
14 happens. Artists are very nomadic, and so sometimes  
15 an artist lives in Brooklyn but works in Queens and  
16 has a studio in Long Island so it's very hard to  
17 label where an artist is from and how they're  
18 affected. What we focus on mostly is the site-  
19 specific response to a community that an artist is  
20 creating so that's what we're focused on.

21           CHAIRPERSON OSSÉ: In terms of some of the  
22 obstacles that you are seeing in terms of operating  
23 the program, what resources would be needed maybe in  
24 help from the Council to alleviate those obstacles?

1  
2 ASSISTANT COMMISSIONER HENRY: We always  
3 like the Council to participate in our process to see  
4 what we're doing and sort of encourage artists to  
5 submit images for consideration into the registry,  
6 come to our panels and participate in the  
7 conversations that happen around them. Like I  
8 mentioned before, maintenance and conservation is  
9 something that's very big for us because it really  
10 limits what we can do in the future and how we  
11 commission work so these are some of the obstacles  
12 that we're facing.

13 CHAIRPERSON OSSÉ: Have you found through  
14 this program any public/private partnerships for  
15 public art?

16 ASSISTANT COMMISSIONER HENRY: We have had  
17 a few projects where it's partially privately funded,  
18 but we've been very fine with just working with what  
19 we have with the City.

20 CHAIRPERSON OSSÉ: What kind of projects  
21 were those private?

22 ASSISTANT COMMISSIONER HENRY: Sometimes  
23 it has been, the ones that I can remember right now,  
24 an underpass in Dumbo that is owned by DOT but the  
25 community around them wanted a more robust artwork so



1 private funds were raised. There was a piece across  
2 from the United Nations in Trygve Lie Plaza which the  
3 U.N. or someone added some funds to that. It was a  
4 Parks project. It's opportunities like that we have  
5 done.  
6

7 CHAIRPERSON OSSÉ: Has there ever been a  
8 situation where a private developer is building a  
9 large housing development or unit and has dedicated a  
10 portion of those private funds towards public art or  
11 through DCLA...

12 ASSISTANT COMMISSIONER HENRY: We have not  
13 encountered that.

14 CHAIRPERSON OSSÉ: What criteria are used  
15 to determine which artists will be chosen through the  
16 paneling process?

17 ASSISTANT COMMISSIONER HENRY: There's two  
18 parts to that question. First is who we look at, and  
19 we, again, we tap into artists that respond to the  
20 local community as much as possible. Sometimes it  
21 means that the artists are from that community,  
22 sometimes it means that their practice is very  
23 collaborative and really speaks to the community that  
24 way so that's one part. The other criteria is the  
25 work itself. Does it speak to the community once it's

1  
2 in proposal form? Does it reflect the needs of the  
3 community in terms of how the community wants to be  
4 identified so these are some of the things that we  
5 think about when selecting an artist.

6 CHAIRPERSON OSSÉ: This may sound like a  
7 stupid question, but how long do some of these public  
8 works stay in the public for? Are they contracted for  
9 a set amount of time?

10 ASSISTANT COMMISSIONER HENRY: The process  
11 is tied to the schedule of the project first of all,  
12 and the completed project has to last at least 30  
13 years.

14 CHAIRPERSON OSSÉ: Okay, but a public art  
15 could stay there longer than 30 years?

16 ASSISTANT COMMISSIONER HENRY: Yeah. We've  
17 rarely gotten rid of any projects, but, yeah, 30  
18 years is the length of the bond that the project is  
19 attached to, but most of our projects last longer  
20 than that.

21 CHAIRPERSON OSSÉ: Just wondering because  
22 you have the (INAUDIBLE) Math Cricle which is in my  
23 District and there's like a Burger King in the  
24 picture. It's not a Burger King anymore. Was just  
25 wondering.

1  
2           How do you ensure that artists are  
3 representative of other important groups such as  
4 LGBTQIA+ individuals and individuals with  
5 disabilities? Is that something that DCLA provides  
6 some oversight over when it comes to the process that  
7 panelists use in choosing an artist?

8           ASSISTANT COMMISSIONER HENRY: We sort of  
9 really lean on the community for those aspects. We  
10 can't ask somebody what their gender is.

11           CHAIRPERSON OSSÉ: How do you determine  
12 the specific location where each project will be  
13 displayed?

14           ASSISTANT COMMISSIONER HENRY: Within the  
15 project itself, so we have a meeting with the  
16 architects and what we call the core view group of  
17 the design team to determine what is the most  
18 visually accessible parts of a project, what is that,  
19 and then we use that as a starting point for looking  
20 at the types of artists that are being considered.

21           CHAIRPERSON OSSÉ: Do you collect data at  
22 all in terms of demographic breakdown of the artists  
23 who are commissioned for these pieces based off of  
24 maybe race, gender, sexual orientation?  
25

1  
2 ASSISTANT COMMISSIONER HENRY: Within our  
3 process, we have what we call an artist proposal  
4 contact and within that contract it sort of lays out  
5 all that is required of the artist, and there's an  
6 optional choice to label how you wish to be  
7 identified and very rarely artists do not complete  
8 that so we don't have a really good sense of how that  
9 breakdown is. We do have a good sense of gender  
10 because from respecting an artist and communicating  
11 with them, we want to refer to them by their proper  
12 pronouns so we have a sense of how many female or  
13 nonbinary versus male artists that we're working  
14 with.

15 CHAIRPERSON OSSÉ: How are potential new  
16 artists made aware of the program? Is there any  
17 outreach that DCLA has with maybe some art schools  
18 within the city, things of that nature?

19 ASSISTANT COMMISSIONER HENRY: Again, we  
20 do the outreach when we do a commission, the work we  
21 do ahead of that project. Once in a while, we do a  
22 call, word of mouth. We're very prominent I like to  
23 say in terms of the commissioning process in the  
24 public art world, and people, knock on wood, like to  
25

1 work with us, and we're open to suggestions as well  
2 if you have some.

3  
4 CHAIRPERSON OSSÉ: I don't know how to ask  
5 this question, but is there a process in which a  
6 public art is rejected? Like has the community ever  
7 seen like the end product of an artist's piece and  
8 have they been like I don't know if we want that.

9 ASSISTANT COMMISSIONER HENRY: That could  
10 happen, but our process has a number of different  
11 reviews so, again, before we even start our process,  
12 we meet with the community board. When the project is  
13 in a conceptual design phase, we present it again to  
14 the community board. After that, it comes to Public  
15 Design Commission for a public hearing so there's a  
16 lot of opportunities for people to see and understand  
17 what the artwork is so in terms of reject, it's a  
18 sense of taste in an artwork.

19 CHAIRPERSON OSSÉ: What are some criteria  
20 why an artist would not be chosen for a public art  
21 piece?

22 ASSISTANT COMMISSIONER HENRY: We don't  
23 have not be chosen criteria necessarily. For every  
24 project we show, at least four to six artists come in  
25 with proposals, and sometimes it's hard to even tell

1 the artist why their proposal wasn't selected. It's  
2 just a choice of one versus the other so it's hard to  
3 say you were rejected per se. It's just a choice in  
4 style, design, idea.

5  
6 CHAIRPERSON OSSÉ: How long does it take  
7 for DCLA to notify the selected artist?

8 ASSISTANT COMMISSIONER HENRY: Sometimes  
9 one day.

10 CHAIRPERSON OSSÉ: Wow.

11 ASSISTANT COMMISSIONER HENRY: It depends  
12 on what the project is. We have two sets of projects.  
13 With schools, it requires an approval from the  
14 President of the School Construction Authority before  
15 we can notify the artist. Non-school projects, it  
16 could be a day or a few days.

17 CHAIRPERSON OSSÉ: Do you make those calls  
18 yourself?

19 ASSISTANT COMMISSIONER HENRY: I don't,  
20 but one of the staff members makes the calls.

21 CHAIRPERSON OSSÉ: That would be a fun  
22 call to make, right?

23 ASSISTANT COMMISSIONER HENRY: Yeah. We  
24 tell them the good news and the bad news so this is  
25 one of the worst parts of the project.

1  
2 CHAIRPERSON OSSÉ: You tell them the bad  
3 news?

4 ASSISTANT COMMISSIONER HENRY: We tell the  
5 people who didn't get it they didn't get, and the  
6 people who did get it..

7 CHAIRPERSON OSSÉ: On the phone or do you  
8 do it email?

9 ASSISTANT COMMISSIONER HENRY: On the  
10 phone, voice, yes.

11 CHAIRPERSON OSSÉ: Council Member Fariás.

12 COUNCIL MEMBER FARÍAS: I just had a quick  
13 question around, one, I think all of this work is  
14 fantastic. Thank you for supporting our local artists  
15 and also bringing cultural aspects and arts into our  
16 communities. Super important. Is there any revenue-  
17 generation for the City or what's it like in terms of  
18 stipends or payments towards the artists for their  
19 participation?

20 ASSISTANT COMMISSIONER HENRY: We pay  
21 artists throughout their entire process. If they're a  
22 panelist, we pay them as a panelist. If they're a  
23 finalist, we pay them to do a proposal. Once they're  
24 selected, a portion of the art budget is an artist  
25

1 fee so they're paid throughout the process whenever  
2 we've asked them to do something.

3  
4 COUNCIL MEMBER FARIÁS: Awesome. That's  
5 amazing to hear. That's like one of the gaps that we  
6 have in the art world is making sure people are  
7 getting paid for their works.

8 Additionally to that, most of these works  
9 are permanent, correct?

10 ASSISTANT COMMISSIONER HENRY: All the  
11 works we commission through the Percent for Art is  
12 permanent.

13 COUNCIL MEMBER FARIÁS: Okay, and is there  
14 any like long-term commission fee or payment fee for  
15 the artist for having that artwork within the city or  
16 within like a library or a train station or whatever  
17 or is just whatever they're contracted for and  
18 receive as their fee is permanent?

19 ASSISTANT COMMISSIONER HENRY: Yeah, the  
20 fee is attached to the contract, and, once the  
21 contract is done, the responsibility is complete and  
22 so is the funding associated with the project.

23 COUNCIL MEMBER FARIÁS: Okay, great. Do we  
24 have an estimate of what totals for like on average  
25 an artist, like through the process of how much they



1  
2 make from participating in the process, like from  
3 beginning to end?

4 ASSISTANT COMMISSIONER HENRY: All the  
5 budgets are different per project, and so a quick and  
6 dirty number is 20 percent of whatever the overall  
7 project is.

8 COUNCIL MEMBER FARÍAS: Okay.

9 ASSISTANT COMMISSIONER HENRY: If the  
10 artist is self-fabricating, then they get to pay  
11 themselves in addition to the artist fee, to pay  
12 themselves to make the work so it's hard to do a  
13 ballpark for all the projects together, but  
14 individually we know those numbers.

15 COUNCIL MEMBER FARÍAS: Awesome. That  
16 makes sense. Thank you so much.

17 CHAIRPERSON OSSÉ: You said it ranges from  
18 like 50,000 dollars to a million dollars, right?

19 ASSISTANT COMMISSIONER HENRY: Yeah, the  
20 smallest project...

21 CHAIRPERSON OSSÉ: Imagine getting that  
22 call. You have to submit next time.

23 ASSISTANT COMMISSIONER HENRY: For every  
24 project, from the 50,000 to the million, the artist  
25 fee is 20 percent of that budget.

1  
2           CHAIRPERSON OSSÉ: This is a problem we  
3 see a lot in the city. How long does it take for  
4 these artists to get paid for their work?

5           ASSISTANT COMMISSIONER HENRY: Again, it  
6 all depends. The way the artist gets paid, the artist  
7 is a subcontractor of the general contractor, the  
8 architect, or the design individual for the project,  
9 and so an artist invoices that individual, that  
10 individual invoices the design agency, the agency  
11 pays them and then they pay the artist so that could  
12 take a couple of months.

13           When we do our contract and our  
14 milestones, we make sure that the artist is not doing  
15 any work without getting paid so the first payment  
16 comes in when the artist signs a contract so there's  
17 funds in pocket to do anything that we ask them to do  
18 during the process.

19           CHAIRPERSON OSSÉ: Have there been any  
20 obstacles with DCLA paying artists on a timely  
21 manner?

22           ASSISTANT COMMISSIONER HENRY: Yeah,  
23 because, again, the process that we have to go  
24 through to get the artist paid is sometimes  
25 unpredictable, and that could create some issues.

CHAIRPERSON OSSÉ: Is there anything that we can do to help alleviate some of those obstacles?

ASSISTANT COMMISSIONER HENRY: We could do some research and see how you could help. That would be great. Thank you.

CHAIRPERSON OSSÉ: What is the administrative cost to DCLA of handling this program?

ASSISTANT COMMISSIONER HENRY: You mean like our salaries and whatnot?

CHAIRPERSON OSSÉ: How many staff are dedicated to it?

ASSISTANT COMMISSIONER HENRY: We have a staff of five. Myself as the Assistant Commissioner, Sergio is the Director of the program. We have an individual who works on our Temporary Art Program, Emilio, we have someone specifically for our school projects, Noel, and a Community Coordinator Engagement person that spans all our programs, David.

CHAIRPERSON OSSÉ: Do you anticipate that funding for this program will increase, decrease, or stay about the same in the next couple of years?

ASSISTANT COMMISSIONER HENRY: For the Percent for Art program, again, it's tied to what the City builds and, if that increases, ours increase, if

1 it decrease, we decrease as well, but it has stayed  
2 the same for many years.

3  
4 CHAIRPERSON OSSÉ: I guess the last  
5 question that I have for you, I mean this is a  
6 wonderful program, no notes, right, for the most  
7 part. How can we make it bigger and better?

8 ASSISTANT COMMISSIONER HENRY: Bigger,  
9 better? More staff perhaps. More staff, we do more.  
10 I'm going to harp on this issue with the conservation  
11 and maintenance. That would allow us to do better  
12 types of projects. Let me explain. If we find a  
13 partner that is able to maintain electronics, let's  
14 say, or lighting or machinery that moves our  
15 technology, then that means we could commission that  
16 kind of work because that partner would be able to  
17 maintain that for many years in the future. Now, we  
18 are working with materials that are very durable,  
19 that needs very maintenance, they're fantastic, but  
20 if something is to go beyond that then that would  
21 help too.

22 CHAIRPERSON OSSÉ: I really appreciate  
23 hearing that. I liked how you said in your testimony  
24 how the program like this exists because not everyone  
25 has access to art, whether it's their geographic

1  
2 location from a museum or not, sometimes the ticket  
3 to go to a museum, so even just having some public  
4 art within their neighborhoods is really cool. I  
5 think I would really love to get that breakdown per  
6 Council District. A bill that I'm trying to push is  
7 creating a mandate for how many public works should  
8 be in each Council District, especially within  
9 communities that may be in the outer boroughs or  
10 further away from our most popular museums. I think  
11 just having that breakdown as well as a mapping  
12 system that you all have could just be a really cool  
13 component of epitomizing the fact that New York City  
14 is a museum in and of itself. Your own neighborhood  
15 consists of various different art projects from local  
16 artists and artists from across the world. I think  
17 that's extremely unique, and a program like this is a  
18 way that we can continue to amplify that messaging.  
19 Thank you.

20 ASSISTANT COMMISSIONER HENRY: Thank you.

21 COMMITTEE COUNSEL YELLAMATY: Thank you.

22 We will now turn to public testimony.

23 For in-person panelists, please come up  
24 to the table once your name has been called.

25

1  
2           For virtual panelists, once your name is  
3 called, a Member of our Staff will unmute you and the  
4 Sergeant-at-Arms will set the timer and give you the  
5 go-ahead to begin. Please wait for the Sergeant to  
6 announce that you may begin before delivering your  
7 testimony.

8           Now, I will call our first in-person  
9 panel. Roy Pingau (phonetic), Tom Gogan (phonetic),  
10 Marian Phyllis Cunningham, and Gloria Branman  
11 (phonetic).

12           ROY PINGAU: Good morning, Mr. Chair,  
13 Committee Members. Thank you very much. I'd just like  
14 to say that provisions of public art is an essential  
15 service, and culture workers are essential workers  
16 just like I'd say nurses, doctors, teachers,  
17 librarians, mental health workers are essential  
18 workers be it in healthcare, schools, libraries,  
19 housing, transportation, veterans' assistance, the  
20 creation of public arts in our communities. Our  
21 communities need help that goes beyond the City's  
22 budget to suffice. Spending so much of our taxes on  
23 the Pentagon war budget is wasteful, profligate,  
24 destructive, and starving our city from resources  
25 necessary for here in our city. What could be more

1 fitting than the legislature of the largest city in  
2 the country, the New York City Council, leading the  
3 way to help save our cities by calling on the federal  
4 government to move the money from war to our  
5 communities by getting Resolution 424 first on the  
6 agenda and then passing it? Thank you very much.

8 TOM GOGAN: Good morning. I'm Tom Gogan. I  
9 live in Brooklyn. I'm an appreciator of public art in  
10 our libraries and schools. I especially like the  
11 murals and the artwork that we see all around us, and  
12 I think that the 1 percent program is a great  
13 program. I also want to congratulate this Committee  
14 on its work so far this year. It has put forward  
15 several very good resolutions. I want to underline  
16 what my associate, Roy Pingau, just said. We really  
17 do need more resources in this city to provide for  
18 even more public art, to provide for more help for  
19 our schools, for our hospitals, for our social  
20 services, for our homeless, for our veterans. There  
21 are many, many areas where the City, great as it is,  
22 needs more resources, and that's why it's so  
23 important that this Committee which was charged  
24 holding hearings on Resolution 423 as of last  
25 December 7th when that Resolution was introduced. We

1 don't understand why with a majority now in the City  
2 Council and a significant majority right on this  
3 Committee, why that Resolution 423 has not had a  
4 hearing, but we suggest there's still time. We hope  
5 that it will happen. We encourage all Members of the  
6 Committee and its good Chair Chi Ossé to make every  
7 effort to get this to move forward this year, not  
8 only the hearing, but a voting Committee and then  
9 bringing it to the floor. It's a resolution. It does  
10 not require more than a simple majority, and in our  
11 democracy, normally democracy rules so, once again,  
12 we do want to see this go forward. It's so important  
13 that our City speak up and encourage the federal  
14 government to shift its priorities, support the arts,  
15 support our children, support our elderly, support  
16 our veterans. We need tremendous amount of resources  
17 which could be provided to this city if just a  
18 significant chunk of military spending were instead  
19 redirected to our communities. Thank you very much.

21                   GLORIA BRANMAN: Hi. My name is Gloria  
22 Branman. I am a retired New York City Special  
23 Education teacher, I taught for many, many years, and  
24 I just want to say one of the things that we used to  
25 do is go on community walks with my classes, and we



1 really enjoyed the public art that we saw. I was in  
2 District 13, and there was always something by the  
3 Navy Yard or down in Dumbo so I really enjoyed and  
4 learned a lot from the hearing because I really  
5 didn't know where these art pieces came from so I  
6 really, really encourage that it be continued, the  
7 Percent for Art, even expanded. In terms of my input  
8 for that, I would love younger artists to also be  
9 included in that, and I don't know how you would get  
10 it, even elementary schoolkids, they do wonderful  
11 artwork. We would go back into our classroom and  
12 discuss it and do art so please continue that. It's a  
13 great program. It should be expanded.

14  
15 Now, I'm going to try not to repeat what  
16 my two friends here already said about the resolution  
17 that you know about, Move the Money, Resolution 423,  
18 which would put New York City on display, making a  
19 big statement to the rest of the world how our money  
20 needs to be used for our communities for artwork, and  
21 right now we do know that this resolution is in the  
22 hands of the Committee of Cultural Affairs. You need  
23 to have a hearing and a vote so that it can go to the  
24 full Council. We thought this was a democratic City  
25 Council and that the Committees had the right to

1  
2 decide what they were going to vote on and what they  
3 were not going to vote on and they didn't need to be  
4 told from a higher-up that they can do it so please  
5 stand your ground, Cultural Affairs Council people.  
6 Hold the quick vote. A majority of City Council  
7 people have already signed on and endorsed it so, if  
8 it can finally get to the whole Council to vote on,  
9 it will probably pass. Let's do it before this  
10 Council goes on recess until the next year. We really  
11 appreciate that. Thank you.

12 COMMITTEE COUNSEL YELLAMATY: Thank you to  
13 this panel.

14 Our next in-person panel will be Georgia  
15 Weaver.

16 GEORGIA WEAVER: (INAUDIBLE) Chairman Ossé  
17 and Member Fariás. I live in Chelsea. The closest  
18 artwork to us is the High Line, which is not really  
19 accessible because of the stairs and because the  
20 elevators are usually out of order. We may have to  
21 walk four or five blocks to get down to an elevator  
22 that's working. My library, the Muhlenberg, has been  
23 closed for over a year. It sits there very desolate  
24 and empty, and there's a sign that says it's going to  
25 be renovated, but there's nothing going on right now.

1  
2 We have needs in our community in spite of the wealth  
3 that's been brought in in certain segments due to the  
4 High Line. We still have a sizeable project, the Penn  
5 South, that is primarily older people. It's a NORC, a  
6 naturally occurring retirement community, of which  
7 I'm one. When you talk to people about needing all  
8 these things and about how we could have a better  
9 life, they think that it's because of the budget cuts  
10 from the Mayor, but we know that we're really not  
11 broke. There is money that's available for us to have  
12 a better life, and that is because we have not really  
13 addressed the needs of people through the largest  
14 national budget item in the United States, and that's  
15 the military budget. It's the budget that pays for  
16 wars, and every time I pick up a magazine or a report  
17 I can see that a small percentage, a relatively tiny  
18 percentage of the military budget is available  
19 without injuring the military industrial complex and  
20 the arms manufacturers to whom most of this goes  
21 through, without harming any of the wars that we're  
22 committing around the world, that it would be small  
23 enough for us to be able to use it for hundreds and  
24 thousands of schools that a small percentage could be  
25 used for, for art projects and libraries like mine,

1  
2 the Muhlenberg, so that's why I am very happy to know  
3 that so many people on this Committee have co-  
4 sponsored this Resolution 423, which I think would  
5 inform people about what they need to know that so  
6 many things are possible if we would just get behind  
7 the anti-war movement I guess you would call it in  
8 order to have a better life for everybody, and I  
9 would appreciate this Council, this Committee if they  
10 would keep pushing on that and use whatever strength  
11 you have to get us hearings before the public, one in  
12 every borough, one in every library honestly to make  
13 the public aware of what's possible in our lives. I  
14 would thank you very much for that. Do you have any  
15 questions for me?

16 COMMITTEE COUNSEL YELLAMATY: Thank you.  
17 This concludes our in-person testimony.

18 If we inadvertently missed anyone who  
19 would like to testify in person, please visit the  
20 Sergeant's table and complete a witness slip now.

21 We will now turn to our remote testimony,  
22 and our first panelist will be Theo Chino. Please  
23 wait for the Sergeant-at-Arms to announce that you  
24 may begin before starting your testimony.

25 SERGEANT-AT-ARMS: Time starts now.

1  
2 THEO CHINO: Hi. My name is Theo Chino. I  
3 am the First National Secretary of the Social  
4 Democrat of America, the socialist faction of the  
5 Democratic party, also known as the Committee of the  
6 Second Socialist International. We are referred as  
7 type 2 socialists, and you can check out our  
8 socialists.us website to understand the differences  
9 or join us at the Continental Atrium at 180 Maiden  
10 Lane on November 13 at 7 p.m.

11 We type 2 socialists, locally and  
12 worldwide through the Socialists International and  
13 the Progressive Alliance, believes that to promote  
14 general welfare, artists' endeavor is an important  
15 part to ensure domestic tranquility to promote  
16 general welfare. If we socialists are elected, we  
17 would like to expand the art project budget not to 1  
18 percent but to 5 percent to be allocated to all  
19 agencies according to the allocations to include the  
20 public space everywhere such as welfare office, NYPD  
21 and FDNY precinct, hospital as well as many other  
22 City agency-owned buildings. Art is not only for the  
23 public, but it is for the employee working in those  
24 City space. Visual art is also an important medium to  
25 ensure mental health of the citizenry and should be

1  
2 available in every corner of the city for happy  
3 public employee translating the good interaction with  
4 the public they are meant to serve. We would also  
5 amend the construction law that the new construction  
6 building include a percentage of their budget  
7 allocated by the private sector to the public art to  
8 be viewed by the public. Another idea of we  
9 socialists type 2 is to have the desire to tax the  
10 rich so we can allocate those 5 percent, and, as you  
11 just learned, if socialists are elected City Council  
12 Members, we would not sit on Resolution 423 when a  
13 majority of the Council has co-sponsored the  
14 resolution. The Council should be ashamed of  
15 themselves. In 2025, we will be calling out every  
16 elected official for not pushing legislation that  
17 looked like Resolution 423 where the majority of the  
18 Council has co-sponsored the resolution but not voted  
19 on it.

20 SERGEANT-AT-ARMS: Time expired.

21 THEO CHINO: If you want to know more,  
22 join us at the Continental Atrium on 180 Maiden Lane  
23 on November 13 at 7 p.m. Thank you very much. Have a  
24 good day.

25

1  
2 COMMITTEE COUNSEL YELLAMATY: Thank you to  
3 this panelist.

4 That concludes our Zoom panelists.

5 We have one more registrant who I am  
6 going to call, but it doesn't appear she's online.  
7 Ruth Florry (phonetic).

8 SERGEANT-AT-ARMS: Time starts now.

9 COMMITTEE COUNSEL YELLAMATY: Okay. That  
10 concludes our Zoom testimony.

11 If we missed anyone who would like to  
12 testify virtually, please use the raise hand function  
13 and I will call on you.

14 Seeing no one else, I would like to note  
15 that written testimony which will be reviewed in full  
16 by Committee Staff may be submitted to the record up  
17 to 72 hours after the close of this hearing by  
18 emailing it to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

19 I will turn it to the Chair for closing  
20 statements.

21 CHAIRPERSON OSSÉ: Thank you so much. This  
22 hearing is adjourned. [GAVEL]

23

24

25

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 November 9, 2023