

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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December 6, 2012
Start: 10:24 a.m.
Recess: 11:25 a.m.

HELD AT: 250 Broadway
Committee Room - 16th Floor

B E F O R E:
LEROY G. COMRIE, JR.
Chairperson

COUNCIL MEMBERS:

Maria del Carmen Arroyo
Charles Barron
Inez E. Dickens
Daniel R. Garodnick
Sara M. Gonzalez
Daniel J. Halloran III
Robert Jackson
Letitia James
Peter A. Koo
Brad S. Lander
Jessica S. Lappin
Stephen T. Levin
Rosie Mendez
Annabel Palma
Diana Reyna

A P P E A R A N C E S

COUNCIL MEMBERS

Joel Rivera
James Vacca
Albert Vann
Mark S. Weprin
Jumaane D. Williams

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2 CHAIRPERSON COMRIE, JR.: Okay, we
3 are ready to convene the full Land Use Committee
4 meeting for December 6th, 2012, I'm Leroy Comrie,
5 the Chair of the Committee, we're joined by
6 Subcommittee Chair Mark Weprin, Council Member
7 Robert Jackson, Council Member and Subcommittee
8 member Brad Lander, Council Member Al Vann,
9 Council Member Peter Koo, Council Member Jessica
10 Lappin, Council Member Sara Gonzalez, Council
11 Member Inez Dickens, Majority Leader Joel Rivera,
12 Council Member Charles Barron, Council Member
13 Annabel Palma, Council Member Dan Garodnick,
14 Council Member Diana Reyna, and Council Member
15 Jimmy Vacca. I think we have all the members that
16 were here. We have some items on the agenda
17 today. Our first item is a Landmarks item in
18 Queens, in Council Member Gennaro's district,
19 Community Board #8 area, Land Use #720, known as
20 the Brinckerhoff Cemetery, item #20135041 HKQ,
21 this is to preserve the landmark, or to designate
22 as a landmark, the Brinckerhoff Cemetery located
23 at 69-65 to 69-73 182nd Street. The next item is
24 the ... Land Use #726 known as the downtown Brooklyn
25 parking deck, within Council Member Levin's

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2 district, and (crosstalk), Brooklyn Community
3 Board #2, Item #N 120384(A) ZRK, to create the
4 amendment of the zoning resolution for the Special
5 Downtown Brooklyn District, to modify the parking
6 regulations of the Special Downtown Brooklyn
7 District. The next item is Land Use #733, Ken &
8 Cooks Restaurant, that is to continue to maintain
9 a sidewalk café at 19 Kenmare Street in Manhattan
10 Community Board #4, Item #20135010 TCM in Council
11 Member Chin's district. The next item is to
12 continue to maintain a sidewalk café in Speaker
13 Quinn's district, Manhattan Community Board #2
14 also, Land Use #734 known as Mole, Item #20135080
15 TCM, located at 57 Jane Street. Another sidewalk
16 café to continue to be maintained, Land Use #735
17 in the Speaker's district, Manhattan Community
18 Board #2, Item #20135107 TCM, known as La
19 Bonbonierre Restaurant, at 28 Eighth Avenue. And
20 we have an amendment to the zoning map at 209
21 McGuinness Blvd. in Brooklyn in Council Member
22 Levin's district, that's Land Use #736 and 737,
23 which are related, it's to amend the zoning map
24 between McGuinness Blvd. and Eckford Street in
25 Brooklyn. We also have in Council Member Chin's

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2 district a historic landmark designation known as
3 the Edward Ridley & Sons Department Store, Land
4 Use Item #738, Manhattan Community Board #2,
5 Council Member Chin's district, 20135153 HKM is
6 the item number, and it's to designate the Edward
7 Ridley & Sons Department Store buildings located
8 at 315 and 317 Grand Street, aka 66-68 Allen
9 Street and 319-321 Grand Street, aka 65 Orchard
10 Street as a historic landmark. And then we have
11 in Council Member Rodriguez's district a third-
12 party transfer -- my throat is going dry, like all
13 of a sudden -- Land Use Item #739 at 273
14 Wadsworth, Item #20135096 HAM, in Manhattan
15 Community Board #12. And finally we have in
16 Council Member Levin's district a UDAAP also for
17 640 Broadway, Land Use Item #740, Land Use #740,
18 Item #20135197 HAK, for a UDAAP located at 640
19 Broadway in Brooklyn Community Board #1 in Council
20 Member Levin's district. All of these items I
21 remind the Committee members have been vetted
22 through the Subcommittee meetings, and we also
23 have comments from ... oh, Council Member Tish James
24 has joined us this morning. I know that Council
25 Member Diana Reyna had a comment on an item on the

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2 agenda. Council Member Reyna.

3 COUNCIL MEMBER REYNA: Thank you,
4 Mr. Chair, I just wanted to share with Committee
5 members and you as Chair of this Committee on
6 item, Land Use #740, 640 Broadway, it's a property
7 that was sole-sourced back in April 10th of 2010,
8 disposed city-owned land that the City of New York
9 continues to perpetuate discrimination in an area
10 called Broadway Triangle. Its original lines
11 included this particular site and the most recent
12 case in court, the community has won against the
13 city, claiming discrimination. And I am going to
14 vigilantly monitor this particular bounded area
15 for the Broadway Triangle in which this particular
16 address is a part of. There is Federal dollars
17 that are passed through the city and state to
18 create what is integrated housing, and this is the
19 second court case that we have won in Community
20 Board #1, where discrimination has been proven in
21 court, and so today I will be voting no on 640
22 Broadway, and I ask members of this Committee to
23 understand the claims as to how this particular
24 project will in fact be another example as to why
25 we have to monitor what would be a very segregated

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2 housing built in Community Board #1, which has
3 been already raised to the highest levels of
4 court. Thank you very much.

5 CHAIRPERSON COMRIE, JR.: Any other
6 members want to comment on any items on today's
7 agenda? You know, as questions have come up as a
8 result of Council Member Reyna's statement, but
9 since she is not asking for the members to vote no
10 on this, this is a separate ... did she? No, she
11 didn't quite say that, so--

12 COUNCIL MEMBER REYNA:
13 (Interposing) Mr. Chair, any member can vote no.

14 CHAIRPERSON COMRIE, JR.: Right.

15 COUNCIL MEMBER REYNA: I would love
16 for every member to vote no on this project. But
17 at the moment I'm not asking for anyone to go into
18 what would be uninformed voting.

19 CHAIRPERSON COMRIE, JR.: Right.

20 COUNCIL MEMBER REYNA: And if
21 anyone has a question related to this particular
22 project, it should be asked, to influence their
23 decision as far as whether or not they should be
24 voting no. Thank you very much.

25 CHAIRPERSON COMRIE, JR.: Was a

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2 presentation made at the Subcommittee meeting? By
3 HPD, against voting for the property? Or for
4 voting? They made a presentation for passing the
5 property. Right, so there was no ... this, so in
6 other words, this information of Council Member
7 Reyna wasn't vetted at the Subcommittee, was it?
8 Council Member Levin.

9 COUNCIL MEMBER LEVIN: Thank you,
10 Mr. Chairman. I do want to encourage all members
11 to vote in favor of this project. HPD has done a
12 rigorous work insuring that there's not going to
13 be discrimination anywhere in this project or
14 anywhere else in Community Board #1, and if
15 members want to discuss this matter, either in a
16 public forum such as this, or privately with me,
17 I've been monitoring this very, very closely, and
18 this is a project that will provide affordable
19 housing, which we have a real dearth of in
20 Community Board #1, for all communities, all
21 communities need it. There are families that are
22 in desperate need of affordable housing throughout
23 New York City and especially in my district, in
24 Community Board #1, and this is a project that
25 will provide housing for all, not based on any

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2 measure other than income guidelines and whether
3 or not people can qualify for it based on the
4 protocols that are in place throughout the City of
5 New York. So I do want to encourage my colleagues
6 to vote aye on this proposal.

7 CHAIRPERSON COMRIE, JR.: And
8 before I ask a question, Council Member Rosie
9 Mendez is here and Council Member Steve Levin is
10 here. Council Member Vann and Dickens have
11 questions, but I just wanted to ask a question
12 first. Who is going to be managing this property?
13 Who is going to be providing the opportunities for
14 applicants, who is managing the application base
15 for this?

16 COUNCIL MEMBER LEVIN: United
17 Jewish Organizations of Williamsburg, which has a
18 very long track record in the community.

19 CHAIRPERSON COMRIE, JR.: Okay.
20 And I just want to say to this, and actually to
21 the other projects, that, you know, it ... any item
22 that comes before the Committee, we need to make
23 sure that members are fully aware of all the
24 ramifications of the items before we get to the
25 Committee meeting, it's very difficult at the 9th

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2 hour to make changes based on verbal information,
3 so it's just ... I think we need to ask some
4 questions on this, Council Member Reyna has a
5 point regarding her factual lawsuit that's being
6 put forth, but it's very difficult to balance, you
7 know, what the position that we should take at the
8 99th hour, so I, you know, with this and actually
9 with any project, if there's ... it would be smart
10 for members to make sure that each member of the
11 Committee knows the details of the project, so
12 that we can have an informed discussion prior to
13 the vote. Council Member Vann and Council Member
14 Dickens.

15 COUNCIL MEMBER VANN: Right, just
16 seeking a little bit more information so I will be
17 clear, I have two members who take different
18 positions on the same issue, and I'm ... I'd like a
19 little bit more information from Council Member
20 Reyna as to why she feels that the project will
21 indeed be discrimination or reflecting on
22 discrimination in its development. Could you just
23 ... ?

24 COUNCIL MEMBER REYNA: Thank you,
25 Mr. Chair. Just to answer Council Member Vann's

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2 question, in regards to the party who will be
3 managing this project, they were one of the
4 aforementioned organizations in the lawsuit that
5 was found to have in fact been chosen as the only
6 entity, along with another organization not from
7 the Community Board #1 area, sole-sourced land in
8 the Broadway Triangle previous to this particular
9 land, for housing construction, affordable housing
10 construction. And following that particular
11 zoning, this particular piece of property was
12 designated in April 10th, 2010. In the meantime
13 the administration has over a dozen pieces of land
14 that are city-owned and are not sole-sourced to
15 the rest of the Community Board, of which have
16 been requested by other local non-profits to build
17 affordable housing, to address the crisis of
18 affordable housing units in demand. It's also
19 proven that our schools are under-enrolled, where
20 we're losing families at a very expedient manner,
21 2,700 families have been lost in the last ten
22 years in this Community Board, in this school
23 district, and all related back to the housing that
24 is becoming quite difficult to access. They're
25 displaced from the neighborhood, and what we want

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2 to be able to guarantee is that -- and this has
3 not been ... there has been no retribution from the
4 Broadway Triangle case, despite the victory in
5 court, so that the issue of discrimination
6 continues to play a role in the housing that is
7 managed by UJO, as foreseen in the past.

8 CHAIRPERSON COMRIE, JR.: Is the
9 case, has the case been ... no, you're just trying
10 to ask questions, okay. Council Member Dickens.

11 COUNCIL MEMBER DICKENS: Council
12 Member Vann.

13 CHAIRPERSON COMRIE, JR.: Oh, I'm
14 sorry, Council Member Vann, are you finished? I'm
15 sorry. All right.

16 COUNCIL MEMBER LEVIN: I just want
17 to thank you, Assistant Majority Leader, I just
18 wanted to add that the Broadway Triangle rezoning,
19 which was voted, this Committee voted to approve
20 in the last session before I joined the Council,
21 is in litigation now. There has been no decision
22 rendered in that case, it's been ... there was a
23 temporary restraining order and an injunction
24 issued, but no decision that has been fully
25 entered. And so I just want to make that clear,

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2 this project is not part of the Broadway Triangle,
3 it's in the district that I represent, the 33rd
4 District in Brooklyn, and has nothing to do with
5 the Broadway Triangle rezoning, other than the
6 fact that it is close to it, it is adjacent and
7 therefore is in the same neighborhood, but in fact
8 it is not in the Broadway Triangle rezoning area
9 that this Council passed.

10 COUNCIL MEMBER DICKENS: Earlier
11 this week at the Subcommittee planning we voted to
12 pass it. Now in all honesty, my colleague from
13 Brooklyn, Council Member Barron, raised the issue,
14 but he did not raise it in a way that all of the
15 members understood, but he did articulate and he
16 did vote it down. But it passed in the
17 Subcommittee. I as the temporary Chair at that
18 hearing would have preferred to hear from Council
19 Member Reyna to come and make a presentation at
20 the Subcommittee, because it is very difficult to
21 now put on the Land Use Chair, when the
22 Subcommittee has voted to pass something, it's
23 difficult to ask the Chair of Land Use to turn
24 around and go against the Subcommittee when we
25 passed it, but had the Council Member come and

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2 raised the issue -- and to be perfectly honest,
3 now that we are talking about it, I now remember
4 from 2010, I didn't remember it until actually
5 because my understanding was that this is just an
6 amendment, this is not going to make a change to
7 anything, that it goes just the way it goes to
8 whatever the name of the organization is, and that
9 this is just an amendment because the building had
10 to be demolished because it was unsafe. So this,
11 in changing the vote now will not change what is
12 going to be done, other than that it is, now will
13 allow a building to be constructed, a new
14 building. It's just an amendment, it's not going
15 to change anything in it, because the building was
16 destroyed, or had to be demolished, because it was
17 an unsafe edifice. But it would have been
18 preferable had Council Member Reyna come and
19 articulated, or because when Council Member Barron
20 raised the issue, he didn't articulate it to pique
21 everyone's memory, because you're right, Council
22 Member Levin was not here when it was done, and
23 most of us didn't even remember this until just
24 now, that you're raising the issue. But I just
25 wanted to be honest, because Council Member Barron

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2 did say something, and he voted it down. But it
3 passed in Planning.

4 COUNCIL MEMBER REYNA: Mr. Chair.

5 CHAIRPERSON COMRIE, JR.: Any other
6 member comments?

7 COUNCIL MEMBER REYNA: Mr. Chair, I
8 just wanted to inform members that I reviewed the
9 Land Use agenda, because I don't sit on the
10 Planning Subcommittee, just yesterday and reviewed
11 it so that I ran into the information. Had I
12 known that there was a Committee that was
13 scheduled for that specific site, I would have
14 attended. In addition to that, I had voted no in
15 the Subcommittee when this was disposed of, based
16 on the same argument. And so I just want to make
17 sure that members understand the consistency of my
18 vote, because this is much larger, and the lines
19 as far as the bounded original Broadway Triangle
20 is not what you referred to here in the Committee,
21 the rezoning is just a portion of what has been
22 selected by HPD, because it was a city
23 application, ignoring what was the larger aspect
24 of what Broadway Triangle is.

25 CHAIRPERSON COMRIE, JR.: Okay.

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2 COUNCIL MEMBER DICKENS: Excuse me,
3 Chair.

4 CHAIRPERSON COMRIE, JR.: Let me
5 just, Council Member Lander has to leave, so he
6 would like permission for him to vote on
7 everything on today's agenda, since we're talking
8 about one issue. So Council Member Lander,
9 permission to vote.

10 COUNCIL MEMBER LANDER: Thank you
11 very much, Mr. Chairman, and with deference to
12 this debate, which I don't want to interrupt, I
13 gratefully appreciate the opportunity to vote aye
14 on all items on today's calendar.

15 CHAIRPERSON COMRIE, JR.: All
16 right.

17 COUNCIL MEMBER DICKENS: Council
18 Member Reyna, I in no way meant to infer that you
19 were not consistent. It's just that, you know,
20 there's members that were not in attendance in
21 2010, there are those of us that didn't recall
22 this whole incident, and now that you piqued my
23 memory, I do remember that you voted against it,
24 but it passed even then. And therefore that this
25 coming up this week, Tuesday, whatever it was, it

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2 passed in Subcommittee Planning because the
3 presentation that was made was that it was in
4 Council Member Levin's district and it was just an
5 amendment, it was not changing what we had
6 originally passed on in 2010. Thank you.

7 CHAIRPERSON COMRIE, JR.: Again, as
8 I said in the beginning, Council Member Reyna has
9 made a presentation, she's clear that there was,
10 in the Subcommittee it was passed, it was passed
11 in 2010. I would recommend that we pass this item
12 again, only because that has been the ... that's
13 been the planning and the disposition of this
14 issue. I would request also that we get some
15 update on exactly how this is actually
16 implemented, so you know ... yes, Council Member
17 Dickens.

18 COUNCIL MEMBER DICKENS: I hate to
19 interrupt, but what I would suggest is if we vote
20 and pass it, that because of the concern raised by
21 Council Member Reyna, that we put in that we would
22 like there to be a process, a vehicle in which to
23 insure that the issues that she's raised about
24 discrimination--

25 CHAIRPERSON COMRIE, JR.:

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2 (Interposing) But there's a lawsuit pending now,
3 so we'll find out in the--

4 COUNCIL MEMBER DICKENS:

5 (Interposing) But regardless of what the lawsuit,
6 the outcome of the lawsuit, if the community, the
7 surrounding community feels that there is an
8 issue, then it's incumbent upon Council Member
9 Levin to address that issue with his community and
10 the surrounding community. And his office should
11 be looking into it to review and to insure that
12 discrimination does not occur, either in
13 construction, soft costs, or in the occupancy of
14 the building.

15 CHAIRPERSON COMRIE, JR.: Okay, now
16 that Council Member Dickens just articulated
17 everything I was going to say again, I will just
18 remind the members that we need to insure that all
19 of the members know all of the issues before we
20 get to the Subcommittee meeting, and even after,
21 if you get to us before the Land Use Committee
22 meeting, I'm more than willing to have full
23 discussions on any item in the full Committee, but
24 I would really encourage members to vet everything
25 prior to the Subcommittee so that we can have a

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2 full discussion. If you want members to have an
3 opinion on something, you need to make sure that
4 they are well informed beforehand. And that's not
5 just on this item, but also on the Brinckerhoff
6 item, which there was some confusion about the
7 intent of the landlord that came here and created
8 a false persona of what her situation was.

9 Unfortunately, because the local member didn't
10 come and inform people, and also there was a lack
11 on LPC as far as the landlord's capabilities to
12 inform the members as well, there was some
13 emotional reaction to a person that was creating a
14 false story. So the only way to combat that is
15 for the local member to -- or LPC in this case --
16 to tell us that this was not a landlord that was a
17 person that was a victim, this was a person that
18 was trying to manipulate the system, to be frank
19 about it. So we need to make sure that anything
20 that's done, the members are well informed and
21 especially if you want an item decided upon in a
22 particular way, you should make sure that the
23 membership is informed. With that I'm going to
24 close the discussion on this item, and then
25 Council Member James wanted to talk about the

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downtown Brooklyn parking amendment, I believe.

COUNCIL MEMBER JAMES: Thank you for allowing me to say a few words. I'm just encouraging all of the members of this Committee to vote in support of the downtown Brooklyn parking text amendment as is. Council Member Levin and I have had several discussions with stakeholders in downtown Brooklyn, and I have spoken to members of Transportation Alternatives and a number of interested parties, and would like everyone to know that our focus, our objective, Council Member Levin's and my objective, was always to enliven the streets and to provide with some more public space, some more public use, including but not limited to affordable housing and some schools. We received promises from the Downtown Brooklyn Partnership, as well as the Department of City Planning, that they will work with both him and me to achieve these objectives and I urge everyone to vote aye, thank you.

CHAIRPERSON COMRIE, JR.: Okay. Any other members have any ... Council Member Barron?

COUNCIL MEMBER BARRON: Mr. Chair,

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2 I just resent that Council Member Vacca when I got
3 to the microphone, he said, "Oh boy", and I think
4 that that's not correct. Could you please
5 discipline him? Well, let me say this, just a
6 little correction. The Council Member Dickens is
7 correct, I did question it, and my question was
8 more that it was a Jewish group that was receiving
9 no RFP and just getting it, and I asked how many
10 Blacks and Latino groups get the same kind of
11 treatment, and I wanted that information, because
12 that rarely happens to us, we go through the RFP
13 process. And I voted aye on all. But rather
14 than, when our colleague comes at the last minute,
15 whether it comes ... whether the information comes
16 to us at the very last minute, because we all do
17 it, there's a lot on our plates, there's a lot
18 going on in our communities, and we cannot ... it's
19 challenging staying up on top of everything. So I
20 appreciate Council Member Reyna coming to us,
21 whatever time it comes, if the information is
22 accurate, then we should move on the information,
23 and not when it came. If she came, and I think
24 she made a very clear, articulate presentation,
25 informative presentation, and I believe we should

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2 act accordingly. I am going to vote no for this
3 item, and I thank you for bringing this to our
4 attention, and then we should make sure that when
5 we get information, the priority should be, is the
6 information accurate, if you feel comfortable, and
7 she was even nice enough to say that, you know, I
8 don't expect you to vote no if you don't have all
9 of the, you know, good feeling about it, but if
10 she comes with the information, I think we should
11 respect that and vote accordingly to our hearts
12 and minds. I'm voting no.

13 CHAIRPERSON COMRIE, JR.: I agree
14 with you 100%, Council Member, I'm sorry if I
15 didn't articulate it, but in the beginning I
16 thought I heard Council Member Reyna ask to set a
17 precedent, but not necessarily to ask members to
18 vote no on this issue, but to raise a problem that
19 she feels is ... needs to be addressed and hasn't
20 been able to be addressed, but she's addressing it
21 in the courts. So I just want to be clear on
22 that, and I also want to be clear that I am not
23 against vetting things in the full Committee, I
24 think it's necessary and it's also informative,
25 but, you know, I just want to make sure that we

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2 have everybody to (inaudible) as early as
3 possible. And I understand that we're all busy
4 and we all have crises and we all right now are
5 trying to help Sandy victims in every way
6 possible, and that we're moving into the holiday
7 season, it's a very difficult time for everyone,
8 but it's good to have things vetted, it's just
9 very difficult to supersede a Subcommittee vote,
10 but she did make a clear presentation, and I
11 thought it was clear to me that she wanted us to
12 move ahead after she made her presentation, and
13 you know, I think we should move accordingly with
14 that. So you know, I appreciate the whole idea, I
15 understand, but we are working to try to make sure
16 that all things are vetted as quickly as possible
17 and that members can have information as quickly
18 as possible. So I'd like to move to a vote.

19 COUNCIL MEMBER BARRON: Okay, so I
20 don't think Council Member Reyna said she didn't
21 want us to vote it down, she said she'd understand
22 if you couldn't, because of the late hour of the
23 information. She's voting against it.

24 CHAIRPERSON COMRIE, JR.: Right.

25 COUNCIL MEMBER BARRON: So

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obviously that she wouldn't mind you voting against it as well.

CHAIRPERSON COMRIE, JR.: Right.

COUNCIL MEMBER BARRON: I don't think she was saying that you don't have to vote against it, I don't want people to think that.

CHAIRPERSON COMRIE, JR.: Right, you've got ... that's correct, putting that wording in that way is correct. So but again, I would ask that we now vote on all items on today's agenda. We're coupling all items on the agenda, and I would recommend a yes vote on all items on the agenda, with all due respect to Council Member Reyna and her issues with Land Use Item #740. With that we'll ... okay, we'll have the Committee Counsel call the roll.

COMMITTEE COUNSEL: Chair Comrie.

CHAIRPERSON COMRIE, JR.: Aye on all.

COMMITTEE COUNSEL: Council Member Rivera.

COUNCIL MEMBER RIVERA: I vote aye.

COMMITTEE COUNSEL: Council Member Reyna.

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COUNCIL MEMBER REYNA: I vote on all, except Land Use #740, I vote no.

COMMITTEE COUNSEL: Council Member Barron.

COUNCIL MEMBER BARRON: I vote no on Land Use 740 and aye on all the rest.

COMMITTEE COUNSEL: Council Member Jackson.

COUNCIL MEMBER JACKSON: Chair, may I be excused to explain my vote?

CHAIRPERSON COMRIE, JR.: So excused.

COUNCIL MEMBER JACKSON: Thank you. Well, I agree with you wholeheartedly that any items of dispute should be brought to our attention ASAP, way before a Subcommittee and way before a Land Use Committee meeting, but obviously knowing and understanding the processes like we do, it's always better late than never. But I also say that my colleagues raise a very, very important issue overall in general, especially where there are allegations overall that may be allegations of discriminatory practices, and I say to you, as the co-Chair of the Black, Latino and

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2 Asian Caucus, we stand up for the rights of all
3 people, no matter who you are, no matter what your
4 religion, race, creed, national origin or sexual
5 orientation. And if in fact you don't believe in
6 that, then you're discriminatory towards any
7 action that you do. But understanding that, and
8 knowing the processes that we are involved with,
9 and knowing whose district it's in, and based on
10 your recommendation, I vote aye on all, but I
11 needed to say that for the record.

12 COMMITTEE COUNSEL: Council Member
13 Vann.

14 COUNCIL MEMBER VANN: I'd like to
15 explain my vote. Actually, Jackson said basically
16 what I was going to say, but I'm voting
17 oppositely, so figure that out. But no, I feel
18 very strongly about supporting a member's position
19 on issues in his or her district. That has not
20 always been the case in this body, and I know one
21 classic example where that did not occur, and I'm
22 raising it now, it happened to be something in my
23 district. However, I'm committed, you know, I
24 represent the City of New York, and if there's an
25 issue of principle with me on something that I

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2 think is clearly out of bounds, then I forego my
3 commitment to that member and I'm more committed
4 to the people of the City of New York or the issue
5 that I think is far overriding any local
6 prerogative. So in the case of discrimination I'm
7 just unclear as to whether or not the
8 discrimination is real or perceived, and I've
9 heard mixed discussion, so I'm not clear, and
10 because I'm not clear, I'm going to vote no on
11 that particular item, and I vote aye on the rest
12 of the agenda.

13 COMMITTEE COUNSEL: Council Member
14 Gonzalez.

15 COUNCIL MEMBER GONZALEZ: Aye on
16 all.

17 COMMITTEE COUNSEL: Council Member
18 Palma.

19 COUNCIL MEMBER PALMA: Permission
20 to explain my vote.

21 CHAIRPERSON COMRIE, JR.: So
22 ordered.

23 COUNCIL MEMBER PALMA: Thank you.
24 I think there's a lot of confusion around this
25 issue and I want to be supportive of the member

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2 whose, you know, district this falls in, but I in
3 good conscience cannot vote for LU #740, given the
4 fact that I don't, I'm not familiar with it to the
5 fullest extent, and you know, hearing all the
6 concerns raised around discriminatory practices, I
7 can't put my name on LU 740, I vote no on LU 740
8 and aye on all the rest.

9 COMMITTEE COUNSEL: Council Member
10 Dickens.

11 COUNCIL MEMBER DICKENS: Aye.

12 COMMITTEE COUNSEL: Council Member
13 Garodnick.

14 COUNCIL MEMBER GARODNICK: Aye.

15 COMMITTEE COUNSEL: Council Member
16 Lappin. Okay. Council Member Mendez.

17 COUNCIL MEMBER MENDEZ: Just to
18 echo a lot of the sentiments of my colleagues, I
19 vote no on 740, and aye on all the rest.

20 COMMITTEE COUNSEL: Council Member
21 Vacca.

22 COUNCIL MEMBER VACCA: I'm going to
23 vote yes, but I'm very concerned about what I
24 heard today, and I don't understand how this can
25 reach this point where we're saying that it was

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2 known at one level but not at another level that
3 there were concerns, so how could those concerns
4 be late? I think those concerns were out there,
5 and now to have people vote at this point knowing
6 some things but not other things is not something
7 I'm accustomed to, and I don't want to get
8 accustomed to it. So I expect that we will have a
9 monitoring component on this proposal, and I very
10 much respect the views of my colleague. I expect
11 that we will do our due diligence in this matter,
12 but I'm not happy voting on this item at this
13 time, but I will vote yes in deference to what
14 seems to be a majority of this Committee, and our
15 commitment to monitor this issue.

16 COMMITTEE COUNSEL: Council Member
17 Koo. Council Member Levin.

18 COUNCIL MEMBER LEVIN: First I
19 would thank Assistant Majority Leader Dickens for
20 chairing the Subcommittee the other day, I do very
21 much appreciate that in my absence. My nephew
22 also appreciates it, I was out visiting him. But
23 I do want to just say to my colleagues, this
24 project, as in all affordable housing projects in
25 New York City, are monitored by HPD and this

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2 particular not-for-profit organization has a track
3 record, has a track record of 50 years in the
4 community. I encourage everybody to go down to
5 their offices at 32 Penn Street in Brooklyn and
6 see the type of work that they do and the services
7 that they provide to everybody in the community,
8 regardless of creed, color or religion, and I just
9 want to say that this is an organization that does
10 good work for everybody that needs it, and we need
11 more organizations like that in the City of New
12 York, and we need to think about providing what
13 they provide, and what they provide is services
14 for the poor, housing services, social services,
15 and in this case, affordable housing, which is
16 open and available to everybody. There has not
17 been an accusation of discrimination with regard
18 to this project, and so I would encourage my
19 colleagues to vote aye again, but I do appreciate
20 the concerns raised, and this like all projects
21 are monitored by HPD and is done so in the
22 strictest fashion. Thank you very much, Mr.
23 Chairman. Thank you, Assistant Majority Leader.
24 And I vote aye on all.

25 COMMITTEE COUNSEL: Council Member

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Lappin.

COUNCIL MEMBER LAPPIN: Aye.

COMMITTEE COUNSEL: Council Member

Weprin.

COUNCIL MEMBER WEPRIN: Aye.

COMMITTEE COUNSEL: Council Member

Williams.

COUNCIL MEMBER WILLIAMS: I vote

aye on all with the exception of 740. I was inclined to vote no, but I still need some more information about what exactly is going on, so I'm going to abstain on that for now, I abstain on 740 and aye on all.

COMMITTEE COUNSEL: All items on today's Land Use calendar are adopted by a vote of 18 in the affirmative, zero in the negative and zero abstentions, with the exception of Land Use 740, which is adopted by a vote of 12 in the affirmative, five in the negative and one abstention, and referred to the full Council.

CHAIRPERSON COMRIE, JR.: Okay, we're going to leave it open, Council Member Halloran promises he's ten minutes away, and Arroyo. Oh, she's on her way back, okay. Because

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2 okay, so again, I want to just remind Committee
3 members that we need to make sure that the
4 Committee is fully informed on issues, so we are
5 looking forward to full discussions. If I could
6 just get one more minute of quiet, we have
7 Subcommittee meetings December 13th and December
8 17th, Council Member Levin, we had asked you for
9 some specific responsibilities regarding this
10 project, we hope that we can count on you to
11 follow through and get back to us. So since the
12 Broadway Triangle issue is still a live issue, and
13 we want to make sure ... my understanding from this
14 is that we want more locally-based groups that
15 would get the yes easier, and not just one group
16 that gets sole source, that's my understanding.
17 And, you know, I know that this administration
18 tends not to work with locally-based groups, and I
19 think that's the heart of the problem here, so I
20 would like to see something, an update on that.
21 So, you know, I know that this administration
22 tends to work with super-groups or groups that
23 have a citywide base on these issues, and I think
24 that locally-based groups have their own
25 determination, especially in affordable housing,

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2 that's a key part of the issue here, so I would
3 like to hear back from you on that. With that the
4 meeting is adjourned, we will hold the roll open
5 for 15 minutes. Thank you.

6 COMMITTEE COUNSEL: Council Member
7 Halloran.

8 COUNCIL MEMBER HALLORAN III: Aye
9 on all.

10 COMMITTEE COUNSEL: The vote now
11 stands 19 ayes on all items, 19 in the
12 affirmative, zero abstentions and zero negative
13 votes, with the exception of Land Use 740, which
14 is approved by a vote of 13 in the affirmative,
15 five negative and one abstention.

16 COMMITTEE COUNSEL: Council Member
17 Arroyo.

18 COUNCIL MEMBER ARROYO: Aye on all.

19 COMMITTEE COUNSEL: The vote now
20 stands at all items approved and referred to the
21 full City Council by a vote of 20 in the
22 affirmative, zero in the negative, zero
23 abstentions, with the exception of Land Use Item
24 740, which is approved and referred to the full
25 Council by a vote of 14 in the affirmative, five

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in the negative and one abstention.

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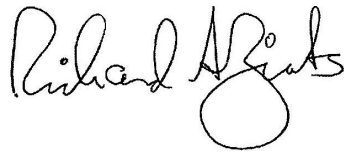
COUNCIL MEMBER ARROYO: Land Use

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Committee for December 6th is adjourned.

C E R T I F I C A T E

I, Richard A. Ziats, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature _____

Date December 18, 2012