

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON PLANNING, DISPOSITIONS AND CONCESSIONS

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October 6, 2009

Start: 1:00pm

Recess: N/A

HELD AT: Committee Room
City Hall

B E F O R E: DANIEL R. GARODNICK
Chairperson

COUNCIL MEMBERS:
Inez E. Dickens
Vincent Ignizio
Simcha Felder
Tony Avella

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

Tom McKnight
New York City Economic Development Corporation

Carol Clark
Assistant Commissioner, Local Legislative Affairs
Housing Preservation and Development

Victor Hernandez
Director of Tenant Interim Lease Program
Housing Preservation and Development

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2 CHAIRPERSON GARODNICK: Good
3 afternoon, everyone. Our apologies. We are
4 convening the subcommittee on Planning,
5 Dispositions and Concessions. This is another
6 subcommittee of the Land Use Committee of the New
7 York City Council. Previously held in this room
8 just a few moments ago was Zoning. This is
9 Planning, and we have to interrupt Zoning for a
10 few moments to address a couple of issues in the
11 Planning subcommittees. So our apologies. Again,
12 my name is Dan Garodnick. I'm joined today by
13 Council Members Inez Dickens and Vincent Ignizio
14 as well as Simcha Felder and Tony Avella, who are
15 members of the Zoning Subcommittee. We are going
16 to be voting on three items today. We previously
17 heard testimony on the subject of Land Use 1207,
18 that's at 640 Broadway, and I have one comment on
19 that in a moment. We are going to hear testimony
20 on Land Use 1224, that's College Point. And I'm
21 actually going to ask the folks from EDC to come
22 take the seat of honor here as I make mention of
23 all of the items here today. The last item will
24 be Land Use 1222, an item in the district of
25 Council Member Dickens. And let me just start off

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2 on the subject of Land Use 1207. This is an item
3 previously heard, 640 Broadway in Brooklyn,
4 Brooklyn Community Board 1, C090379HAK, in the
5 district of Council Member David Yassky. I want
6 to note Council Member Ignizio and I raised a
7 variety of issues on the subject of the process of
8 offering site authorization letters by the City's
9 Department of Housing Preservation and
10 Development. We were concerned because we wanted
11 to make sure there was as much possible
12 transparency in that process as possible, and that
13 people who are interested in working with HPD on
14 the subject of securing financing for affordable
15 housing, that they know the rules, that they have
16 every opportunity to participate and that the
17 process is open. In response, we have come to an
18 agreement with HPD, and I have a letter in my
19 hands from Joseph Rosenberg, the Deputy
20 Commissioner of HPD, to me, dated today, which
21 makes mention to the specific Land Use item at
22 issue today, but also sets forth a process that
23 they are undertaking to put certain information on
24 their website, the HPD website, which includes the
25 Agency's policy regarding site authorization

2 letters, the telephone number that groups can call
3 if they are interested in a specific site, a list
4 of the addresses by block and lot of each property
5 since 2006, for which HPD provided authorization
6 letters, and a list of federal and state awards
7 for City-owned sites once decisions are made. I
8 believe that this is a significant step forward
9 for HPD in the openness and transparency of their
10 process. I think it's particularly important that
11 institutions or individuals that are interested in
12 working with that agency to develop affordable
13 housing will now know front and center, clearly,
14 on their website what the process is, and also
15 site authorization letters that have previously
16 been written for which there is not a project that
17 has ensued, they will be available on the website
18 as well so that interested parties can scrutinize
19 that and consider whether they would like to
20 participate themselves. So we will enter that
21 letter into the record for today, and I am
22 grateful to HPD for their cooperation on this, and
23 it gives me some comfort going forward that we
24 will have more openness in this process. Of
25 course the project that is before us today is a

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2 good one, and I think that the comments that I
3 made last week were not to the detriment of this
4 project in particular. Really it was about the
5 process and that we want more openness in the
6 procedures here. Now I'll turn to Council Member
7 Ignizio.

8 COUNCIL MEMBER IGNIZIO: Thank you
9 very much, Mr. Chairman. I wanted to thank my
10 colleagues on this committee for doing yeoman's
11 work, and especially Chairman Garodnick. Never
12 did we question the integrity of the members of
13 HPD; never did we question the integrity of any
14 person in this City. What we strive to do and
15 what we wanted to do is to assure that the doors
16 of HPD and the doors of projects such as this are
17 wide open for anybody who wants to take part in
18 the process. And I think what we did today, Mr.
19 Chairman and my fellow Committee Members, is we
20 increased, kicked that door open just a little bit
21 wider so that people in the City of New York,
22 regardless of who they know, regardless of what
23 friends they have, regardless if they have none,
24 that they can take part in this process of making
25 the City and better place. And I ultimately

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2 believe that this and transparency resolution,
3 what I like to call it, and processes like this
4 will actually assure that the integrity of this
5 process is kept intact. And I am grateful for the
6 work that this Committee has done in assuring that
7 we move away from sole-source situations and we
8 move in rapid speed to all projects being
9 competitively bid. And I'm grateful for the
10 Chairman and his intervention. Thank you all.

11 CHAIRPERSON GARODNICK: Thank you,
12 Council Member Ignizio. And with that we are
13 going to turn immediately to Land Use 1224, which
14 is the College Point Corporate Park, Queens
15 Community Board 7, C090470PPQ in the district of
16 Council Member Avella. And we'll turn to the
17 representatives of the applicant. The
18 representative.

19 TOM McKNIGHT: Thank you, Council
20 Members. I'm Tom McKnight from the City's
21 Economic Development Corporation. The item before
22 you is a disposition application for a site
23 located in the College Point Corporate Park. It
24 totals 4,800 square feet. It relates to a
25 previous application that went before the Council

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2 over the summer, related to the disposition for
3 industrial businesses to locate in the College
4 Point Corporate Park. Because of a surveying
5 error, there are some opaque tax lots in this
6 area, and because of a surveying error, a sliver
7 of the disposition parcel was omitted from the
8 application that was previously approved by the
9 Council. You can see it on the map before me. It
10 totals about 4,800 square feet, and it would be a
11 portion of a site for a future industrial user.
12 All the information that was presented to the
13 Council and presented in the previous ULURP
14 package is still consistent; the only issue was
15 that in the ULURP there was--a part of a tax lot
16 was omitted. So in terms of the site plans, in
17 terms of all the information that was previously
18 presented, it's consistent. The only issue is the
19 omitted part of tax lot, which we are now
20 remedying.

21 CHAIRPERSON GARODNICK: Thank you.

22 Just to understand, when you made your initial
23 presentations to us, oral presentations and other,
24 all of this was included you said, correct?

25 TOM McKNIGHT: Yes. The

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presentation at the time of the last ULURP,
nothing has changed. It's really addressing this
technical issue.

CHAIRPERSON GARODNICK: Okay.

Thank you very much. Council Member Avella?

COUNCIL MEMBER AVELLA: A couple of
quick questions. The site is eventually going to
be transferred to what company again?

TOM McKNIGHT: This parcel would be
transferred to Met Metals.

COUNCIL MEMBER AVELLA: And if I
can see from the map up there, because we don't
have a copy of the map that you're showing on the
board, is that little shaded area above the box
the area that you're talking about?

TOM McKNIGHT: That's it.

COUNCIL MEMBER AVELLA: But the box
is the site that the company is--it's eventually
going to be transferred to that company.

TOM McKNIGHT: That's correct.

COUNCIL MEMBER AVELLA: What's the
additional square footage?

TOM McKNIGHT: I'm not sure I
understand.

2 COUNCIL MEMBER AVELLA: What's the
3 additional square footage that you're now
4 including in the zoning lot that wasn't included
5 before?

6 TOM MCKNIGHT: It was presented as
7 being part of the application previously, but it
8 turned out that that part of tax lot wasn't
9 included in the list. So the boundaries of the
10 site have not changed, it was just the included of
11 that part of the tax lot. So the site plan for
12 this particular business and the disposition plan
13 for this particular business has not changed.

14 COUNCIL MEMBER AVELLA: For the
15 record, when the site is eventually given to the
16 company, EDC has agreed to go before the Borough
17 Board for that approval.

18 TOM MCKNIGHT: We're required to go
19 through the 384 B 4 process in the charter, which
20 is Borough Board Review, that's correct.

21 COUNCIL MEMBER AVELLA: Mr.
22 Chairman, thank you. As you know, I had asked
23 that the Council turn down the original
24 applications, which the Council did not do. I
25 reaffirm my opposition to this, and I think it's

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2 an absolute disgrace that the Mayor can call
3 businesses in Willets Point blighted and then
4 stick them on another neighborhood, but that's the
5 way the City operates. So I would ask that the
6 Committee vote it down, but I know that's not
7 going to happen.

8 CHAIRPERSON GARODNICK: Thank you,
9 Council Member Avella. Seeing no member of the
10 public wishing to testify on this item, I'll close
11 the hearing on Land Use 1224, the College Point
12 Corporate Park--

13 TOM McKNIGHT: [Interposing] Thank
14 you.

15 CHAIRPERSON GARODNICK: --and open
16 the hearing on our last item of the day. Yes,
17 thank you for your presence here. Land use number
18 1222, non ULURP number 20105059HAM, which is part
19 of the tenant interim lease program from HPD.
20 It's in the district of our very own Council
21 Member Inez Dickens. I'll invite the HPD
22 representatives to the table and to introduce this
23 item as soon as they're ready. Ms. Clark?

24 CAROL CLARK: Thank you, Chairman
25 Garodnick and Committee Members. I am Carol

1 Clark, Assistant Commissioner for Local
2 Legislative Affairs at HPD. I am joined by Victor
3 Hernandez, our director of TIL, Tenant Interim
4 Lease Program. LU 1222 consists of the proposed
5 disposition of one occupied city-owned building,
6 located as you noted at 4648 East 129th Street,
7 through HPD's Tenant Interim Lease Pilot Program.
8 This program is a collaboration between HPD, the
9 Council and the Local Initiative Support
10 Corporation. In it, additional funding is
11 provided by the Council to advance through the TIL
12 pipeline's selected properties ready for
13 conversion to home ownership. The Council
14 allocated \$3 million for FY '09 for the TIL pilot
15 program and \$2 million of that sum is slated for
16 the rehabilitation of this building. In
17 consultation with Council Member Dickens, Harlem
18 Congregations for Community Improvements, known as
19 HCCI, was designated to carry out the project.
20 They are well known as one of the strongest
21 affordable housing groups operating in Harlem, and
22 have qualified under HPD's competitive
23 initiatives. Under the proposed project, the City
24 will sell the building to the sponsor, which will
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2 undertake rehabilitation of ten residential units.
3 Upon completion, the sponsor will sell the
4 cooperative units to the tenants. Council Member
5 Dickens has reviewed the project and indicated her
6 support.

7 CHAIRPERSON GARODNICK: Council
8 Member Dickens?

9 COUNCIL MEMBER DICKENS: Thank you,
10 Chair Garodnick. First, I support this action
11 because I have already had a hand in moving this
12 project forward. As part of the FY 2009 budget, I
13 was able to work with a number of my council
14 colleagues to set aside the \$2 million for the
15 rehab of this property through the Council's TIL
16 Pilot Initiative, administered by LISC and HCCI,
17 Harlem Congregations for Community Improvement.
18 The action in front of us today will free this
19 money and allow HCCI to move forward with
20 relocating the tenants, securing the total sum of
21 money and beginning the rehab program. This
22 building houses ten total units, of which eight
23 are currently occupied by members of the
24 Residents' Association. The other two units are
25 currently being used as relocation units for

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2 members of another TIL project. All of the units
3 are seven and a half rooms in total, with four
4 bedrooms that have been redesigned so that upon
5 completion, each unit will have three bedrooms.
6 In contrast to other TIL projects, this building
7 is coming to the Council prior to beginning the
8 rehab, due to the Council funding awaiting our
9 approval. Our approval in turn will allow HCCI to
10 leverage a number of other sources like NYCERDA,
11 the Federal Bank Board, the Affordable Housing
12 Corp Fund and some home funding from West Harlem
13 Group Assistance. While there is still a gap in
14 the funding, Lucille McEwen, the president and CEO
15 of HCCI, is confident that with this action the
16 project can begin to move forward. My office has
17 spoken with Ms. McEwen and the residents to gauge
18 their readiness, and I am confident that they are
19 prepared to begin this project together. All
20 plans have been approved by both the City and the
21 residents. While there are some financial issues
22 with some of the residents, we are confident that
23 these issues can be resolved in a way that will
24 allow this project to be successful over the long
25 term. The residents are excited to move and get

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 2 the project started, and I am hopeful for the
 3 future of this building, as I have a significant
 4 stake in its success. I thank HPD for their
 5 assistance and ask my colleagues for their support
 6 for this TIL building. I thank my chair for my
 7 time.

8 CHAIRPERSON GARODNICK: You got it.
 9 Council Member Dickens, thank you. And with that,
 10 that's the last item on our agenda for today. All
 11 other items that are on the calendar are going to
 12 be laid over at the request of the individual
 13 Council Members in whose districts these
 14 properties sit. We'll be calling a vote on Land
 15 Use 1207, 1224 and 1222 only. Chair recommends an
 16 aye vote on all of those items and I'll ask the
 17 Counsel to call the roll.

18 CAROL SHINE: Carol Shine, Council
 19 to the Subcommittee. Chair Garodnick?

20 CHAIRPERSON GARODNICK: I vote Aye.

21 CAROL SHINE: Council Member
 22 Dickens?

23 COUNCIL MEMBER DICKENS: I vote
 24 Aye. And I want to thank and congratulate both
 25 the Chair, Daniel Garodnick, and Council Member

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2 Ignizio for fighting to ensure that the process is
3 indeed fair and open for all to participate in
4 with HPD, and I thank you and I vote Aye.

5 CAROL SHINE: Council Member
6 Ignizio.

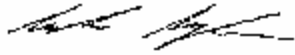
7 COUNCIL MEMBER IGNIZIO: Yes. And
8 I too want to echo the sentiments of Inez to the
9 Chairman, who did yeoman's work on this.

10 CAROL SHINE: By a vote of three in
11 the affirmative, none in the negative and no
12 abstentions, the aforementioned items are approved
13 and referred to the full Committee.

14 CHAIRPERSON GARODNICK: All right.
15 Committee Members, thank you very much. And with
16 that we are going to be adjourned. And I share my
17 colleagues for what we were able to achieve today.
18 Thank you.

C E R T I F I C A T E

I, Erika Swyler, 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 October 7, 2009