

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH
COMMITTEE ON GENERAL WELFARE
COMMITTEE ON JUSTICE SYSTEM
COMMITTEE ON PARKS AND RECREATION

----- X

May 18, 2020
Start: 10:13 a.m.
Recess: 4:36 p.m.

HELD AT: Remote Hearing

B E F O R E: Daniel Dromm
CHAIRPERSON

Steve Levin
CHAIRPERSON

Rory Lancman
CHAIRPERSON

Peter Koo
CHAIRPERSON

Jumaane Williams
Public Advocate

COUNCIL MEMBERS:
Keith Powers
Helen Rosenthal
Diana Ayala
Mark Gjonaj
Vanessa L. Gibson

Francisco Moya
Barry Grodenchik
Jimmy Van Bramer
Adrienne E. Adams
Karen Koslowitz
Laurie A. Cumbo
Robert E. Cornegy, Jr.
Alicka Ampry-Samuel
Farah N. Louis
Steven Matteo
Andrew Cohen
Ritchie J. Torres
Alan N. Maisel
Debora Rose
Rafael Salamanca Jr.
Robert Holden
Antonio Reynoso
Brad Lander
Mark Treyger
Eric Ulrich
Carlina Rivera
Justin Brannan
Kalman Yeger

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

Steve Banks, Commissioner
New York City Department of Social Services

Jordan Dressler, Civil Justice Coordinator
Office of Criminal Justice

Rosine Ferdinand, Deputy Commissioner
Office of Budget Administration Finance

Mitchell Silver, Commissioner
New York City Department of Parks and Recreation

Liam Kavanagh, First Deputy Commissioner
New York City Department of Parks and Recreation

Margaret Nelson, Deputy Commissioner
Urban Park Service and Public Programs
New York City Department of Parks and Recreation

Therese Braddick, Deputy Commissioner for
Capital Projects
New York City Department of Parks and Recreation

Sam Biederman, Assistant Commissioner
New York City Department of Parks and Recreation

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 4

2 CHAIRPERSON DROMM: Folks, we are just
3 waiting for our co-chair to get online with us. Then
4 we'll get started. Can you hear me, Commissioner?

5 [background comments]

6 UNIDENTIFIED: [inaudible 00:17:30]
7 Jumaane.

8 [background comments]

9 SERGEANT-AT-ARMS: Good morning, everyone.
10 At this time, can everyone please turn electronic
11 devices to vibrate or silent? Please mute your
12 microphone on Zoom. Please ensure that you have
13 named yourself correctly in Zoom or you may be either
14 renamed by the Zoom host or removed from the hearing.
15 Thank you. We will now begin with the meeting of the
16 Committee on Finance with General Welfare.

17 CHAIRPERSON DROMM: Okay. Good morning
18 and welcome to the City Council's fourth day of
19 hearings.

20 [gavel]

21 CHAIRPERSON DROMM: This hearing is on
22 the Mayor's Executive Budget for fiscal 2021. My
23 name is Daniel Dromm and I Chair the finance
24 committee. We are joined by the Committee on General
25 Welfare, Chaired by my colleague, Council member

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 5

2 Steve Levin, and the Public Advocate Jumaane
3 Williams. I would like to acknowledge my colleagues.
4 And let me just pull it up. I am sorry. Okay. We
5 have Council member Holden, Adams, Lander, Matteo,
6 Ampry-Samuel, Grodenchik, Gibson, Lewis, and Maisel.
7 I would now like to turn it over to our committee
8 counsel to go over some procedural items.

9 COMMITTEE COUNSEL: Thank you. My name
10 is Stephanie Ruiz and I am tasked to the New York
11 City Council's Committee on Finance. Before we
12 begin, I wanted to remind everyone that you will be
13 on mute until you are recognized to speak, at which
14 time you will be unmuted by the Zoom host. If you
15 mute yourself after you have been on muted, you will
16 need to be on muted again by the host. If Council
17 members would like to ask a question, please use the
18 Zoom raise hand function and you will be added to the
19 queue. I will now hand it back to Chair Dromm.

20 CHAIRPERSON DROMM: Thank you very
21 much. In our budget response this year, the Council
22 made it clear that one of our top priorities is to
23 protect to the city's social safety net. And our
24 experiences during the COVID-19 pandemic show just
25 how crucial this is. The fiscal 2021 executive

1 budget is balanced, but does not reflect the
2 additional resources needed to maintain the social
3 safety net as this pandemic continues to devastate
4 the city into the next fiscal year and beyond. HRA's
5 executive plan totals 9.6 billion dollars,
6 representing a 562 point million dollar reduction to
7 the preliminary plan. Similarly, DHS's executive
8 plan totals approximately 2.7 billion dollars,
9 representing a 52.9 million dollar reduction to the
10 preliminary plan. The Council understands that
11 agencies were required to make deep cuts to spending
12 in response to the worsening economic conditions, but
13 HRA and DHS's executive planes are woefully
14 inadequate in that they fail to maintain core
15 services that are essential to New Yorkers and they
16 do not appropriately address COVID-19 related
17 spending and other budget risks. Neither plan
18 includes new funding for COVID-19 related spending,
19 but, instead, merely reallocates and recommits
20 existing funding. Additionally, COVID-19
21 expenditures were inaccurately budgeted and no new
22 funding or baseline changes were made to city's
23 social safety programs. To the city's social safety
24 net programs such as rental assistance programs, the
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 7

2 employee and family assistance program, or programs
3 to support undocumented immigrants despite there
4 being an increased demand for these programs. With
5 potential state cuts on the horizon, potentially
6 impacting the city's Medicaid programs, we must be
7 prepared for the worst case scenario and
8 appropriately fund vital social safety net programs.
9 The fiscal 2021 executive plan also did not include
10 over 39.7 million in Council initiative funding.
11 It's frustrating to see that over and over again, the
12 administration continues to exclude these initiatives
13 from the executive plan, despite the fact that these
14 initiatives provide key services ranging from food
15 access services to immigrant support services. Now
16 is not the time to cut spending on these initiatives.
17 I want to thank you all for being here today and I'm
18 going to now turn it over to my co-chair, Council
19 member Steve Levin.

20 CHAIRPERSON LEVIN: Good morning.

21 Thank you, Chair Dromm. I'm Council member Steve
22 Levin, Chair of the General Welfare Committee here in
23 the Council. I want to thank you all for joining me
24 for the fiscal 2021 executive budget hearing for the
25 General Welfare Committee held jointly with the

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 8

2 Finance Committee. The city's proposed fiscal 2021
3 budget totals 89.3 billion dollars of which 11.7, or
4 13 percent, fund the Department of Social Services,
5 encompassing the Human Resources Administration and
6 the Department of Homeless Services. These two
7 agencies serve the most honorable populations in the
8 city. Their vital work and, now, more important than
9 ever, given the COVID-19 pandemic and its devastating
10 impacts on the city. As the largest social service
11 agency in the country, HRA provides cash assistance,
12 emergency food assistance and SNAP, HIV/AIDS support
13 services, otherwise known as HASA, legal services,
14 anti-eviction services, rental assistance, and rental
15 arrears, and many other public assistance programs
16 for low income New Yorkers. DHS provides
17 transitional shelter for homeless single adults,
18 adult families, and families with children in
19 accordance with New York City's right to shelter
20 mandate. DHS also helps clients to exit shelter and
21 move into permanent and supportive housing. As Chair
22 Dromm stated, the Council's budget response made it
23 clear that protecting New York City's social safety
24 net is the one of the Councils top priorities. While
25 the executive budget is balanced, the budget put

1 forth for these agencies does not reflect any of the
2 additional resources that would be me that for COVID-
3 19 related expenditures or to support the staggering
4 increase in demand for social safety net programs and
5 homeless services. Since the release of the
6 preliminary budget and, HRA's fiscal 2021 executive
7 budget has decreased by 562.2 million dollars or
8 approximately 5.5 percent to 9.6 billion. The
9 majority of this decrease is due to a one time
10 savings of 440 million dollars in the city's Medicaid
11 costs as part of the Families First Coronavirus
12 Response Act. The federal relief increased the
13 amount of Medicaid expenses that are federally
14 covered. Just one need is added to the fiscal 21
15 executive budget across both agencies, totaling 68
16 million dollars annually to replace the cut in state
17 funding as a result of the enacted state executive
18 budget which now requires the city to contribute an
19 additional five percent of temporary assistance to
20 needy families, otherwise known as TANIF fun. This
21 is on top of the 10 percent local share instituted
22 last fiscal year. This funding shortfall impacts the
23 DHS and HRA and supports shelter costs and cash
24 assistance. Since the release of the preliminary
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 10

2 budget, and DHS's fiscal 21 executive budget has
3 decreased by 52.9 million dollars or approximately
4 2.5 percent to 2.07 million. The majority of this
5 decrease is due to hotel shelter rate savings of 35
6 million dollars and shelter security savings of 25
7 million dollars. Due to the COVID-19 pandemic, the
8 administration reintroduced the program to eliminate
9 the gap, otherwise known as PEG program and the
10 executive budget. In the executive budget, HRA has a
11 PEG total of 148 million dollars for fiscal 20 and 48
12 million dollars for fiscal 21. The majority of the
13 PEG is related bud are-- Sorry. The majority of the
14 PEG's are related to budget re-estimates, under
15 spending due to COVID-19 and roll out delays. In the
16 executive budget, DHS has the total of 5.4 million
17 dollars for fiscal 20 and 60 million dollars for
18 fiscal 21. The PEG's relate to indirect rate
19 adjustments and the hotel rate savings and security
20 savings mentioned earlier. While the budget
21 maintains essential, the benefit programs
22 administered by HRA and shelter administered by DHS,
23 more can and should be done and we need to think more
24 deeply about where we can most effectively allocate
25 city resources, especially during these uniquely

1 challenging times. I am particularly disappointed
2 that the executive plan does not put forth a solid
3 plan for COVID-19 spending at DSS and no new funding
4 was allocated towards addressing food insecurity or
5 the added challenges homeless individuals are facing
6 during the pandemic. I strongly believe that the
7 city needs more comprehensive planning and clear path
8 forward on how we will combat poverty, food
9 insecurity, and homelessness both during the
10 remainder of the pandemic and in the long recovery
11 after it. Before I welcome the commissioner, I would
12 like to acknowledge my colleagues who are here today
13 and, I think, Chair Dromm did that. And I would also
14 like to thank the General Welfare Committee staff for
15 their work in putting this hearing together today.
16 Julia Haramis, our finance analyst, Frank Sarno,
17 financial analyst, Dohini Sempure, unit head, Aminta
18 Killowan, senior counsel, Crystal Pond, policy
19 analyst, Natalie Arroyo, policy analyst. I would
20 also like to thank my Chief of Staff, Jonathan
21 Boucher and my legislative director, Elizabeth Adams.
22 And, with that, I will turn it back over to Chair
23 Dromm.
24
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 12

2 CHAIRPERSON DROMM: Thank you very
3 much, Chair Levin. I want to say that now also been
4 joined by Council members Cohen, Salamanca, Moya,
5 Ayala, Gjonaj, Yeger, Treyger, and Powers. And now I
6 would like to ask our Public Advocate Jumaane
7 Williams to give his opening statement.

8 PUBLIC ADVOCATE WILLIAMS: Thank you,
9 Chair Dromm, and Chair Levin, for this hearing. This
10 opportunity. My name is Jumaane Williams, Public
11 Advocate for the City of New York. Given the massive
12 loss of revenue that our municipal economy and
13 suffered, the city has made and we will have to make
14 extensive budget cuts, yet the area in which the
15 administration has decided to reduce blended affects
16 agencies that, when operating effectively, serve our
17 community is the most. The Mayor has cut funding to
18 the Department of Social Services by more than 48
19 million dollars, including 6 million dollars in job
20 training programs. The executive plan for the Human
21 Resource Administration, the executive budget also
22 includes 60 million dollars in cuts to the Department
23 of Homeless Services, with a 35 million dollars
24 reduction in hotel spending. I find this ironic and
25 alarming given the need to isolate homeless

1 individuals to stop the spread of COVID-19. This
2 funding needs to be maintained so that people who are
3 experiencing homelessness will need to isolate
4 themselves and have single occupancy rooms, rather
5 than double occupancy, which only puts them more at
6 risk of contracting and spreading the coronavirus.
7 DHS is also facing a 25 million dollar cut in funding
8 for security in DHS shelters despite several ports
9 and safety concerns. The need for the support that
10 are social service agencies provide is only growing
11 and vital services need additional investment. The
12 city has seen a significant rise in unemployment as
13 New Yorkers have suffered massive layoffs over the
14 past two months. As a result, our communities are
15 depending on food pantries to feed their families and
16 it is very likely that SNAP enrollment will increase.
17 HRA manages the emergency food assistance program,
18 the FAP, which has a baseline budget of 20.2 million
19 dollars and a network of more than 500 food pantries
20 and soup kitchens. HRA also administers the SNAP
21 program budgeted at 1.5 million. The city means to
22 ensure that HRA has additional funding to address the
23 expected increase in SNAP enrollment from food
24 insecurity. My office recently learned that
25

1 individuals can apply for emergency assistance
2 grants, as well as ongoing cash assistance through
3 access HRA. The application process includes
4 questions that assess that an emergency grant is not
5 needed to ensure financial security of the clients.
6 We need clarity from the administration of the
7 criteria used to determine eligibility for these
8 programs. The number of applications HRA has
9 received and how accessible and HRA representative
10 is, should someone need help during the application
11 process. These financial supports need to be
12 accessible to undocumented communities who have been
13 left out of the federal stimulus package, despite and
14 during the same amount of financial hardship as their
15 neighbors. The reports of the unsanitary living
16 conditions at city homeless shelters and safe havens
17 are alarming and only increase the likelihood of the
18 virus spreading. Shelter residents should not be
19 assigned a bed that has not been sterilized after an
20 individual who has tested positive has slept in it.
21 So Penn hand sanitizer should be abundant, not merely
22 existing, and shelters site must implement and
23 enforce social distancing. These conditions present
24 and even greater disincentive for persons
25

1 experiencing street homelessness to enter shelter or
2 safe haven. While I applaud DHS efforts to relocate
3 shelter residents to hotel rooms, the sanitary and
4 hygiene conditions can be a matter of life and death.
5 Last month, during our Council hearing, DHS shared
6 that they had been tracking 629 positive cases across
7 158 hotel rooms. Today, the city needs an update on
8 the care and well-being of these folks and how many
9 persons who tested positive are still in DHS
10 shelters. I am eager to hear how the administration
11 is providing care, promoting testing, and preventing
12 more COVID-19 infections and shelters and safe
13 havens. The COVID-19 pandemic has caused widespread
14 unemployment, increased food insecurity, and created
15 additional public health concerns for our homeless
16 populations. I need to the administration to
17 prioritize and increase funding for services and
18 improve access to food and help low income New
19 Yorkers. Protect the health of homeless individuals
20 and support human service providers. I am interested
21 in hearing from HRA and Department of Homeless
22 Services today. I'll look forward to gaining a
23 better understanding of how the budget will help them
24 protect the health of New Yorkers during this
25

1 pandemic. I am my and, with homelessness
2 particularly, I believe and have been saying for a
3 while, that the administration has been failing
4 homelessness and housing well both for the COVID
5 pandemic and we were assured that they were not. And
6 I think we can all agree now that, actually, it was
7 and is now being exacerbated. And I appreciate how
8 difficult of an issue this is, that this is a time
9 that we can't go backwards, particularly as the NYPD
10 is only facing a shave. That then means that we want
11 NYPD to come in and forcibly tried to fix something
12 that we have failed to fix before. Thank you so much
13 for the opportunity. I look forward to hearing your
14 testimony, Commissioner.

16 CHAIRPERSON DROMM: Thank you, Mr.
17 Public Advocate. Before we begin with testimony from
18 the administration, I would like to remind the public
19 that this committee and subcommittee on capital
20 budget will be holding a remote hearing for public
21 testimony on the executive budget on May 21 at 12
22 p.m. please note the news scheduled start time. If
23 you would like to testify at the hearing, please
24 register at www.council.nyc.gov/testify and
25 information about how to access the Zoom meeting will

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 17

2 be emailed to you. You may testify at that hearing
3 via the web or via telephone. You may also submit
4 written testimony through that registration website
5 or by emailing financetestimony@council.nyc.gov. We
6 will now hear testimony from Commissioner Steve
7 Banks. Commissioner Banks is joined by his Chief of
8 Staff Scott French and I will now ask committee
9 counsel to please administer the affirmation.

10 COMMITTEE COUNSEL: Thank you. Do you
11 affirm that your testimony will be truthful to the
12 best of your knowledge, information, and belief?
13 Commissioner Banks?

14 COMMISSIONER BANKS: I do.

15 COMMITTEE COUNSEL: Mr. French?

16 COMMISSIONER BANKS: Mr. French will not
17 be testifying. He's assisting me in the presentation
18 this morning.

19 COMMITTEE COUNSEL: Understood.

20 Commissioner Banks, you may begin when ready.

21 COMMISSIONER BANKS: Good morning.

22 Thank you, Chairs Dromm and Levin, members of the
23 Finance and Welfare Committee.

24 CHAIRPERSON DROMM: Commissioner Banks,
25 sorry to interrupt. If you can summarize, that would

be very helpful to us because we are on a very tight
schedule.

COMMISSIONER BANKS: I will summarize.

For the record, I am providing you with written
testimony and let me proceed through the testimony.

I want to thank you, Chair Dromm and Chair Levin.

Members of the Financing General Welfare Committee

for the opportunity to testify today, as well as

thanking you, Public Advocate Jumaane Williams. I

appreciate our conversations during this crisis and

your insights and our dialogue. Before we proceed

with this testimony, I want to thank the staff of our

agency and our partner not-for-profit providers who

have been on the front lines helping me the needs of

our clients during these crisis. There are essential

workers who are providing essential services to New

Yorkers who need us now more than ever. I also want

to ask a moment of silence for the 31 members of our

staff passed away and a yet unknown number of

providers staff who have passed away. 76 DHS clients

we have lost, large numbers of people across the city

who have lost, and an, as of yet, unknown number of

HRA clients, along with other New Yorkers who have

lost. I am inspired by the resilience of our

workforce. Inspired by the Brazilian of our
partners, but I am devastated by the loss of our
staff, providers staff of all New Yorkers and the
clients that we serve. Thank you very much.

Each year, at our annual budget hearings,
we provide an update of our progress of forming
several decades of social services and homeless
services policy and procedures. Given the current
moment in time, we have summarized the status of
these efforts and an appendix, for the record, so
that we can spend the limited time at this hearing
focusing on budget and COVID-19 members. At the
Human Resources Administration, we took extraordinary
steps to quickly transform our agency operations and,
over the past 10 weeks, HRA has responded to continue
to provide benefits and services in a changed city.
On March 15, following state approval, we announced
the elimination of all requirements for HRA in person
appointments so as to reduce our center foot traffic
and implement social distancing. Accordingly, we are
not taking any adverse actions against clients don't
keep previously scheduled appointments or
assignments. No new appointments or assignments are
being scheduled and, and in 2015, as we have

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 20

2 testified previously, we moved our food stamp
3 services online and by telephone so that by December
4 2019, 96 percent of our application interviews for
5 food stamps were by telephone and about 90 percent of
6 our food stamp applications, SNAP applications were
7 on line. Those reforms stood us in good stead when
8 this crisis hit because our clients can conduct
9 business with us from the safety of their homes.
10 During this time, 99 percent of all SNAP business is
11 now conducted online outside of our centers. We have
12 been seeking, as I have testified before, approval
13 for the same benefit I access for cash assistance so
14 that cash assistance clients could avoid the need to
15 come into an office to receive help. As the crisis
16 hit, we finally, or dead, received state approval to
17 transform the cash assistance program and, in four
18 days, on March 20th, we stood up a system to apply
19 for cash assistance online with telephone interviews.
20 As a result, as of April, over 90 percent of cash
21 assistance applications are now submitted online. I
22 am sure we will get to it, but, through our work with
23 OTDA, we have secured waivers in other areas to
24 ensure that clients are able to prioritize getting
25 services without endangering their health and safety

1 and our staff can be protected without having to
2 leave their homes. A status report of those waivers
3 is included with this testimony in the appendix. By
4 way of the example, following an array of requests to
5 the state and the state's request to the federal
6 government, clients would otherwise be required to
7 recertify for food stamps and cash assistance don't
8 need to do so at this time. And when recertification
9 resumes, we will notify clients. Similarly, with
10 state approval, we've been able to lift employment
11 sanctions for clients who have contacted us. We've
12 also been able to suspend the federal able-bodied
13 adults without dependents work requirements at this
14 time. In order to protect staff and clients, we have
15 consolidated offices and we've got a key office
16 available in each borough. Obviously, given what has
17 occurred in the city, our application volume has
18 dramatically increased and we are now receiving
19 record numbers of applications. Three times as many
20 for SNAP and food stamps and twice as many for cash
21 assistance. To meet this demand to and protect our
22 staff, we redeployed and re-trained staff from across
23 the agency to process cases and we've built a new
24 remote access platform and deploy technologies so
25

1 that as many staff as possible can serve clients from
2 their homes. Altogether, we have redeployed-- or
3 reassigned, I should say-- nearly 1400 staff from
4 other areas to handle the SNAP and cash assistance,
5 including about 100 people from Metro Plus who are
6 assisting us, as well. 84 percent of our workforce
7 is now working from home through the new systems that
8 we built, literally, overnight to enable our staff to
9 provide services from home. With respect to the
10 Department of Homeless Services, at the very
11 beginning of this crisis on March 3rd, we provided
12 guidance to directors than we have been providing
13 ongoing guidance on an ongoing basis to shelters.
14 Beginning on the night of March 9th, we rolled out a
15 new street homeless initiative to survey clients on
16 the street to determine whether or not they had any
17 symptoms. And, with the process with H&H, we worked
18 out a room for all the hospitals, if there were such
19 a case. We have conducted over 20,000 such
20 engagements to meet the needs of clients on the
21 street. On the night of March 13th and March 14th,
22 even before there was formal FEMA approval for such
23 isolation sites, we opened our first isolation site
24 for clients. And I of now, we have more than 700
25

1 potential beds available for isolation. And, as of
2 May 15th, nearly 800 people who have been in our
3 isolation sites have been discharged with their cases
4 resolved. That includes people tested positive in
5 people who had symptoms. As we testified last month,
6 the New York Times, on April 16th, actually credited
7 our transparency in reporting to the public on these
8 matters saying the city Department of Homeless
9 Services is tracking and releasing information about
10 confirmed virus cases and death. Others city and
11 state agencies that run group shelters have not
12 disclosed that information. As we have publicly
13 reported, we have been moving single adults out of
14 corrugate shelters to commercial boot. We began the
15 COVID crisis with 3500 New Yorkers, single adults,
16 and commercial hotel. That is 3500 out of the 1700
17 single adults in our shelters system. As of today,
18 9000 single adults now reside in commercial hotels.
19 We began this initiative first prioritizing clients
20 over 70 and then we were using existing DHS hotels
21 and then we have been able to bring on, with the
22 collaboration with OEM, additional hotels to be able
23 to move people out of congregate shelters to promote
24 social distancing. We have opened-- I'm just trying
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
2 COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 24

3 to summarize, Chair. We have opened over 300 Safe
4 Haven bands. Safe Haven is stabilization beds to
5 bring people in from the street, including more than
6 100 bed in commercial hotels. In my testimony about
7 9000 single adults being in commercial hotels, I
8 believe I said it was 9000 out of 1700. So,
9 obviously, 9000 out of 17,000 single adults in our
10 single adult shelters system. In your opening
11 comments, Chairs Levin and Dromm, as well as the
12 Public Advocate, you referred to the impact of the
13 state TANIF and EAF cut. I know that OMB director
14 Melanie Hertzog referred to the hundred 20 million
15 dollar impact on our budget of that cut. On the
16 other hand, you know, we continue to look for ways in
17 which we can work together at the state level. We
18 were continuing to monitor and we are hopeful that
19 legislative proposals like homes stabilities support
20 would provide funding for state rental assistance.
21 That did not occur in the budget. And, as you have
22 indicated, we take in a 120 million dollar-- we have
23 taken a TANIF cut, as well. Part of our initiatives
24 include the increase in the burial and funeral
25 assistance cost due to the tragic and high mortality
rate and its disproportionate impact on low income

1 New Yorkers. We took action, increasing the amount
2 of the burial grant. It is a state set limit for
3 state reimbursement of 900 dollars and has increased
4 since 1987. We are supporting legislation to
5 increase at the state level, but, pending that
6 legislation, we took action and increase to the grant
7 1700 dollars with the difference being made up with
8 city tax levy and we are required to have a cap,
9 under state law of maximum cost. And then we raised
10 that from 1700 dollars to 3400 dollars and that was
11 done by an emergency rule that the Mayor and I issued
12 earlier this month. The Mayor's office and MOIA and
13 we have been very focused on raising private funds to
14 enable to get families to get these benefits from us
15 regardless of immigration assistance.

17 Lastly, let me just highlight some of the
18 budget changes that you summarized and then we can
19 get end of the questions. Our ongoing reforms in the
20 social services and homeless policy areas are updated
21 in the appendix, but they must now be contextualized
22 within the citywide FY 21 executive budget, which has
23 been significantly impacted by COVID-19 budget
24 shortfalls and reductions since the state 2021
25 enacted budget. Between FY 20 and FY 21, the DSS HRA

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 26

2 total budget declines from 10.3 billion, 8 billion in
3 city funds, to 9.6 billion, 7.4 billion city funds.

4 Or by 600 million in total funds, 585 million city
5 funds. Anticipated expenses funding including the

6 FEMA reimbursement for COVID related activities is
7 not yet reflected in our agencies budgets. Funding

8 for DSS HRA was added only for required technical
9 adjustments, collective bargaining, and backfilling

10 the state and TANIF cut that you described in your

11 opening comments. The backfill requires the addition

12 of 49.5 million in city funds to the DSS inventory

13 baseline. The continuing loss of state support last

14 year and this year is even more significant as we

15 focus on benefit delivery declines in the midst of

16 this pandemic. The decrease in DSS budget is

17 primarily to test savings initiatives and anticipated

18 one time enhanced federal reimbursement for Medicaid

19 from the Cares Act that is expected in FY 20 only.

20 The savings initiatives and FY 20 and FY 21 include

21 one-time reductions in the budget due to anticipated

22 under spending, which do not impact program

23 operations, as well as program rightsizing and

24 vacancy reductions. The savings initiatives that

25 reflect anticipated under spending include Fair

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 27

2 Fares, decrease of 65.5 million in city funds in FY
3 20 only. 22 under spending, resulting from a
4 decrease in ridership during the COVID-19 shelter in
5 place period. Supportive housing, a decrease of 20
6 million in city funds and FY 21 only as a result of
7 an updated timeline for the phase in of supportive
8 housing units. Legal services, a decrease in 11.5
9 million in city funds in FY 20, and 8.5 million in
10 city funds in FY 21 only due to a hiring lag for
11 legal services providers. Client car fare, a
12 decrease of 3 million in city funds and FY 20 and FY
13 21 only two to decreased utilization of employment of
14 car fare services during COVID-19 shelter in place
15 period. And, of course, we have waived all
16 requirements for participation in employment programs
17 during this time. For our job-training programs, it
18 was a decrease in 3.2 million in city funds and FY 20
19 only and our GTP funding due to COVID-19 related
20 under spending and the Parks Department budget was
21 also decreased-- the Parks Department GTP program is
22 at the highest during the warmer months and these
23 reductions reflect under spending because of COVID-
24 19. Other savings include silver stars, a decrease
25 of 15 head count because of the use of city funds for

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 28

2 implementing the Silver Star program which brings
3 retired city workers back on a part-time basis.

4 Three quarters housing. A decrease of 1.5 million in
5 city funds in FY 20 and head count at HRA of 3

6 million in city funds in FY 21. And the baseline due
7 to the rightsizing and services provided to former

8 three-quarter house tenants, as referrals to the

9 program have declined. At one point, we had more

10 than 500 people in temporary housing program who we

11 had brought out of three quarters housing. That

12 number is now less than 50. Adult Protective

13 Services, there is a savings of 500,000 dollars in

14 total funds and 250,000 dollars in city funds in FY

15 21 and 2 million dollars in total funds, 1 million in

16 city funds and FY 22 in the baseline due to a

17 restructuring of Adult Protective Services that will

18 expand services provided through not-for-profit

19 contracts. And, finally, in job-training programs,

20 there is a savings of 6 million dollars in city funds

21 in FY 21 in the out years, as well as the baseline,

22 for restructuring of job-training programs. Let me

23 skip to the Department of Homeless Services. As you

24 summarized at the beginning, the total budget

25 declines from 2.15 billion, 1.3 billion in city

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 29

2 funds, to 2.07 billion. 1.3 billion in city funds or
3 75 million in total funds and 40 million in city
4 funds. Again, anticipated expenses and funding,
5 including FEMA reimbursement for COVID related
6 activities is not yet reflected. As with DSS HRA,
7 the funding for DHS was added only for required
8 technical adjustments, collective bargaining, and
9 backfilling of state TANIF costs, which increases the
10 city's share of TANIF from 15 percent-- to 15
11 percent from 10 percent and this requires the
12 addition of 32.1 million in city funds in the
13 baseline for DHS. The savings plan reflects the
14 renegotiation of the nightly hotel rate for
15 commercial hotels resulting in savings of a projected
16 35 million dollars in FY 20 and in the out years.
17 This isn't a reduction in the use of hotels. It's a
18 reduction in the rate paid for hotels. Additionally,
19 there is an adjustment of 25 million dollars and FY
20 21 in the out years with respect to security services
21 reflecting a determination to focus on de-escalation
22 as a way of implementing security. Then we will
23 continue to adjust and recalibrate our models as we
24 move forward. In conclusion, I want to thank you
25 again for the opportunity to testify and summarize

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 30

2 the critical work that DSS and HRA and DHS staff to
3 every day on behalf of low income New Yorkers, along
4 with our partners in the not-for-profit community.

5 Looking forward to continuing our important
6 partnership with the Counsel and keep improving
7 essential programs upon which so many New Yorkers
8 rely, particularly at this time of unprecedented
9 need. Thank you again for the opportunity to testify
10 and I welcome your questions that you may have this
11 morning.

12 CHAIRPERSON DROMM: Thank you very
13 much, Mr. Commissioner. Let's get right into some
14 questions. Now, in a budget response, the Council
15 made it clear that one of our top priorities is to
16 protect the social safety net and our experiences
17 during the COVID-19 pandemic show just how crucial
18 this is. But as the unemployment rate continues to
19 grow, so, too, does food insecurity, homelessness,
20 and housing instability. And I have to say it is so
21 sad for me to walk out into my neighborhood and see,
22 in many locations, lines like the old soup lines, to
23 be honest with you, that are 10, 15, 20 blocks long
24 throughout the district. People are searching on a
25 daily basis or food. So, why doesn't the fiscal 21

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 31

2 executive budget for HRA reflect the growing demands
3 for emergency food and for support for food pantries
4 and soup kitchens? And if additional resources will
5 be needed, when can we expect to see it reflected and
6 HRA's budget?

7 COMMISSIONER BANKS: Thank you for your
8 question, Chair, and thank you for all the work that
9 you are doing. And actually really appreciate your
10 very poignant description of the painful images that
11 we are seeing around the city. I think, as we all
12 know, there was a determination made and an
13 announcement made relatively recently to add 25
14 million dollars to the city's food programs in
15 addition to the baseline money that is in the HRA
16 EFAP [sp?] program. We are working together with
17 Catherine Garcia and her role as the food czar and
18 her team. Those dollars are being rolled out now.
19 In addition, through Commissioner Garcia's
20 initiatives, there are a range of other food programs
21 in which food is being provided through the city
22 schools and also there is a delivery system that has
23 been put in place that people can request home
24 delivered meals for particular vulnerable
25 populations. So, I agree with you that this is the

1 moment of great need in the city, but I would like to
2 highlight a number of the initiatives that are being
3 taken to address that great need. But, like you and
4 like the entire administration and the entire
5 Council, we will continue to focus on this very
6 directly. The Mayor has made it very clear that
7 making sure people have food is one of the four
8 priorities in this budget process. People will also
9 be getting the benefit of the federal pandemic EBT
10 program, which is state administered and, as soon as
11 we have additional information about that, we will be
12 providing it. But it will be a basis for the state
13 providing dollars with federal approval to households
14 with schoolchildren, irrespective of immigration
15 status. But, again, I want to highlight, in addition
16 to the EFAP dollars, there is the 25 million dollars
17 that was added. That, obviously, will be reflected
18 in the adopted budget and there are all of the
19 resources being provided for food at the schools and
20 food through the home delivery program that has been
21 stood out. But I can commit to you that we will
22 continue to work with the Council, as we always have,
23 to prioritize that. I know you personally and some
24 of the other members of this committee have been long
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 33

2 time advocates of EFAP. I appreciate that. We work
3 together to have an increase and we also work
4 together to have this additional 25 million dollars
5 allocation.

6 CHAIRPERSON DROMM: Okay. So,
7 Commissioner, when we did have Commissioner Garcia
8 and last week, we know about the 25 million has been
9 accounted for and the 15 million dollars additional
10 has been accounted for, but there is about 170
11 million dollars, I think, total has been allocated
12 and we don't know what the other money is going for.
13 So, it's about another 95 million dollars. Will we
14 get to know what that is before we go, you know, for
15 a budget agreement?

16 COMMISSIONER BANKS: I mean, I think, as
17 in all of these processes, moving towards adoption is
18 going to be constant dialogue. The programs that I
19 listed that I know we work in partnership with
20 Commissioner Darcy out on, the programs that the
21 schools, the home delivery process-- the food system
22 has been stood out. All of those have a cost and
23 they will have to be discussed with the Council and
24 as we reach adoption.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 34

2 CHAIRPERSON DROMM: Okay. So, then, are
3 you looking to revamp the EFAP program to be more
4 agile or expanding the list of products food banks
5 are going to be able to procure?

6 COMMISSIONER BANKS: I mean, it is
7 certainly something that we are constantly looking
8 at. I think we have all-- I guess I would say the
9 same thing about EFAP that I said about moving SNAP
10 online and by phone. Thank God we all work together
11 to have EFAP first so that we can build upon that
12 with the additional dollars that have been put in
13 place and we could build upon that with these
14 additional services. The programs at the schools in
15 the home delivery system. So, I think we've learned
16 a lot about how to strengthen the network and new
17 steps that can be taken and, of course, the resources
18 that have been made available in partnership with the
19 Council are really going to help here going forward.
20 Because you are absolutely right. There is great
21 need out there.

22 CHAIRPERSON DROMM: Great. Then, thank
23 you also. I want to just talk a little bit now about
24 housing and security, which has been a huge issue for
25 my district and many others, so I'll. But one of the

1 things that I am finding is that-- and you're
2 probably very aware of this-- is that, you know,
3 illegal conversions and overcrowding and single-
4 family homes, sometimes you find 20 to 25 people
5 living in the same house actually renting a bed for,
6 you know, 12 hours and then the next person comes and
7 then rents the bed for 12 hours. So, these issues
8 are very, very big citywide. So, while tenants can't
9 be evicted while the eviction moratorium is in the
10 fact, many New Yorkers, as I said, are living in
11 overcrowded apartments. People are reporting that
12 they are unable to live in their apartment due to the
13 roommate lockouts or health concerns. I have
14 actually heard stories where somebody is gone to
15 Elmhurst Hospital. They get released. They need to
16 convalesce and then the other folks in the house walk
17 them out. What resources or alternative housing
18 options are available for these individuals and
19 families and what is DHS doing the publicize them?
20

21 COMMISSIONER BANKS: I mean, I have
22 heard disturbing stories like that, too. And so I
23 think you focused on something that is a real issue.
24 It's important to put it in context before COVID. We
25 had a housing affordability crisis in the city, you

1 know, for a number of years. Rents had gone up
2 nearly 19 percent, income less than five percent. We
3 had lost 150,000 rent-stabilized apartments. The
4 vacancy rate for people who can afford to pay a rent
5 of less than 100 dollars or 100 dollars or less was
6 about 1.1 percent. That is the set of facts that
7 confronted us. There were significant reforms in the
8 housing area in the state legislature last June.
9 June 2019, but the legacy-- before those changes is
10 the reality of this affordability crisis. And so,
11 the city approached the kind of fact pattern that you
12 described. Someone is living, renting a room, and
13 being objected because they-- when they end up being
14 discharged from the hospital. For people that have
15 had some involvement with DHS, we have been taking
16 direct referrals from the hospitals. For other
17 people, OEM had set up a system for hospital
18 discharges into OEM bands. The problem you're
19 describing is one that the city reacted to and saw
20 was the problem. That's not to say, however, that,
21 at the end of the day, the individual really wants to
22 go back to where they were living and not end up in
23 one of our shelters. So, we work very hard. If it
24 is someone that comes to us, we trying to reconnect
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 37

2 to them once their case is resolved. As I said, and
3 our isolation sites, nearly 800 people have been able
4 to have their cases resolved and that is people
5 either tested positive or who had symptoms. Because
6 we are not managing and we haven't been managing
7 since the beginning of March to test. We've been
8 managing symptoms.

9 CHAIRPERSON DROMM: So, thank you.

10 And, you know, I want to acknowledge that, when I
11 first brought this issue to the Mayor and Mitchell
12 Katz, as well-- Commissioner Katz-- they did
13 respond and, put this hotel plan. One of the
14 questions that I have is, when they are in the
15 hospital, who is the person that does the outreach to
16 these folks who fall into that category? That is
17 something I haven't been able to get a firm answer
18 on.

19 COMMISSIONER BANKS: So, there is a
20 workflow. And I know that sounds. Craddick, so let
21 me break it down for you. There is so workflow that
22 OEM has and there is so workflow that DHS has. At
23 the very beginning, we were the first stage and see
24 to stand up these isolation sites and we worked
25 through with Dr. Katz, in consultation with the

1 health department, as well, but we worked through
2 with Mitch Katz a system where, if we saw somebody
3 with symptoms or somebody felt like a had symptoms,
4 we would contact H&H to determine whether or not the
5 person needed to be hospitalized, depending on the
6 nature of the symptoms or be taken directly into one
7 of our isolation sites. Conversely, when someone was
8 in the hospital and was ready to be discharged, may
9 be there symptoms had not resolved, but they didn't
10 need to remain in the hospital, we worked out a
11 discharge process with the Helping Hospitals
12 corporations so that individuals could be discharged
13 to one of our isolation sites directly, rather than
14 one of our shelters. Gave in the emergency
15 circumstances, given the breadth of the hospitals in
16 New York City-- not just the public hospitals, but
17 the privates, there were certainly cases where people
18 were discharged directly to our shelters and we until
19 mobilized to get the person out of the shelter into
20 one of our isolation sites. We gave guidance to our
21 shelters if they had such a person that they should
22 be isolated in the shelter, not on an ongoing basis,
23 but at the moment while transportation was being
24 arranged. We created the transportation system in
25

1 order to move people in that set of circumstances.

2
3 Similarly, there is a connection that was established
4 between OEM and Health and Hospitals and the private
5 hospitals for a discharge process from those
6 hospitals to people not involved with DHS, but
7 someone like the example you gave. In a rooming
8 house. Had no contact with DHS, became ill, went to
9 a hospital ready for discharge. The system was set
10 up with OEM.

11 CHAIRPERSON DROMM: So, the people
12 making the decisions are both within the hospital and
13 then with in the shelter system, as well?

14 COMMISSIONER BANKS: For clients
15 involved with us, we rely upon our health partners to
16 make a determination that someone is ready for
17 discharge, if that is the nature of the client need
18 that we are dealing with. And then we discharge them
19 to a shelter if they are ready to go to a shelter or
20 to an isolation site where, again, we've got more
21 than 700 beds that is half full. I'd rather have the
22 extra capacity in case we need it, but we built it up
23 in order to have that extra capacity. And then,
24 similarly, we have the communication with H&H if
25 someone is observed to have symptoms in order to make

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 40

2 a determination whether they should be hospitalized
3 or go to our isolation site. And that's been in
4 place since the night of March 13th. March 14th we
5 put that in place.

6 CHAIRPERSON DROMM: Okay. And,
7 Commissioner, I thought when the Mayor first
8 announced the hotel program he was saying that he was
9 going to do 11,000 hotel beds. I think that the last
10 number I heard was about 6700 are being utilized.
11 Where do we stand with that?

12 COMMISSIONER BANKS: So, let me break
13 that down for you. I think that there are a lot of
14 discussions about hotels. And, if you indulge me and
15 let me tried to lay out all the different hotel
16 options that are occurring. Those beds that the
17 Mayor was discussing was the sword of the OEM Health
18 and Hospitals approach to testing, tracing, treating
19 people and isolation. That news part of the road to
20 recovery for the city. Containing the virus. The
21 use of commercial hotels by our agency is an aspect
22 is that, but it is focused on our clients. And, as I
23 said, we have been using commercial hotels before
24 COVID-19. In fact, Human Resources Administration,
25 when I was the Commissioner only of HRA in 2015 when

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
2 COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
3 AND RECREATION 41

4 we created the program to take people out of three
5 quarters houses in order to reduce overcrowding, we
6 created a hotel program and we housed people to in a
7 room as part of our harm reduction approach and then,
8 when we began to use hotels for DHS as a bridge for
9 opening the turn the tide 90 day shelters, we placed
10 about 3500 people in commercial hotels. Same model.
11 And so, when the coronavirus arose, we had a model we
12 could build upon. So, what we have been doing that
13 DHS is first we stood up-- the first priority was to
14 create isolation capacity because we didn't want
15 people to remain in our shelters with symptoms or who
16 tested positive who were going to be hospitalized.
17 We didn't want them in our system. We wanted them in
18 commercial hotels. So, we created-- our first part
19 was an isolation system. Our next priority was to
20 begin to move out the vulnerable people to protect
21 them in terms of their public health. So, we
22 prioritized moving out seniors. We prioritized our
23 larger shelters to de-densify them to promote social
24 distancing. A large shelter with 200 people or 400
25 people, we wanted to reduce the number of people in
that building in order to make social distancing
possible and make it possible to have been

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 42

1 appropriately spread out and not-- and we staggered
2 meals. We staggered cleanings. We did everything to
3 promote it, but we had to reduce the density in order
4 to do so. And that is the initiative that we have
5 been announcing weekly where, in addition--
6 including the first 3500 people and the isolation
7 beds, we have now got about 9000 people in commercial
8 hotel rooms, again, using the same harm reduction
9 double occupancy model that we had a gun in 2015.
10 And we are going to continue to move people out of
11 our congregation shelters each week to continue to
12 promote social distancing and harm reduction. So, I
13 think there is sort of to work streams going on here.
14 There is what are we doing in the congregation
15 shelters for single adults and what is OEM and the
16 city writ large doing with respect to using hotels as
17 a containment strategy?

18
19 CHAIRPERSON DROMM: Okay. Thank you.
20 I'm just going to ask a couple more questions and
21 then I will turn it over to my co-chair, Steve Levin.
22 Undocumented immigrants who do not qualify for SNAP
23 are exceptionally at risk of food insecurity and
24 often heavily rely on emergency food providers. So,
25 again, how is HRA addressing food insecurity

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 43

2 particularly in immigrant communities? And is HRA
3 looking to create a local program without immigration
4 status limitations to fill the gaps in the federal
5 SNAP program? Something like city food stamps. Is
6 that something that you have thought of?

7 COMMISSIONER BANKS: I have certainly
8 thought of that, but, in order to do that, New York
9 State would have to into what Florida, Texas,
10 California have done. Under federal law, states are
11 given the option to create a state only or state
12 local only program for people who would otherwise be
13 eligible for federal benefits, but for immigration
14 status. And so, there is a requirement that they are
15 bees such as state law. I know that there is
16 legislation that has been pending in the state
17 legislature to have New York join California, Texas,
18 and Florida in that approach. Absent that change in
19 federal law, we could not create a city and state
20 only food stamp program. However, we certainly have
21 programs which we can provide emergency assistance
22 for people irrespective of immigration status. That
23 is how we have operated our shelters system, for
24 example, and we will continue to do that.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 44

2 CHAIRPERSON DROMM: Okay. And,
3 finally--

4 COMMISSIONER BANKS: But I apologize,
5 Chair. I just want to come back, though. That is
6 why all of the things you asked me about in the
7 beginning are so important in terms of evaluating the
8 additional investment that the Council and we have
9 made in food programs to build out from EFAP that
10 Commissioner Garcia is standing up and also love food
11 programs at the schools and the home delivery
12 programs, irrespective of immigration status.

13 CHAIRPERSON DROMM: Okay.

14 COMMISSIONER BANKS: Sorry for cutting
15 you off.

16 CHAIRPERSON DROMM: Thank you. And
17 finally, just has any funding been allocated in the
18 city's feeding New York program to support HRA's
19 efforts to reduce food insecurity?

20 COMMISSIONER BANKS: I think the funding
21 for those programs, again, the ones that Commissioner
22 Garcia is spearheading, are reflected in the
23 initiatives that her team is implementing. We are
24 working very closely. And, obviously, when we get
25 through this immediate crisis, we will both--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 45

2 Commissioner Garcia and her role and our agency and
3 our role as to evaluate what are the programs that
4 should continue and what are the programs that have
5 been successful. What are gaps that may still
6 remain?

7 CHAIRPERSON DROMM: Okay. Thank you.

8 And then, before I turn it over, Commissioner, I just
9 want to say that we have been joined by Council
10 member Rosenthal, Majority Leader Cumbo-- bear with
11 me.

12 COMMISSIONER BANKS: Council member
13 Moya, I see.

14 CHAIRPERSON DROMM: Yes. He's here. I
15 said earlier. And by my friend, the Koz. Karen
16 Koslowitz. Thank you, Commissioner. I am going to
17 turn it over to Steve Levin.

18 CHAIRPERSON LEVIN: Thank you, Chair
19 Dromm. Thank you, Commissioner. So, I will begin
20 focusing on HRA executive budget. The state's
21 enacted budget includes language that allows the
22 state division of budget to periodically reduce
23 appropriations after April, June, and December if the
24 state revenue is insufficient to balance the budget
25 or anise expenditures are higher than anticipated.

2 The recent state financial planning anticipates that
3 a revenue shortfall in April will trigger and, at
4 least, 8.2 billion dollars cut to localities
5 primarily impacting Medicaid and school a. What is
6 your evaluation of the risks to HRA and its budget
7 from this potential state action, especially as it
8 relates to Medicaid?

9 COMMISSIONER BANKS: Thank you for that
10 question, Chair. And I hope you are doing well.
11 Usually we text each other in college, so it's good
12 to see your face.

13 CHAIRPERSON LEVIN: Likewise. Thanks.

14 COMMISSIONER BANKS: Thank you. Look, I
15 think you have been a leader in this area, frankly,
16 focusing on this trend of cost shifting. At hearings
17 over the last couple years, I appreciate you have
18 really shown a lot-- a light on this movement of
19 things that have been state obligations to the city.
20 I think that, when the OMB director Hertzog
21 testified, she highlighted this as a risk to the
22 city. Exactly the budgetary structure that you
23 described. On the other hand, I do want to highlight
24 that, you know, Commissioner Hine, the OTD
25 Commissioner and I are in regular contact. There has

1 been a real partnership in this moment of crisis in
2 terms of waivers that would have been granted. But I
3 do worry, as you worry, that the Medicaid cost shifts
4 and other cost shifts will be significant problem for
5 us. The Medicaid dollars in this budget-- I just
6 wanted to highlight-- is the use of federal dollars
7 to help deal with budgetary needs, but you're asking
8 me, going forward, are there risks? Yes. There are
9 risks. It's one of the reason why the governor and
10 the Mayor have been so clear about the need for
11 federal assistance for cities and states that have
12 been so hard it. But, at the end of the day, absent
13 that aid, the state budget does give the governor
14 authority to address state budget shortfalls and
15 there are real risks to the city given the state
16 budget shortfalls that are real. There are real
17 state shortfalls. There are real city shortfalls.
18 And these are-- I know you have asked me what are
19 the risks and I can't answer your question,
20 otherwise, other than to say these are real risks for
21 us in our continued operations and our services.

22
23 CHAIRPERSON LEVIN: Has OMB
24 communicated and he planned to HRA about how the city

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 48

2 will respond quarterly to the states updated budget--
3 as the state is doing these quarterly budget updates?

4 COMMISSIONER BANKS: I mean, I am in
5 constant communication with Melanie Hertzog and David
6 Greenberg and their whole team there to continually
7 assess what our needs are, continually assess what
8 our risks are. You know, I will tell you what our
9 plan is which is to continue to advocate what we have
10 been advocating for, which is treat the cities and
11 the states like private industry has been treated and
12 to make sure that our social safety net can be
13 preserved with federal investment. Council member
14 Dromm referred to the bread lines and people waiting
15 in soup kitchens, conjuring up a picture that we
16 hoped we would never see in our city. But the way
17 that our country addressed that problem was with
18 federal leadership that helped states and cities move
19 forward. And that is, frankly, what is needed here.
20 And I'm very grateful for the House. Leadership
21 Speaker Pelosi and minority leader Schumer and,
22 obviously, our delegation, including Congress member
23 Jeffries and the role he is playing to try to get New
24 York State and New York City what is really needed
25 here to address all the needs that you, and the

1 Council responds, highlighted as concerns and then
2 needs that Council member Dromm highlighted as
3 concerns. These are real issues for real people that
4 we serve.
5

6 CHAIRPERSON LEVIN: Yeah. How are we
7 anticipating, as an agency, the need for rental
8 assistance for New Yorkers? I mean, with right now,
9 we have a statewide moratorium on a vixen. When that
10 is eventually lifted, we could potentially see, you
11 know, catastrophic influx into housing court for
12 nonpayment and holdovers that landlord-- actions
13 that landlords could take against tenants that are
14 currently being stayed. How are we gauging that risk
15 right now and what are we drawing up plans, as we
16 speak, to figure out what the city can do about that?
17 I hear you about the federal aid. I also heard
18 yesterday that, you know, the Senate is unlikely to
19 pass anything by the end of our fiscal year in
20 Washington. And so that, you know-- Obviously, we
21 were all hoping to be able to have some answers
22 before we conclude our budget negotiations, but that
23 doesn't happen and we are kind of-- we've got to
24 figure out what we are going to do.
25

2 COMMISSIONER BANKS: I think you for the
3 question because I think it's a good opportunity to
4 get on the record what the situation is. So, again,
5 like the fact that we had our SNAP food stamp program
6 available online and available by telephone, I think
7 that there are some basics that we had in place
8 before COVID that are important to remember will be
9 in place to help us deal with this. Pre-COVID, while
10 evictions were up all across the country, we had
11 actually driven them down 41 percent in New York City
12 with the joint initiative that we had put in place
13 with the Council. I know Council member Gibson
14 participates in this hearing. Council member Levine
15 and the entire Council with the city, the right to
16 counsel initiative. And that is something that
17 others cities don't have to deal with this. We need
18 to have it and it had been a key part of reducing
19 evictions here when they are up all across the
20 country. Secondly, and I think you know this. That
21 we have been very aggressive in paying rent arrears
22 since 2014, taking a very different approach than the
23 city had previously taken. And our approach was
24 there is an available state grant. There are
25 available grants we should provide and we have been

1 providing them. And a quarter of 1 million cases we
2 have provided rent arrears grants since 2014. So, we
3 have the structure to deal with this. I think asking
4 a different question, though, if I may, which is we
5 have the structure to deal with these things. We
6 have a grant that exists to help people avoid being
7 evicted. And we have legal services providers who
8 can balance the playing field. Leveled the playing
9 field in housing court. Then what can we do to stop
10 a tidal wave of cases going into the housing court to
11 begin with? And that is where I think a lot of the
12 conversations are focused right now. What can be
13 done to reach agreements outside of court to come up
14 with ways in which we can solve rent arrears payments
15 without the need for filing cases? I know that there
16 is an initiative that various people become involved
17 with to give additional resources to our home base
18 providers to be available on the front lines to
19 increase access to mediation and other services. I
20 know our legal services providers will be getting
21 additional funding in the coming budget, even with
22 the reduction because of projected under spending.
23 There will be additional dollars to expand legal
24 services. So, the tools that we had before COVID
25

1 will be there, but I do think you're highlighting the
2 need for a more comprehensive conversation about
3 addressing rent arrears through mechanisms other than
4 simply the way they were addressed before COVID
5 began. Which is using the housing court is a
6 collection agency and housing court is not a
7 collection agency. The housing court is there to
8 enforce the housing maintenance code of the city of
9 New York and to make sure the people don't lose their
10 homes wrongfully, which is the reason why both the
11 Council and we have invested in the right to counsel
12 initiative.
13

14 CHAIRPERSON LEVIN: Okay. I want to
15 talk about the supportive housing PEGs. In all, we
16 have seen just devastating devastation around the
17 city since the beginning of this pandemic with
18 733,000 people filing for unemployment. 15,000
19 people remain in shelter. And we have, and FY 20 and
20 21, proposed PEG's for reduction in supportive
21 housing. Instead of putting-- And you could talk
22 about why there are PNG's and supportive housing,
23 then that may be that there is programmatic reasons
24 are kind of things that are built into the process of
25 getting supportive housing online. That might be the

1 reason for that. But, in light of the great need to
2 that we are seeing, why are we not, instead,
3 reallocating the savings that we might be achieving
4 because those supportive housing programs are slow in
5 coming? Why not reallocate those who their programs
6 that we know will keep New York City residents housed
7 such as rent arrears or other aspects of a rental
8 assistance program?
9

10 COMMISSIONER BANKS: So, great question.
11 Just to pick up on your last point, though, remember
12 rent arrears are an entitlement program, so it is an
13 entitlement funding stream. In terms of supportive
14 housing and a number of the other PEG's that I
15 described, legal service being one of them, these
16 were not cuts to ongoing programs or to the baseline.
17 These are cuts based upon projected spending. It is
18 similar to Fair Fares. The less uses of cards. Got
19 175,000 people with the cards right now, but less use
20 of them, so, therefore, less billing from MTA or New
21 York City transit to pay that. So, similarly, with
22 supportive housing, there was an analysis of, given
23 the pipeline to actually bring units online and given
24 the pipeline to find scatters site units in the
25 marketplace, given the shutdown order, what actually

1 was going to be achievable? So it's not a cut to the
2 baseline of the program. It's an analysis of, given
3 the pause and all of the limitations even when we
4 begin to open up that are likely to be there, what is
5 the spending going to be? And so, the idea and
6 working collaboratively with OMB is to say, given the
7 critical needs of the social safety net in the city,
8 how can we reduce spending and deal with the
9 financial problems that the city is facing without
10 cutting into actual operating programs and where
11 could we find under spending caused by COVID-19 in
12 the aftermath that would allow us to generate savings
13 to generate savings for the city overall at the same
14 time is not affecting the operation of our program?
15 So, you are right that there is a great need, there
16 is also a challenge of getting that need met given
17 the pause.

18
19 CHAIRPERSON LEVIN: Okay. Let me ask a
20 couple more questions and then I will turn it over to
21 my colleagues for their questions and then I will
22 come back on the second round. I just want to ask a
23 little bit about SNAP and cash assistance numbers
24 since the beginning of the pandemic. You had said
25 that they had doubled. Can you just speak a little

1 bit more specifically? What are the application
2 numbers in March and April for SNAP and cash
3 assistance?
4

5 COMMISSIONER BANKS: I mean, cash
6 assistance doubled. SNAP tripled. I'll give you an
7 idea. The first week of March-- I mean, you've got
8 to look at it weekly, right? The first week of March
9 we received about 4800 and cash assistance
10 applications and about 5500 separate SNAP
11 applications. I will just go to the sort of the peak
12 week or one of the peak weeks. April 13th to April
13 16th, right? So that would've been, you know, the
14 highlight of when the cases in the city reached its
15 peak. That week. We had almost 6800 cash assistance
16 applications and 19,000 SNAP applications. What did
17 we do about it? Because, obviously, you couldn't
18 plan that there would be this sort of an economic
19 meltdown that would occur instantaneously over the
20 course of a couple weeks. We couldn't, you know,
21 conduct hiring pools to hire people who would qualify
22 for civil service lists. So, we've looked at our
23 internal resources and we reassigned existing staff
24 to be able to do this work. We had to train them.
25 We had to deliver them technology so that they could

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 56

2 work from their homes so the clients could submit
3 applications and workers could handle them from their
4 homes. And that effort has involved almost 1400--
5 I'm sorry. 1332 individuals who been reassigned in
6 order to help us address these applications.

7 CHAIRPERSON LEVIN: okay. Thank you,
8 Commissioner. Can you speak about, just to get some
9 more of the hard numbers, can you give us a
10 percentage of the-- for the outcomes percentage
11 granted versus the percentage denied of SNAP and cash
12 assistance?

13 COMMISSIONER BANKS: Here's why I don't.
14 Because, remember, for each period of time, there are
15 different obligations to do different things.
16 Sometimes there are documents that are missing and,
17 if we could extend that period of time without
18 denying it-- I understand what you are asking about
19 and--

20 CHAIRPERSON LEVIN: Uh-hm.

21 COMMISSIONER BANKS: we will work with
22 you and the Committee staff to get you a little bit
23 more granular detail. But it sort of depends on the
24 status in which the case is in. It also depends on
25 what waivers we've got from the federal government

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 57

2 and when we got them. Because, remember, this was
3 not a static situation. We got different kinds of
4 waivers at different points in time, including
5 waivers on conducting interviews for certain clients.
6 So, it's not like when we went into pause on the week
7 of March 16th. All of the tools that we needed to
8 deal with this increase in applications where there.

9 CHAIRPERSON LEVIN: Uh-hm.

10 COMMISSIONER BANKS: But we will work
11 with your team to get you the information you are
12 asking for.

13 CHAIRPERSON LEVIN: Can you speak a
14 little bit about whether HRA is granting immediate
15 needs grants in lieu of the, you know, the processing
16 time that it might take to issue public assistance on
17 these?

18 COMMISSIONER BANKS: Yeah. I think
19 you're-- If I may, I think you may be asking about
20 the 45 day wait period under state law for--

21 CHAIRPERSON LEVIN: [interposing] Yeah.

22 COMMISSIONER BANKS: assistance. We
23 asked for a waiver of that 45 period and that waiver
24 request was denied.

25

2 CHAIRPERSON LEVIN: There's not an
3 additional immediate need grant that you can do in
4 lieu of that wait time?

5 COMMISSIONER BANKS: I mean, we are not
6 permitted to provide ongoing assistance. That's what
7 the problem is. We asked for the waiver in order to
8 be able to provide ongoing assistance to people.

9 CHAIRPERSON LEVIN: Uh-hm.

10 COMMISSIONER BANKS: And the fact that
11 the waiver was not granted-- you know, obviously, we
12 provide, you know, normal emergency type assistance
13 for people, but I think what we wanted and, I
14 believe, what you are getting at, as we wanted the
15 ability to provide people ongoing assistance and not
16 make them wait 45 days.

17 CHAIRPERSON LEVIN: Well, right. And
18 an immediate grant to be able to, when somebody is
19 making an application, you know, they obviously are--
20 have immediate needs that need to be met.

21 COMMISSIONER BANKS: Right. And we can
22 and do that, of the problem for our clients is we
23 could meet an immediate need on the application date
24 and then there left to wait for 45 days until they
25 get, actually, the ongoing assistance, which is what

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 59

2 they really need. And that is why we asked for the
3 waiver and it was not granted.

4 CHAIRPERSON LEVIN: Okay. I'm going to
5 turn it over to my colleagues and come back for more
6 questions in a little bit.

7 COMMISSIONER BANKS: Okay. Thank you.

8 CHAIRPERSON DROMM: Okay. We will now
9 go to Council member questions.

10 COMMITTEE COUNSEL: If any council
11 members have questions for the administration, please
12 use the Zoom to raise hand function and you will be
13 added to the queue. Council members, please keep
14 your questions to five minutes, including answers.
15 Please wait for the Sergeant-at-arms to tell you when
16 your time begins. The Sergeant let you know when
17 your time is up. We will now hear from Council
18 member Holden followed by Council member Grodenchik.

19 SERGEANT-AT-ARMS: Council member, your
20 time will start now.

21 COUNCIL MEMBER HOLDEN: Thank you. Thank
22 you, Chair. Thank you, Commissioner, for your
23 testimony. I will try to be brief. Commissioner,
24 the pandemic exposed the weaknesses of the congregant
25 shelter model. Seeing this, is you agency adjusting

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 60

1 the thinking behind it or the design of the shelters
2 going forward?

3
4 COMMISSIONER BANKS: So, I think that
5 your question really gets to the heart of the
6 following conundrum. After the pandemic, the
7 perspective is that we should no longer have
8 congregant shelters, we would need to site a lot more
9 shelters throughout the city. It's really that
10 simple. If you take 100 bed shelter and, instead of
11 having a 100 bed shelter, you need to have an SRO
12 type setting, you need to site a lot more shelters
13 around the city. And that is a discussion that I
14 would be happy to with you anytime.

15 COUNCIL MEMBER HOLDEN: In touring the one
16 that was recently built in my district, I thought it
17 resembled the jail. It did and feel like a place to
18 reside in. It didn't feel, even, a place to sleep.
19 You're in a dormitory style room. Everyone shares a
20 bathroom on the floor. There are two security
21 stations on each floor. Obviously, that is not very
22 comfortable. So, you had a blank slate there and I
23 just don't know why individual rooms couldn't have
24 been built even with two men in a room, but at least,
25 I think, that that model-- I mean, if you look at

1 that model, nobody could feel comfortable. And,
2
3 again, it actually promotes violence because so many
4 people are shoved into a room and if one or two
5 people have arguments, that's when the violence
6 breaks out. If you had individual rooms-- and I
7 think that is a much better model. Yes, it costs
8 more. Yes, we need more of them. But I don't think
9 you would see the violence. You wouldn't see the
10 problems that come up, obviously. And you would see
11 more homeless not, you know, afraid to go into these
12 situations. Before the pandemic, the congregant
13 shelters were a problem. Now, during it, glaring
14 problems. So, I think your agency-- and if you're
15 not doing it, I don't know why-- but there needs to
16 be other models being looked at.

17 COMMISSIONER BANKS: So, two things.
18 Look, I respect your question. I think, if we were
19 going in the direction, I would need to be assured
20 that I would have your support and the support of
21 others for the cost of that model. And I would also
22 just want to raise that, you know, and that your
23 community, we had another location that we wanted to
24 use as a shelter which was the holiday and express
25 which would have had two people in a room, rather

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 62

2 than a congregant shelter. And for reasons that you
3 and I both know, we were unable to proceed with the
4 shelter there. And so, we opened the shelter on
5 Cooper Avenue. If we were to have made Cooper Avenue
6 in the same model of what we could have got and the
7 Holiday Inn express, we would have ended up with a
8 lot more of a cost investment. And if I could have
9 been assured this committee would have supported this
10 kind of cost investment, that is the model we might
11 want to discuss.

12 COUNCIL MEMBER HOLDEN: But, again, you
13 haven't addressed in the new world going forward,
14 will your agency, put the new model? Yes, you can
15 worry about the Council members' approval after, but
16 propose we don't see a model. We don't have that
17 model anywhere in the city of New York, as I'm aware
18 of. The congregant shelters are the model. Will you
19 commit to, at least, redesigning it going forward?

20 COMMISSIONER BANKS: Council member, we
21 have been reforming a haphazard system that has been
22 in existence for 40 years. We are constantly looking
23 at things. After this pandemic, we are all going to
24 be taking a look at what worked and what didn't work
25 and we will continue to look at how best to provide

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 63

2 shelters to single adults. But I don't want to
3 minimize something you said. Supportive
4 councilmembers for the opening of shelters and their
5 communities is one of the key elements of reforming
6 the shelter system. And when shelter openings are
7 opposed, it delays opening better facilities.
8 Whether they are congregated or not congregant.

9 COUNCIL MEMBER HOLDEN: Well, again, you
10 remember my proposal was for smaller shelters.
11 Faith-based which you initially shot down. Smaller
12 shelters in the pandemic would be worth much better
13 than the large congregant shelters of 200 individuals
14 within one location.

15 COMMISSIONER BANKS: Actually, your
16 model would've been in faith-based where the clients
17 were out during the day and only in at night.

18 COUNCIL MEMBER HOLDEN: Nope.

19 COMMISSIONER BANKS: And I think that's
20 bad for clients to be ejected from their shelter
21 during the day.

22 COUNCIL MEMBER HOLDEN: No. And that's
23 not--

24 SERGEANT-AT-ARMS: Time's expired.
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 64

2 COUNCIL MEMBER HOLDEN: You said that over
3 and over again. I didn't say that. The model would
4 be 24/7.

5 COMMISSIONER BANKS: I couldn't find
6 anyone who wanted to do 24/7.

7 COUNCIL MEMBER HOLDEN: Well--

8 CHAIRPERSON DROMM: I have to call
9 time. So, I know this is an ongoing discussion, but
10 I need to move on to the next Council member. Thank
11 you both.

12 COMMITTEE COUNSEL: We will now hear
13 from Council member Grodenchik, followed by Council
14 member Lander.

15 COUNCIL MEMBER GRODENCHIK: Thank you--

16 SERGEANT-AT-ARMS: Council member, your
17 time starts now.

18 COUNCIL MEMBER GRODENCHIK: Thank you,
19 Chairs. Good morning, Commissioner.

20 COMMISSIONER BANKS: Good to see you.

21 COUNCIL MEMBER GRODENCHIK: Always good to
22 see you. I preferred to be at City Hall, but the
23 commute is much better today. I have two questions.
24 I want to pick up on what Chair Levin talked about.
25 I am-- I think use the words tidal wave. I was

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 65

2 going to use the word tsunami or avalanche, but we
3 are currently in an eviction moratorium and that is
4 going to last, at least, through sometime in August.
5 But I am very, very concerned-- and I'm sure it tops
6 your thinking-- we don't have tens of thousands, or
7 perhaps even hundreds of thousands, of families
8 affected from the rental units. And I'm wondering,
9 you know, we keep hearing all kinds of different
10 numbers. Has HRA, under your administration, made
11 any kind of estimate of what we might be facing? I
12 won't hold you to it. I know you are under oath, but
13 I won't hold you to it.

14 COMMISSIONER BANKS: Look, I think that
15 there are obviously tens of thousands of people that
16 could pay their rent in February and, maybe, even in
17 March, but couldn't pay the rent in April and May.

18 COUNCIL MEMBER GRODENCHIK: Understood.

19 COMMISSIONER BANKS: And the real
20 question is when will they be able to pay future
21 rents and what to you do with the rent that is
22 accrued? And that, I think, is where sort of the
23 sort of delta is.

24 COUNCIL MEMBER GRODENCHIK: Okay.
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 66

2 COMMISSIONER BANKS: And, I think, when
3 the courts reopened in the eviction moratorium is
4 lifted, the real question is what is the economic
5 status going to be? I don't know that we will be in
6 the same place that we were in February in terms of
7 the kinds of jobs and kind of work that there is.
8 There is a lot of challenges that, you know, at the
9 Governor's level in the mayor's level, everybody is
10 evaluating in terms of when can New York be able to
11 move out of the current state. And so, I think one
12 of the deltas is the people that are unable to pay
13 April and May rent, how many-- and June rent, how
14 many of them will be able to pay some future rent and
15 then what role can we play at HRA as a bridge for
16 that rent arrears and keep them whole?

17 COUNCIL MEMBER GRODENCHIK: [inaudible
18 01:41:15]

19 COMMISSIONER BANKS: Then I think there
20 will be another group of people who couldn't pay
21 April, May, June and don't have prospects of
22 employment and that's the group of people we're going
23 to have to figure out how to give a helping hand to.

24 COUNCIL MEMBER GRODENCHIK: And you
25 mentioned that we've done about a quarter million of

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 67

2 what we colloquially will call one shots since 2014.

3 Can you just give me an idea what the average one
4 shot is?

5 COMMISSIONER BANKS: I can. I don't
6 have all of my papers laid out as if I were at City
7 Hall, but I want to just get them out. So, in this
8 fiscal year to date, the average payment was 4120
9 dollars.

10 COUNCIL MEMBER GRODENCHIK: Okay. That is
11 helpful. Last question I just want to build on what
12 Chair Dromm said.

13 COMMISSIONER BANKS: If I could answer a
14 question that you didn't ask me? In 2013--

15 COUNCIL MEMBER GRODENCHIK: Yeah?

16 COMMISSIONER BANKS: the average payment
17 was 2949 dollars.

18 COUNCIL MEMBER GRODENCHIK: Okay. That's
19 a considerable amount. I've got a minute and a half
20 left. I just want to pick up on what Chair Dromm
21 said. We are not seeing the soup lines or whatever
22 you want to call them in eastern Queens because we
23 are so far is spread out that we can't do that and
24 most of my seniors, to be honest, seemed to be
25 somewhere between frightened and terrified, outside.

1 And so, we have established to food pantries that
2 didn't exist pre-COVID both at the Stanfield Center
3 and at SNAP Senior Services. And I just want to make
4 sure that we have-- and the Mayor has been right on
5 this and I know you have, as well-- I know we added
6 25 million dollars for emergency food, but I want
7 your assurance that this will remain a top priority
8 because there is a lot of other issues as we have and
9 I know you and I in the Chair Levin have had this
10 discussion and we have made significant progress and
11 emergency food. But I just want to make sure that
12 this administration is prepared to do whatever it
13 takes to make sure that nobody goes hungry in the
14 city of New York.

16 COMMISSIONER BANKS: Well, you are
17 absolutely right to reference our ongoing discussions
18 about it and the significant progress that we have
19 made and I think that the Council Administration
20 partnership of adding that additional 25 million
21 dollars was really important, but I'd want to just
22 repeat what I said in response to Chair Dromm. You
23 know, the mayor highlighted food was one of the
24 priorities here.

25 COUNCIL MEMBER GRODENCHIK: Yes.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 69

2 COMMISSIONER BANKS: And you can see in
3 appointing food czar to tie together all the
4 different food programs that different agencies have.
5 The ability to use those schools as a distribution
6 point. The home delivery system in a more
7 centralized--

8 SERGEANT-AT-ARMS: Time's expired.

9 COMMISSIONER BANKS: way now. And the
10 work that we are doing, as well. I think it is
11 really building on the work that we have all done
12 together on EFAP.

13 COUNCIL MEMBER GRODENCHIK: Thank you,
14 Commissioner. Thank you, Chairs.

15 CHAIRPERSON DROMM: Thank you very
16 much. Next Council member, please.

17 COMMITTEE COUNSEL: We will now hear
18 from Council member Lander followed by Council member
19 Salamanca.

20 SERGEANT-AT-ARMS: Council member, your
21 time will start now.

22 COUNCIL MEMBER LANDER: Thank you to both
23 Chairs and Steve, as always. Really very good to see
24 you and I am so grateful for the work that you have
25 done in the past to get us here are like building the

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 70

2 systems you have talked about today, but, of course
3 also litigating to win the right to shelter in the
4 very beginning. Your role in helping us to our very
5 level best to rise to the needs facing low income New
6 Yorkers is tremendous and I remain grateful for you
7 doing that.

8 COMMISSIONER BANKS: Thank you very much
9 and I appreciate your partnership and all that you
10 do.

11 COUNCIL MEMBER LANDER: On the 25 million
12 in emergency food, I have been out most Sundays at
13 Mas Bia [sp?] and the lines are just truly
14 heartbreaking and you've got people who can get those
15 meals, those one off meals, but, you know, you can't
16 live on peanut butter and jelly sandwiches and
17 comments and carrots forever. And getting people
18 like groceries and staples and produce is so
19 essential. So, I am grateful for that partnership,
20 though I know we have a lot more to do. I want to
21 ask you-- you started to do this in response to both
22 Council member Grodenchik and Chair Levin's
23 questions, but there is no one that I would trust
24 more than you to stand up a system that addresses the
25 housing challenges that we are going to be facing.

1 So, I wondered if you would just spend a minute or
2 two more imagining what you think we should do in
3 this impossible problem. You see the calls out there
4 to cancel rent for everyone. Obviously, some people
5 are fortunate enough to still have jobs and are able
6 to pay their rent and that means their landlords can
7 pay their mortgage. But so many people don't have
8 that and we're not going to be able to salvage it all
9 with one-shot deals. We're going to need something,
10 I guess, like a new version of like pandemic
11 advantage. You know, what-- if you are giving
12 advice to the mayor or to the governor, and to our
13 congressional delegation to stand up a system that
14 could meet the housing emergency in this pandemic,
15 what would it look like?

17 COMMISSIONER BANKS: Wow. That was
18 quite a runway you gave me.

19 COUNCIL MEMBER LANDER: Well, I wish I knew
20 some other people that could help us solve this
21 problem, but you are the one that I rely on a awful lot
22 on.

23 COMMISSIONER BANKS: You know, I think
24 what is so important at this moment is that we should
25 grasp for what is needed even though we sometimes

1 have to settle for what is possible. Then I think
2 what was important in one of the last stimuluses' is
3 that there was an investment in section 8. Because
4 this is one of the great challenges of housing and
5 poverty. Our agency, the largest in the country, is
6 charged with addressing poverty. We run entitlement
7 programs, none of which is set up to bridge the gap
8 between rent and income, which has been such a driver
9 of homelessness naturally, state wide and, obviously,
10 and our city. We talked about the rents increasing
11 19 percent and income less than five percent. The
12 section 8 program is set up as the first come-- you
13 know, it's a capped program. It's not an
14 entitlement. So, in terms of trying to fight
15 poverty, we are trying to address it with entitlement
16 programs which are largely not funded nationally at
17 the level that is needed because they are not taking
18 into account the cost of rent. But there is a rental
19 assistance program which does take into account the
20 cost of rent, but it is not available for everyone
21 who needs it. And so whereas I could give everyone a
22 one-shot needs based entitlement criteria, the housing
23 part of our world can't give everyone a section 8.
24 And this is really highlighting that need for more
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 73

2 comprehensive strategy on this. But, look, the city
3 is done a lot and, you know, I have been a critic of
4 the city when I wasn't working for the government.
5 Some might say within the government I've not kept my
6 mouth shut and I try to be honest with this
7 committee. But the level of me that is a level of
8 need that no single city can meet and that is why we
9 have to avoid what we sometimes fall into which is
10 the determination to consume ourselves instead of
11 addressing what the underlying structural problems
12 are.

13 COUNCIL MEMBER LANDER: Look, I think
14 fighting together for some version of pandemic
15 section 8 that, obviously, also needs to provide for
16 undocumented and immigrant families so that they
17 don't wind up homeless seems so obvious right now
18 that we should not let people become homeless in this
19 crisis at the end of it, you know, is a rent bird and
20 is building up is so clear. So, I appreciate that
21 and I will take it as marching orders. I want to ask
22 you one last question and my remaining few seconds.
23 Last week I heard from some security guards in the
24 private-- in DHS shelters operated by private
25 nonprofits who then are subcontracted to security

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 74

2 guard companies that pay them the minimum wage, don't
3 even provide them health insurance, and some of them
4 have to fight for the sick leave. I think there is
5 something like 3000 workers like that. I know they
6 had got-- you know, the workers that were in the
7 shelters that are operated by DHS--

8 SERGEANT-AT-ARMS: Time's expired.

9 COUNCIL MEMBER LANDER: and I value the
10 nonprofit providers, but it was appalling to hear
11 that these essential workers are out there at minimum
12 wage with no health insurance. And I would just like
13 to ask for either your commitment-- not to privatize
14 anymore shelters right now or at least a step up
15 right now and figure out how we make sure that those
16 essential workers, those shelter guards, are not
17 experiencing just a real Kroll version of
18 exploitation in the midst of this economic.

19 COMMISSIONER BANKS: Thanks for the
20 question. I mean, I can say once we address the
21 supply chain problems, the PPE that we pushed out has
22 gone to security guards, whether or not they are city
23 employees or private security guards. Obviously, the
24 supply chain problems affected our ability to do that
25 at the beginning. That has now been addressed and we

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 75

2 are getting regular supply in our workings with the
3 city agencies overall. Deputy Mayor Anglin and Diane
4 Griswold have been real partners in helping us meet
5 that need. But we have also eliminated several of
6 the companies that might be involved with what you
7 are describing a in terms of some of the sick leave
8 issues. But I will follow up with you off-line or
9 our teams can follow up off-line about exactly which
10 providers there were. Because we might've already
11 addressed this.

12 COUNCIL MEMBER LANDER: That sounds kind,
13 although I think-- Again, I talked to several who
14 don't have health insurance--

15 CHAIRPERSON DROMM: Council member, we
16 need to move on. I'm sorry.

17 COUNCIL MEMBER LANDER: Okay. We'll follow
18 up offline. Thank you.

19 COMMISSIONER BANKS: Okay.

20 CHAIRPERSON DROMM: Next Council
21 member, please.

22 COMMITTEE COUNSEL: We will now hear
23 from Council member Salamanca followed by Council
24 member Ayala.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 76

2 SERGEANT-AT-ARMS: Council member, your
3 time will start now.

4 COUNCIL MEMBER SALAMANCA: Already.
5 Think you. Good morning, Commissioner.

6 COMMISSIONER BANKS: Good to see you,
7 Council member.

8 COUNCIL MEMBER SALAMANCA: Good to see
9 you, Commissioner. Commissioner, in the beginning of
10 2019-- at the end of 2019, the Council passed the 15
11 percent homeless set aside which would require every
12 developer that is getting city dollars to set aside
13 15 percent of their units for buildings that are 40
14 units or more. And I know that, during this process,
15 DHS and HPD stated that this is something that is
16 currently happening now with homeless set-asides.
17 Can you tell me during this pandemic is DHS and HPD
18 still coordinating and getting individuals that are
19 ready for independent living into their permanent
20 apartments?

21 COMMISSIONER BANKS: Yes. The answer is
22 yes and let me fill in some details if I could.

23 COUNCIL MEMBER SALAMANCA: All right.
24 Please, briefly, because I have limited time and I'm
25 in the questions.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 77

2 COMMISSIONER BANKS: Okay. I'm going to
3 answer yes and say we have developed a range of
4 processes to do virtual apartment inspections. We
5 have developed ways in which we could extend the time
6 that someone's voucher was used-- was live, even if
7 they just lost their employment and we have created
8 ways in which we can cut checks and help people move
9 out so people have been moving out even in this
10 pandemic.

11 COUNCIL MEMBER SALAMANCA: So, and the
12 reason I ask this, Commissioner, is because I have
13 been talking to some clients in certain DHS
14 facilities that are run by some nonprofits and it is
15 my understanding that part of this plan-- they call
16 it an independent living plan appointment where the
17 client meets with the counselors or the social
18 workers and, I believe, representative from DHS so
19 that they can start planning, you know, getting them
20 into--

21 COMMISSIONER BANKS: Yes.

22 COUNCIL MEMBER SALAMANCA: this permanent
23 apartment. But I'm hearing from clients because
24 these appointments are being canceled because DHS is
25 focusing on the transition of guiding individuals out

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 78

2 of the dorm style settings and putting them into
3 temporary housing or hotels because of COVID-19. So
4 I just want to make sure that you are aware of this
5 and that-- you know, this is something that is
6 happening where DHS has stopped these appointments
7 because your focus is on something else?

8 COMMISSIONER BANKS: It is true that,
9 for each week, we are pushing our providers very hard
10 to move out at least 1000 people and that I am
11 certain it is resulting in, during that week,
12 cancellation of appointments because of the focus on
13 the move outs. But, Locke. I don't want to try to
14 solve one problem-- namely protecting public
15 health-- and have an unintended consequence of
16 another problem of someone who could move out not
17 moving out. So, we will take a look as we go forward
18 in terms of making sure that someone who might be
19 ready to move out into permanent housing doesn't lose
20 an opportunity because we are really driving to move
21 people out of the shelter. Of course, once they are
22 in the commercial hotel, that planning process will
23 continue in terms of an independent living plan to
24 connect people to permanent housing and make sure

25

1 people are ready for permanent housing. Thank you
2
3 for calling that to my attention.

4 COUNCIL MEMBER SALAMANCA: All right.

5 During the process of trying to get this 15 percent
6 homeless set aside bill passed, I got one of the
7 arguments in terms of resisting this bill was that
8 when you take a family that's ready for independent
9 living and you put them into the apartments, who is
10 going to file-- where is the aftercare going to--
11 how is the aftercare going to happen? Can you
12 explain to me briefly is that happening? That
13 aftercare? And who is responsible for that
14 aftercare? That non-for profit that was taking care
15 of that family or you are breaking it up into zones
16 throughout the city?

17 COMMISSIONER BANKS: It's the latter.

18 Our home-based providers are given information about
19 people who are relocating out of shelter to that
20 neighborhood and, so, for example, on your set aside
21 legislation, if somebody was in a shelter in, I don't
22 know. Downtown Brooklyn and they are moving to a
23 different place in Brooklyn, there would be a home-
24 based provider whose obligation is to reach out to
25 that particular family to follow up. I think one of

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 80

2 the things when we get through all of this, I would
3 be happy to engage with you and any housing providers
4 that might need us to walk through exactly how that
5 works so that they can be assured that there are
6 actually those aftercare services available.

7 COUNCIL MEMBER SALAMANCA: All right.

8 And then, my final question, Commissioner, in this
9 budget, and did you request funding so that we can
10 get PPE to families in the shelter system? And, most
11 importantly, something that I am observed as I am out
12 there handing out facemasks to my constituents and me
13 having a five-year-old, our facemasks are
14 predominately for adults and so, and up by special
15 facemask for my son whenever he goes outside, but the
16 facemasks that we can, they would have to tie them up
17 so that they fit the young toddlers as they are
18 walking with her parents. Is there a plan for the
19 city to purchase facemasks for younger children?

20 SERGEANT-AT-ARMS: Time expired.

21 COMMISSIONER BANKS: We have been
22 distributing face coverings to our clients. And so,
23 by way of example, in our HRA centers, everybody over
24 the age of two is to have a face covering unless
25 there is a particular medical condition. And so, we

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 81

2 need to have those kinds of face coverings available.

3 We have been mostly focused on our congregate
4 shelters, but we will take another look at our
5 families with children shelters. We need to have
6 face coverings for children that are made available,
7 but your question-- as always your questions do--
8 makes me want to make sure we are fully implementing
9 what our policy is to make sure that face coverings
10 are available for children and families with children
11 shelters.

12 COUNCIL MEMBER SALAMANCA: Thank you,
13 Commissioner. Thank you, Mr. Chair.

14 CHAIRPERSON DROMM: Okay. We'll go to
15 our next Council member, please.

16 COMMITTEE COUNSEL: We will now hear
17 from Council member Ayala followed by Council member
18 Adams.

19 SERGEANT-AT-ARMS: Council member, your
20 time will start now.

21 COUNCIL MEMBER AYALA: Thank you. Good
22 morning, Chairs Dromm and Levin. My apologies, but I
23 am having some technical difficulties this morning.
24 Good morning, Commissioner.

25 COMMISSIONER BANKS: Good morning.

1
2 COUNCIL MEMBER AYALA: My question is
3 related to the burial funds program. And I first
4 want to thank Speaker Johnson and Council member Moya
5 for fighting to make sure that the increase to the
6 resource was prioritized. Can you tell us is funding
7 increases have gone into effect and how HRA is
8 promoting this resource so that New Yorkers know that
9 it exists?

10 COMMISSIONER BANKS: Again, thank you
11 for focusing on this program, which I think is an
12 important one. It addresses an issue that we have
13 been concerned about for a long time which is that
14 the grant love all was not adequate. And, secondly,
15 that we wanted to make sure that it was of available
16 to people irrespective of immigration status. It's
17 promoted on our website. I conduct a weekly call. I
18 know you have been on it and I appreciate that you
19 have followed up with me on it. I conduct a weekly
20 call with elected officials and their staff, with
21 community-based organizations, with advocacy
22 organizations, with our contractors, and we are
23 actively pushing out this information that it is
24 available. And we will continue to do so and I will
25 certainly take any suggestions off-line about

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 83

2 anywhere that we might go. I did a roundtable with
3 ethnic media community media with Bitta Moshtofi
4 [sp?], Commissioner Moshtofi and Commissioner
5 Carrion. Marco Carrion to make sure that all the
6 local media were aware of this. And they asked for
7 an FAQ about the program. We are providing that so
8 that can be rolled out, too, so that people who are
9 reading trusted local media can get the information
10 that way.

11 COUNCIL MEMBER AYALA: So, person that is
12 watching today should know that the funds were
13 increased from 900-- Right? Was it?

14 COMMISSIONER BANKS: Yeah.

15 COUNCIL MEMBER AYALA: To 1700?

16 COMMISSIONER BANKS: 900 to 1700 and the
17 cap has been increased from 1700 to 3400. It clearly
18 makes it really clear that it is available for
19 cremation, as well as other services. And, in
20 addition, that we have private funds to provide
21 benefits irrespective of immigration status and we
22 will-- people can look at our website where the
23 information is available. And we will get
24 information out to the Council members in our next
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 84

2 mailing so that you can push this information out, as
3 well.

4 COUNCIL MEMBER AYALA: That would be
5 really helpful. Thank you so much. That's it.

6 COMMISSIONER BANKS: Thank you, Council
7 member.

8 CHAIRPERSON DROMM: Okay. We will go
9 to our next Council member.

10 COMMITTEE COUNSEL: We will now hear
11 from Council member Adams followed by Council member
12 Gjonaj.

13 SERGEANT-AT-ARMS: Council member, your
14 time will start now.

15 COUNCIL MEMBER ADAMS: Thank you. Thank
16 you to our Chairs for this hearing and good morning,
17 Commissioner Banks.

18 COMMISSIONER BANKS: Good morning. I
19 hope you are doing well.

20 COUNCIL MEMBER ADAMS: I am hanging in
21 there, sir. Thank you. Commissioner, there is been
22 concern around domestic violence. And we spoke with
23 NYPD on This TV issue, as well, last week. So, I am
24 just wanting to get your perspective back, you know,
25 because folks are in close quarters, we know that DV

1 instances are not being reported, even though we also
2 know that instances are going up of domestic
3 violence. People are stuck at home. They are in
4 close quarters. So, how much is HRA actually
5 investing to ensure that there is widespread
6 messaging so that victims still no that there are
7 services available to them to support them and to
8 create more of the safe space for them?
9

10 COMMISSIONER BANKS: Thank you for that
11 question. This is been something that I know Council
12 member Rosenthal has talked to me quite a bit about.
13 In terms of messaging, I know that the Mayor's Office
14 to End Gender-based Violence is now very much focused
15 on messaging approaches. We, at HRA, have been
16 focused on making sure that there are enough
17 resources in the event that, once the pause lifts,
18 people will be looking to flee situations that they
19 have been in. So, let me talk to you about some
20 concrete things that we have done in that regard.
21 I'm not discounting the importance of messaging, but
22 I want to be ready as an agency in the event that
23 there is a greater need after the pause is lifted for
24 all the reasons that you are concerned about. So,
25 first, we requested a waiver to open up a DV shelter

2 in a commercial hotel. I know you and I both have
3 concerns about commercial hotels, but--

4 COUNCIL MEMBER ADAMS: Yes. We do.

5 COMMISSIONER BANKS: But in this
6 environment, I wanted to make sure I had resources
7 available for the reason I'm about to tell you. We
8 have a series of tier 2 or permanent DV shelter beds
9 coming online through the end of the year. We have
10 about 300 more units that can accommodate 300 more
11 families that will be online by the end of the year,
12 but I wanted to make sure we had a bridge in the
13 event that we, when the pauses lift it, that we need
14 to be able to provide domestic violence services.
15 So, we asked the state for a waiver to be able to run
16 a shelter in a commercial hotel. Conditionally, it
17 has been approved. There is now some technical
18 things we need to do to get it finally approved. Why
19 are we doing that? I want to make sure I've got the
20 resources online when the pause is lifted, but I want
21 to assure you, for the reasons that you and I have
22 discussed going back to when you were at the
23 community board, that this is not a permanent thing.
24 This is a bridge until we get the rest of these units
25 up until the end of the year.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 87

2 COUNCIL MEMBER ADAMS: I appreciate that.
3 I appreciate you laying our history out there, also.

4 COMMISSIONER BANKS: It's been a good
5 one.

6 COUNCIL MEMBER ADAMS: It's has been a
7 good one. We've come a long way. It has been a good
8 one. So, I appreciate that very much and I think I'm
9 going in my questions they are. Thank you very much.
10 Thank you, Mr. Chair. And Mr. Chair?

11 CHAIRPERSON DROMM: Okay. Thank you
12 very much. We will now go to our next question.

13 COMMITTEE COUNSEL: We will now hear
14 from Council member Gjonaj followed by Council member
15 Cornegy.

16 SERGEANT-AT-ARMS: Council member, your
17 time will start now.

18 COUNCIL MEMBER GJONAJ: Thank you, Chairs.
19 Good to see you, Commissioner.

20 COMMISSIONER BANKS: Good to see you,
21 too.

22 COUNCIL MEMBER GJONAJ: So, I have a slew
23 of questions. I'm going to put them all together as
24 a package and I hope you can delve as far into them
25 as you need to. Can you elaborate a little bit about

1 the success with the MTA, the closure, and the
2
3 unprecedented success of getting our home was out of
4 the trains and buses and into the shelters? Give us
5 updated numbers. How many are actually taking
6 advantage of the facilities and the programs and
7 remaining there? As well as the importance of our
8 home was wearing proper PPE. My question would be,
9 when the governor declared a state of emergency due
10 to COVID-19, and sent it in the best interest that we
11 get the homeless off the street and into a safe
12 environment so that they are not exposed to the
13 COVID-19 virus, as well as not giving it to others
14 that they come into contact with? And we see an
15 increase in homeless populations now and our parks,
16 especially with the warmer weather coming up. Now
17 they are leaving the train stations and working their
18 way into our parks and we don't see the same
19 enforcement assuring the home is that they have
20 options and it's not healthy and it's not in their
21 best insurance, so they are in parks for themselves
22 and for other park goers. Then you keep bringing up
23 shelters that are need and the cooperation by the
24 Council members and locating shelters. I've offered
25 those proposals several times. They should actually

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 89

2 be proposed to community boards. Community mourns
3 know the district. They know where a shelter would
4 work. You should work with community boards and
5 determine the site locations. And if they don't come
6 up with one, then you can, obviously, pursue the
7 options that you have available to you. And I know
8 that there's a lot of loaded questions and my last
9 one to you is you mentioned the shortage of PPE
10 initially within the shelters and how the
11 administrators and security guards did not have an
12 adequate supply. But I know of situations where the
13 administrators and the employees that shelters were
14 bringing their own PPE equipment and they were not
15 authorized to use it. They were coming in with
16 letters. They were screened for underlying health
17 conditions. There are concerns to the exposure and
18 they were still not permitted to wear masks inside of
19 a shelter. So, if you can remember all of those, I
20 will leave it to you dancer in two and a half
21 minutes.

22 COMMISSIONER BANKS: Let me do my best,
23 but I think there were four questions that I am going
24 to try to answer the four questions. So, the
25 question about shelter sightings. Let me just

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 90

2 address it this way. Every March or April I send a
3 letter out to every community board, every elected
4 official and I say, here is the progress we are
5 making. 41 percent is up and addictions, for
6 example. 145,000 people moved into permanent
7 housing. I give an update and I say and we still
8 need site. Please propose some sites to me. Some
9 community mourns, some elected officials have joined
10 that effort and some have not. And that we've done
11 exactly what you told me I would have to do, which is
12 if I don't get a site, go find your own. So,
13 therefore, I think what your suggestion was is a very
14 good one and I want to tell you I took it to heart
15 and have been doing it for each of the last three
16 years sending out an annual letter.

17 COUNCIL MEMBER GJONAJ: Commissioner, but
18 they also-- And when to offer sites, you are taking
19 those sites and still installing other sites. So
20 there's a big difference here if you say to a
21 community board, hey, you need two sites and they
22 propose to sites and you bring foresight and because
23 you found two others.

24 COMMISSIONER BANKS: Well, I would be
25 very interested in following up off line about the

1 facts there because, typically, what happens is we
2 need to sites, we don't get offered any or we need to
3 sites and we get offered one. But I say, more
4 typically, overall, what actually happens is there is
5 a dispute about the opening of a shelter. When it
6 opens, it becomes part of a community and we don't
7 have the kind of disputes previously because New
8 Yorkers are fundamentally compassionate people. You
9 asked me about a couple of different things. One is
10 the PPE. At the beginning of March, the early part
11 of this, the guidance was not to wear PPE and so,
12 therefore, people weren't wearing PPE and there was a
13 concern about people wearing it and other people not
14 wearing it. As soon as the guidance was everybody
15 should wear it, we made it clear everybody could wear
16 whatever they had and we would do everything we could
17 to get it for everybody. So, if we go back to the
18 very beginning of March when the first case happened,
19 the guidance has evolved, as we have gone along. And
20 so, the example that you give sounds to me like it
21 actually occurred at that beginning. Of time and we
22 addressed it. But I totally understand what you're
23 asking about. Lastly--

25 SERGEANT-AT-ARMS: Time is expired.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 92

2 COMMISSIONER BANKS: If I may answer the
3 question even though time is expired?

4 CHAIRPERSON DROMM: Yes. Please do.
5 Yes. You may.

6 COMMISSIONER BANKS: Okay. So, there
7 was questions around the MTA initiative and the
8 shutdown of the subways. Look, I think, the mayor
9 and I said it. The Daily News editorial, you know,
10 yesterday said it. What we are seeing is a dramatic
11 increase in people willing to engage with outreach
12 teams and willing to consider coming inside. And we
13 have found, in that first week, 200 people did come
14 inside. Actually, for the first five days, as the
15 daily news pointed out. It was the first week. 200
16 people came inside to a shelter program and another
17 hundred people went to the hospital. And we found
18 that that kind of success rate of half the people
19 agreeing to consider services and then people coming
20 inside has continued. We will do weekly reporting.
21 So, each time, we would have a full week of
22 reporting. There would be another report coming out
23 this week. We are being very transparent. Whatever
24 the numbers are, they will be the numbers. But, I
25 think you can see-- and, again, the Daily News

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 93

2 pointed this out in the editorial yesterday. That
3 you can see that people are accepting services at
4 rates that they previously hadn't. They may not be
5 remaining in services on an ongoing basis 100
6 percent, but there is a core group of people who are
7 now staying inside and that is really important.

8 COUNCIL MEMBER GJONAJ: And that's
9 [inaudible 02:10:36] that's in parks?

10 COMMISSIONER BANKS: Yeah. Is going to
11 answer that, too. In terms of focusing on the parks,
12 we have 24/7 outreach throughout the city. There is
13 been a lot of focus on the end of the subway lines
14 and we well, as the warmer months are coming,
15 certainly continue to focus on engaging people in
16 trying to bring people off the streets, in addition
17 to the subways.

18 CHAIRPERSON LEVIN: Commissioner, this
19 is Council member Levin. I just wanted to just have
20 a quick follow up on that and I just want to be
21 clear, though, that the percentage of those people
22 that have come off the subway that have remained in
23 shelter for a week or longer is what?

24 COMMISSIONER BANKS: I'm going to give
25 you that first five today. Because we're going to

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 94

2 put out numbers weekly. And I know the most
3 important thing is to focus on chunks of time. So,
4 that first period of time, have the people on the
5 subway platform agreed to be engaged.

6 CHAIRPERSON LEVIN: Yeah.

7 COMMISSIONER BANKS: That resulted in
8 about 200+ people actually going to shelter.

9 CHAIRPERSON LEVIN: Okay.

10 COMMISSIONER BANKS: have been 100
11 people of the 200 actually staying in shelter at the
12 end that period of time. And--

13 CHAIRPERSON LEVIN: How long was that?

14 COMMISSIONER BANKS: By that point, I
15 think they were in actually seven days at that period
16 of time. And in addition, 100 people left the
17 streets to go to the hospital. So, that's the
18 universe that we are dealing with and we will know
19 more when we put out another weeks' worth of data.
20 And it's sort of like, I think, what the Times' was
21 speaking about in April. Whatever the data show,
22 we're going to put it out. That's why every day,
23 we've been putting out data about cases in our
24 shelter system, where they are coming from, what is
25 the nature of the person. We have been putting that

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 95

2 out since the beginning. So, we are going to put
3 that information out on a weekly basis, too. And it
4 will show what it shows, but we think it is important
5 to show our work and we are going to keep doing it.

6 CHAIRPERSON LEVIN: Okay. Thank you.
7 Let's go to our next Council member.

8 COMMITTEE COUNSEL: We will now hear
9 from Council member Cornegy followed by Council
10 member Gibson.

11 SERGEANT-AT-ARMS: Council member, your
12 time will start now.

13 COUNCIL MEMBER CORNEGY: Hey, good
14 afternoon, Commissioner. How are you?

15 COMMISSIONER BANKS: Good. How are you
16 doing? Good to see your face.

17 COUNCIL MEMBER CORNEGY: Always good to
18 see you, too.

19 COMMISSIONER BANKS: It's good to see
20 everybody's face, but I hadn't seen you in a long
21 time.

22 COUNCIL MEMBER CORNEGY: Yeah. So,
23 actually, under the circumstances, it could actually
24 be seen. So, I will take that. I wanted to talk to
25 you about the fiscal impact of continuing to use

1 transient services over a more sustainable model,
2 which is to get people placed. So, as the Chair of
3 Housing and Buildings, I am acutely aware that there
4 are thousands of apartments that sit ready and are
5 available to former shelter residents. Housing with
6 support services. I know that that is more cost-
7 effective. I think the last time I checked it was
8 three times as expensive to temporarily house an
9 individual as it was to find long-term, sustainable
10 housing. Burying that they come, now is the time
11 that we should be pivoting away from the model. Like
12 we have this crisis to allow was, in an emergency, to
13 pave it away from the continued use of the non-
14 sustainable method, which is the transient method.
15 Which has not provided for us to be made is getting
16 folks into real-life situations. I am wondering why
17 the thinking continues to be that we should have
18 transient of long-term sustainable housing when it is
19 cost effective and, you know, and my modest attempt
20 to be a good fiscal steward with the city's dollars,
21 especially under the financial crisis that we find--
22 crisis that we find ourselves under, the 8 billion
23 dollars in revenue that we will be losing, wouldn't
24 it be more prudent to begin to look at these vacant
25

1 apartments which are more sustainable ways to house
2 formerly-- former residents of shelters? I don't
3 know what the administration's thinking is from a
4 fiscal standpoint and social standpoint at this
5 point, provide being long-term sustainable housing as
6 opposed to this transient model which, clearly,
7 hasn't worked out in terms of increasing people's
8 quality of life.

10 COMMISSIONER BANKS: So, thank you for
11 your question and I take it in the spirit of Council
12 member Lander's question which is, all right, going
13 forward, what is the fresh look we should take at
14 everything. Which I appreciate the spirit of that
15 question. So, from the social services agency
16 perspective-- Because, remember, that's what we are.
17 We are a social services agency. We have been able
18 to connect-- before the pandemic, we were able to
19 connect 145,000 people to permanent housing. And
20 we're going to keep doing that. And I want to find
21 all those vacant apartments and move people into them
22 because we have the ability to pay rental assistance
23 to move people into the vacant apartments. It's
24 possible that one impact of this crisis is going to
25 be more vacancies and, if we can move more people

1 into those vacancies with the tools that we have, we
2 want to do that. Right before the pandemic happened,
3 HPD had made available to us the apartments that were
4 not rented in some of the housing programs and we
5 worked out a mechanism to pay a little bit more than
6 the voucher amount to get into those units. And so,
7 we are working with HPD to move our clients into any
8 vacancies that can be found. If there are private
9 market vacancies that can be garnered for us, we have
10 a whole apparatus to move people into them and that
11 will begin to reduce the numbers of people in
12 shelter. I also want to point out that the numbers
13 of families with children in the numbers of people in
14 families with children in our census now is at the
15 level that it was in December 2012. So, the
16 permanent housing and prevention strategies are
17 really significantly driving down family
18 homelessness. If you look at the dynamics of our
19 senses, where we are in terms of numbers of children,
20 numbers of adults and families, numbers of families
21 with children, we are at a place that the city has
22 not been since December 2012. The sentences is
23 reflecting, however, increases in homelessness among
24 single adults. And that is a group of people for
25

2 whom the rental market is particularly challenging.

3 So, I think we should focus on the tools that we have
4 used that have worked in keep driving them and make
5 use of those vacant apartments when we can identify
6 them, but also look at some of the needs of our
7 single adults that are coming to us and right now,
8 actually, in the number of adults is going up while
9 the numbers of families with children is going down.

10 COUNCIL MEMBER CORNEGY: Thank you.

11 Have 25 seconds to give you a heads up that you will
12 be hearing from my colleagues who are in the Black,
13 Latino, and Asian Caucus in an effort to make sure
14 that there is parity in these placements, as well.
15 So it's not a nimble conversation. It's a
16 conversation of equity and of parity and I've only
17 got eight seconds left so I can't address it, but I
18 assure you to get ready for some of my BLACK
19 colleagues who will be addressing that with you.

20 SERGEANT-AT-ARMS: Time's expired.

21 COMMISSIONER BANKS: Looking forward to
22 talking with them. I'm assuming, just from my
23 contacts, that we're talking about the relocations of
24 people from the congregate shelters into hotels and
25 the issue is where are those hotels located?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 100

2 COUNCIL MEMBER CORNEGY: Absolutely.

3 COMMISSIONER BANKS: I will just
4 foreshadow that conversation by saying we have tried
5 to focus on keeping people as close as possible to
6 the shelter that they are in for the continuity of
7 their services. I understand why there are
8 challenges here, but we've also been proceeding with
9 the public health imperative. But I informed her
10 that conversation because every conversation I've had
11 with the Black and Latino and Asian Caucus has been
12 informative and actually has helped us reform
13 policies. So I look forward to that conversation.

14 COUNCIL MEMBER CORNEGY: Thanks,
15 Commissioner. Good to see you.

16 CHAIRPERSON DROMM: Thank you very
17 much. And ap--

18 CHAIRPERSON LEVIN: Danny, I'm sorry.
19 I just have one other-- Just following up on my last
20 question, Commissioner, just want to-- getting back
21 to Council member Gjonaj's question. So, The Post
22 had it reported that it was-- after a week, it was
23 100 people had stayed in shelter out of 3,333 that
24 were approached on the subway. I just want to get
25 some clarity on that number.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 101

2 COMMISSIONER BANKS: They got it wrong.

3 CHAIRPERSON LEVIN: They got it wrong?

4 COMMISSIONER BANKS: They got it wrong.

5 What the Daily News focused on was unique
6 individuals. Which as we reported on unique
7 individuals. The Post just added up every encounter.

8 CHAIRPERSON LEVIN: So, the number of
9 people that were encountered total--

10 COMMISSIONER BANKS: There were 824
11 unique individuals who accepted services. 200+
12 individuals who actually remained in shelter and 100
13 individuals who continued to remain in shelter after
14 seven days and--

15 CHAIRPERSON LEVIN: So, 100 out of
16 eight--

17 COMMISSIONER BANKS: If I could just
18 finish. And 100 people who went to hospital. So 300
19 people actually left the platform and went to
20 something that they had agreed to accept. Others did
21 not. And I think the lesson of the--

22 CHAIRPERSON LEVIN: What were they
23 going to the hospital for?

24 COMMISSIONER BANKS: They needed medical
25 care?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 102

2 CHAIRPERSON LEVIN: Okay. And they
3 stayed in the hospital or what's the--

4 COMMISSIONER BANKS: They went to get
5 care at the hospital. If you could've seen some of
6 the individuals that I saw, you would've agreed with
7 me that they needed to go to the hospital.

8 CHAIRPERSON LEVIN: I'm not disputing
9 whether they did or didn't need to go to the
10 hospital. I'm wondering what happens when they go to
11 the hospital? Where do they go when they leave the
12 hospital?

13 COMMISSIONER BANKS: But--

14 CHAIRPERSON LEVIN: How long do they
15 stay in the hospital?

16 COMMISSIONER BANKS: Again, individuals
17 who are being taken to the hospital after being
18 evaluated by a nurse that they need to go to a
19 hospital are getting whatever care they need.
20 Perhaps we see them-- If I could just finish before
21 you interrupt me-- Perhaps we see them again on the
22 subways. Perhaps not. But the issue that I am
23 focused on-- and I believe we all should be focused
24 on is any night we can get someone out on the subways
25 of victory for that individual.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 103

2 CHAIRPERSON LEVIN: Okay. After the
3 hospital-- We have to track these people. After
4 they go to the hospital-- We're referring them to
5 the hospital. DHS outreach staff is referring them
6 to the hospital

7 COMMISSIONER BANKS: Actually the NYPD
8 is referring them to the hospital.

9 CHAIRPERSON LEVIN: So, but then who is
10 tracking them?

11 COMMISSIONER BANKS: Some of these
12 individuals are very difficult to get any information
13 about them and so, therefore, they're ending up at
14 the hospital.

15 CHAIRPERSON LEVIN: And once they're in
16 the hospital, who is tracking their whereabouts?

17 COMMISSIONER BANKS: We will keep
18 focusing on those individuals who we are bringing
19 into shelter and will work with the NYPD to focus on
20 the individuals that are being brought to the
21 hospitals.

22 CHAIRPERSON LEVIN: Where are they
23 going after they leave the hospital?

24 COMMISSIONER BANKS: Council member, I'm
25 not trying to avoid your question. I'm describing to

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 104

2 you the facts as I know them which is, on a subway
3 platform, 100 people in the first five days needed to
4 be taken to the hospital and they went to the
5 hospital and got whatever care they needed. And if
6 we saw them again, we would place them in shelter if
7 they wanted to accept shelter. You're talking about
8 five days of data in a program that was stood up
9 literally overnight when the subways were shut down.
10 We're going to keep evaluating the data week by week,
11 but our priority is getting people inside every
12 night. And any night we can get someone inside is a
13 victory for that person.

14 CHAIRPERSON LEVIN: Okay. And from a
15 programmatic perspective-- this is a budget hearing.
16 From a programmatic perspective, is the movie is got
17 to be tracking happened to people with they go to the
18 hospital and they leave the hospital either 12 hours
19 later or so the need to hours later or 96 hours. Some
20 money should be tracking their whereabouts and, if
21 it's not DSS-- it's not going to be NYPD and it's
22 probably not going to be Health and Hospitals. So,
23 somebody has got to do that and I'm just asking whose
24 job it is to do that.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 105

2 COMMISSIONER BANKS: And what I'm
3 answering you is all the agencies that are trying to
4 help the individuals here are looking at how best to
5 do it.

6 CHAIRPERSON LEVIN: But nobody is doing
7 that. Just nobody is doing it. Nobody is tracking
8 them after they leave the hospital.

9 COMMISSIONER BANKS: But, let's--

10 CHAIRPERSON LEVIN: Let's just say it.
11 We say. Nobody is tracking them. I'll say it.
12 Nobody is tracking them.

13 COMMISSIONER BANKS: Try to use the
14 process to understand what I am saying which is you
15 have multiple agencies that have stood up a process
16 in five days that never had existed before. At the
17 end of the day, all of the relevant agencies are
18 going to work together to make sure that we are
19 getting the best outcome for people.

20 CHAIRPERSON LEVIN: And referring
21 people to How things Hospitals from the subway
22 platform is not a new thing. That is been people--
23 that has been in place sense, you know? For a long
24 time. And at least since we have been having these
25 discussions about--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 106

2 COMMISSIONER BANKS: I beg to--

3 CHAIRPERSON LEVIN: about police on the
4 subways.

5 COMMISSIONER BANKS: I beg to differ,
6 though. We have never seen these kinds of numbers of
7 people leaving the system and going either to shelter
8 or to the hospital.

9 CHAIRPERSON LEVIN: But that is just a
10 matter of numbers. It's not a matter of process.
11 And a matter of process-- I'll leave it there.
12 Sorry. Go on, Danny. Sorry.

13 CHAIRPERSON DROMM: Thank you. Before
14 we move on, obviously, we were joined by Council
15 member Cornegy and we are joined by Council member
16 Torres, Council member Reynoso, and Council member
17 Lancman. So, let's go to our next Council member for
18 questions.

19 COMMITTEE COUNSEL: We will now hear
20 from Council member Gibson followed by Council member
21 Treyger.

22 SERGEANT-AT-ARMS: Council member--

23 COUNCIL MEMBER GIBSON: Thank you.

24 SERGEANT-AT-ARMS: Your time will start
25 now.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION

107

2 COUNCIL MEMBER GIBSON: Okay. Thanks so
3 much. Good afternoon everyone. Thank you,
4 Commissioner Banks. Thank you, Chair Dromm, and to
5 all my colleagues who have joined. Commissioner
6 Banks, we have a long history during my tenure in the
7 Council and, certainly, when it comes to siding new
8 shelters, looking commercial hotels and trying to get
9 out of them for the purpose of housing homeless
10 individuals, I have tried my best to work with you
11 and your team. I think I come from a community in
12 the Bronx that has done much more than its fair
13 share. I have taken over my homeless residents and
14 families, as well as others. And so, when we talk
15 about fairness and equity, I know you appreciate that
16 members speak up when we feel like inequity has been
17 happening. So, during this COVID, I know that there
18 are lots of conversations about addressing street
19 homeless, those on the subway, those that are in
20 congregate setting. And so I really appreciate and
21 urge you and your team to continue to work with
22 members of the BLACK, the Women's Caucus,
23 particularly since many of the clients that we are
24 talking about, and from our communities or and are in
25 communities of color and emigrant communities. So, I

1 appreciate your partnership and everything you have
2 done, certainly, working with the Bronx Delegation.
3 So, I have a couple of questions. I wanted to ask
4 for an update on the cluster phasing out because a
5 number of cluster housing remains in the Bronx and
6 Brooklyn. And last year, in the budget, we purchased
7 a number of building, over 17 different locations at
8 173 million dollars, and OMB talked about a potential
9 opportunity for a phase 2. So I wanted to get an
10 update on that. Number two, I wanted to find out,
11 since we are dealing with a high number of clients
12 that are applying for-- whether it is a one shot,
13 food stamps, SNAP benefits, public assistance, do we
14 see a need and are we having conversations on raising
15 the threshold and the eligibility for one shots? You
16 said the average pay is about 4300, but we know,
17 obviously, that may grow with the demand. I'm glad
18 you raised the right to counsel because it's going to
19 be more important now than ever when the moratorium
20 is lifted. Many families that have not been able to
21 pay rent because of loss of income, we are going to
22 see more evictions, so I want to be very mindful of
23 that. I also wanted to understand the client service
24 centers. As you know, in the Bronx, I'm right next
25

1 to the one on Jerome Avenue. And I talk to the staff
2 a lot, so I wanted to know what guidelines we are
3 looking at as we reopen and still practice social
4 distancing to make sure that everyone is safe as we
5 continue to serve. And then, finally, domestic
6 violence shelters, someone asked about it, but some
7 of the providers have been seeing, of course, an
8 increase in cases as they are serving residents
9 virtually. Are we able to help build more capacity
10 for these providers? Because I think we all
11 understand that during COVID, residents and New
12 Yorkers are traumatized. So, when you talk about
13 access to holistic engines wraparound services,
14 trauma informed care, therapeutic services, that is
15 going to be very, very important. So, I wanted to
16 understand are we going to help providers that are
17 asking for more resources? And, sorry. I do have
18 one more question. On the cluster housing, last
19 year, we talked a little bit about some of the
20 providers getting light touch social services. So, I
21 wanted to understand are we still doing that? Is it
22 still light touch or have we put more into that
23 because of COVID? Because we know that the need is
24

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 110

greater? Thank you, Commissioner. I hope you've got
all of that.

COMMISSIONER BANKS: As always, that was
a great use of five. I'm going to have to sort them
out and make sure I answer all the questions. Just a
shout out on right to counsel. Like a lot of things
I talked about in my testimony, there are so many
things that we did together with the Council. And
this is a great example with you and Council member
Levine. There are so many things that we did with
the Council that set us instead for dealing with
something that none of us could have predicted. And
that right to counsel initiative is clearly one of
the. In terms of one shots, I mean, the average
amount that we pay is not set as we can't pay more
than that. That just happens to be the average
amount that we pay. It's an entitlement program
where there is a city's share, estate share,
sometimes a federal share. Sometimes it is all city
tax levy, but it is a program that operates as an
entitlement program and we will continue to operate
it. With respect to the clusters-- So, let me give
you overall. You referenced the first transaction
that we did--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 111

2 CHAIRPERSON LEVIN: Uh-hm.

3 COMMISSIONER BANKS: we finance the
4 purchase of 17 buildings. There were 729 units in
5 those buildings. 468 of them were occupied by
6 homeless families and--

7 COUNCIL MEMBER GIBSON: Right.

8 COMMISSIONER BANKS: 300 were permanent
9 tenants. And there are contracts with the not-for-
10 profit to provide supportive services in the form of
11 light touch. Not like--

12 SERGEANT-AT-ARMS: Time expired.

13 COMMISSIONER BANKS: supportive housing
14 because it is permanent housing. So, therefore, it's
15 the lighter supportive housing-- a lighter touch
16 social services, not like supportive housing. We
17 then completed the second transaction which is in the
18 HPD budget. I don't know at the HPD budget hearing
19 if that is an issue that is going to come up, but it
20 was in the HPD budget that we finance a second
21 transaction of 14 buildings, 224 units. Those were
22 all homeless family units. There were no permanent
23 tenants in those buildings. And that financing was
24 74 million dollars for the purchase of those units.

25 COUNCIL MEMBER GIBSON: Okay.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 112

2 COMMISSIONER BANKS: So, overall, this
3 means that there are now fewer than-- there are
4 actually, exactly 1175 cluster units left. This is
5 from a high point of 3600. So, we have 1175 took out
6 and we are continuing to look at how best to reclaim
7 those units as permanent housing. You asked me about
8 DV and I want to just reiterate again that we have a
9 number of DV units coming online. Another 300 or so
10 units. Just I have 300 and by that end of the year.
11 And, I think, help any need that might occur when the
12 cause and. And then, as I said to Council member
13 Rosenthal-- I can't remember who asked me this
14 question. I apologize. That in the meantime, we
15 have-- Council member Adams asked me this. That, in
16 the meantime, we have some TV space coming online, we
17 hope, and a commercial hotel. But, just to go back
18 to your point about sighting that I think is
19 important, so we made a commitment to get out of
20 clusters and we have reduced that from 3600 and down
21 now two 1175. We're going to keep on driving it
22 down. We also made a commitment to get out of
23 commercial hotels. At the high point, we were in 92
24 commercial hotels and, pre-COVID, we had driven down
25 to 76 non-COVID hotels, but I'm going to just be

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 113

2 transparent. We've added 30 more hotels-- more than
3 30 hotels in order to address the move outs of people
4 from congregate shelters and to address the isolation
5 space. So, whereas we were making the progress that
6 I promised we would make in getting out of commercial
7 hotel locations, we have now returned to them. I
8 understand that is a conversation that we will have
9 about the impact of now returning to greater hotel
10 use as a way of dealing with this pandemic.

11 COUNCIL MEMBER GIBSON: Uh-hm. Ok thank
12 you. We will talk more off-line. Thank you so much,
13 Chairs.

14 CHAIRPERSON DROMM: Okay. Thank--

15 COUNCIL MEMBER GIBSON: Thank you,
16 Commissioner.

17 CHAIRPERSON DROMM: Thank you very much
18 and we will go to our next Council member.

19 COMMITTEE COUNSEL: We will now hear
20 from Council member Treyger followed by Council
21 member Rosenthal.

22 SERGEANT-AT-ARMS: Council member, your
23 time will start now.

24
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 114

2 COUNCIL MEMBER TREYGER: me unmuted?

3 Oh. Could folks-- Okay. Commissioner, hope all is
4 well.

5 COMMISSIONER BANKS: I hope all is well
6 with you, too. Thank you.

7 COUNCIL MEMBER TREYGER: Thank you.

8 Commissioner, there was recently a photograph in the
9 news media and I got reports in my district of a
10 number of homeless families, folks that were removed
11 from the subway ending up on a bus in Coney Island at
12 the Surf Avenue, Stillwell Avenue, train station.
13 The Governor and some other folks want to describe
14 these conditions as making safe connections of taking
15 them off the trains. Would you consider homeless
16 individuals getting onto an MTA bus sleeping on the
17 bus overnight as a safe connection?

18 COMMISSIONER BANKS: The individuals
19 that were involved are human beings. Our program is
20 to take people from the subway and get them into our
21 shelter system. I'm not sure I'm going to describe
22 the same thing that you are describing, but I do know
23 on one of the very cold nights, that unusual weekend,
24 that the MTA made available some buses to be used for
25 warming. Our program is to make sure that people get

1 out of the subways and indoor shelters. We're not
2 looking at people move just to another MTA vehicle.
3 I appreciate that the MTA did make of vehicle
4 available as an opportunity to keep people in a warm
5 setting, but if what you're getting at is the aim of
6 bringing people out of the subways have them and up
7 on buses, the answer is no. It's not the governor's
8 aim and it is not our aim.

10 COUNCIL MEMBER TREYGER: Well,
11 Commissioner--

12 COMMISSIONER BANKS: [inaudible
13 02:33:47] for the state to not have that be the
14 result.

15 COUNCIL MEMBER TREYGER: Commissioner,
16 no one can convince me putting human beings, as
17 incorrectly stated, onto a bus on top of each other
18 is a safe connection. We are better than that,
19 Commissioner.

20 COMMISSIONER BANKS: I agree with you.
21 And that's why say we are focused on getting people
22 out of the subways and into our shelters. I will say
23 we have had some challenges, too, with that and there
24 was another photograph of challenges that we had with
25 making that work and I found that unacceptable and

2 that was on our watch. So, I agree with you that
3 there been problems all around here and we can do
4 better than that. It doesn't represent what our
5 workers intended to be and what we want to do for
6 human beings and I appreciate that you are raising
7 this issue in this public forum because I think it is
8 a real issue and we need to make sure that it does
9 happen.

10 COUNCIL MEMBER TREYGER: Thank you for
11 acknowledging that, Commissioner. I want to also
12 speak about an often forgotten population, as well.
13 The folks that don't follow twitter, the folks that
14 don't follow websites, the folks that do not speak
15 English is the primary language. People who are
16 elderly and people who are from immigrant communities
17 who my office and many of my colleagues offices have
18 had to step up to provide translation assistance
19 because they had to fill out these multipage websites
20 and have email accounts to get food assistance. What
21 is the plan to engage effectively with multiethnic
22 media and multiethnic communities to reach all
23 corners of our city that were forgotten during super
24 storm Sandy and are being forgotten again? Because
25 not everyone has Facebook. Not everyone has twitter

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 117

1 and not everyone follows a website. What is the plan
2 to engage all corners of the city?

3
4 COMMISSIONER BANKS: So, thank you for
5 the question. One of the reasons why we ask for a
6 waiver of the federal signature requirement on an
7 application news we believe that there are people--
8 and you are describing some of them. That have
9 challenges in using our access HRA system. Our
10 access HRA system is translated, but that doesn't
11 mean that there are people that can easily-- that
12 there are people that have challenges easily
13 negotiating an online application, as you so aptly
14 described. I think some challenges that, perhaps,
15 your constituents might be having. So, we asked for
16 a federal waiver and a state waiver of the
17 application signature requirement so that we could
18 have a worker take the application over the telephone
19 and the worker fill it out without having the client
20 do it. We just got that waiver and we are going to
21 be rolling out information about how you and your
22 clients or constituents can take advantage of the new
23 avenue that was just opened up to try to address, I
24 think, what you are really describing as the gap
25 between those that are using all this new technology

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 118

2 and those that are not. And we will ask for help to
3 make that information available so that no one is
4 left to fall between the cracks. I think that the
5 waivers we originally had really made a big
6 difference for a lot of people. We knew that there
7 would be some people like the ones you have described
8 that would not be covered by the waivers. And that
9 is why we pushed hard to get a waiver so we could do
10 it by phone, not--

11 COUNCIL MEMBER TREYGER: Commissioner,
12 before I go--

13 SERGEANT-AT-ARMS: Time is expired.

14 COUNCIL MEMBER TREYGER: is there a
15 budget for multiethnic media to reach all corners of
16 the city? And that is the final question that I
17 have.

18 COMMISSIONER BANKS: Last week, I did a
19 multi ethnic media than on burial allowance. You are
20 telling me, and I think this is the right thing for
21 you to tell me. Is that I should to actually want on
22 this topic on multiethnic media and I will talk to
23 Commissioner Moshtofi who organizes these, along with
24 Commissioner Carion, Marco Carion, to say I've got a
25 great suggestion from a terrific Council member who

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 119

2 always points out gaps in services and we better
3 listen to you because you're usually right. So, I
4 will commit to you that I will do a multiethnic media
5 session on just this topic that you have described.

6 COUNCIL MEMBER TREYGER: Thank you.

7 CHAIRPERSON DROMM: Let's go to our
8 next Council member, please.

9 COMMITTEE COUNSEL: We will now hear
10 from Council member Rosenthal.

11 SERGEANT-AT-ARMS: Council member, your
12 time will start now.

13 COUNCIL MEMBER ROSENTHAL: There we go.
14 Thank you very much. Thank you, Chairs for holding
15 this hearing. Commissioner, always great to see you.
16 Thank you for the women's work that you are doing. I
17 want to start with a concern that I am hearing from a
18 lot of people that the people who are having troubles
19 accessing the online platform that HRA has who have
20 traveled, say, they then called the help line or the
21 info line and they are waiting online for hours. So,
22 I'm wondering two things. One, is there a way for
23 you to track-- have you tracked how many people are
24 having challenges going through the online system?

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 120

2 And, secondly, do you need additional staff to answer
3 the phones?

4 COMMISSIONER BANKS: Thank you for the
5 question and it is great to talk to you, as always.
6 We seem to have talked a lot in this period of time.
7 Look, we have a service called info line.

8 COUNCIL MEMBER ROSENTHAL: Yes.

9 COMMISSIONER BANKS: And--

10 COUNCIL MEMBER ROSENTHAL: And that is
11 what people are concerned about.

12 COMMISSIONER BANKS: cap rate. And I
13 will certainly knowledge, at the beginning of this,
14 we had challenges that were really related to the
15 fact that we have employees in that area for whom we
16 granted reasonable accommodations. We have a lot of
17 people who were subject to the Matilda's law, for
18 example. We granted reasonable accommodations and
19 sent them home. And then we had to build a process
20 for them to be able to-- the technology platform and
21 a process for them to be able to provide services
22 that home, take the calls at home, be able to connect
23 to our computer systems at home. We created a
24 laptop--

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 121

2 COUNCIL MEMBER ROSENTHAL: Commissioner,
3 going to cut you off at about 15 seconds. So--

4 COMMISSIONER BANKS: Okay.

5 COUNCIL MEMBER ROSENTHAL: where are we
6 today?

7 COMMISSIONER BANKS: I'm going to end it
8 by saying we have now rolled out the technology the
9 Mac group and the variable to be much more responsive
10 than they were at the beginning of this by addressing
11 exactly the problem that you are describing.

12 COUNCIL MEMBER ROSENTHAL: So, and the
13 problems I'm hearing about our recently.

14 COMMISSIONER BANKS: Okay. We will
15 follow up with you and see if we can figure out what
16 day it was. Did we screw up one day? Can we do
17 things better?

18 COUNCIL MEMBER ROSENTHAL: Do you know
19 what your average wait time is on the info line?

20 COMMISSIONER BANKS: I don't. I will
21 get back to you on that.

22 COUNCIL MEMBER ROSENTHAL: Is that
23 something that is regularly tracked?

24 COMMISSIONER BANKS: It is something
25 that is regularly tracked.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 122

2 COUNCIL MEMBER ROSENTHAL: Okay. So if
3 you could sort of give me the information by way--

4 COMMISSIONER BANKS: Sure.

5 COUNCIL MEMBER ROSENTHAL: However it is
6 you collect it.

7 COMMISSIONER BANKS: Happy to do that.

8 COUNCIL MEMBER ROSENTHAL: Great. For
9 the whole committee, thanks, I appreciate that. And
10 then I want to move to the DV shelters. Two
11 questions. One is a follow up to Council member
12 Treyger's question. Would you consider doing a
13 multi-ethnic editorial conversation perhaps with
14 Commissioner Noel regarding domestic violence and all
15 the services that are available to people now to make
16 sure that we get that word out?

17 COMMISSIONER BANKS: Yes.

18 COUNCIL MEMBER ROSENTHAL: Thank you.

19 Secondly, I'm wondering about the vacancy rate at the
20 DV shelters today and I appreciate that you are
21 planning for the future, but let's set that question
22 aside for just one second. Given that the governor
23 signed an executive order saying that people could
24 stay at their shelters longer than six months, and
25 given that you usually have a 90 percent vacancy rate

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 123

2 in order-- a 10 percent vacancy rate in order to
3 have plenty of room for other people to come in, what
4 are you seeing now in terms of vacancy rate? Is
5 there a demand now or are people staying longer able
6 to stay longer because, in fact, the demand isn't
7 really there?

8 COMMISSIONER BANKS: I think what we had
9 seen when we looked at this last time was,
10 essentially, the same vacancy rate.

11 COUNCIL MEMBER ROSENTHAL: Yeah. That
12 was about a month in.

13 COMMISSIONER BANKS: And we need a
14 little bit more time to see if the next month looks
15 the same. Anecdotally, it does, but I would rather
16 see the data then rely upon anecdote. Then I will
17 share that with you.

18 COUNCIL MEMBER ROSENTHAL: Okay. And do
19 you know what I'm getting at here?

20 COMMISSIONER BANKS: I do.

21 COUNCIL MEMBER ROSENTHAL: That fewer
22 people are calling to get in and the only reason we
23 are at a 10 percent vacancy rate is because people
24 are taking advantage of staying longer.

25 COMMISSIONER BANKS: Right.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 124

2 COUNCIL MEMBER ROSENTHAL: And that's
3 what I'm trying to tease out. Again, getting back to
4 the very important messaging point.

5 COMMISSIONER BANKS: No. Understood.
6 Maybe just to sum this up, we will do the same
7 analysis that we did for the beginning period.
8 Apples to apples, but we are not waiting for the
9 outcome of that. That's why we requested the waiver
10 to stand up a DV shelter at a hotel. Because I agree
11 with you. I would rather be--

12 SERGEANT-AT-ARMS: Time's expired.

13 COMMISSIONER BANKS: ready than have the
14 data show a problem and then have to scramble to do
15 something else.

16 COUNCIL MEMBER ROSENTHAL: Okay. Thank
17 you very much.

18 CHAIRPERSON DROMM: Thank you. And we
19 will go to our next Council Member.

20 COMMITTEE COUNSEL: Chair, no other
21 Council members have raised their hands test
22 questions.

23 CHAIRPERSON DROMM: Okay. So, let me
24 go to my little second round here and then, I think,
25 Council member Levin Council, as well. So, in terms

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 125

2 of the pandemic EBT, New York State's pandemic EBT
3 program was authorized by the federal government on
4 May 8th and benefits well the dispersed to all DOE
5 students by the state. And I say that-- Erin
6 Drinkwater released a statement this morning, but I
7 didn't get to read it yet. So, what role would the
8 city and the HRA have, if any, and the distribution
9 of the benefits? And will families receive-- When
10 will families receive their benefits, Commissioner?

11 COMMISSIONER BANKS: HRA actually has no
12 role in the distribution of the benefits, but I do
13 take our role seriously of providing information
14 about a program, even if we don't run it. May I take
15 a moment to explain the program or--?

16 CHAIRPERSON DROMM: Yes. Absolutely.

17 COMMISSIONER BANKS: Okay. So, the
18 program is a state, like New York State, can make a
19 request to the federal government to provide what is
20 called pandemic EBT. This is a benefit that is
21 provided in the amount of 420 dollars for each
22 eligible child ages five to 18 who is enrolled in
23 school or participating-- enrolled in public school
24 or participating in private schools. This represents
25 the value of school meals from the time period when

1 there was the shutdown in March until the end of the
2 school year in January. The payments are going to be
3 issued directly on the family's electronic benefit
4 transfer card. 193 dollars will be issued on May
5 19th. 227 dollars will be issued on June 16th. And
6 then for families that don't have EBT cards, these
7 funds be issued irrespective of immigration status,
8 based upon information about children in school that
9 the local Department of Education provides to the
10 state. The state has committed to us that they will
11 provide a website in a telephone number for
12 information. And as soon as we get that, we will
13 push it out in the communication that Erin Drinkwater
14 and I send out every week after our weekly call and,
15 taking a page from Council member Treyger and Council
16 member Rosenthal, we look at it out to the ethnic
17 media-- multiethnic media, as well.

18
19 CHAIRPERSON DROMM: Okay. Thank you.

20 And months ago to my co-chair, Steve Levin.

21 CHAIRPERSON LEVIN: Okay. Sorry. Hold
22 on one second. So, thanks, Commissioner. I am going
23 to touch on a number of different subjects. So, you
24 know, if I bounce around, please bear with me.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 127

2 COMMISSIONER BANKS: All right. It's
3 lightning round.

4 CHAIRPERSON LEVIN: Well, long chain of
5 lightning. You know, it will be a while. I know
6 we've got to be out of here by one, so I've got 24
7 minutes here. So, first off, I just want to get some
8 of these questions around congregant shelters and
9 hotels out of the way here. So, how many DHS clients
10 have tested positive for COVID at this point?

11 COMMISSIONER BANKS: We're tracking 961
12 cases. That includes, however, a number of cases
13 that have been referred to us by others.

14 CHAIRPERSON LEVIN: That would mean
15 referred because they were in Health and Hospital
16 settings? Because they were on the street?

17 COMMISSIONER BANKS: No. They are just
18 other programs. The client might've been known by
19 DHS, but they weren't in one of our shelters. And
20 then when they went to--

21 CHAIRPERSON LEVIN: Where were they?

22 COMMISSIONER BANKS: Doubled up
23 somewhere, but they are know us. They can't re--
24 It's sort of the example that Council member Dromm
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 128

2 gave at the beginning. There are 108 of those 961
3 cases are people who were referred to as by--

4 CHAIRPERSON LEVIN: Okay.

5 COMMISSIONER BANKS: other agencies that
6 were in our system when they tested positive.

7 CHAIRPERSON LEVIN: Fine. Fine. Okay.

8 108 out of 961. Okay.

9 COMMISSIONER BANKS: And just for the
10 sake of the record, though, just want to make it
11 clear that our isolation sites are not simply for
12 people who test positive. There also for people who
13 have the symptoms.

14 CHAIRPERSON LEVIN: Okay. How many of
15 those-- 981?

16 COMMISSIONER BANKS: 61.

17 CHAIRPERSON LEVIN: 61 were in
18 congregant shelter?

19 COMMISSIONER BANKS: 658 of those
20 individuals were living in our single adult shelter
21 system.

22 CHAIRPERSON LEVIN: Okay. And you
23 don't have that broken down between whether they were
24 in the hotel rooms or whether they were in a
25 congregate setting prior to COVID?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 129

2 COMMISSIONER BANKS: Not at this time.

3 CHAIRPERSON LEVIN: 17,000 is the
4 system. 3500 were already in hotel rooms.

5 COMMISSIONER BANKS: Correct.

6 CHAIRPERSON LEVIN: 13500 were in
7 congregate. You don't have that broken down any
8 further?

9 COMMISSIONER BANKS: I do not.

10 CHAIRPERSON LEVIN: Okay. Of the
11 fatalities that-- people who have died, 76 DHS
12 clients have died from COVID. How many were in the
13 single adult system?

14 COMMISSIONER BANKS: Why don't I break
15 down the whole 76 of the record is clear?

16 CHAIRPERSON LEVIN: Great.

17 COMMISSIONER BANKS: So, 52 in the
18 single adult system. 10 in the adult family system.
19 Eight and the families with children system. Six and
20 various of our street programs.

21 CHAIRPERSON LEVIN: Sorry? Six of
22 various what?

23 COMMISSIONER BANKS: Various of our
24 street solution programs.

25 CHAIRPERSON LEVIN: Uh-hm.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 130

2 COMMISSIONER BANKS: And that adds up to
3 76 of people's lives or lost and it's just tragedy.

4 CHAIRPERSON LEVIN: Okay. So, 52 and
5 single adult, is that right?

6 COMMISSIONER BANKS: 52 and single
7 adults.

8 CHAIRPERSON LEVIN: Um--

9 COMMISSIONER BANKS: I don't want to
10 lose sight of the fact that we have lost staff, as
11 well, in the midst of all those horrible, horrible
12 thing.

13 CHAIRPERSON LEVIN: Right.

14 COMMISSIONER BANKS: And I know some of
15 whom are listening-- families that are listening to
16 this.

17 CHAIRPERSON LEVIN: And my heart goes
18 out to them, as well. Do we have a list, then, of
19 the hotels right now that have been used so far
20 indeed densification efforts? And isolation hotels?

21 COMMISSIONER BANKS: There are 31 hotels
22 that of been involved in the day densification
23 efforts and--

24 CHAIRPERSON LEVIN: Uh-hm.
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 131

2 COMMISSIONER BANKS: then there are five
3 hotels that have been used in isolation. Actually, I
4 think I'm conflating the numbers. A total of 31
5 hotels were used in this effort.

6 CHAIRPERSON LEVIN: Okay. Do you have
7 a list of them?

8 COMMISSIONER BANKS: Yes. I can provide
9 them to you.

10 CHAIRPERSON LEVIN: Okay. Do you have
11 a breakdown by borough right now?

12 COMMISSIONER BANKS: If I could finish?
13 I know I provided to the Council the locations of the
14 isolations sites, but I don't have a breakdown by
15 borough right now, but we can provide it to the
16 Committee. I believe, in rough terms--

17 CHAIRPERSON LEVIN: Uh-hm.

18 COMMISSIONER BANKS: half of them are in
19 Manhattan.

20 CHAIRPERSON LEVIN: Uh-hm.

21 COMMISSIONER BANKS: And the other half
22 are in other boroughs. And by half, I think it's
23 about 16 are in Manhattan. 15 or 16 are in Manhattan
24 and the rest are in other boroughs. Our goal--

25 CHAIRPERSON LEVIN: Uh--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 132

2 COMMISSIONER BANKS: Our goal--

3 CHAIRPERSON LEVIN: Distributed equally
4 among the other boroughs or--?

5 COMMISSIONER BANKS: Equally-- I
6 think--

7 CHAIRPERSON LEVIN: Or--

8 COMMISSIONER BANKS: They are mostly in
9 Queens and Brooklyn at this point.

10 CHAIRPERSON LEVIN: Okay.

11 COMMISSIONER BANKS: I mean, we can get
12 you inside information, but, again--

13 CHAIRPERSON LEVIN: Can you get that to
14 us? Can you get that to us quickly?

15 COMMISSIONER BANKS: I can, but I also
16 want to just level set. We are trying to move people
17 when we can to where they had been.

18 CHAIRPERSON LEVIN: Right. Yeah.

19 COMMISSIONER BANKS: So, the fact that
20 at this time, that what the breakdown is.

21 CHAIRPERSON LEVIN: Because you are
22 asking providers to find the hotels.

23 COMMISSIONER BANKS: No. We're not
24 asking providers to find the hotels. OEM is
25 providing the hotels to us and then we are trying to

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 133

2 match providers to hotels that we have. We have a
3 contract--

4 CHAIRPERSON LEVIN: Based on the
5 proximity. Proximity is the highest-- The hotels
6 have all been in contact by OEM, so in the universe
7 of OEM contacted hotels, which we have been doing,
8 this is our kind of stock of hotels that we have set
9 aside for COVID response and then DHS is saying we
10 need some of those. We're going to find one that's
11 closest to the shelter that we are dedensifying. Is
12 that right?

13 COMMISSIONER BANKS: I'm only looking to
14 the side because I'm looking for a piece of
15 information that is over there, so don't think I'm
16 not listening to you.

17 CHAIRPERSON LEVIN: Yeah.

18 COMMISSIONER BANKS: It doesn't quite
19 work that way. So, if I may, just explain how it
20 works. So--

21 CHAIRPERSON LEVIN: Uh-hm.

22 COMMISSIONER BANKS: OEM is the overall
23 city contact for hotels, but--

24 CHAIRPERSON LEVIN: Uh-hm.
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 134

2 COMMISSIONER BANKS: in order to make
3 this process move forward, we entered into a contract
4 with the hotel Association of New York City.

5 CHAIRPERSON LEVIN: Okay. Who did?
6 OEM or DSS?

7 COMMISSIONER BANKS: Our agency. Our
8 agency did.

9 CHAIRPERSON LEVIN: Okay.

10 COMMISSIONER BANKS: And that is the
11 vehicle through which we get hotels. We then try to
12 match the hotel to the provider based upon proximity
13 and size of the hotel. So, for example--

14 CHAIRPERSON LEVIN: Uh-hm.

15 COMMISSIONER BANKS: if the size of the
16 hotel is 100 rooms-- I'm just using rough numbers.

17 CHAIRPERSON LEVIN: Yeah.

18 COMMISSIONER BANKS: Is the site is 100
19 rooms, we could move 200 people into the hotel.

20 CHAIRPERSON LEVIN: Uh-hm.

21 COMMISSIONER BANKS: If the size of the
22 hotel is 100 rooms and we were giving everybody an
23 individual room, we would need to hotels or find a
24 hotel with 200 beds.

25 CHAIRPERSON LEVIN: Uh-hm.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 135

2 COMMISSIONER BANKS: So, size of
3 shelter, size of hotels, proximity, are all the sort
4 of key variables that we are working on here.

5 CHAIRPERSON LEVIN: Okay. And these
6 hotels are contracted for like the entire hotel on
7 like we are paying a lump sum for a week or a month
8 or we are paying find night? We are paying by room
9 by night? How are we doing that?

10 COMMISSIONER BANKS: The average amount
11 that we are paying is 129 dollars per night. That
12 contrasts with 174 dollars, which was the average we
13 were paying through our pre-COVID hotel program.

14 CHAIRPERSON LEVIN: Does that include
15 security and cleaning?

16 COMMISSIONER BANKS: Security is a
17 separate expense. It includes retrofitting.
18 Removing the latches on the doors so they can't be
19 locked from the inside.

20 CHAIRPERSON LEVIN: Uh-hm.

21 COMMISSIONER BANKS: It involves
22 furniture rearranging. And involves laundry
23 services. It involves--

24 CHAIRPERSON LEVIN: Laundry services?
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 136

2 COMMISSIONER BANKS: Yeah. It involves
3 increased housekeeping. By way of reference, we
4 thought, given the fact that there were all these
5 empty Y beds, that we would simply contract with the
6 Y.

7 CHAIRPERSON LEVIN: Yeah.

8 COMMISSIONER BANKS: Which turns out to
9 be less money per night than if we had rented all the
10 empty Y beds. So, we tried to--

11 CHAIRPERSON LEVIN: So, 129 a night.

12 COMMISSIONER BANKS: Correct.

13 CHAIRPERSON LEVIN: Okay. So, I'm
14 going to get to the FEMA question now because I--
15 just to want to be clear here-- We know and it is
16 clear, that FEMA reimburses 75 percent of the cost of
17 the hotel room, security services, food,
18 transportation, and cleaning services. 75 percent of
19 that cost is-- Everybody who is either COVID
20 positive or has been exposed to COVID and is either
21 symptomatic or asymptomatic-- is that correct?

22 COMMISSIONER BANKS: I'm only trying to
23 parse out each element of that sentence. I believe
24 the answer is correct, but there are a lot of moving
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 137

2 parts in it, so sort of break it out. Rent,
3 security--

4 CHAIRPERSON LEVIN: I'm just looking at
5 the April 3rd letter from FEMA to Commissioner
6 Criswell identifying what is covered. And this was
7 the--

8 COMMISSIONER BANKS: I'm not--

9 CHAIRPERSON LEVIN: And this is,
10 basically, the final word with the conversation that
11 all.

12 COMMISSIONER BANKS: I'm not disagreeing
13 with you. I'm not disagreeing with you.

14 CHAIRPERSON LEVIN: Until OMB decided
15 to ask on Friday a clarifying question. But, for the
16 intervening six weeks, OMB did not see it fit to ask
17 clarifying questions. So, I'm assuming that this is
18 enough information for them to act in the intervening
19 six weeks.

20 COMMISSIONER BANKS: If I could answer
21 your questions?

22 CHAIRPERSON LEVIN: Yeah.

23 COMMISSIONER BANKS: The reason why I
24 hesitated to answer your question is it had a lot of
25

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 138

1 compound pieces into it. So, in my mind, I was going
2 through each element of your question--

3
4 CHAIRPERSON LEVIN: Sure.

5 COMMISSIONER BANKS: to see if I can
6 answer yes. I got to yes as you were going for
7 your--

8 CHAIRPERSON LEVIN: [interposing] Okay.

9 COMMISSIONER BANKS: items. Okay. So,
10 I'm not trying to give you a hard time. It's just I
11 am under oath and I want to make sure I'm answering
12 carefully.

13 CHAIRPERSON LEVIN: Yep.

14 COMMISSIONER BANKS: I'll tell you why
15 OMB asked the question on Friday about services.

16 CHAIRPERSON LEVIN: Uh-hm.

17 COMMISSIONER BANKS: Because I have
18 testified before this committee-- This is now my
19 seventh budget.

20 CHAIRPERSON LEVIN: Uh-hm.

21 COMMISSIONER BANKS: Most years, and
22 actually this year I was a similar question. Most
23 years I have asked a question about do you have
24 enough to provide the level of services that you
25 think you need to provide. Usually I am asked that

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 139

1 question every year. Are you asking for money? More
2 money? Do you get enough money in your budget? I
3 was asked--
4

5 CHAIRPERSON LEVIN: Uh-hm. This is not
6 a normal year, but okay.

7 COMMISSIONER BANKS: But I was asked
8 that question. So, when I was asked if you were to
9 change your model of providing services from a harm
10 reduction model and with two people per room with
11 exceptions for one, depending on the circumstance--

12 CHAIRPERSON LEVIN: Uh-hm.

13 COMMISSIONER BANKS: If you were could
14 change your model and have everybody in one room--

15 CHAIRPERSON LEVIN: Uh-hm.

16 COMMISSIONER BANKS: irrespective of
17 what their needs were, how much would you need to
18 provide services?

19 CHAIRPERSON LEVIN: Uh-hm.

20 COMMISSIONER BANKS: So that is why OMB
21 asked FEMA whether or not certain services would be
22 provided. And so FEMA essentially said, you are
23 right. What is in that April 3rd letter? That
24 substantial medical care, social and behavioral
25 health services are not eligible for reimbursement.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 140

2 CHAIRPERSON LEVIN: Right. I will say
3 this, Commissioner, that everyone knew that already.
4 Everybody knew that. So is not in question. Nobody
5 had ever asserted that those costs were covered.

6 COMMISSIONER BANKS: I'm just going to--

7 CHAIRPERSON LEVIN: Nobody in the world
8 had asserted-- because, in fact, we have a FEMA
9 model that is being implemented in other states--

10 COMMISSIONER BANKS: Right.

11 CHAIRPERSON LEVIN: that there is
12 actually-- Have you seen that there is the National
13 Housing--

14 COMMISSIONER BANKS: Would you like me
15 to explain why--

16 CHAIRPERSON LEVIN: Sure.

17 COMMISSIONER BANKS: there is a
18 difference here? Because, when we were providing
19 services in a model that the presumption was a double
20 occupancy, the same as we have been doing since
21 2015--

22 CHAIRPERSON LEVIN: Uh-hm.

23 COMMISSIONER BANKS: or start of the
24 hotel program to bring people out of three quarters

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 141

2 houses from a harm reduction approach, as soon as
3 you--

4 CHAIRPERSON LEVIN: Uh-hm.

5 COMMISSIONER BANKS: So, now, if we were
6 going to change the model, I was asked to what would
7 it take to provide services they are? And so, the
8 question was will that be reimbursable? And then
9 there was a second question that was important to
10 know whether or not it would be reimbursable to take
11 people out of single room occupancy--

12 CHAIRPERSON LEVIN: Yeah.

13 COMMISSIONER BANKS: supportive housing
14 operated by HRA for the HASA clients and DV clients.

15 CHAIRPERSON LEVIN: Yep.

16 COMMISSIONER BANKS: So, that question
17 was asked and the answer from FEMA was that is not
18 covered.

19 CHAIRPERSON LEVIN: Right. Because--

20 COMMISSIONER BANKS: The reason --

21 CHAIRPERSON LEVIN: Because they
22 weren't exposed.

23 COMMISSIONER BANKS: Right. But the
24 reason why--

25 CHAIRPERSON LEVIN: Also, and that--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 142

2 COMMISSIONER BANKS: But--

3 CHAIRPERSON LEVIN: Commissioner, I
4 don't want to get into a rabbit hole about it, so
5 let's just--

6 COMMISSIONER BANKS: But--

7 CHAIRPERSON LEVIN: I get it.

8 COMMISSIONER BANKS: But I'd just like
9 the record to be clear. The implication of your
10 question is that OMB-- Just let me finish. You're
11 ready to come--

12 CHAIRPERSON LEVIN: Yeah.

13 COMMISSIONER BANKS: The implication was
14 that OMB did something nefarious. The reason--

15 CHAIRPERSON LEVIN: No.

16 COMMISSIONER BANKS: why OMB made this
17 request is because they had my request for what it
18 would cost to provide services to people in single
19 rooms and-- Let me finish before you cut me off.
20 And what it would cost to provide services to people
21 who were in HASA SRO units or DV units. And so,
22 therefore, there was desire on the part of the city
23 to know, would the expenses that I'm saying I need to
24 appropriately serve these clients being covered? You
25 are right that one part of the question was seemingly

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 143

2 absurd and the third letter, but it was try to see if
3 we could, maybe, it is a different answer. Don't you
4 think?

5 CHAIRPERSON LEVIN: No. The April 3rd
6 letter was very clear. The definition of
7 asymptomatic and who would be covered. It was people
8 that are asymptomatic been exposed.

9 COMMISSIONER BANKS: No. It's--

10 CHAIRPERSON LEVIN: That's--

11 COMMISSIONER BANKS: about the kind of
12 services that I was asking will I be able to provide
13 them with FEMA reimbursement. And we thought we
14 would be able to engage in advocacy to try to
15 convince them to give us more reimbursement.

16 CHAIRPERSON LEVIN: Is that what it
17 was? Was it an advocacy letter to ask for more
18 reimbursement? Is that what it was?

19 COMMISSIONER BANKS: We want them to
20 know whether or not FEMA was going to cover the level
21 of services that I--

22 CHAIRPERSON LEVIN: Okay. I'll just
23 leave it at that. Okay. Are you familiar with there
24 is a document that was put out on May 6th National
25 Low Income Housing Coalition called Getting to Yes,

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 144

2 Working with FEMA to Fund Non-Congregate Shelter
3 During COVID-19?

4 COMMISSIONER BANKS: I'm not familiar
5 with that document. I would be happy to look at it.

6 CHAIRPERSON LEVIN: It talks about
7 other cities, states, jurisdictions. I mean, as TSS
8 talked directly with FEMA?

9 COMMISSIONER BANKS: The city speaks
10 with one voice to FEMA.

11 CHAIRPERSON LEVIN: Okay.

12 COMMISSIONER BANKS: There are
13 multiple-- Please let me finish.

14 CHAIRPERSON LEVIN: Uh-hm.

15 COMMISSIONER BANKS: There are multiple
16 agencies that are interacting-- That are using FEMA
17 dollars. OEM is the primary one. There are other
18 agencies.

19 CHAIRPERSON LEVIN: Uh-hm.

20 COMMISSIONER BANKS: It is therefore
21 important to have one agency, OMB, Steve the primary
22 discuss our, interface are, liaison, with FEMA. And
23 that is the way it is.

24 CHAIRPERSON LEVIN: So, the--
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 145

2 COMMISSIONER BANKS: [interposing] I
3 would also--

4 CHAIRPERSON LEVIN: [interposing] And
5 FEMA was clear--

6 COMMISSIONER BANKS: [inaudible
7 03:02:19]

8 CHAIRPERSON LEVIN: And then FEMA made
9 clear in an April 3rd letter identifying who was
10 covered. They were asymptomatic people that were
11 exposed. And OMB got that letter. Because it was in
12 response, then, to and OMB email. Did OMB share that
13 information with DSS in a timely fashion? Because we
14 had a hearing on a bill on April 23rd and we were
15 told that it was-- that OMB was still working it out
16 with FEMA. And that implied a certain level of
17 ongoing communication between FEMA and OMB and, as
18 far as we can tell, by the documentation that we got
19 from FEMA, there was no communication between OMB or
20 any city agency and FEMA after that April 3rd letter
21 because that April 3rd letter was, in fact, the final
22 word. It needed no clarification.

23 COMMISSIONER BANKS: I can't speak to
24 any of the things are asking about, but I can't give
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 146

2 you an overall response and I would like to give an
3 overall response.

4 CHAIRPERSON LEVIN: Okay. I get it.
5 I'm just--

6 COMMISSIONER BANKS: OMB is the lead
7 agency. I am in constant communication with OMB
8 trying to get the help that we need to adjust to
9 changes that we are seeing. I will say that other
10 states are different. In California, they have
11 100,000 homeless people and they are allocating
12 15,000 hotel rooms--

13 CHAIRPERSON LEVIN: 18,000.

14 COMMISSIONER BANKS: 18,000? 15,000?
15 For 100,000 homeless people. I think what we are
16 doing in New York City is on a different level. If
17 you look at what they do and what we do.

18 CHAIRPERSON LEVIN: Percentage wise,
19 perhaps. I mean, it--

20 COMMISSIONER BANKS: Council member,
21 please.

22 CHAIRPERSON LEVIN: But it's--

23 COMMISSIONER BANKS: Why--

24 CHAIRPERSON LEVIN: [inaudible]

25 03:03:58]

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 147

2 COMMISSIONER BANKS: Why not give me an
3 opportunity to finish my testimony? Is there
4 something I'm going to say you don't want me to say?

5 CHAIRPERSON LEVIN: No. I'm saying
6 that I've heard this and it's not answering the
7 question. But so I just have other questions that I
8 want to ask and I know that we're--

9 COMMISSIONER BANKS: If I could finish.
10 FEMA reimbursement, the reason why OMB manages that
11 instead of me is that the process of FEMA
12 reimbursement requires OMB to submit information to
13 the state and then the state submits that to OMB.

14 CHAIRPERSON LEVIN: Uh-hm.

15 COMMISSIONER BANKS: I'm sorry. This
16 state submits it to FEMA. And then, ultimately, at
17 the end of all that, it come back to us. So, OMB is
18 intimately involved with this because it affects our
19 cash flow.

20 CHAIRPERSON LEVIN: Okay.

21 COMMISSIONER BANKS: How long it takes
22 to get all those things approved through that chain
23 up and that chain back down. And so, that is the
24 reason why individual agencies to handle these
25 communications.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 148

2 CHAIRPERSON LEVIN: Now, FEMA has rep--
3 I spoke to FEMA. FEMA told me, and a phone call,
4 that they require individual certification for each--
5 you know, some attestation that each client that is
6 placed in a hotel meets the criteria laid out in that
7 April 3 letter of being asymptomatic and exposed.
8 Because OMB never shared that letter with DSS and,
9 therefore, not with the providers who are tasked with
10 moving people out, is anyone collecting the
11 information that FEMA needs to be able to certify
12 that the person is, in fact, qualifying for
13 reimbursement? And, if so, how did OMB communicate
14 that then with DSS?

15 COMMISSIONER BANKS: So, with respect,
16 and we know each other a long time. I think you're
17 actually asking me the wrong question. So, let me
18 try to answer the right question here. If we had
19 waited for that April 3 letter, we would not have
20 stood up in isolation site on March 13 and March 14.
21 Our agency moved to stand up these beds both for that
22 April 3 letter because we knew it was and our clients
23 interest. We are also an agency that does billions
24 of dollars of claiming that the federal government.
25 I think one thing we know how to do effectively is,

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 149

2 once rules are laid out, we know how to make claims,
3 even if they are retroactive claims. We have a whole
4 team here under our very experienced leadership that
5 claims for federal reimbursement all the time. And
6 made to that based upon rules that are provided to us
7 by OMB and we are very successful. If you look at
8 our budget, there is a--

9 CHAIRPERSON LEVIN: [interposing] I'm
10 not faulting you, Commissioner. I am faulting OMB
11 for not sharing vital information with you. I do
12 have to move on.

13 COMMISSIONER BANKS: [inaudible
14 03:06:39]

15 CHAIRPERSON LEVIN: I do have to move
16 on. I just have to move on.

17 COMMISSIONER BANKS: I can't let the
18 record be like that. You're unfairly attacking OMB.
19 I don't think that's right.

20 CHAIRPERSON LEVIN: Ha. I don't think
21 that's unfair. But, okay. I just-- I do have to
22 ask-- Okay. That's all on the record. ESG funds.
23 So, I've heard repeatedly that that's first stimulus
24 funds in as part of this latest round of stimulus.
25 Or the first rounds of stimulus in 2020 in response

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 150

1 to the pandemic. ESG funds can, in fact, be used for
2 those wrap around services that DSS asked about or
3 OMB asked about in that May 15th letter. Are you
4 aware of ESG funds and have they been identified as a
5 source to fund those types of services? So, this
6 would be the medical, mental health services, case
7 management services that might be associated with
8 moving people into hotel rooms?
9

10 COMMISSIONER BANKS: So, Council member,
11 been present for this hearing for almost 3 hours now
12 and I heard men the members asked me questions about
13 whether is the city planning to do to address the
14 impact for DHS and HRA clients of the pandemic. PSG
15 money can be used for lots of things to address--

16 CHAIRPERSON LEVIN: Okay.

17 COMMISSIONER BANKS: lots of different
18 needs.

19 CHAIRPERSON LEVIN: Yeah.

20 COMMISSIONER BANKS: While the city of
21 New York facing these kinds of hard budget times,
22 going to spend that ESG money we've got. It's a much
23 larger conversation than whether it can be used for
24 these services or whether it can be better spent on
25 other services and many Council members have been

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 151

2 asking me questions all morning about how best to
3 spend city dollars or federal dollars. So, the
4 determination about how to use ESG money is very much
5 a look at OMB is taking in terms of all the community
6 needs that people ask me about for the last three
7 hours. So, if you're asking--

8 CHAIRPERSON LEVIN: Who decides? Who
9 decides?

10 COMMISSIONER BANKS: No. But if you're
11 asking me could they be used for this? That is,
12 actually, very incomplete question. The question is
13 do you have any idea what is happening in the city?
14 How should we best use the limited dollars that we've
15 got in ESG for all the needs that have been discussed
16 during this last three hours?

17 CHAIRPERSON DROMM: Chair Levin and
18 Commissioner Banks, we need to shut this down. I
19 have a hearing at 1 o'clock, so I need to move on to
20 the next hearing. Chair Levin, if you want to ask
21 one last question, we have a minute.

22 CHAIRPERSON LEVIN: Okay. Just I did
23 want to go back to the immediate needs grant both for
24 SNAP and for cash assistance. I understand what you
25 are saying about the long term needs. I'm actually

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 152

2 asking more specifically about those very immediate
3 needs. If somebody is applying for SNAP or cash
4 assistance who has been employed for years and years
5 and years, lost their job, is now-- doesn't have
6 savings and is now entirely cash strapped, is trying
7 to put food on the table and needs emergency money
8 and comes to the city for assistance, we have the
9 ability to give them-- Because it may take 45 days
10 to get their benefits. There's an emergency
11 immediate need grant that can be provided by the
12 city. Are we providing that and to what level?

13 COMMISSIONER BANKS: Yes. As I said, we
14 are providing those grants. My only point that we
15 would be able to provide a broader range of services
16 to people who really need our help if we could more
17 than providing those grants. But your question--

18 CHAIRPERSON LEVIN: Yeah. I know. I
19 know. We get it. We can let the perfect be the
20 enemy of the good. There are people that desperately
21 need emergency money.

22 COMMISSIONER BANKS: cat but I'm telling
23 you we are giving those grants.

24 CHAIRPERSON LEVIN: Okay. How many?
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 153

2 COMMISSIONER BANKS: Are we promoting
3 the fact--

4 CHAIRPERSON LEVIN: How many?

5 COMMISSIONER BANKS: that we--

6 CHAIRPERSON LEVIN: Are we giving them
7 to everybody?

8 COMMISSIONER BANKS: I will have to get
9 you that information, but we give those grants out--

10 CHAIRPERSON LEVIN: Are you--

11 COMMISSIONER BANKS: before-- Could I
12 just finish?

13 CHAIRPERSON LEVIN: Yeah. I just need
14 to know how many.

15 COMMISSIONER BANKS: What I'm telling
16 you is before the pandemic we gave those grants out.
17 Since the pandemic, we're giving those grants out.
18 We will get you the information that you are asking
19 for.

20 CHAIRPERSON LEVIN: Percentage wise
21 by--

22 CHAIRPERSON DROMM: [inaudible

23 03:10:53]

24

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION

154

2 CHAIRPERSON LEVIN: BA and by SNAP. We
3 need to know what percentage of applications are
4 getting the emergency--

5 COMMISSIONER BANKS: Council member--

6 CHAIRPERSON LEVIN: immediate need
7 grants.

8 COMMISSIONER BANKS: Council members,
9 I'm in the middle of a pandemic.

10 CHAIRPERSON LEVIN: We all are.

11 COMMISSIONER BANKS: Could I just
12 finish? I have hundreds of staff trying to help us
13 deliver the benefits. I'm not sure that I can get
14 you the perfect statistics that I could if I wasn't
15 in the middle of this. I have--

16 CHAIRPERSON LEVIN: I need-- We have
17 to be able to make policy based on information that's
18 accurate.

19 COMMISSIONER BANKS: Can I just finish?

20 CHAIRPERSON LEVIN: It's a fundamental
21 function--

22 COMMISSIONER BANKS: You--

23 CHAIRPERSON LEVIN: of government.

24 COMMISSIONER BANKS: You're right. But
25 you are actually not understanding what we have done.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 155

2 We have taken 1300 people that used to do other jobs
3 to help give out these benefits. Some of these
4 people who are doing this are the people who, in an
5 instant, could have given me the report you are
6 asking me for. I'm only telling you I am going to
7 the best I can to get it to.

8 CHAIRPERSON DROMM: Okay. Thank you,
9 Commissioner. Thank you, Chair Levin. We're going
10 to end here and then we'll resume in about 10
11 minutes. We will take a 10 minute break and then we
12 will come back OCJ. So thank you very much.

13 COMMISSIONER BANKS: Thank you very
14 much, Chair.

15 [gavel]

16 SERGEANT-AT-ARMS: Mic test.

17 [background comments]

18 UNIDENTIFIED: This is cobra one.
19 Cobra 10, you hear me?

20 UNIDENTIFIED: Yep. Hear you loud and
21 clear.

22 UNIDENTIFIED: Thank you, sir.

23 UNIDENTIFIED: This is cobra two to
24 cobra one and 10. How is my audio?

25 UNIDENTIFIED: You are five by five.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 156

2 UNIDENTIFIED: Thank you.

3 SERGEANT-AT-ARMS: Chairs, we are ready to
4 begin when you are.

5 CHAIRPERSON DROMM: Thank you very
6 much. We are ready to begin.

7 [gavel]

8 CHAIRPERSON DROMM: Good afternoon and
9 welcome to the city Council's fourth day of hearings
10 on the Mayor's Executive Budget for fiscal 2021. My
11 name is Daniel Dromm and I Chair of the Finance
12 Committee. We are joined by the Committee on General
13 Welfare, Chaired by my colleague, Council member
14 Steve Levin and by the Committee on the Justice
15 System, Chaired by my colleague, Council member Rory
16 Lancman. And we will now hear from the Office of
17 Civil Justice. I would like to acknowledge my
18 colleagues who have joined us. And just let me pull
19 them up. They are Adams, Ampry-Samuel, Cohen,
20 Reynoso, Grodenchik, Ayala, Louis, Yeger, Koslowitz,
21 Powers, Gjonaj, Treyger, Salamanca, Torres, Cornegy,
22 Holden, Matteo, Gibson, Menchaca, and I think one
23 more. I'm sorry. Yep. I think that's it. Okay.
24 Good. In the interest of time, Council member Levin
25 and I will forgo opening statements, but I'm going to

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 157

2 turn it over to our committee counsel to go over some
3 procedural items before we hear from Council member
4 Lancman. Committee Counsel?

5 COMMITTEE COUNSEL: Yes, Chair. I
6 think we're ready to hear from Chair Lancman now.

7 CHAIRPERSON DROMM: You have no
8 procedural items? No?

9 COMMITTEE COUNSEL: No. That at this
10 moment.

11 CHAIRPERSON DROMM: Okay. Thank you
12 very much. Chair Lancman?

13 CHAIRPERSON LANCMAN: Thank you, Danny.
14 Good afternoon. I am Council member Rory Lancman,
15 Chair of the Committee on the Justice System and I am
16 pleased to join the Committees on Finance and General
17 welfare and my colleagues, Chairs Dromm and Levin to
18 hear from the Office of Civil Justice in relation to
19 the executive budget for the coming fiscal year. We
20 have all seen enough cop shows and episodes of law
21 and order to know that, if you are arrested and can't
22 afford a lawyer, one will be provided on your behalf
23 free of charge. The consequences of a criminal
24 conviction are that serious. But so, too, are the
25 consequences of many civil legal proceedings. You

1 can be evicted from your home or lose ownership of
2 your house, be deported to a foreign country, lose
3 custody of your children, be denied government
4 benefits to which you are entitled, the need to
5 survive, and many, many more circumstances. Yet,
6 there is no constitutional right to an attorney in
7 these cases and middle and low income New Yorkers are
8 left to navigate the legal system on their own. They
9 almost always lose trying to do so. In FY 2020, city
10 taxpayers invested over 200 million dollars to
11 provide these New Yorkers with the legal
12 representation, particularly into areas where they
13 are needed the most and where the consequences is our
14 greatest. Preventing unlawful addictions and
15 preventing unlawful deportation. The success of
16 these initiatives is nothing short of astounding and
17 a stark reminder of the critically important need for
18 legal representation. For example, in FY 2019,
19 32,000 and households facing eviction got free legal
20 representation and 84 percent of them were able to
21 remain in their homes. The numbers, the percentages
22 of the success from people who tried to defend
23 against eviction without legal representation is a
24 fraction of that and we see the same disparity and
25

2 outcomes in every area of representation that the
3 city offers. What will be the impact of COVID-19 on
4 the need for legal representation and housing and
5 immigration matters? But also in workplace,
6 healthcare, consumer debt, domestic violence, and
7 other matters critical to the physical and economic
8 security of hundreds of thousands of New Yorkers.
9 Does the city have a plan and does this budget fund
10 that plan? These are some of the questions we need
11 answers to today and I look forward to the testimony
12 of the Office of Civil Justice to hear those answers.
13 Thank you.

14 CHAIRPERSON DROMM: Jordan Dressler,
15 civil justice coordinator and Rosine Ferdinand, HRA's
16 Executive Deputy Commissioner. Will the committee
17 counsel please administer the affirmation?

18 COMMITTEE COUNSEL: Thank you. I will
19 now administer the affirmation one at a time and you
20 will be called on individually to affirm at the end.
21 Do you affirm that your testimony will be truthful to
22 the best of your knowledge, information, and belief,
23 Mr. Dressler?

24 JORDAN DRESSLER: Yes. I do.

25 COMMITTEE COUNSEL: And Ms. Ferdinand?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 160

2 DEPUTY COMMISSIONER FERDINAND: Yes. I
3 do.

4 COMMITTEE COUNSEL: Thank you. Mr.
5 Dressler, you may proceed when ready.

6 JORDAN DRESSLER: Thank you. Good
7 afternoon, Chairs Dromm, Lancman, and Levin. And
8 thank you very much for inviting me to appear before
9 your committees today to discuss the work of the
10 Office of Civil Justice and the Human Resources
11 Administration. My name is Jordan Dressler. I am
12 the civil justice coordinator, in that capacity, I am
13 proud to oversee the Office of Civil Justice. I am
14 joined today by DSS Executive Deputy Commissioner
15 Rosine Ferdinand. As you know, OCJ is part of New
16 York City's Human Resources Administration, the
17 nation's largest social services agency assisting
18 more than 3 million New Yorkers annually through the
19 administration of our range of public assistance
20 programs. With the enactment of local law 61 in
21 2015, OCJ was established as a permanent office
22 tasked with establishing and managing, overseeing,
23 and monitoring the city's civil legal services
24 programs. This year, we are working with over 70
25 nonprofit legal services organizations and partners

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 161

2 across the five boroughs to provide access to legal
3 assistance to thousands of New Yorkers and need.

4 Critical services that provide low income and other

5 vulnerable residents-- Sorry. The ability to access

6 and preserve basic necessities of life such stable

7 and affordable housing, legal immigration status, of

8 fair and safe workplace, and access to government

9 benefits. Are you still see me? Is everything okay?

10 The screen went a little strange on me.

11 DEPUTY COMMISSIONER FERDINAND: No.

12 JORDAN DRESSLER: Am I having a problem

13 technologically?

14 Deputy Commissioner Ferdinand: I can hear

15 you on my side. I don't see you.

16 CHAIRPERSON LANCMAN: Listen, Jordan, we

17 can hear you. Why don't you keep going?

18 JORDAN DRESSLER: Okay. I'll just

19 continue then.

20 CHAIRPERSON LANCMAN: Thank you.

21 JORDAN DRESSLER: Thank you. We just

22 issued our latest annual-- Oh. Now we're back. We

23 just issued our latest annual report and which we

24 describe the city's work through OC J to make legal

25 services more widely accessible for New Yorkers in

1 need. In the report, we detail how the combination
2 of administration and counsel discretionary funding
3 investments in civil legal services reach 200 million
4 dollars in fiscal year 2020 and historic investment
5 and access to justice for New York City residents
6 that represents exponential increases in both mayoral
7 and counsel support for civil legal services program.
8 The report describes the enormous success of our
9 signature universal access legal services program,
10 implementing the historic tenant's right to counsel
11 law passed by the city Council and signed into law by
12 Mayor de Blasio in 2017. Specifically, the report
13 includes the latest analysis of the rate of legal
14 representation for tenants in housing court facing
15 eviction. In the first half of fiscal year 2020, 38
16 percent of tenants citywide, nearly one in four, were
17 represented by counsel in eviction proceedings in
18 court, up from 32 percent at the end of fiscal 19 and
19 up exponentially compared to the rate of one percent
20 in 2013. And in the behind the neighborhoods
21 targeted through universal access, for in court
22 access for all low income tenants to receive access
23 to legal representation, 67 percent of tenants were
24 represented by counsel in the first half of fiscal
25

20, up from 62 percent in the last quarter of 19.

These gains are closing the justice gap for tenants
have been married in the unprecedented reduction of
residential evictions of city marshals since 2013.

Down over 40 percent from approximately 29,000 in
2013 to 17,000 in 2019. Our immigration legal

services programs provided legal assistance to

immigrant and new New Yorkers in approximately 33,000
cases in fiscal 19, reflecting a substantial increase

in the brat and reach of programs. For example, the
number of removal cases handled by immigration

defense attorneys through the administration's IOI

program grew tenfold with the impact of recent

investments from 200 and fiscal 17 to over 2000 and

fiscal 19. Part of a landscape deportation of legal

defense services includes the Action NYC rapid

response legal collaborative managed by the Mayor's

Office of Immigrant Affairs and research foundation

CUNY. And the Council funded NYFA and I Care

programs that make New York City a leader in the

fight against the Trump administration's deportation

machine. And in fiscal 19, nearly 2000 low-wage

workers across the city received legal representation

and advice through the city's work place rights legal

1 services programs at OCJ, providing assistance to
2 working New Yorkers facing violations of their rights
3 by employers to fair wages, reasonable hours, and a
4 safe workplace free from discrimination and
5 retaliation. We are very proud of these milestones
6 and achievements from the last year, but we recognize
7 that these are from a different time period of time
8 before COVID-19. All of our clients, neighbors, and
9 colleagues have been touched in some way by this
10 crisis and the aftershocks of the justice system will
11 continue to be felt in the weeks and months to come.
12 Today, I am proud to discuss how OCJ and its legal
13 services provider partners have stepped up and
14 stepped in to address these challenges. Our
15 commitment to leveling the playing field for New
16 Yorkers in the civil justice system, especially now,
17 is demonstrated in our financial investment of these
18 critical services. I am pleased to report that
19 fiscal year 21 includes the largest annual investment
20 ever by a Mayoral administration and civil legal
21 services. OCJ's budget for fiscal 21 includes
22 funding totaling 6.5 million, which breaks down, as
23 followed. 135.6 million for legal services programs
24 for tenants, which includes 92.6 million for eviction
25

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 165

defendants' legal services for low income tenants in
housing court in NYCHA administrative proceedings,
and including further implementation of the city's
tenant's right to counsel law through the universal
access initiative, as well as 42.9 million for legal
services to protect tenants and combat arrests. This
budget reflects a savings of 8.5 million based on
projected overall program under spending in fiscal 21
due to annual lags in the hiring of staff for legal
services provides to support program expansion. The
program budget in fiscal 21 reflects increases
compared to fiscal 20 and previous years. And this
increased funding will support anticipated additional
implementation of the initiative and growth in the
availability of legal services. It also includes
30.9 million for legal assistance programs for
immigrant New Yorkers which includes 20.1 in
administration funding for the IOI initiative and 2.1
million and immigration legal services programs
supported by CSBG grants and city tax levy funding,
as well as 8.7 million for legal and navigation
services and outreach through the Action NYC program
operated by MOIA in partnership with DSS. In
addition, OCJ is working with its provider partners

4 to develop and implement a plan to analyze and
5 address recruitment and retention challenges faced by
6 legal services providers for low income New Yorkers
7 and to compare attorney paid provider organizations
8 to appropriate and comparable positions within the
9 New York City law department. The administration is
10 providing initial funding for providers in fiscal 20
11 and will be working together with legal providers to
12 build a full implementation plan to reach an
13 equitable attorney pay structure that will also take
14 into consideration changing dynamics as a result of
15 legal reforms and programs and services that seek to
16 increase fairness for low income New Yorkers. In
17 addition to the administration's commitment to
18 supporting civil legal services, I want to
19 acknowledge the ongoing commitment of the City
20 Council to expanding access to justice by funding
21 legal services. In fiscal 20, HRA is overseeing
22 nearly 35.4 million in contracts for discretionary
23 funding added by the City Counsel for legal and
24 educational services for low-wage workers,
25 immigration legal defense services for detained
individuals, unaccompanied minors, and families with
children facing deportation, assistance for survivors

1 of domestic violence and veterans, and general
2 support for civil legal services providers. In
3 response to the COVID-19 emergency, OCJ has been well
4 positioned to help address legal issues immediately
5 faced by New Yorkers in need. Because of our central
6 role in contracting and administration of city funded
7 civil legal services programs. OCJ has been able to
8 coordinate among and between the services of
9 providers, the courts-- excuse me-- and other city
10 offices efficiently and effectively, ensuring that
11 legal providers and they have had access to reliable
12 information about court and agency operations. All
13 of OCJ's legal services programs have been impacted by
14 the COVID-19 emergency. Due to the changes the
15 operations of the court, the pivoting of lost
16 operations to remote and telework approaches to
17 intake, casework, consistent with health and safety
18 guidelines to meet the continuing needs of New
19 Yorkers for legal assistance and civil matters.
20 OCJ's providers have successfully pivoted to provide
21 legal intake, advice, research, and advocacy and
22 representation services remotely by phone,
23 videoconference, electronic filing during the
24 emergency. To support our providers, their clients,
25

1 and the community during this time, OCJ has worked
2 with providers to make changes to program scopes of
3 work in the wake of the COVID-19 emergency. These
4 changes have ensured continued representation of
5 existing clients, but have also broadened the kinds
6 of legal services that can be provided to meet
7 emergencies, as well as the ways of legal services
8 are permitted to be delivered include being by
9 including telephonic consultation and advice as well
10 as remote and virtual court appearances. And revised
11 scopes of work of simplified data reporting protocols
12 and have included accommodations for the collections
13 of electronic signatures and other alternative forms
14 of documentation, consistent with health and safety
15 requirements during the emergency. And New York
16 City's legal services providers are open for business
17 and available to assist New Yorkers in need through
18 phone hotlines and remote conferencing during the
19 emergency. The city's Action NYC program, managed by
20 MOIA and CUNY remains open and accessible for New
21 Yorkers to receive free emigration legal screenings
22 and assistants through trusted community partners and
23 OCJ's legal and CBO partners continue to provide an
24 array of immigration related and employment related
25

2 legal services through our IOI and CSBG funded
3 programs. Employment legal providers offer
4 assistance for workers facing challenges related to
5 wage theft, leave issues, and discrimination in the
6 workplace, among others, as well as advice and
7 assistance in cases where unemployment insurance or
8 other employment related benefits are challenged by
9 an employer or denied by labor authorities and legal
10 organizations across the city continue to offer free
11 legal advice and assistance for homeowners facing
12 foreclosure, seniors, people facing consumer debt
13 challenges, survivors of domestic violence, and
14 others. In my testimony today, I also want to focus
15 on and emphasize how we have adapted our housing and
16 legal services for tenants during this emergency.
17 New York City is the national leader in providing
18 access to legal help for tenants and, in the wake of
19 the pandemic, we have worked closely with housing
20 justice system stakeholders to step up and make
21 access to legal services widely, efficiently, and
22 safely available. With the limitation of housing
23 core operations, effective in March, to the filing of
24 emergency cases like illegal lock out an emergency
25 cases for repairs, owes CJ was able to quickly stand

1 up a case referral protocol with OCA and our
2 providers to connect all tenants who file emergency
3 cases for with access to free legal representation.
4 And we recently expanded that referral process to
5 include cases in which unrepresented tenants phase
6 and respond to new motions in court using the court's
7 new electronic filing protocols. Building off the
8 existing infrastructure of the universal access
9 initiative in court, OCJ has established access to
10 live phone base to legal advice and counsel provided
11 by our tenant legal services partners. Access to
12 these services is currently available by 311 through
13 the city's tenant helpline, operated by the Mayor
14 Office to protect tenants and the public engagement
15 unit. And the access is, indeed, universal.
16 Services are free and confidential and they are
17 available to all New York City residential renters
18 with housing questions or issues regardless of
19 income, geography, of ZIP code or immigration status.
20 OCJ maintains ongoing dialogue with OCA, the legal
21 provider community, and other system stakeholders
22 about both the eviction moratorium and changes to
23 core operations and we are confident that our
24 programs are well sourced to work in partnership with
25

1 the courts and other system stakeholders to ensure
2 access to legal assistance for tenants now and in the
3 future as the courts begin to reopen. As we move
4 forward, OCJ will continue to monitor and assess the
5 legal needs of tenants in the wake of the COVID-19
6 emergency and is prepared to make adjustments to the
7 universal access program model and implementation
8 plan, as appropriate. As we move forward and face
9 unprecedented and likely unexpected challenges, the
10 Office of Civil Justice stands committed to
11 continuing to work hand in hand with the Council and
12 all of the justice system stakeholders to make civil
13 legal assistance available and effective for clients.
14 Now, more than ever, New Yorkers need a justice
15 system that is fair and accessible and we are
16 grateful to the City Council for your support in
17 helping us achieve that goal. Thank you. Hope that
18 all are safe and well and I would be happy to take
19 your questions.

21 CHAIRPERSON DROMM: Thank you very
22 much. Let me just talk a little bit about the need
23 for some legal services. As more New Yorkers
24 experience acute economic hardship as a result of
25 COVID-19, OCJ will play an even larger role of

connecting people with import resources, however,
OCJ's fiscal 2021 executive budget of 165 million is
five percent lower than is preliminary budget of 177
million and does not include funding for services
that will be required as a result of COVID-19. How
can OCJ support the city's growing need for services
with a budget that is not grown with it?

JORDAN DRESSLER: Thank you, Chair, for
the question. The budget-- Sorry. The Executive
Pungent reflects as savings that was found in the
legal services for tenants programs. Universal
access. This is reflective of something we have seen
over the last few years, which is a traditional lag
in the hiring and on boarding of legal staff by legal
services providers in the tenant legal services
programs. The funding has been available and, yeah,
there is always been this lag. So, we have
structured our contracts to take into account that
lag. That lag is probably exacerbated now given the
delays in the bar exam, given the impacts on the
process for hiring in on boarding, interviewing, and
training. And so, we are confident that the budget,
as it currently exists, is enough to support the
services and the expansion of services that are

1 already built into the increasing budgets over the
2 last several years for tenant legal services. And we
3 are comfortable with the budget as it is.

4 CHAIRPERSON DROMM: And let's just talk
5 a little bit about legal services for immigrants and
6 their families. Fiscal 2020 funding for deportation
7 defense programs totaled about 44 million dollars and
8 about 20,000 people were served. As we move to the
9 fiscal 21, how will OCJ ensure that providers have
10 the capacity to continue to support these clients
11 where some immigration proceedings are suspended, but
12 yet others are continuing? Can you address that?

13 JORDAN DRESSLER: Sure. I think it is
14 important to recognize that, between the
15 administration's funding and the Councils funding,
16 New York City has truly become a national leader, if
17 not the national leader, and providing support for
18 migrant residents facing legal issues. We provide a
19 range of legal services. Everything from legal
20 advice and screening through the city's landmark
21 Action NYC program all the way to the formal legal
22 representation for noncitizens facing deportation
23 proceedings. Whether it is detained individuals
24 through the NYFA program, unaccompanied minors and
25

1 family is through I Care, or immigrant adults facing
2 deportation through the administration's IOI program
3 where we saw an investment of 16.4 million dollars
4 back in fiscal 18 and continues to be implemented
5 today and remains part of the baseline budget. With
6 the challenges faced by legal providers now, with the
7 closure of courts for non-detainment cases in terms
8 of deportation proceedings, the halting of those
9 proceedings for now, the continuation of cases on
10 deportation proceedings and all the challenges that
11 go along with basing those cases, the ongoing
12 requirement deadlines for filings, the first job for
13 us is to stay in close times with our providers to
14 understand what those issues are, how it is changing
15 those practices, not to mention other dynamics that
16 happen to coincide. And I am speaking about public
17 charge, first and foremost. With the changes to the
18 public charge rules, changes the approach to legal
19 representation and assistance changes. Then I can
20 give you one example that, I think, is an emblem of
21 how we have been able to remain flexible with
22 flexible and nimble ROI contracts and ongoing
23 dialogue with our providers. With the introduction
24 of the public charge rule in February, family-based
25

1 petitions for lawful permanent status became much
2 more challenging for legal providers to prepare. And
3 those are matters that we traditionally considered
4 straightforward cases within our contracts in terms
5 of [inaudible 03:46:42]. Providers came to since
6 then, they are no longer straightforward. Each and
7 every one of these contains legal challenges and
8 requires a tremendous amount of upfront work to
9 overcome this presumption that someone is going to be
10 public charge to make sure that the government has
11 the right fax in order to grant the applications. We
12 have a contract that allows for that kind of
13 flexibility. We worked with providers initially and
14 issued a memorandum saying these are going to be
15 considered complex legal matters [inaudible
16 03:47:10]. This is one example of the way that we
17 can remain flexible and then dialogue with other
18 providers.

20 CHAIRPERSON DROMM: Okay. Thank you.
21 And I'm going to ask counseled a call for other
22 questions. And, if there is anything else, I will
23 come back at the end. Thank you.

24 COMMITTEE COUNSEL: I believe Chair
25 Lancman has questions, Chair Dromm. Yes. I was

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 176

2 asking that. I just didn't get an answer and time.

3 Chair Lancman. Thank you.

4 CHAIRPERSON LANCMAN: Yes. Thank you.

5 So, my understand the total budget for all of the
6 legal services contracts that OCJ administers is
7 about 166 million dollars. Is that right?

8 JORDAN DRESSLER: About right.

9 CHAIRPERSON LANCMAN: So, how many legal
10 services contracts does OCJ administer with at 166
11 million dollars?

12 JORDAN DRESSLER: Well, that's inclusive
13 of Action NYC. Action NYC is in the process of an
14 RFP, so I can't speak to how many contracts will
15 result there. I can speak to the fact that we have
16 45 baseline contracts with a variety of providers
17 covering immigration, legal services, and tenant
18 legal services.

19 CHAIRPERSON LANCMAN: So, it's about 45
20 contracts, plus whatever number of contracts come
21 from the Action NYC RFP?

22 JORDAN DRESSLER: I believe that's right.
23 I will have to confirm that number, but that is, I
24 think, good working gas.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 177

2 CHAIRPERSON LANCMAN: Okay. So, we need
3 a list of those contracts. We need a list of those
4 contracts. The program that the RFP was administered
5 under the--

6 JORDAN DRESSLER: We've been in touch
7 Council staff. I believe we provided all that.

8 CHAIRPERSON LANCMAN: You haven't. And I
9 don't mean to like back and forth with you on this.
10 My understanding is that you have not. If you have,
11 I am happy to be corrected, but I need a commitment
12 from you that, if you haven't provided it, that you
13 will provide it to us. A list of all of the
14 contracts that OCJ administers, the amount, and a
15 description of the services that are provided. So,
16 is we don't have it, will you get that to us?

17 JORDAN DRESSLER: If you don't have it,
18 happy to make that commitment. Sure.

19 DEPUTY COMMISSIONER FERDINAND: And I
20 want to say that we have. We have provided it and
21 then we will provide it once more.

22 CHAIRPERSON LANCMAN: Okay. That's not
23 my understanding, but it wouldn't be the first time
24 that I was mistaken. The important thing--

25 JORDAN DRESSLER: We might be, too.

2 CHAIRPERSON LANCMAN: that we get the
3 information.

4 JORDAN DRESSLER: We will double check.
5 We will make sure that the Council has what it needs.

6 CHAIRPERSON LANCMAN: Good. So, now, let
7 me ask you about the legal services that New Yorkers
8 need other than the two main ones which both the
9 Council and the administration have, in my view,
10 appropriately and correctly prioritized, which is
11 eviction defense, housing matters, broadly, and
12 immigration matters broadly. The charter that
13 established OC J requires OC J to do an annual report
14 assessing the legal services needs of low income New
15 Yorkers and the availability of legal services in a
16 range of matters, including health insurance, medical
17 expenses, and debts relating thereto, personal
18 finances, employment, public benefits, and domestic
19 and family matters. Now, I don't see any such
20 analysis in the 2019 report, which was just released
21 in the last few days. So, can you tell me has OC J
22 conducted an assessment of a legal services needs of
23 low income New Yorkers as it relates to those
24 different kinds of matters? Health insurance?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 179

2 Medical expenses, debts, personal finances, public
3 benefits, and domestic and family matters?

4 JORDAN DRESSLER: We are in the process of
5 speaking with all of our providers about what the
6 provision of civil legal services looks like today
7 and what they anticipate in the future. We have
8 surveyed all of our providers. And, when I say hours
9 70+ providers, this really runs the gambit of the
10 legal services community here in New York City with
11 Chad believe is the strongest legal services
12 community in the country. And the reason--

13 CHAIRPERSON LANCMAN: [interposing] I
14 will leave you. And I am grateful for our
15 partnership with the Mayor and making that happen.
16 When will you have completed the charter mandated
17 analysis of the legal services needs of New Yorkers
18 in those areas, just those areas, that are
19 particularly itemized in the charter?

20 JORDAN DRESSLER: Chair, I can't give you
21 a deadline now and the reason why is because we're in
22 the middle of the emergency thinks so much is
23 responsive to what the approach of the court system
24 will be. State and federal. Right now, so many of
25 the needs that you are describing, it's not even

1 clear what the remedy would be for a New Yorker
2
3 facing one of those issues. Even something as simple
4 as a loss, a small claims loss. Small claims court
5 is closed right now. Now, we are on the precipice of
6 is reopening. An incremental, but a massive
7 reopening of one of the most complex core costumes in
8 the country. And I think our responsibility is to
9 stay in close touch with our partners of courts, to
10 this day in close touch with our partners among the
11 providers to understand what is going on and what
12 will be going on and what should be going on. And
13 the fact that--

14 CHAIRPERSON LANCMAN: [interposing] I
15 agree with you and all of that and all of that should
16 be incorporated into the analysis that is required by
17 the charger so that the Council and the
18 administration can make a judgment in this budget as
19 to how to allocate resources. So, again, I have to
20 press you. When will we get that analysis done to
21 the best of your ability give in the fluid and the
22 emergency situation that we are living in right now?
23 Because no analysis whatsoever cannot be acceptable.

24 JORDAN DRESSLER: We will be sure to stay
25 in touch with the Counsel on all of these issues as

2 things develop as a part of the budget negotiation
3 process.

4 CHAIRPERSON LANCMAN: Well, let me just
5 say clearly, if it wasn't clear already, the fact
6 that that wasn't done at all-- I mean, I'm not
7 saying that it is inadequate. I'm not saying that I
8 disagree with its conclusions or methodologies, but
9 that it wasn't done at all in the annual report that
10 was just released, even though it is required under
11 the charter provision that created OCJ is just not
12 acceptable and it really hobbles the Council and our
13 ability to make judgments about how to spend
14 resources for legal services. Let me go to the PEG
15 and, in particular, its impact on something near and
16 dear to all of our hearts. Universal access. And,
17 committee counsel, don't be shy about telling me, Mr.
18 Chairman, we need to move on to other people. Am I
19 correct that the FY 20-FY 21 20 million dollar PEG is
20 coming entirely from the entire eviction budget which
21 includes the homeless prevention law project and
22 universal access to counsel?

23 JORDAN DRESSLER: Yes. Yes.

24 CHAIRPERSON LANCMAN: So, if so, what
25 will the impact be on universal access plan expansion

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION

182

2 to meet the statutory mandate to be in effect
3 citywide by FY 22?

4 JORDAN DRESSLER: Well, we were well on
5 track. We remain on track for increased
6 implementation and to reach implementation by fiscal
7 year 22. That was both for the emergency. I was
8 before the crisis. Right now, as I know you know,
9 the housing court is closed to all but emergency
10 matters. There is an eviction moratorium at the
11 statewide level in effect. There is an
12 administrative order from the chief administrative
13 judge, the office of Court administration in effect
14 barring all new filings, barring the movement of
15 nearly all nonessential cases which is to say such--

16 CHAIRPERSON LANCMAN: [interposing] Mr.
17 Dressler, we know these things.

18 JORDAN DRESSLER: Okay.

19 CHAIRPERSON LANCMAN: You're selling us
20 things that we know. And we know them. So, my
21 question is what will the impact be on the planned
22 rollout of universal access of the 20 million dollar
23 PEG? That's what I don't know.

24 JORDAN DRESSLER: Okay. The 20 million
25 dollar PEG which was 11.5 and 20 and 8.5 and 21, was

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 183

2 reflective of delayed hiring practices by the legal
3 services providers. Just an inability to hire
4 against that funding and take on that funding for
5 contract obligations.

6 CHAIRPERSON LANCMAN: What--

7 JORDAN DRESSLER: That--

8 CHAIRPERSON LANCMAN: So, then in terms
9 of the budget, you don't believe that this PEG, this
10 20 million dollar PEG across FY 20 and FY 21, that is
11 not going impact rollout of universal access--

12 JORDAN DRESSLER: [interposing] Not in
13 those years. No.

14 CHAIRPERSON LANCMAN: Okay. I certainly
15 hope that you are right. Well the pH in fact the
16 non-universal access ZIP code work? Because that is
17 been doing good work also.

18 JORDAN DRESSLER: Of course. Yes. In
19 fact, at the beginning of this current fiscal year,
20 we changed our approach to ensure that, in addition
21 to meeting obligations with respect to the targeted
22 ZIP Codes and housing court, that there was no
23 ambiguity. That case is that they handled in housing
24 court, the low income tenants facing eviction, quote
25 unquote, counted against the contracts. We're able

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 184

2 to simplify those contracts, make them much easier
3 for the administrator, the program administrator to
4 administer and let no doubt that, if there was
5 capacity on the part of the legal provider to take
6 the case, and they thought that it was a case worth
7 taking, separate and apart from the ZIP Code work,
8 they can and should take that case. That is the
9 approach we are taking now as we move forward.

10 CHAIRPERSON LANCMAN: So, this PEG should
11 not impact that?

12 JORDAN DRESSLER: It shouldn't affect
13 tenant legal services operations.

14 CHAIRPERSON LANCMAN: Good. Last
15 question regarding tenant legal service is. The
16 expansion of universal access to more NYCHA tenants.

17 JORDAN DRESSLER: Yes.

18 CHAIRPERSON LANCMAN: Do you expect that
19 to be impacted in any way by the PEG?

20 JORDAN DRESSLER: We expect to continue.
21 We launched in July 2029 teams starting with seniors.
22 That process had been ongoing. I do want to point
23 one thing out on both of those matters in terms of
24 further implementation. Further implementation is
25 inextricably tied to the operations of the courts.

1 Housing core on the one hand, NYCHA administrative
2 proceedings on the other. At the moment, both are,
3 for all intents and purposes, closed with import and
4 exceptions. The NYCHA administrative proceedings are
5 completely closed and completely out a halt. We you
6 well have two structure programming that is in
7 keeping with the reopening of those courts and
8 tribunals. So, for example, so much of our success
9 in housing court, as I believe you know, has been
10 tied to our operations physically in the housing
11 court. In the universal access parts where we are
12 able to work with our providers and the courts to
13 divert the court case is to that particular location
14 and deploy resources right there and the particular
15 location. We do not know what that is going to look
16 like when core reopens. Housing court is the
17 location where hundreds of thousands of people pass
18 through its doors every year and, in an age of social
19 distancing, we do not know yet what that will look
20 like. What we do know is that we have the dialogue
21 and plays with the office of Court administration.
22 We have the dialogue in place with our legal
23 providers to structure and implement our programming
24
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 186

2 in keeping with what the court actually looks like as
3 we move in.

4 CHAIRPERSON LANCMAN: My last question
5 and it's regarding those legal providers who are
6 doing [inaudible 03:59:07] to their job. I know you
7 mentioned the issue of pay parity in your testimony.
8 Could you give us some more specifics? What is the
9 process for getting us to point where our civil legal
10 services could be paid on par? We have been using
11 the Corporation counsel attorneys as a benchmark.
12 Where are we on that? When are we going to start to
13 see that reflected in some of the contracts?

14 JORDAN DRESSLER: As I said in the
15 testimony, we [inaudible 03:59:02] budget to make
16 those assessments on what an equitable pay structure
17 looks like. We have already made an initial
18 investment in fiscal year 20 that funding remains in
19 place in fiscal year 21 four the beginning phase is
20 of achieving pay parity. These would be the law
21 department and those analyses continue. Those
22 dialogues continue and we will continue to move
23 forward to reach that equitable pay structure.

24 CHAIRPERSON LANCMAN: All right. Thank
25 you very much.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 187

2 CHAIRPERSON DROMM: Okay. Thank you.

3 We have a couple of Council member questions. Let's
4 go to those questions now.

5 COMMITTEE COUNSEL: Thank you. If any
6 Council members have questions for the
7 administration, please use the Zoom raise hand
8 function and you will be added to the queue. Council
9 members, please keep your questions to two minutes,
10 including answers. Please away for the Sergeant-at-
11 arms to tell you when your time begins. The Sergeant
12 will let you know when your time is up. We will now
13 hear from Council member Rosenthal followed by
14 Council member Cohen.

15 SERGEANT-AT-ARMS: Council member, your
16 time starts now.

17 COUNCIL MEMBER ROSENTHAL: Okay.
18 Sorry. I didn't realize I was first here. Hang on
19 one second. Okay. Mr. Dressler, it's nice to see
20 you. Thank you for your hard work. And, Chairs,
21 thank you for this hearing. I really just had one
22 quake question about domestic violence and sort of
23 wondering the feedback you are getting from your
24 lawyers, the providers, about what you are seeing on
25

2 the ground and as regards to any area of domestic
3 violence.

4 JORDAN DRESSLER: We have been in touch
5 and I think, as many heard, we understood that in the
6 immediate days after, I think, the enormity of this
7 situation was being felt by every New Yorker, there
8 was a debt, and a trembling dip, and outreach to the
9 there is hotlines maintained by our legal providers
10 for DV survivors. And I believe that was felt to the
11 family justice centers, too. For better or for
12 worse, those number seem to be increasing, but I
13 think that there are specific challenges associated
14 with the delivery of services in a remote way.
15 Meaning by phone or by videoconference for DV
16 survivors. Starting with the ability that DV
17 survivor to even find a confidential and safe place
18 to even have that conversation. The courts are open.
19 The family courts are open and with respect to again
20 the emergency orders of protection. Of course, the
21 criminal courts remain open for that purpose, also,
22 for criminal court orders. But other functions are
23 either severely limited or not happening at all. I
24 am thinking specifically that work and the
25 matrimonial part. And so much of the work is sort of

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 189

2 at a standstill. So, there's a lot of safety
3 planning going on on the part of legal providers
4 because, I believe, as you know, every lawyer is an
5 advocate when you are talking about these
6 organizations that--

7 SERGEANT-AT-ARMS: Time.

8 COUNCIL MEMBER ROSENTHAL: All right.
9 Let's talk off-line. Thank you very much--

10 JORDAN DRESSLER: Yep.

11 COUNCIL MEMBER ROSENTHAL: for your
12 time. I would love to see some data on it.

13 CHAIRPERSON DROMM: Thank you very
14 much.

15 COUNCIL MEMBER ROSENTHAL: Thank you
16 very much.

17 CHAIRPERSON DROMM: Thank you, Council
18 member. And now we will go to our next Council
19 member.

20 COMMITTEE COUNSEL: We will now hear
21 from Council member Cohen.

22 SERGEANT-AT-ARMS: Council member, your
23 time starts now.

24 COUNCIL MEMBER COHEN: Thank you, Chairs
25 Dromm and Chair Lancman. I just want to follow up on

1 a couple of that Chair Lancman asked about. It
2 sounds like we're all in agreement that the right to
3 counsel in housing court is one of the best things, I
4 think, that we have done in our time in government.
5 I am concerned about the citywide expansion. Are you
6 saying it is really the access to the attorneys that
7 may swallow or stop or slow down the schedule and
8 rollout? Not budget. You are not saying that we
9 still are on the same timeline, are you? And, B, can
10 you just talk a little bit about post-COVID and how
11 you see housing court working? Will it be able--
12 You know, there's a lot of concern about housing
13 court's capacity to handle the post executive order
14 on slot, I guess, the people are expecting?

16 JORDAN DRESSLER: You know, in answer to
17 the first question, I think we had been, have been,
18 on track for implementation of universal access. It
19 has been challenging. I think this is a larger job
20 then, maybe, anybody had anticipated when it was sort
21 of a thought amongst many of you and many of us, but
22 I think we have had more successes than Mrs. and I
23 think that is borne out by a the substantial
24 representation rate as Louise sort of ended calendar
25 year 2020. Now, again, I think it will be a real

1 challenge, even just to see what housing court is
2 going to look like. And so, it really is hard to say
3 what further implementation is going to look like,
4 what a further implementation timeline is going to
5 look like because there are so many variables. Which
6 I believe is your second question which is sort of
7 what is housing court going to look like? I think
8 that the issues and, maybe, the dangers are sort of
9 on everybody's radar. Volume of people, volume of
10 human beings in a place that really has relied on
11 congregation, people getting-- Oh, I'm sorry.

13 COUNCIL MEMBER COHEN: I think they'll
14 just let you finish the answer.

15 JORDAN DRESSLER: Oh. Okay.

16 CHAIRPERSON DROMM: Jordan, you may
17 answer.

18 JORDAN DRESSLER: Thank you. Thank you,
19 Chair. So, that's a variable. The number of sort of
20 needs in terms of controversies when you got the
21 possibility of federal help go to landlords that may
22 eliminate the need to seek rent or reach out to the
23 court for a remedy there. So many variables. And,
24 what I do know is that the court system, city and
25 state bar associations, our providers, and ourselves

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 192

2 are working to see what is that going to look like as
3 we move forward? Fortunately, we are in the midst of
4 an eviction moratorium that we all advocated for,
5 which gives us that time, and, of course, the
6 administrative order of the court that gives us that
7 time to plan and to move very incrementally towards
8 reopening.

9 COUNCIL MEMBER COHEN: Thank you, Chairs.

10 CHAIRPERSON DROMM: Okay. Counsel, do
11 we have any further questions?

12 COMMITTEE COUNSEL: No. No other
13 council members had raised their hands. So, no. No
14 other questions.

15 CHAIRPERSON DROMM: Okay. Chair
16 Lancman? Any further questions?

17 CHAIRPERSON LANCMAN: Yeah. If it
18 doesn't ruin your schedule, Danny, I just would like
19 to ask all a couple more questions.

20 CHAIRPERSON DROMM: Okay. And we do
21 need to-- Just keep it a little short because we
22 have to move on.

23 CHAIRPERSON LANCMAN: Yeah. Actually, I
24 just want to particularly reference project. It's
25 the assigned counsel project for seniors which

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 193

2 provides free legal help in social services to New
3 Yorkers, aged 60. All about the same income and ZIP
4 Code limitations as universal access. Is there any
5 plan in the works to strengthen the assigned counsel
6 project by allowing it to include remote and home-
7 based services?

8 JORDAN DRESSLER: Yes. In fact, we have
9 been in touch with one of the providers in that
10 organization who has been exploring ways to be able
11 to provide community-based service as and waves in
12 keeping with the new norm all of shelter in place,
13 staying at home. I do want to flag, though-- I do
14 want to point out that the assigned counsel project
15 is just a part of tenant legal services for seniors.
16 Assigned council project that we have covered roughly
17 500 cases in the last year. That was part of a group
18 of 11,000 households where the head of household was
19 age 55 or older that were served by our programs last
20 year. So, assigned counsel is a terrific program.
21 We're happy to support it. It is part of a, you
22 know-- universal access is a senior legal services
23 program. Anti-harassment tenant protection is a
24 senior legal services program. It's part of the

larger fabric of our tenant legal services continuing
with services.

CHAIRPERSON LANCMAN: And will ACP have
its own RFP or just rolled into the UA grants?

JORDAN DRESSLER: You know, the contracts
continue through the end of the next fiscal year and
I don't believe we have made any decisions on this
yet.

CHAIRPERSON LANCMAN: All right. That's
all I have. Thank you.

CHAIRPERSON DROMM: Okay. Very good.
This will conclude this portion of today's hearing.
Thank you, OCJ, for being here. We will now take a
break until 3 p.m. when we will hear from the
Department of Parks and Recreation. I ask that my
colleagues who will be joining us for parks portion
of this hearing to remain in this Zoom with your
microphone mute it until we are ready to begin. And,
with that, this is adjourned at this time.

[gavel]

CHAIRPERSON DROMM: Thank you.

UNIDENTIFIED: This is cobra two to
cobra one. Mic check.

UNIDENTIFIED: You are five by five.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 195

2 UNIDENTIFIED: Thank you, sir.

3 SERGEANT-AT-ARMS: Good afternoon. Chairs,
4 we are ready to begin when you are.

5 CHAIRPERSON DROMM: Okay. Thank you
6 very much.

7 [gavel]

8 CHAIRPERSON DROMM: Now, gobbling into
9 order our hearing on Parks and Recreation. We will
10 now hear testimony from Commissioner Mitchell Silver
11 who is joined by First Deputy Commissioner Liam
12 Kavanagh, and Deputy Commissioner Margaret Nelson,
13 Deputy Commissioner Therese Braddock, Assistant
14 Commissioner Sam Beiderman, and Director Matt Drury.
15 Will the committee counsel please administer the
16 affirmation?

17 COMMITTEE COUNSEL: Thank you. I will
18 now administer the information one time and you will
19 be called on individually to affirm at the end. Do
20 you affirm that your testimony will be truthful to
21 the best of your knowledge, information, and belief?
22 Commissioner Silver?

23 COMMISSIONER SILVER: I do.

24 COMMITTEE COUNSEL: Mr. Kavanagh? Mr.
25 Kavanagh? Can you so affirm, please?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 196

2 CHAIRPERSON DROMM: Excuse me. I made
3 a mistake. We've introduced Council member Peter Koo
4 who has an opening statement. I will forgo my
5 opening statement, Beck Council member Koo has a
6 statement.

7 CHAIRPERSON KOO: Thank you. Can you hear
8 me? Yeah.

9 COMMISSIONER SILVER: Yes.

10 CHAIRPERSON KOO: Okay. Good afternoon.
11 I am Peter Koo, Chair of the Parks and Recreation
12 Committee. I want to begin by thanking my co-chair,
13 Council member Daniel Dromm, and the members of the
14 Committee on Finance and the Committee on Parks and
15 Recreation for holding this virtual hearing today.
16 Also, I would like to welcome him to all our parks
17 supporters watching the live stream. The Department
18 of Parks in Recreation's fiscal 2021 executive budget
19 totals 509 million dollars which represents 78.4
20 million dollars decrease when compared to the fiscal
21 2020 adopted budget amount of 587 million dollars.
22 As part of the citywide savings program and programs
23 to eliminate the gap, also known as the pact. Parks
24 identified savings total 19.5 million dollars in
25 fiscal 2020 and 38.4 million in fiscal 2021. A total

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 197

2 of 57.9 million dollars in [05:14:52] alone. Fiscal
3 2021 Parks PEG is 10 percent of the city's total tax
4 levy portion of city PEG. The second highest of any
5 agency. Parks fiscal 2021 executive capital
6 commitment plan totals 4.2 billion dollars in fiscal
7 2020 to 2024 with 688 million dollars in fiscal 2020.
8 This represents approximately 5.1 percent of the
9 city's total 83.2 billion dollar capital budget for
10 2020 to 2024 and reflects a decrease of 138 million
11 dollars or 3.2 percent from the 4.3 billion dollars
12 scheduled in the preliminary commitment plan. We
13 understand that parks' fiscal position has entirely
14 changed since the release of the fiscal 2021
15 preliminary budget and since our hearing just two
16 months ago. COVID-19 has upended the lives of
17 millions of New Yorkers and for start budget
18 priorities to the shift to combat the spread of the
19 virus and disrupted the funding for critical parks
20 initiatives. The fiscal 2021 executive plan does not
21 include the 40.6 million dollars that the Council and
22 the Play Fair campaign fought so hard for last year.
23 The historic levels of funding were not baselined in
24 the fiscal 2020 adopted budget and, therefore, a lot
25 reflected in fiscal 2021 and beyond. In other words,

1 the fiscal 2021 executive plan does not include
2 funding for the 280 jobs the Council secured last
3 year, including maintenance workers, PEP officers,
4 and Park Rangers. Funding for our Green Thumb
5 community gatherings, funding for the Parks Equity
6 Initiative and other Council initiatives and funding
7 for forestry, horticulture, natural resources, and
8 the beach and pool season extension. It is
9 imperative that the Council and the administration
10 and work together to alleviate some of these cuts.
11 Despite this pandemic's devastating impact on our
12 city, public parks remain open and continue to offer
13 physical and mental health relief. For many
14 residents, they have become the only green space they
15 can go out to get some fresh air, which has been so
16 important. At this moment, we are experiencing an
17 increased use of public space and decreasing staff
18 capacity may drastically harm conditions of the parks
19 and put visitors at risk. Moreover, the proposed
20 cuts of 57.9 million dollars in fiscal 2020 and
21 fiscal 2021 combined will not just leave the agency
22 with historically low staffing levels, but it will
23 have a profound impact on our kids, youth, and our
24 entire family is. We need to keep in mind that, in
25

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 199

1 the midst of this pandemic, our parks and open spaces
2 are essential for millions of residents of the city
3 and they should be treated as essential in his
4 budget. Again, it's my hope that we can work
5 together to ensure that parks are treated in this
6 budget as the critical infrastructure that they are.
7 Thank you to my committee team. Monica Bujad [sp?],
8 Trina Obijer [sp?], Chris Satori [sp?], Patrick
9 Mulvihill [sp?], [inaudible 05:19:30], Fran Perez,
10 and to my own chief of staff, Elaine Jones, for their
11 efforts in preparing for today's hearing. I will not
12 turn it over to Chair Dromm. Thank you.

14 CHAIRPERSON DROMM: Thank you very
15 much. And I was jumping the gun there, but let me
16 say that we have been joined by Council members
17 Grodenchik, Holden, Cohen, Menchaca, Louis, Yeger,
18 Koslowitz, Cumbo, Gjonaj, Cornegy, Matteo, Levine,
19 Borelli, Van Bramer, Gibson, and Ayala. And with
20 that, I'm going to ask-- excuse me. And Rivera.
21 And with that, I'm going to ask the counsel to swear
22 you in.

23 COMMITTEE COUNSEL: Before I swear UN,
24 I will go over some procedural details. My name is
25 Noah Brick and I am counsel to the New York City

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 200

2 Council Committee on Finance. Before we began, I'm
3 going to remind everyone that you are going to be on
4 mute until you are recognized to speak. At which
5 time, you will be un-muted by the Zoom host. If you
6 mute yourself after you have been unmuted, you will
7 need to be un-muted again by the host. During the
8 hearing, if Council members would like to ask a
9 question, please use the Zoom raise hand function and
10 you will be added to the queue. Chair Dromm has
11 called on members of the Department of Parks and
12 Recreation to testify. I will swear UN now. I will
13 administer the affirmation one time and you will be
14 called upon individually to so affirm at the end. Do
15 you affirm that your testimony will be truthful to
16 the best of your knowledge, information, and belief?
17 Commissioner Silver?

18 COMMISSIONER SILVER: Yes.

19 COMMITTEE COUNSEL: Mr. Kavanagh? Mr.
20 Kavanagh? Yes? Ms. Nelson?

21 MARGARET NELSON: Yes.

22 COMMITTEE COUNSEL: MS. Braddock?

23 THERESE BRADDOCK: Yes.

24 COMMITTEE COUNSEL: Mr. Biederman?

25 SAM BIEDERMAN: Yes.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 201

2 COMMITTEE COUNSEL: And Mr. Drury? I
3 don't know if Mr. Drury is with us. Thank you,
4 Commissioner Silver. You may begin when ready.

5 COMMISSIONER SILVER: Thank you very much
6 and good afternoon, Chair Dromm, Chair Koo, members
7 of the Finance and Parks Committee and other members
8 of the City Council. I am Mitchell Silver,
9 Commissioner of the New York City Department of Parks
10 and Recreation and I am Jolene to hear virtually
11 today with a number of my senior's staff. To begin,
12 I would like to start off with a message of thanks.
13 Thank you to our park [inaudible 05:21:59] on the
14 front lines for this tremendous work and for their
15 fieldwork each and every day during this horrific
16 crisis. This includes dedicated and hard-working
17 staff at our Urban Park Service, maintenance and
18 operations, public programs, and forestry divisions,
19 making our green space is safe and clean for park
20 goers. I would also like to thank our executive
21 staff who worked long hours coordinating with the
22 Mayor's Office and other agencies to carry out
23 immensely complex operational and logistical projects
24 at a scale that would have been unimaginable just
25 months ago. I would also like to thank our staff

1 teleworking diligently from home helping to flatten
2 the curve and maintain in productivity while
3 balancing the needs of their children, parents,
4 partner [inaudible 05:22:56] impacted every New
5 Yorker as we all are contending with tragic impacts
6 of the pandemic and our agency is no exception. Even
7 with dealing with personal loss and physical and
8 emotional stress, every single member of our agency
9 has stepped up when the city needed them the most.
10 And so, to then, I wish to extend my appreciation and
11 thanks. We are learning countless lessons through
12 this crisis, but one thing has become increasingly
13 clear. And if there ever was any doubt, our parks
14 and open spaces are critical infrastructure that is
15 absolutely vital to all New Yorkers. With the
16 primary remaining indoors is-- I'm sorry. While
17 primarily remaining indoors is important to help stop
18 the spread of the coronavirus and to get the city
19 through this crisis, many have come to further
20 appreciate the physical and mental benefits that come
21 from being able to get some fresh air or exercise.
22 Parks have become sanctuaries of sanity during this
23 time. We continued to stress to our park goers to
24 please wear face coverings when they cannot maintain
25

1 a proper social or physical distance from those who
2 are not part of their household. Our staff has
3 worked extraordinarily hard to make our properties
4 safe and to preserve the exceptional benefits people
5 have come to expect from our park system. Our agency
6 has been remarkably resilient during this crisis as
7 we reassign staff and purpose some of our properties
8 in order to optimize the agency's ability to assist
9 in beating back this virus. Our parks enforcement
10 patrol officers and our urban park rangers have been
11 working as part of a multi-agency effort to enforce
12 proper social distancing protocols. Additionally, we
13 have reassigned staff to help further ensure that
14 park goers can relax and enjoy our open spaces and
15 safe manner. The creation of bar parks social
16 distancing and bass setters program, made possible
17 largely through the redeployment of public programs
18 staff has been key in keeping park goers safe. Their
19 field staff, in addition to educating visitors on
20 social distancing protocols have been distributing
21 face coverings to New Yorkers in need. We have
22 distributed close to 200,000 face coverings through
23 roving engagement and over 545,000 face coverings
24 through 143 tabling events carried out over nine days
25

1 and 77 parks across the five boroughs. We have also
2 repurposed many of our properties and facilities, as
3 well. Seven of our recreation centers are now food
4 distribution sites with our staff surveying as site
5 managers and running the day-to-day operations with
6 the help of the National Guard and other city
7 agencies. Today, the city's food distribution sites,
8 using TLC certified for hire drivers, has delivered
9 over 13 million meals to our most vulnerable New
10 Yorkers. Central Park, and Flushing Meadows Corona
11 Park, then sites for emergency field hospitals,
12 providing more capacity for healthcare system that
13 was heavily taxed in the early weeks of the pandemic.
14 This past Thursday, the mayor announced an expansion
15 of COVID testing sites, including two that will take
16 place on parks and recreation centers. Beyond to the
17 strict confines of our parks, we are working with our
18 fellow agencies to identify streets that could be
19 closed to vehicular traffic and made fully available
20 to pedestrians and, as of today, the city has opened
21 over 30 miles of streets and protected bike lanes,
22 creating more room for New Yorkers to spread out
23 safely. To help mitigate the impact of the necessary
24 closures of playgrounds and other active recreational
25

1 amenities, cities streets both inside and adjacent to
2 our parks were some of the initial streets designated
3 for New Yorkers to enjoy this opportunity and we look
4 forward to working with the fellow agencies as that
5 effort continues. And those that are unable to get
6 out to our parks event for a brief visit, we created
7 Parks at Home which featured virtual content on our
8 website and social platforms serving the young and
9 the young at heart, including live parked for,
10 meditation, fitness, art classes, and other fun
11 activities. Even though I can tell you about the
12 several ways that the agency has been able to remain
13 strong throughout this crisis, there was no way to
14 avoid some very difficult decisions. Indeed, many
15 more tough choices will need to be made going
16 forward. And, while this public health crisis
17 continues, it would be unsafe to permit large public
18 programs and gatherings in our parks that people have
19 grown to love and to expect, especially in warm
20 weather. We have had to cancel hundreds of events
21 over the past few months and, unfortunately, we are
22 prepared to cancel more, as necessary to keep New
23 Yorkers safe. The harsh reality of the ongoing and
24 pending economic crisis is has also presented the
25

1 city with sobering choices regarding our funding
2 choices. As the Mayor asserted when he released the
3 budget, the lack of clear fiscal support from state
4 and federal sources will make it difficult to
5 maintain normal levels of spending leading to the
6 need for more citywide cuts in savings across
7 agencies. In many cases, the proposed budgetary
8 savings in the mayor's fiscal year 21 executive
9 budget will impact programs that would've been
10 difficult, if not impossible, to carry out during the
11 pandemic. We must all recognize this challenging
12 economic environment will require significant
13 sacrifices. Despite the tough outlook for the city's
14 immediate economic future, we do not underestimate
15 the city of New York Department of Parks and
16 Recreation. Under this administration, we have been
17 consistently creative and innovative and will
18 continue to do so. And as long as New Yorkers want
19 to enjoy their parks and open spaces, our agency will
20 find a way to make sure that they can have fun,
21 healthy, and happy experiences because it is too
22 best. Thank you for the opportunity to testify
23 before you today. For your dedication to providing
24 parks and open spaces to all of New Yorkers, and we
25

1 look forward to continuing to work alongside you and
2 helping make our park system the best it can be. We
3 would now be have been answering questions that you
4 may have.
5

6 CHAIRPERSON DROMM: Okay. Thank you
7 very much, Commissioner. Let me start off with the
8 question of particular concern to my district and
9 that is the last year, a year ago, you sat here in
10 the executive hearing on parks and you told me at
11 that time that the Travers Park issue was that the
12 highest echelon of the administration. What have you
13 done since then? Because it has taken a year and
14 nothing has changed. Nothing has been done. Nobody
15 has contacted me in the question still remains. It's
16 a disgrace. It's an absolute disgrace.

17 COMMISSIONER SILVER: Council member, as
18 you know, the park is now open. It is stunning. It
19 is beautiful. I--

20 CHAIRPERSON DROMM: [interposing] I'm
21 not talking about that. I'm talking about the
22 extension that a year ago use that in the chambers
23 and, under oath, told me that this was that the
24 highest levels of government and that you would deal
25 with it. I have not heard from you since then. Not

1 once. What is happening to that strip of land or
2 that street? What have you done? I just want to
3 know what you have done.

4
5 COMMISSIONER SILVER: We are continuing
6 to work with our partners at DOT. Let me express my
7 apologies. When this hearing is over, I will get you
8 a status update--

9 CHAIRPERSON DROMM: [interposing] I
10 don't believe it. I don't believe it anymore. I
11 haven't heard from you in a year.

12 COMMISSIONER SILVER: I will find out
13 what happened because, at that hearing it was clear
14 that staff had to get back to you. We knew this was
15 very important to you. As you know, the park is
16 open. It is stunningly beautiful, but I understand
17 your concern--

18 CHAIRPERSON DROMM: [interposing] That
19 is the same thing you told me last year. Almost the
20 exact words verbatim. And, obviously, you don't have
21 an answer for me the day and you are not prepared.
22 Because you had to know I was going to ask this
23 question. You have six commissioners here with you
24 and not one of them has reached out to me on this
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 209

2 issue. I mean, this is an embarrassment. Okay. I
3 just don't know what to--

4 COMMISSIONER SILVER: [interposing]
5 Council member, we will get back to you. We have
6 completed well over 700 projects. We are committed
7 to getting projects done.

8 CHAIRPERSON DROMM: Commissioner, I am
9 not asking about any of your 700 projects. I am
10 asking you about your testimony here last year at the
11 executive hearing way Muir assured me that you're
12 working with the upper echelons of the-- those were
13 the words you used. Of the administration to settle
14 this issue and I have not heard from you in a year.

15 COMMISSIONER SILVER: Council member, I
16 will find out what happened. I will find out what
17 happened. That's all I can say.

18 CHAIRPERSON DROMM: Well, then, what
19 have you done?

20 COMMISSIONER SILVER: My staff was
21 working with DOT.

22 CHAIRPERSON DROMM: [inaudible
23 05:32:58]

24 COMMISSIONER SILVER: We were aware--

25 CHAIRPERSON DROMM: What have you done?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 210

2 COMMISSIONER SILVER: this was a high
3 priority.

4 CHAIRPERSON DROMM: Commissioner
5 Nelson? Is she here? Margaret Nelson?

6 COMMISSIONER SILVER: She is.

7 MARGARET NELSON: I am.

8 CHAIRPERSON DROMM: May I ask her what
9 she's done?

10 MARGARET NELSON: So, I think this is a
11 very complicated issue, as you know, that involves
12 several agencies and involves the law department.
13 So, I know that conversations were ongoing at the
14 time of last year and I believe they are still
15 ongoing with different parts of the--

16 CHAIRPERSON DROMM: What have you done?

17 COMMISSIONER SILVER: agency or having
18 conversations, but the decision has not been reached
19 yet about how to move forward.

20 CHAIRPERSON DROMM: Do you believe it
21 or do you know it?

22 MARGARET NELSON: I do know that this--

23 CHAIRPERSON DROMM: Okay. So,
24 [inaudible 05:33:36]--

25 MARGARET NELSON: [inaudible 05:33:37]

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 211

2 CHAIRPERSON DROMM: What type of
3 negotiations are going on?

4 MARGARET NELSON: I don't think there've
5 been negotiations, but there have been conversations.

6 CHAIRPERSON DROMM: Conversations about
7 what?

8 MARGARET NELSON: As you know, there is a
9 curb cut has legal implications that has to be
10 discussed about how to do that--

11 CHAIRPERSON DROMM: That was a year
12 ago. That was a year and a half ago. We had those
13 discussions a year and a half ago and what is
14 happened since then?

15 COMMISSIONER SILVER: As I stated, there
16 were conversations discussing--

17 CHAIRPERSON DROMM: Okay. Let me talk
18 to Liam Kavanagh.

19 COMMISSIONER SILVER: your two property--

20 CHAIRPERSON DROMM: Mr. Kavanagh?

21 [Inaudible 05:34:16] done.

22 COMMISSIONER SILVER: I believe there's
23 something wrong with Commissioner Kavanagh's audio.

24 CHAIRPERSON DROMM: Okay. I'll come
25 back to the Commissioner. The other Commissioners

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 212

2 who are here with us, what have you done? So,
3 Commissioner, nobody in your administration has done
4 anything on this issue.

5 COMMISSIONER SILVER: I wouldn't say
6 anything. What I'm saying is I do not have an answer
7 for you at this moment.

8 CHAIRPERSON DROMM: That's what you
9 told me--

10 COMMISSIONER SILVER: I can find out--

11 CHAIRPERSON DROMM: a year ago.

12 COMMISSIONER SILVER: what happened on
13 the particular items.

14 CHAIRPERSON DROMM: Complete
15 incompetence. Okay? Complete incompetence. Let me
16 go to some of the other issues that I have. I mean,
17 it's even hard for me to go beyond this. Okay?
18 Because you, under oath, told me that this was going
19 to be dealt with and not one single one of the people
20 here today has dealt with it. Okay? It's a
21 disgrace. In fiscal 2020, the city Council partnered
22 with the administration to provide a historic
23 investment of approximately 51 million dollars to
24 DPR's annual operating budget. However, over 40
25 million dollars of that funding is not baselined and

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 213

2 is, therefore, not included in the fiscal 2021
3 executive budget. The failure to restore this
4 funding will result in the loss of 280 Parks
5 employees, including 100 city Park workers, 50
6 gardeners, 80 PEP officers, and 50 urban park
7 rangers. This decrease of staff capacity, combined
8 with the increased use of our parks and public space
9 may negatively impact parks conditions. Can you
10 please explain what will become of the newly hired
11 staff covered by these allocations come July 1st?

12 COMMISSIONER SILVER: In terms of the
13 staff that you mentioned, you're correct. These were
14 Council one shots from last year. Based upon the
15 current budget situation, we would not be able to
16 retain those titles in the next budget year. As you
17 all know, this is still the earliest part before the
18 budget is adopted and I to expect there to be a
19 conversation with the Council and the administration
20 about these one-shot positions. But, as of today, it
21 is not in the executive budget and I do expect the
22 conversation to have for those individuals. All of
23 us do not want those physicians to expire. They are
24 important to our parks system. They are important to
25 the Council, and they are important to New Yorkers.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 214

2 CHAIRPERSON DROMM: They are losing
3 their jobs.

4 COMMISSIONER SILVER: Those positions
5 were a one shot. They were for one year only as they
6 were baselined, so they are going to have a
7 conversation about what is going to happen with those
8 positions. But, if the one shot is not baselined or
9 not reauthorized, those positions would expire on
10 June 30.

11 CHAIRPERSON DROMM: Okay. So, we have
12 about, you know, six or seven weeks left. I hope
13 that, in our negotiations, as we approach the end of
14 the budget negotiation process, that you will
15 minimally notify those workers that they may be, in
16 fact, losing their positions. What time will the
17 impact on our parks be from these cuts? As you know,
18 during the pandemic, parks have become even more
19 vital for New Yorkers physical and mental health.
20 So, what type of impact will it have?

21 COMMISSIONER SILVER: With all changes to
22 our employees, it does adjust some of the surface
23 levels. We are able to redeploy a lot of the
24 employees throughout our parks system. So, there
25 will be a minor reduction in some service throughout

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 215

2 the system. We always make sure that, when we need
3 to lose positions, we figure out how to make
4 adjustments and redeploy staff to make sure the
5 public does not see any change in park maintenance,
6 appearance, or general condition.

7 CHAIRPERSON DROMM: Okay. Of the 342
8 positions funded by last year's counsel addition, how
9 many workers have been responding directly to the
10 COVID-19 crisis? For example, by assisting with
11 social distancing enforcement?

12 COMMISSIONER SILVER: In terms of the
13 Parks Enforcement Control, they have been involved
14 doing their regular part patrol, but also supporting
15 social distancing. In certain terms of the city Park
16 workers, they have been supporting our park system
17 and keeping the maintenance and operations. And, for
18 the most part, the Rangers, as well, have been, along
19 with the PAP titles have also been doing social
20 distancing and their normal park operations. So, I
21 would say a majority of the lines that you had
22 mentioned, are out there in some form or fashion
23 working in parks as essential service doing very
24 important work.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 216

2 CHAIRPERSON DROMM: And how many of the
3 staff that are currently considered essential workers
4 are set to lose their positions on June 30th?

5 COMMISSIONER SILVER: I would say-- Just
6 give me one second. It would be the CPWs, PEP,
7 Rangers, and, I believe that would be those titles.
8 Forestry. So, we have CPW, PEP, Rangers, Forestry.

9 CHAIRPERSON DROMM: Do you know the
10 number?

11 COMMISSIONER SILVER: Roughly about 300.

12 CHAIRPERSON DROMM: Okay. Thank you.
13 Let's talk a little bit about the PEG. As part of
14 the citywide savings program, DPR identified savings
15 totaling 19.5 million in fiscal 2020 and 38.4 million
16 in fiscal 2021. Did OMB send any specific PEG target
17 for DPR and did this amount meet the target and how
18 will these impact parks operations?

19 COMMISSIONER SILVER: OMB, it was a
20 conversation between both parks and OMB. They didn't
21 give a target, per se, but they asked for both
22 savings that we can offer them. And that is what we
23 had proposed. So, there wasn't a target number per
24 se, but the numbers you are mentioning, basically,
25 are accurate. For the total across the fiscal years,

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 217

2 it is 59.1, is 22.9 in savings and 38.4 in FY 21
3 reductions. And so our share was, basically, 2.8 for
4 our agency.

5 CHAIRPERSON DROMM: The current
6 financial situation of the city, is the agency
7 expecting more cuts to come before the budget
8 adoption and is there room for parks to identify more
9 savings without having a negative impact on
10 operations?

11 COMMISSIONER SILVER: Well, first, as you
12 know, the economic status is getting worse by the
13 day. While I cannot make any commitments, we are
14 taking guidance from both OMB and the Mayor's Office
15 as we look to the future to see the severity of this
16 pandemic and the financial impact that is on behalf
17 of the city. We are also looking at those programs.
18 For the most part, our cuts have been related,
19 primarily, to contracts and so, but for the closure
20 of polls for the season, we are looking very
21 carefully to make sure that we could minimize the
22 impact to the public, but there will be some
23 contracted service cuts as of result of both the
24 savings and the cuts.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 218

2 CHAIRPERSON DROMM: Okay. On street
3 tree planting-- By the way, last year, I also asked
4 to about the issue with con Edison and the problems
5 with plantings and the tree roots. And I don't think
6 we have come to a solution on that. I would still
7 like to work with you on getting a solution so that
8 we don't have fair streets with no trees or plants or
9 something in them. And I have one more year left,
10 Commissioner. I will be here next year. How much
11 funding does parks have for street tree planting
12 contracts?

13 COMMISSIONER SILVER: I don't know if
14 Commissioner Kavanagh can respond, but I can just say
15 what is being reduced out of these cuts, but that is
16 a number on how to get back to you because I know
17 Commissioner Kavanagh would have a number, but I
18 believe he's having an issue with his audio.
19 Commissioner Kavanagh, I don't know if you can see if
20 it is working now. Could the house see if they could
21 unmute--

22 COMMISSIONER KAVANAGH: Commissioner, I
23 don't know if you can hear me.

24 COMMISSIONER SILVER: Commissioner, we
25 can.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 219

2 COMMISSIONER KAVANAGH: We do have in
3 excess of 30 million dollars in tree planting funds.
4 However, they are on pause as the city reassesses its
5 entire capital portfolio.

6 CHAIRPERSON DROMM: And does the
7 department track the number street trees planted by
8 fiscal year? And if so, how many street trees were
9 planted in 2019, 2020, and how many will be planted
10 in fiscal 2021?

11 COMMISSIONER SILVER: Uh--

12 COMMISSIONER KAVANAGH: We do track them.

13 COMMISSIONER SILVER: I have the numbers,
14 Commissioner Kavanagh. So, in 2018, it was 9800.
15 19, 5924. And for 20, it's 5423 for all five
16 boroughs.

17 CHAIRPERSON DROMM: Okay. So the
18 number continues to go down. What happened with the
19 contracts there and the costs of each individual
20 tree?

21 COMMISSIONER SILVER: I'll defer to
22 Commissioner Kavanagh.

23 COMMISSIONER KAVANAGH: The cost of
24 planting a tree has continued to increase year after
25 year. The most recent series of bids we received

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 220

1 pushed the number past the 3000 dollar mark per tree.

2
3 It is a significant increase from what we experienced
4 just a few years ago. We are looking for ways to
5 reduce the cost. We would prefer to work with our
6 experienced contractors. We have identified some
7 elements in the contracting process that we think may
8 yield some savings, but probably not enough to
9 significantly reduce that cost per tree. However, we
10 are looking for some other alternatives that we are
11 hopeful will help us in the long run. We want to
12 plant as many trees as we possibly can, but the cost
13 has become an issue in terms of reaching the numbers
14 that we had planned.

15 CHAIRPERSON DROMM: Does the planting
16 of trees include the tree guards? Or is that a
17 separate cost?

18 COMMISSIONER KAVANAGH: It is a separate
19 cost and we do install them when they are separately
20 funded.

21 CHAIRPERSON DROMM: The department
22 taking any steps to lower the cost? Has there been
23 a different RFP or-- I thought at one time you were
24 working with different vendors for the trees which
25 would have reduced the cost, as well.

2 COMMISSIONER KAVANAGH: We are always
3 trying to find new potential contractors. For
4 example, it worked very successfully with our trees
5 and sidewalk program. We will be applying the same
6 thing two hours street tree planting. And, as I
7 mentioned, we have identified some elements in our
8 contracting process which we think have contributed
9 to the cost increase. We are amending those in our
10 upcoming contracts. We are hoping that we will have
11 an impact, but, again, I don't know that we will be
12 seeing a significant reduction in cost per tree.

13 CHAIRPERSON DROMM: Okay. Thank you.
14 And I'm going to stop with the questions here, but I
15 want to acknowledge that we've been joined by Council
16 member Rosenthal and Ulrich before going to Council
17 member Koo. But, finally, let me just say also, not
18 only did we not hear anything from your office on
19 Travers Park, we wrote letters to the highest
20 echelons of government about Travers Park and now
21 I've not heard anything. So, this remains a very
22 important issue that I think should be settled before
23 the close of budget. So, Commissioner, I'm going to
24 be back in touch with you and I need an answer.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 222

2 COMMISSIONER SILVER: Thank you, Council
3 member. And you will have an answer.

4 CHAIRPERSON DROMM: Thank you. Okay.
5 Let's go to Council member Koo, please.

6 CHAIRPERSON KOO: Hello. Yeah. Hi,
7 Commissioner. How are you?

8 COMMISSIONER SILVER: Fine. Thank you.

9 CHAIRPERSON KOO: All right. So, in
10 fiscal 2020, the city Council, in partnership with
11 the administration, provided a historic investment of
12 approximately 51 million dollars to DPR's annual
13 operating budget. However, the majority of the 44
14 million dollars for various park initiatives, 34.4
15 million dollars, is not baselined and is, therefore,
16 not included in the fiscal 2021 executive budget.
17 So, I was there been any discussion with OMB of
18 adding any portion of the 34.4 million dollars not
19 baselined in the parks budget in fiscal 2021?

20 COMMISSIONER SILVER: Yes. As this
21 budget was prepared, both the department and OMB was
22 well aware about these one shots. As you recall,
23 this was negotiations both between city Council and
24 the administration. We expect that conversation
25 [inaudible 05:48:02]. Because of the financial

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 223

2 situation, both the impact [inaudible 05:48:10]

3 budget, as well as in FY 20, as noted by Council

4 member Dromm and you in your testimony. These were

5 very hard fought positions that are very vital to the

6 agency. So I am confident that conversation will

7 continue before this budget is--

8 CHAIRPERSON KOO: Hm. Okay. So, with all

9 of us currently sheltering in place due to COVID-19,

10 our parks have become essential. [inaudible

11 05:48:50] told us that they are seeing a massive

12 increase in the amount of garbage left in their parks

13 by visitors because of the increase of park

14 maintenance. [inaudible 05:49:08]

15 COMMISSIONER SILVER: Yes.

16 CHAIRPERSON KOO: Does the department have

17 successful-- Or no. Does the department have a

18 sufficient number of workers to ensure a safe and

19 clear environment for all park users?

20 COMMISSIONER SILVER: Yes. We do. I

21 have not heard of areas of large trash unless staff

22 did not come at that specific point to pick it up.

23 But we have not had any complaints of any littering

24 conditions in our parks. The park workers are

25 essential workers and they are still coming to work.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 224

2 We still have staff with maintenance and operations.

3 We close down all of our playgrounds. The city park
4 workers will be deployed throughout hours. So I am
5 surprised to hear that people are concerned there
6 park is not being clean. I would encourage them to
7 contact us and we will make sure it is addressed.

8 But all of our parks have service levels to be
9 cleaned and we've been able to meet those targets.

10 Now, as it gets warmer, say what happens? But
11 because did not hire all of our seasonals, but for
12 now, we are not hearing any complaints about any
13 littering condition or lack of cleanliness in our
14 parks.

15 CHAIRPERSON KOO: So, will the department
16 have sufficient maintenance workers come July 1st if
17 the administration does not restore the additional
18 funding for maintenance workers?

19 COMMISSIONER SILVER: We will have a
20 diminished staff because we typically hire seasonals.
21 We were not able to hire seasonals this year, so we
22 will have to adjust our service levels throughout our
23 park system to ensure that our parks are serviced.
24 So there will be a reduction and that is something
25 that we are working with our chief operating officer

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 225

2 and First Deputy Commissioner to make sure we make
3 the adjustments so that our parks still remain clean.
4 Will there will be some change in service levels
5 because we are unable to hire some of our seasonals.

6 CHAIRPERSON KOO: According to the recent
7 report on parks and open spaces, nonprofit park
8 groups anticipating a decrease in revenue of about 37
9 million dollars invested in our public spaces. Many
10 of the nonprofits have small staff and may cannot
11 meet the current demand. Some parks only have one
12 [inaudible 05:51:36], so is nonprofits are unable to
13 maintain their parks at the same level as before due
14 to a loss of revenue and volunteers are unable to
15 care for parks safely, what pressure does that put on
16 the professional park staff at parks?

17 COMMISSIONER SILVER: Well, for now--
18 And thank you for the question, Council member. We
19 are on weekly calls as a group with all of our
20 partners and then we reach out to them on a regular
21 basis. We understand that pressure they are under
22 and we are here to support them in any way that we
23 can. Because we are on that call, I want to make
24 sure that the minute this pod is over, they can start
25 trying to activate some of the services so that they

1 can recoup some of that revenue. But I am also very
2 grateful for the nonprofit and their philanthropic
3 partners that created the New York City green relief
4 and recovery fund to help support some of these
5 partners. In addition, a lot of them have been
6 successful, not all, and getting the personal loans
7 to help sustain their operations. So, we are on a
8 call with them weekly. We are hearing from them. We
9 are trying to help them in any way that we can. And
10 so, we understand by their loss and the ability to
11 take-- And, remember, some of these parks, it's a
12 shared responsibility. Not all the parks have the
13 Conservancy groups servicing the park. In most
14 parks, there is a combination of Conservancy's staff
15 and park staff and so we are working very closely
16 with them to make sure we can do to coordinate that
17 this reduction will try to fill that gap in those
18 parks until they can build back their operations.
19 So, we are on close contact with them to make sure we
20 can support them. Because they are partners and to
21 make sure that New York City thrives.

22
23 CHAIRPERSON KOO: So, the next question I
24 have is about summer camp suspension. The fiscal
25 2021 executive plan includes savings of 634,000

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 227

dollars. We [inaudible 05:53:33] for the suspensions
of parks summer camps programs this year.

Approximately, 100 positions will not be filled due
to this reduction impacting 1000 young children.

With the public polls closed and some of the creation
camps suspended, can you please explain what
alternative program your department will offer to our
youth and young adults this summer?

COMMISSIONER SILVER: Well, thank you for
the question, Council member. First and foremost,
public safety is first of mine. And so, our ability
to hold camps where children would not be able to
social distance was a huge concern. Not only that,
but many of the park features we have closed thus
far-- basketball courts, soccer fields, playgrounds,
that we are working to find out how we can still
offer a plan that allows people to have fun in the
summer even though a lot of those elements have been
close. We don't know about the pandemic about how
long we stop the spread. We are working very closely
with the Mayor's Office, public health officials, and
the governor, and we will listen to that guidance.
We want to stop the spread and not see a spike
return, and so are doing whatever we can. The cat

1 Mayor just announced beaches will be open to help
2 people enjoy, if they live nearby to go on the sand,
3 to walk, to Ron, to sit for a few minutes. And we
4 are looking at other things we can open up does
5 socially responsible distance. So, we are working
6 with the Mayor's Office to see what else we can
7 activate. And as far as the extreme heat, exercise,
8 we're looking at spray and ministers. All of the
9 things we can do to make sure New Yorkers can stay
10 cool, but also could have fun at the same time. Our
11 parks will remain open so long as people social
12 distance. We just want to see that we can open up
13 some of these other features for the public to enjoy.
14 But we realize nose summer camps and having a lot of
15 our features close to is going to be a challenging
16 summer. But we are putting our heads together to
17 offer a nice, fun experience, despite the pandemic,
18 that are public can enjoy the summer.

20 CHAIRPERSON KOO: So there will be no
21 programs for the youth?

22 COMMISSIONER SILVER: At this point, at
23 this point, because we need to do not want to
24 encourage any more than six people or more to gather,
25 at least for this time, we do not foresee any

1 programming. That may change over the summer, based
2 upon the mayor and governor's guidance on public
3 health. But at this point in time, the message is,
4 if it's six or more, you can't come together. It's
5 hard to do programing that is less than six. And
6 that's the challenge that we face.
7

8 CHAIRPERSON KOO: On Friday, May 15th, the
9 governor announced that beaches would be open
10 statewide, but the Mayors said that New York City
11 beaches will be-- I think it's changed now. Will
12 open, right? But is there currently a plan to open
13 the beaches for 2020 summer season? And, if not,
14 does the agency have a plan, then, to keep people
15 away from beaches once the temperature in the city
16 it's 100 degrees? How do you prevent people from
17 going swimming?

18 COMMISSIONER SILVER: Well, Council
19 member, this is what the cat Mayor announced, so I
20 will just clarify all those points. The cat Mayor
21 said that the beaches will not be open for swimming
22 Memorial weekend and we do not know if and when it
23 will be available for swimming this summer. We are
24 starting to train lifeguards this week, but the cat
25 Mayor still wants to know will it be safe? Well

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 230

1 lifeguards, as well as the public to be there as the
2 summer continues? So that is to be determined. In
3 the interim, the mayor is encouraging people that
4 live nearby to go there. Not to get on public
5 transportation, not to get on the bus. If you live
6 thereby, you treat the beach as an open space. But
7 not for swimming. Walking, strolling, running,
8 staying for a few minutes. In terms of securing it,
9 we are now going to put some temporary fencing at the
10 entrance is. Then, if people are unable to comply
11 with social distancing roles, we will have to close
12 off access to those beaches. We hope it doesn't come
13 to that. We want to keep them open, but that is our
14 plan. We work with both PD and parks are working the
15 plan that we will have to monitor all the entrances
16 to the public beaches to ensure that people do not go
17 on if, in fact, they cannot social distance.

19 CHAIRPERSON KOO: But if the beaches are
20 open and people jump in the water, what would-- how
21 would you keep people from doing that? I mean, would
22 you arrest them after they come back or--? Or you
23 chase them--

24 COMMISSIONER SILVER: 12 months--

25 CHAIRPERSON KOO: in the water?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 231

2 COMMISSIONER SILVER: 10 months out of
3 the year, but beaches are open for people to walk and
4 stroll. It is, in the summer time, it gets hotter
5 and people are tempted to go into the water. We will
6 both have the police, we will have parks enforcement,
7 we will have parks security and social ambassadors to
8 make sure we send the message that people are not to
9 be in the water. And so our parks enforcement patrol
10 are used to this. The police are used to this.
11 During the summer from 10 to six, you can swim, but
12 after that-- in a normal season. And they do
13 routinely tell people before 10 and after six that
14 they should not be in the water when lifeguards are
15 not on duty. So this is something that we're
16 familiar. That we do it almost every year. And so
17 we're prepared to execute that plan this year.

18 CHAIRPERSON KOO: So you have to have an
19 increase in staff to--

20 COMMISSIONER SILVER: Yes.

21 CHAIRPERSON KOO: monitor the people.

22 COMMISSIONER SILVER: That's correct.

23 CHAIRPERSON KOO: [inaudible 05:59:11]

24 COMMISSIONER SILVER: We're hiring--
25 Yes. We have the police department. We have our

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 232

2 parks enforcement patrol, and now we are training a
3 parks security force. We call them CSA's. They are
4 being trained and hired, as we speak, to be deployed
5 at our beaches.

6 CHAIRPERSON KOO: So, are these people
7 already in swimming gears to prevent people from
8 going in the low water or they just waiting for them
9 to come back after swimming and then--

10 COMMISSIONER SILVER: Most people are
11 compliant. They understand the risks of going into
12 the water when the lifeguard is not on duty. Most
13 people know our red flag system. There is signage
14 when you enter the beach. Most people are compliant
15 and we expect people to be a heightened level of
16 caution because of COVID and the Mayor's strong
17 recommendation that, if people cannot comply, then
18 the beaches will be closed. So, I'm confident New
19 Yorkers will follow the rules and so we will follow
20 the same procedures we have had in past years when
21 the lifeguard is not on duty. We instruct people to
22 get out of the water and they usually comply.

23 CHAIRPERSON KOO: But if you are losing
24 roughly 300 workers and not hiring seasonal workers,
25 who will enforce these rules?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 233

2 COMMISSIONER SILVER: We got the approval
3 to hire seasonals, about 400, and a majority of
4 them-- a good portion of them will be what we call
5 our CSA's. We have our PEP, enforcement patrol, and
6 then we have our parks security. They are the
7 individuals at our beaches every single summer. They
8 are now being hired and prepared to be deployed out
9 to the beaches this summer. So that work is already
10 underway for those seasons.

11 CHAIRPERSON KOO: Okay. So you are hiring
12 a few hundred seasonal workers.

13 COMMISSIONER SILVER: We got
14 authorization-- Correct. We were given
15 authorization to hire about 400 seasonals.

16 CHAIRPERSON KOO: Okay.

17 COMMISSIONER SILVER: It's way lower than
18 what we usually have, that that is what we need to
19 make sure that the beaches are secure. So we are
20 very grateful to the administration for authorizing
21 those seasonals so that now we can put them out there
22 and our beaches and throughout our park system so, at
23 least, it is going to help a lot.

24 CHAIRPERSON KOO: Okay. The next question
25 I have is on summer camp suspension. The fiscal 2021

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 234

2 executive plan includes savings of 634,000 dollars
3 resulting from the suspension of parks summer camp
4 programs this year.

5 COMMISSIONER SILVER: Correct.

6 CHAIRPERSON KOO: Approximately 100
7 positions will not be filled due to the recession,
8 impacting 1000 young children.

9 COMMISSIONER SILVER: Yes.

10 CHAIRPERSON KOO: So, with the public
11 polls close and [inaudible 06:01:56] camps suspended,
12 can you please explain what alternative program DPR
13 will offer to-- I already asked this question
14 already. You already answered this question.

15 COMMISSIONER SILVER: But I was going to
16 politely answer it again. But thank you, Council
17 member.

18 CHAIRPERSON KOO: Yeah. Sorry. Yeah. I
19 read the one page. Yeah. So, I will more question.
20 That's it. Yeah. Then I will turn it over to other
21 members. This is about tree pruning. For fiscal
22 2021 executive plan includes a reduction in 5.7
23 million dollars in fiscal 2021 for tree pruning
24 contracts in fiscal 2021 due to COVID-19 pandemic.
25 That reduces the budgeted amount for tree pruning in

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 235

2 fiscal 21 to 3 million dollars, leaving an estimated
3 57,000 trees and pruned this coming year. What
4 impact will this reduction have on the department's
5 current tree pruning cycle of seven years and how
6 will these 57,000 trees be accounted for in the
7 future?

8 COMMISSIONER SILVER: Well, it's a one-
9 year reduction, but I will now ask Commissioner
10 Kavanagh, who heads up a forestry division, to go
11 into more detail about the impacts.

12 CHAIRPERSON KOO: So you don't know?

13 COMMISSIONER SILVER: No. I have my
14 general knowledge, but Commissioner Kavanagh heads up
15 our forestry division. It is a one-year reduction,
16 but I wanted Commissioner Kavanagh to go into more
17 detail about the impacts. So he can share with you
18 what it means.

19 CHAIRPERSON KOO: So, going back to the
20 400--

21 COMMISSIONER SILVER: I don't know if you
22 want to hear from Commissioner Kavanagh, sir.

23 CHAIRPERSON KOO: Oh, ok. Yeah.

24 COMMISSIONER KAVANAGH: Am I unmuted? Can
25 you hear me?

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 236

2 CHAIRPERSON DROMM: Yes. We can hear
3 you now.

4 COMMISSIONER KAVANAGH: Okay. So, yes.

5 The reduction in tree pruning will eliminate, as
6 Council member Koo said, approximately 57,000 trees
7 that were scheduled to be pruned. Not a good
8 situation. We would like to continue that program.

9 It is really been one of the strong points of urban
10 forest management approach. The good news, however,
11 is we have pruned over 200,000 trees in the three
12 prior fiscal years. This reduction will extend the
13 pruning cycle only for about a half year. So, we're
14 at about a seven year cycle right now. If this
15 reduction is for one year, it will extend it out to
16 seven and a half years. Not ideal, but it is
17 something that we can accommodate. I will point out
18 that, during the recession, we had to absorb similar
19 reductions in our tree planting-- tree pruning
20 program, pardon me, in FY 10, 11, and 12 to similar
21 levels than what we are looking at for this coming
22 fiscal year. And we're able to get back on track
23 thanks to the funding of both the administration and
24 Council and we will be looking to do that once, you

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 237

2 know, the economy improves and the city's budget
3 picture is a little bit more clear.

4 CHAIRPERSON KOO: Thank you.

5 CHAIRPERSON DROMM: Okay. Before we go
6 on, I want to just say that we have been joined by
7 other Council members and they are Council members
8 Moya, Gjonaj. And I believe that is it. You know
9 I'm going to go to Council member questions.

10 Committee counsel, would you please announce the
11 first Council member?

12 COMMITTEE COUNSEL: If any Council
13 members have questions for the administration, please
14 use the Zoom praise and function and you will be
15 added to the queue. Council members, please keep
16 your questions to three minutes, including answers.
17 Please wait for the Sergeant-at-arms to tell you in
18 your time begins. The Sergeant will then let you
19 know when your time is up. We will now hear from
20 Council member Grodenchik followed by Council members
21 Holden and Levine. Thank you.

22 SERGEANT-AT-ARMS: Council member, your
23 time starts now.

24 COUNCIL MEMBER GRODENCHIK: Thank you.
25 Good afternoon, Commissioner, and all the other

2 people that are with you. It is good to see you.

3 Commissioner, just to build a little bit about--

4 Chair Koo talked about her beaches, but I also want

5 to add to that, in Nassau County, they are playing

6 golf. In Westchester County, they're playing golf.

7 Tennis courts are opening in Nassau County and the

8 state beaches are opening on Long Island. And I

9 realize, with the beaches, most New Yorkers can't

10 walk to the beach. They have to take the train or

11 drive. On Long Island, you can, pretty much, only

12 drive except to take the bus from Freeport to Jones

13 Beach. We need to get our parks open to the greatest

14 extent possible and I would like to know-- and I

15 understand, you know, playgrounds. It breaks my

16 heart. Every time I am in Cunningham Park or Alley

17 Pond or wherever I am and I see a playground closed,

18 but we need to really get whatever we can open.

19 Socially distancing on a golf course, on a tennis

20 court, if you have to limit it to singles. We've got

21 to get these things open. I would like to know what

22 your plan is if you have one. I assume you are

23 thinking about this.

24 COMMISSIONER SILVER: Thank you for the

25 question, Council member. It is good to see you.

4 Nice background of the Queens Farm. So, the answer
5 is we are having those conversations right now with
6 the Mayor's Office to try to interpret the governor's
7 guidance. We do have a plan about phase I, phase II,
8 and phase 3 in terms of what can open. And the golf
9 courts and tennis courts-- tennis courts and golf
10 courses is in that phase 1 launch. We want to make
11 sure that we interpret what the government is saying
12 correctly. So, those conversations are ongoing,
13 specifically for tennis courts and for golf. So we
14 hear you loud and clear. We just want to make sure,
15 as we work with the Mayor's Office and the Mayors
16 Council in interpreting the governor's executive
17 order, that we hope that will have an answer to you
18 on both of those very soon.

19 COUNCIL MEMBER GRODENCHIK: Well, the golf
20 courses in the tennis courts are open and other parts
21 of-- certainly in Westchester and Nassau and we have
22 the oldest municipal golf course in the country that
23 Van Cortlandt Park, so I would like to see those
24 opened. The last question I have-- and it may not
25 be easy, but I'll take it if I can get it. You know,
I know that certain things like the pools aren't
currently planned to be open this summer and I hope

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 240

1 they are because I don't want to imagine New York
2 City without pools being open, but do you know what
3 percentage of the cuts that you have taken to the
4 parks, which, you know, are just unbelievable in my
5 mind, but I understand the situation we are in. What
6 part of those cuts are for services that are no
7 longer being provided or won't be provided in the
8 next fiscal year? Like if the pools aren't open, you
9 are saving X. If the beaches aren't open, you are
10 saving money. But I am just wondering how much of
11 that you wouldn't have spent otherwise.
12

13 COMMISSIONER SILVER: That is hard to
14 say. Clearly, the pools is the big one and, because
15 we are already started hiring seasonals for the
16 pools-- that happens back in March-- and we have to
17 service the polls, there is just no time to do it.
18 So the pools are lost just for this season. Of
19 course, straddles--

20 SERGEANT-AT-ARMS: Time expired.

21 COMMISSIONER SILVER: two fiscal years,
22 but I don't expect that to happen by next summer.
23 And then, and it's hard to answer your other question
24 because most of our cuts were absorbed in contracts
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 241

2 and then some seasonals that were hired. So, I don't
3 expect that to be the same in case next year.

4 COUNCIL MEMBER GRODENCHIK: Thank you,
5 Commissioner. Thank you, Chairs.

6 CHAIRPERSON DROMM: Move on to the next
7 Council member, please.

8 COMMITTEE COUNSEL: Council member
9 Holden, followed by Council members Levine and
10 Gibson. Thanks you.

11 SERGEANT-AT-ARMS: Council member Holden,
12 your time starts now.

13 COUNCIL MEMBER HOLDEN: Hi, Commissioner.
14 Thank you, Chair. I know that special event
15 permanence and activities has been put on hold. Is
16 parks open to some ideas that we could hold events
17 that have kind of built in social distancing? For
18 instance, I have had a lot of constituents come to me
19 about possibly holding a drive-in movie inside a
20 large parking lot within Forest Park, for instance.
21 Would you be open to that?

22 COMMISSIONER SILVER: Well, for right
23 now, we are looking at drive-ins, citywide. The
24 recommendation has come up, so we are having those
25 conversations right now with the administration to

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 242

2 see what we could do. In terms of smaller events,
3 those that can socially distance. As I mentioned in
4 the previous question, we are looking at that phase 1
5 and what could open where people can socially
6 distance and how many people. But, that is separate
7 from your question. We are looking at drive-ins. We
8 need to believe this is something that is possible.
9 We just want to get some confirmation before we get
10 those activities up and running.

11 COUNCIL MEMBER HOLDEN: Great.

12 COMMISSIONER SILVER: And that is a
13 number of parks they are asking.

14 COUNCIL MEMBER HOLDEN: Great. The 30
15 million in street tree planting, I know that there
16 are some trees that are easier to plant because the
17 tree pits are there already. Some have that the
18 sidewalk has to be broken. I mean, I get a lot of
19 calls. It's probably my second-biggest call pre-
20 pandemic was street trees. And since we were put on
21 hold for such a long time. 3000 dollars for his
22 street tree to be planted seems way out of line.
23 It's almost double, I think you would mentioned. Are
24 there any thoughts of possibly doing some tree
25 plantings in house and even hiring people to do that

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 243

2 in sort of a seasonal idea? Because I think parks
3 could plant the tree, even if we hired seasonal
4 workers. They could plant trees much cheaper than
5 3000 dollars per tree.

6 COMMISSIONER SILVER: Well, I'll take the
7 first part of the answer. Then Commissioner Kavanagh
8 will answer the second part. As the Commissioners
9 stated earlier, we don't set the prices. We put it
10 out there to bid and this is what we are getting. We
11 would like to see it lower. We actually put out a
12 bid and then put out another one because we were not
13 satisfied with the high price. And so, that is
14 something that we are not happy seeing, as well.
15 Street trees or something staff does not do. There
16 are certain requirements to water the tree. We have
17 to guarantee the tree does not die and it is very
18 different equipment than having in house staff do it.
19 We can plant trees in parks, but a street tree is
20 very, very different. And so I hear your question.
21 That is something I will see whether Mr. Kavanagh
22 wants to add to that.

23 COUNCIL MEMBER HOLDEN: Well, I was
24 thinking more of like a WPA kind of a program to get
25 people back to work. Then the city can do with

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 244

2 construction workers that are out of work and so
3 forth and so on. But that is another conversation.

4 COMMISSIONER SILVER: Okay.

5 COUNCIL MEMBER HOLDEN: I just want to
6 mention, again--

7 SERGEANT-AT-ARMS: Time expired.

8 COUNCIL MEMBER HOLDEN: I just want to
9 mention about getting more volunteers involved since,
10 you know, we have been through this before with
11 parks. Parks never has enough money and parks is
12 always the first or the organization that takes the
13 biggest hit. So, I would really like to step up the
14 volunteer program, if we can. And I will certainly
15 want to have some input on that. Thank you.

16 COMMISSIONER SILVER: Thank you, Council
17 member.

18 CHAIRPERSON DROMM: Council member,
19 please.

20 COMMITTEE COUNSEL: We next have
21 Council member Levine followed by Council members
22 Gibson and Cohen.

23 SERGEANT-AT-ARMS: Council member Levine,
24 your time starts now.

25

2 COUNCIL MEMBER LEVINE: Thank you very much
3 and thanks, Chair Dromm and Chair Koo, and
4 Commissioner. In team, great to see you. Parks have
5 always been important to the city, import into the
6 life of the city. Important to the health of the
7 city. At this moment, I think they are more critical
8 than ever. There is no way we can maintain health in
9 the midst of this pandemic without parks. There is
10 no way we can recover safely in the months and years
11 to come without parks. Your department now,
12 Commissioner, is in charge of critical public health
13 infrastructure in the midst of this pandemic. We
14 need parks more than ever and I think decisions that
15 we make related to parks, related to park access, the
16 parks maintenance, need to be made based solely on
17 public health considerations. That is what is on the
18 line right now. If we decide our decisions on to
19 open everything from beaches to playgrounds to water
20 features, and needs to be made based on public health
21 considerations alone. That is the frame with which I
22 am viewing the entire budget process related to the
23 parks department right now. It takes a lot of staff
24 powered to maintain 2000 city parks when they are
25 very being used as heavily as they are now. And I am

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 246

2 extremely concerned that cuts to your staffing will
3 make it impossible for you to provide adequate
4 maintenance. I am a strong advocate for maintaining
5 the staffing levels in the parks department for that
6 reason, but I do want to use my short time left just
7 ask one or two questions on this. So, to what extent
8 can you assure us that questions about access to all
9 these features I have mentioned is going to be made
10 based on public health considerations, not cost
11 considerations?

12 COMMISSIONER SILVER: Council member, you
13 are correct. It is based on public health
14 considerations. We have done our plan. We are now
15 working with both the Mayor's Office and the Public
16 Health department to look at how those are going to
17 be opened up. They are all based on the ability to
18 social distance and there are certain things we may
19 not be able to open up for those very reasons. So,
20 we do have, leaves, those [inaudible 06:15:43].
21 Those phases have not been adopted. They are
22 proposed because we were doing this thinking back in
23 early April. Then we knew, if we were going to
24 close, we had to reopen. So, I am giving you my
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 247

2 assurance, all these decisions are based on public
3 health considerations.

4 COUNCIL MEMBER LEVINE: Yeah. And that is
5 good to hear. I think the Mayor has acknowledged
6 some planning underway now for the possibility of
7 reopening the beaches. I believe we can do that in a
8 safe way and we should do that. Is there similar
9 planning underway for playgrounds? Water features?
10 And some of the other components of parks which are
11 now closed?

12 COMMISSIONER SILVER: The answer is yes.
13 We're also working with the National Recreation Park
14 Association on--

15 SERGEANT-AT-ARMS: Time expired.

16 COMMISSIONER SILVER: I'm on a weekly
17 call to see what our colleagues across the country
18 are doing. But we're fighting those. And the ones
19 you mentioned, playgrounds, basketball courts, those
20 are very difficult to social distance, really are one
21 of the latter phases. But we are looking at all of
22 those to see exactly what we can open up safely and
23 be able to monitor those. So the answer to your
24 question is yes.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 248

2 COUNCIL MEMBER LEVINE: My time is up.

3 Very quick final point. 10 seconds on this. I'm all
4 for people volunteering in our parks. It is
5 critical. I'm all for people contributing money now
6 to our parks. The philanthropic is more important
7 than ever, but that needs to be seen as an
8 enhancement to what we can do to the parks department
9 proper. There is just no substitute for the kind of
10 resources that you have at your disposal and there is
11 no substitute for robust staffing. Parks department
12 staffing right now. All the volunteer work in the
13 world is not a substitute for the gardeners of the
14 maintenance workers and the PEP officers and the park
15 rangers. We need them. We need them now more than
16 ever and I stand by the effort to restore a strong
17 parks budget during this difficult health crisis.

18 Thank you, Mr. Chair. And thank you, Commissioner.

19 CHAIRPERSON DROMM: Thank you. We will
20 go to our next Council member, please.

21 COMMITTEE COUNSEL: Council member
22 Gibson, followed by Council members Cohen and Rivera.
23 Queue.

24 COUNCIL MEMBER GIBSON: Hi, everyone.
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 249

2 SERGEANT-AT-ARMS: Council member Gibson,
3 your time starts now.

4 COUNCIL MEMBER GIBSON: Hi, everyone. Good
5 afternoon, Commissioner Silver, and thank you--

6 COMMISSIONER SILVER: Good afternoon.

7 COUNCIL MEMBER GIBSON: Chairs Dromm and
8 Chair Koo and all of my colleagues. I appreciate the
9 chance to talk to you about our most prized
10 treasures, our open space and parks in our city. And
11 certainly I want to echo the sentiments of many of my
12 colleagues because I know we have lost a number of
13 New Yorkers to the COVID-19 pandemic can I join you,
14 Commissioner, and your team in thinking all of our
15 urban park rangers and parks staff and the PEP
16 officers. Certainly, I have to shout out my Bronx
17 Commissioner, Iris Rodriguez Rosa who has been very
18 helpful on the ground. We distributed thousands of
19 face coverings at our local parks and I have a rec
20 center, the West Bronx rec center that is an active
21 site for distributing food. So, I am grateful that
22 we are doing the very best we can under the
23 circumstances. So, I wanted to ask a couple of
24 questions specifically related to capital because the
25 governor's executive order suspended nonessential

COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 250

1 construction and I wanted to understand from parks
2 perspective, how many park projects have been able to
3 continue because they are defined as essential and do
4 we have a plan when the nonessential construction
5 began to move a lot of these projects? And then,
6 moving forward, the Mayor has talked about a lot of
7 capital projects moving that have a real public
8 safety and public health overall priority and where
9 does that leave our parks? And then, the second
10 question I have is, obviously, many of us are really
11 heartbroken about not opening pools this summer, but
12 I really understand and wanted to understand are
13 there any conversations that we are having about
14 placement programs? We can't replace a pool, but are
15 there any alternative measures that we are looking at
16 that could really provide some sort of replacement
17 option for many of our participants and their
18 children?
19

20 COMMISSIONER SILVER: Thank you, Council
21 member, for both of your questions. It is good to
22 see you. In terms of capital projects, we look very
23 carefully at the governor's order. We have 243
24 construction projects, only 19 right now work is
25 underway. In some cases, even if they are essential,

1 the contractors decided not to continue work. Then
2 we are working with OMB and the Mayor's Office on
3 getting an assessment on some of the other projects
4 we determined to be essential. So, right now, there
5 are 19 out of 243. The rest are on pause.

7 COUNCIL MEMBER GIBSON: Wow.

8 COMMISSIONER SILVER: In terms of pools,
9 it is too late. I mentioned earlier that our hiring
10 started back in March and then we need to second
11 wave. Plus, we are concerned about being able to
12 social distance at our pools. But, if you heard the
13 mayor announce our extreme heat plan, we are looking
14 at listings stations, locating that fire hydrants,
15 working with FDNY and DEP. And, as playgrounds open,
16 we have some more option. We are looking at whether
17 we can adapt that program, the cooling program to be
18 in other places throughout the city so, at least,
19 people can cool off. It may not be extreme heat, but
20 can have some fun. So, we are working with some
21 options. All water play program. But at this point
22 in time, it all depends on playgrounds. It all
23 depends on working with the other agency is of what
24 we can activate. So, we are thinking about those
25 things.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 252

2 SERGEANT-AT-ARMS: Time expired.

3 COUNCIL MEMBER GIBSON: Okay. Thank you so
4 much, Commissioner. We will follow up--

5 COMMISSIONER SILVER: Thank you.

6 COUNCIL MEMBER GIBSON: offline. Thank
7 you--

8 COMMISSIONER SILVER: Perfect.

9 COUNCIL MEMBER GIBSON: so much. Thanks,
10 Chair.

11 CHAIRPERSON DROMM: Okay. Thank you.

12 And let's go to our next Council member.

13 COMMITTEE COUNSEL: Council member
14 Cohen, followed by Council members Rivera and all
15 rich.

16 COUNCIL MEMBER COHEN: Thank you, Chairs.

17 SERGEANT-AT-ARMS: Council member Cohen,
18 your time will start now.

19 COUNCIL MEMBER COHEN: Thank you, Chairs.

20 It's good to see you, Commissioner, and your team.

21 One, I just want to follow up on the pools. You're
22 saying that tomorrow, if Mayor de Blasio tells you to
23 open the pools, you cannot do it this season?

24 COMMISSIONER SILVER: No. We start our
25 lifeguard training and hiring for our seasons--

1 There's one wave in March, another one May 1st.

2 Those seasonal plans were rescinded and so we could

3 not continue. There's no way would can train our

4 lifeguards that quickly to get them onboard for the

5 pool season. And that was just part of some of the

6 cuts for FY 20. So, plus we have to service the

7 pools, prep the pools, prepare the pools. So, none

8 of that was-- once the seasonals were pulled and we

9 knew we could not get the lifeguards and we could not

10 socially distance at the time to train. So, there

11 was a lot of complications. Believe me, this was a

12 hard decision. The Mayor knows how important goals

13 are to the city, but just a number of factors about

14 not being able to social distance to train--

15 COUNCIL MEMBER COHEN: [interposing] have

16 a second point I want to make, so I'm going to--

17 COMMISSIONER SILVER: Yep.

18 COUNCIL MEMBER COHEN: sorry. You know,

19 Commissioner, you and I have a very good

20 relationship. This should have been a budget where

21 we were talking about, you know, you and I had a lot

22 of ribbon-cutting scheduled for the spring that are

23 not happening.

24 COMMISSIONER SILVER: Right.

2 COUNCIL MEMBER COHEN: But, You know, I'm
3 concerned that you are going to be holding the bag
4 for a very bad situation. Because, while it is true
5 that I think most New Yorkers are taking social
6 distancing seriously, there are a lot of who aren't
7 and parks is going to be where they are not going to
8 do it. And, when there are videos of people on the
9 beach, you know, packed cheek to jowl playing
10 volleyball, people are going to be looking at you.
11 And I think that the COVID response needs to be
12 comprehensive, as parks is a part of it. And you
13 being left just, sort of, you know, out here like, I
14 am the Parks Commissioner, it doesn't make sense to
15 me. Like without NYPD, I just, you know? I could at
16 the beach. Commissioner Kavanagh knows I love the
17 beach. And I also know that New Yorkers do whatever
18 they want at the beach, by March. And on the best of
19 days. So, I'm really concerned that this is sort of
20 standalone parks and that Parks is out on their own
21 here. We're going to see some pictures and see this
22 summer that we are not going to like them are not
23 going to feel good about and we need to be proactive
24 about planning to accommodate New Yorkers and the way
25 they want to behave.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 255

2 COMMISSIONER SILVER: Council member
3 Cohen, thank you for the question. If I wasn't
4 clear, this is in cooperation with NYPD. There are
5 going to be playing a major role on the beaches and
6 the reason why we are putting up the semi-temporary
7 fences, is there will be the dots with the chain-link
8 fence with gates. If New Yorkers aren't going to
9 comply-- we see volleyball, number one. That can't
10 happen. Then we are going to have to start limiting
11 access. We are now doing [inaudible 06:23:52] Domino
12 Park, Sheep's Meadow, Hudson River Park, it will be
13 no different at the beaches. Parks will not be doing
14 this alone. We, along with PDA will be roving on the
15 beaches and making sure people on getting in the
16 water. That they are there to walk. But no sports
17 will not be allowed and not be tolerated. Otherwise,
18 we will just cut off access because we don't believe
19 it is safe. So, I assure you that is the plan going
20 forward and that is the plan the Mayor had announced.

21 COUNCIL MEMBER COHEN: Okay. Well, I'm
22 not sure what the answer is, but I think that you're
23 going to face some incredibly challenging season and
24 I--

25 SERGEANT-AT-ARMS: Time expired.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 256

2 COUNCIL MEMBER COHEN: wish you the best
3 of luck.

4 COMMISSIONER SILVER: Thank you, Council
5 member.

6 CHAIRPERSON DROMM: Okay. Thank you.
7 We will go to our next Council member, please.

8 COMMITTEE COUNSEL: We have Council member
9 Rivera followed by Council member Ulrich and Council
10 member Menchaca. Thank you.

11 SERGEANT-AT-ARMS: Council member Rivera,
12 your time starts now.

13 COUNCIL MEMBER RIVERA: Thank you very
14 much. Hello, everyone. Good afternoon. Just to
15 follow up on the pools question-- and I know we've
16 asked you a lot about pools and beaches, but we are
17 so, so worried about what people will do this summer,
18 specifically young people. And I am lucky to have a
19 few pools in my district and they are very, very
20 highly utilized. So, is the constraints that you are
21 facing financial because you had the budget cuts to
22 training you were unable to train the necessary
23 individuals in order to open our pools, even if you
24 are allowed to do so tomorrow, is that correct?

25

2 COMMISSIONER SILVER: Right. The issue
3 is not financial. To be very clear, we looked at how
4 this pandemic would be affected over the summer.
5 While it may be saved to be in the pool, there is
6 cueing on lines. They are locker rooms, their close
7 proximity on a pool deck. But, more importantly, we
8 could not figure out how to effectuate our lifeguard
9 training and be in close proximity to one another.
10 So, that became a bit of a challenge and, when we
11 realized we could not-- we had to suspend our
12 lifeguard training-- they start back in January to
13 condition themselves, certify, take a test. With the
14 body contact, there was no way, being in the water,
15 to have a mask and socially distance. So, that
16 became a huge challenge. We now are focusing
17 differently on the beaches about how we can train our
18 lifeguards by spreading them out in more rec center
19 poles, since they are closed, but that was the main
20 issue. One, we are concerned about social distancing
21 at the pools and also how to train our lifeguards.
22 So, that's why we recognize that it is best offer
23 that as a cut.

24 COUNCIL MEMBER RIVERA: Okay. And, in
25 terms of the beaches, you know, I know you're working

1 closely with the NYPD. Because I also have a very
2 strong feeling that people will be taking the train,
3 even if they are only running on the hour to get to
4 Coney Island and Far Rockaway. So, I guess the
5 enforcement will start in the MTA. I am not sure how
6 you are really going to handle that, but I know you
7 have given us a little bit of a preview. I just want
8 to ask-- I know you cancelled the summer camp
9 program. That's for safety because, I guess, the
10 crowding and the young people. Have you explored,
11 you know, any other alternative youth programs? I
12 mean, it is just going to have such a huge impact and
13 we haven't really heard anything from DYCD. So, I
14 just want to ask whether you are offering anything--
15 I don't know. Innovative. And then, I just want to
16 fast-forward a little bit to the fall because we're
17 going to start on the east side pools resiliency
18 project, which is closing a portion of the East River
19 Park, the largest park in my district. Parks has
20 several mitigation initiatives to open up green space
21 and the project catchment area, including planting
22 1000 street trees, keeping maintenance workers in the
23 community, and increasing staff and playground
24 associates. What is the plan for ESCR mitigation
25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION

259

2 initiatives? What is the status of the parks
3 improvement? We saw cuts to street tree planting.
4 Is that going to affect the thousand trees that are
5 planted in my community? And then, of course, to
6 keep maintenance workers in the district, if you are
7 not--

8 SERGEANT-AT-ARMS: Time expired.

9 COUNCIL MEMBER RIVERA: if you are not
10 renewing the maintenance workers in the Play Fair
11 campaign, will we be seeing a reduction in
12 maintenance workers in my district? So I know the
13 first question was about whether there was any summer
14 alternatives or maybe you are working with other
15 agencies to provide something virtually or-- I'm not
16 really sure. I would just like to hear some idea
17 from the admin and then about ESCR. And thank you.
18 Thank you, Chairs, for the time.

19 COMMISSIONER SILVER: So, just in terms
20 of some alternate activities, the answer is yes. We
21 are working on a number of efforts. We're just doing
22 out planning exercises to see what we can do. As I
23 had mentioned, we are looking at drive in movies.
24 We're looking at water play. But it does rely on
25 certain aspects being open where we can safely social

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 260

2 distance. So that's to be determined based on public
3 health guidance. On ESCR mitigation, unfortunately,
4 everything right now is on pause in terms of
5 mitigation. So that is something we cannot continue
6 at this time until the pause is lifted. So,
7 unfortunately, Council member, that is something we
8 cannot continue. And in terms of just the impact of
9 maintenance workers, as I said earlier, as we look at
10 those reductions, we're going to do some
11 redeployment. Playgrounds are closed, we have
12 redeployed those city Park workers and also Park
13 Associates that worked in those parks. So we are
14 watching those service levels very closely. There
15 may be a drop in some service levels, but we will
16 continue to make sure all of our parks are serviced.

17 COUNCIL MEMBER RIVERA: Thank you so much.
18 Thank you, Chairs, for the time.

19 CHAIRPERSON DROMM: Okay. Thank you.
20 We will go to our next Council member now.

21 COMMITTEE COUNSEL: Council member
22 Menchaca followed by Council member Gjonaj and Yeger.

23 COUNCIL MEMBER MENCHACA: Hi,
24 Commissioner.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 261

2 SERGEANT-AT-ARMS: Council member,
3 your time starts now.

4 COUNCIL MEMBER MENCHACA: Thank you.

5 I'm going to follow up on the parks. Specifically,
6 sorry, the pools. We have two pools in District 38,
7 Sunset Park and Redhook. So I am also very

8 interested to figure out what week and begin to plan

9 in anticipation of restoration of some sort because

10 it is part of this larger youth initiative, which we

11 plan to save in the budget. So, are you open to the

12 starting of smaller group or task force like people

13 to engage on how we can kind of ramp up this? And

14 really attack the issues that you are bringing out in

15 terms of getting the lifeguards up and going, etc.?

16 Like can we bring a group of people together to give

17 you a plan to be ready to go once the budget gets

18 finalized?

19 COMMISSIONER SILVER: In term of the

20 lifeguards, that window had passed. It is too late

21 now for this summer. There is a possibility for

22 beach lifeguards, but it will not be Memorial Day and

23 we don't know when it will be when, in fact, occurs.

24 But for the poor lifeguards, that window had already

25 passed. And the higher the seasonals for the pools,

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 262

2 for the step ups, to train the lifeguards, it's just
3 not enough time because you have to hire them, train
4 them, certified them. There is just no more time.
5 So, sadly, for the pools, this is going to be a lost
6 opportunity. We are now hoping for the beaches.

7 COUNCIL MEMBER MENCHACA: Okay. Okay.

8 I want to move on.

9 COMMISSIONER SILVER: It's difficult. My
10 birthday is June 27th. I usually jump in a pool
11 every year. It's an occasion for me and this year is
12 number six day, so I thought it would be a very
13 supercool, but it's heartbreaking knowing New York
14 City--

15 COUNCIL MEMBER MENCHACA: It is.

16 COMMISSIONER SILVER: without their
17 summer pools. It's heartbreaking.

18 COUNCIL MEMBER MENCHACA: It is. We're
19 going to come back to that.

20 COMMISSIONER SILVER: Okay.

21 COUNCIL MEMBER MENCHACA: So, the next
22 question is really about Redhook and the incredible
23 mitigation plans around the soccer fields. The kind
24 of 10 year plan to mitigate the lead and other
25 metals. That work has kind of slowed or potentially

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 263

2 stopped and I kind of wanted to get a sense from you
3 about that, as, potentially, essential because it is
4 exposed right now took people, as a construction
5 site. So, I wanted to get a sense of update on that.

6 COMMISSIONER SILVER: Thank you for the--

7 COUNCIL MEMBER MENCHACA: [inaudible

8 06:31:48]

9 COMMISSIONER SILVER: question.

10 Actually, that is one of the projects we're trying to
11 move into the essential category. So we are very
12 optimistic that could happen, but you actually picked
13 one that I've mentioned quite a few times. So, thank
14 you for the question. And we would like to have
15 conversations to see whether we can get that moved
16 into essential.

17 COUNCIL MEMBER MENCHACA: Well, let us
18 know what you need for us and the Congress member
19 because I think we are all looking at that and we
20 will support you in making them the central project
21 to finish up.

22 COMMISSIONER SILVER: All right. Thank
23 you.

24 COUNCIL MEMBER MENCHACA: Thank you,
25 Commissioner.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 264

2 COMMISSIONER SILVER: And I to want to
3 make a clarification on the beaches. We are now
4 going to wait to install the sentencing if there is
5 noncompliance. There won't be fencing put up right
6 away. So, we just want to be clear about the
7 sentencing on the beach. We hope that--

8 SERGEANT-AT-ARMS: Time expired.

9 COMMISSIONER SILVER: people comply.

10 CHAIRPERSON DROMM: Okay. Next Council
11 member, please.

12 COMMITTEE COUNSEL: We have Council
13 member Gjonaj followed by Council member--

14 COUNCIL MEMBER GJONAJ: [speaking foreign
15 language]

16 COMMITTEE COUNSEL: Sorry. With
17 apologize, can we please have Council member Gjonaj
18 followed by Council member Yeger? Thank you.

19 SERGEANT-AT-ARMS: Council member, your
20 time will start now.

21 COUNCIL MEMBER GJONAJ: [speaking foreign
22 language]

23 COMMITTEE COUNSEL: Perhaps, let's go
24 on to Council member Yeger at this time.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 265

2 SERGEANT-AT-ARMS: Council member Yeger,
3 your time will start now.

4 COUNCIL MEMBER YEGER: Thank you, Mr.
5 Chairman. Good afternoon, Commissioner. I just have
6 two quick questions. I would appreciate it as
7 quickly as I ask, if you can answer them. Question
8 one is how many parks are currently locked or
9 otherwise inaccessible to New Yorkers?

10 COMMISSIONER SILVER: There are roughly
11 about 1000 playgrounds that are locked. I can get
12 you specific numbers on the other elements, but as
13 best [inaudible 06:33:38], but in terms of
14 playgrounds, we are 1000. We can get you the
15 specific numbers. I can go down to detail over 1000
16 playgrounds, over 300 comfort stations, 700
17 [inaudible 06:33:50] features, 1700 basketball
18 courts, 1900 handball court, almost 700 tennis
19 courts, over 100 volleyball courts.

20 COUNCIL MEMBER YEGER: Let me do the
21 following. Do you have, since you are reading it off
22 of something, do you have a list that we are able to
23 make public of how many are locked versus how many
24 exist so that New Yorkers could know, you know, is it
25 98 percent of them are locked? 92 percent? 12

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 266

2 percent? I think it's important to know where
3 exactly the lockdown occurs since Central Park isn't
4 locked out, but those in our neighborhoods are.

5 COMMISSIONER SILVER: We can share that
6 list. Yes.

7 COUNCIL MEMBER YEGER: The second question
8 I have, and maybe this is a little broader, but when
9 a parks maintain tree falls or is otherwise damaged,
10 as a city owned sidewalk, for example, from overgrown
11 roots or anything like that, roots, etc., how soon
12 does parks typically repair the broken sidewalk?

13 COMMISSIONER SILVER: All right. Let me
14 defer to Commissioner Kavanagh for that response.

15 COUNCIL MEMBER YEGER: Thank you,
16 Commissioner.

17 COMMISSIONER KAVANAGH: So, the trees and
18 sidewalk program is based on a score that is
19 developed on the-- based on the severity of the
20 defects and those with the highest score reading
21 received priority. There are over 30,000 requests in
22 our system. We, thankfully, have a significant
23 amount of funding in our capital program, right now,
24 to do a large number of them. However, I could not
25 give you an exact time. It depends on--

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 267

2 COUNCIL MEMBER YEGER: All right. Let me,
3 Commissioner--

4 COMMISSIONER KAVANAGH: the nature of the
5 defect.

6 COUNCIL MEMBER YEGER: Commissioner, I
7 don't mean to cut you off, but my time is limited and
8 the bell is unforgiving. So, let me ask another way.
9 Is there ever a time that a sidewalk is damaged--
10 with two respect to the scoring program, that a
11 sidewalk is damaged, and it, say, take two years for
12 parks to come out and fix it?

13 COMMISSIONER KAVANAGH: Yes.

14 COUNCIL MEMBER YEGER: How about three
15 years?

16 COMMISSIONER KAVANAGH: Yes.

17 COUNCIL MEMBER YEGER: How about four
18 years?

19 COMMISSIONER KAVANAGH: Yes.

20 COUNCIL MEMBER YEGER: Five years?

21 COMMISSIONER KAVANAGH: Yes.

22 COUNCIL MEMBER YEGER: Six years?

23 COMMISSIONER KAVANAGH: It could take that
24 long. Yes.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 268

2 COUNCIL MEMBER YEGER: Is it possible that
3 there are damage sidewalks-- sidewalks that were
4 damaged by city-owned trees that the damage occurred
5 prior to the Mayor de Blasio taking the oath of
6 office and that are still damage as we sit here
7 today?

8 COMMISSIONER KAVANAGH: Yes.

9 COUNCIL MEMBER YEGER: Okay. Thank you
10 very much, Mr. Chairman. I have no further questions
11 right now.

12 CHAIRPERSON DROMM: Thank you. We will
13 go to our next Council member, please.

14 COMMITTEE COUNSEL: Council member
15 Gjonaj. Thank you.

16 COUNCIL MEMBER GJONAJ: Thank you, Chairs.
17 Thank you, Commissioners. I want to make it really
18 quick. First of all, good to see you. I'm a little
19 concerned about this back and forth on beaches.
20 Beaches will be open, but no swimming permitted. I
21 believe we are making a grave mistake and setting up
22 for a terrible incident, does social distancing
23 regulations are going to be enforced. I am not sure
24 why we are going to go down this slippery slope. If
25 the beaches are open, people should be able to swim,

2 otherwise, close the beaches. Otherwise, you're
3 going to have another unfortunate incident. I act of
4 the same concerns about tree and sidewalk
5 replacements that we have trees-- I know there is
6 sidewalks that are waiting more than 10 years in my
7 own district to be repaired that are real trip
8 hazards. We have capital funded projects, including
9 a skate park that my community is excited for. Fully
10 funded last year. I need an update on that. Movie
11 nights, Orchard Beach. Thousand car parking lot that
12 could be utilized easily for drive in movie allowing
13 for social distancing. In my last question is Fourth
14 of July celebrations. We have been celebrating for I
15 don't know how many years now, day of independence on
16 Orchard Beach. Can I get a clear distinction and
17 direction? Are we going to be able to continue this
18 festivity which should be held, I believe, on June
19 30th is the scheduled date.

20 CHAIRPERSON SILVER: All right. Let me
21 get to your questions very quickly. Noted on the
22 beaches. As I stated, we are prepared, if people do
23 not comply, to close off the beach with fencing, if
24 necessary. So we are expecting New Yorkers to enjoy
25 this open space amenity. In terms of the drive

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 270

2 through, it is something that we are exploring. We
3 heard the recommendation from you, as well as others,
4 so that is something we are trying to get an answer
5 as quickly as possible. Unfortunately, on
6 construction, everything except essential is on Paul.
7 So, the skate park and other projects throughout the
8 city are on a pause until the pauses lifted when we
9 can start to continue working on our construction
10 projects. And, in terms of July 4th, up until the
11 end of June, the mayor said there should be no
12 special events or large gatherings until that time.
13 In my expectation is the mayor will then look at July
14 and make a similar recommendation. So, we are
15 waiting on his guidance for July. Right now, we're
16 not issuing or entertaining any other permits until
17 further notice.

18 COUNCIL MEMBER GJONAJ: Commissioner, with
19 30 seconds left, we have an open streets program that
20 was done on Rye Lander Avenue in the Bronx. One
21 block away, I have a closed city Park. It has a
22 playground. It is for blocks wide long. I have one
23 section of playground. That park is closed, but,
24 yet, we did an open streets one block away. Please
25 close my street and open it back up to the vehicle

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 271

2 traffic and open up the city Park with jar families
3 have been accustomed to going to. Is there anything
4 that you can share on this new--

5 SERGEANT-AT-ARMS: Time expired.

6 COUNCIL MEMBER GJONAJ: experience that we
7 are pursuing?

8 COMMISSIONER SILVER: Parks are not
9 closed unless we are unable to secure the playground
10 or elements within the park. We will certainly have
11 Commissioner Arriges [sp?] or our maintenance staff
12 take a look at it. But for precautions and safety,
13 is there are handball courts, basketball,
14 playgrounds, those are closed. If we cannot close
15 them, for whatever reason, then we have to close the
16 entire park. But we avoid closing parks and just
17 close features within parks but we will certainly--

18 COUNCIL MEMBER GJONAJ: My whole park is
19 closed.

20 COMMISSIONER SILVER: take a look at it.

21 COUNCIL MEMBER GJONAJ: My entire park is
22 closed. Thank you.

23 CHAIRPERSON DROMM: Move on to the next
24 Council member, please.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 272

2 COMMITTEE COUNSEL: Are there any more
3 Council members who have questions at this time?

4 There aren't any hands raised, Chair Dromm. If
5 Council member Koo doesn't have any questions, we may
6 be done.

7 CHAIRPERSON DROMM: Okay.

8 SERGEANT-AT-ARMS: Excuse me. Council
9 member Rosenthal is back on.

10 COMMITTEE COUNSEL: Ah. My apologies.
11 Council member Rosenthal had a question and has
12 rejoined us. Council member?

13 SERGEANT-AT-ARMS: Council member, your
14 time starts now.

15 COUNCIL MEMBER ROSENTHAL: Great. Thank
16 you. My apologies for the delay. Commissioner,
17 great to see you. I really appreciate you. Chairs,
18 thank you for everything you are doing. A couple of
19 quick questions. In my district, anyway, I'm not
20 seeing any signs in the entryways to the parks about
21 wearing masks. Is that something you plan on putting
22 up?

23 COMMISSIONER SILVER: Not at--

24 COUNCIL MEMBER ROSENTHAL: And what is
25 the timing? Thank you [inaudible 06:40:50]

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 273

2 COMMISSIONER SILVER: this time. That's
3 general guidance. Most of our science, if you
4 notice, either a playground is closed. We do not
5 have--

6 COUNCIL MEMBER ROSENTHAL: I thought--

7 COMMISSIONER SILVER: We do not have
8 signs in terms of ace coverings.

9 COUNCIL MEMBER ROSENTHAL: Are you
10 contemplating putting up signs to the entrances of
11 parks?

12 COMMISSIONER SILVER: It's something we
13 could contemplate. So, that is something I could
14 certainly take back to see what we can do. Yes.

15 COUNCIL MEMBER ROSENTHAL: Okay. I think
16 it would be really helpful. Secondly, are you
17 thinking creatively about how to open up some sort of
18 outdoor tennis and some of the fields in a safe way?
19 Can we open up-- Is there anything we can do there
20 safely and how about batting practice for baseball
21 teams or singles tennis? Or basketball skills
22 training? Stuff like that? And, lastly, at one of
23 my schools that I just drove by, the playground was
24 closed, but the school yards were open and families--

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 274

2 some were wearing masks and some weren't. So what's
3 the policy on the school yards?

4 COMMISSIONER SILVER: If it is under DOE
5 jurisdiction and is what we call a multi-purpose
6 area, that is fine. If we have the same, we keep
7 those open, as well. But I hear what you are saying
8 about what we can open up first. We are looking at
9 our phase one elements. Golf courses, tennis courts,
10 basketball court, unfortunately, is not in that first
11 launch. We attempted, early on, to allow it just for
12 people to play one on one or, at least, father and
13 son to play. We saw so much noncompliance, we took
14 down about 300 rims and then we had to take down rims
15 in 1700 courts. So we will see what we can allow
16 people to social distance.

17 COUNCIL MEMBER ROSENTHAL: Okay.

18 COMMISSIONER SILVER: But that's going
19 to take some time.

20 COUNCIL MEMBER ROSENTHAL: So, I just
21 want to express my concern, if I wasn't clear about
22 it. Parks, if I understand it, if it is not a DOE
23 yard, it is a parks yard. And what I am seeing is up
24 parks yard that is open.

25 COMMISSIONER SILVER: Yeah.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 275

2 COUNCIL MEMBER ROSENTHAL: So, there is a
3 playground that is closed and, right next to it, is a
4 public school yard that is open with no signage about
5 masks and some people wearing masks and some not.

6 COMMISSIONER SILVER: Right. We do not
7 currently have signs for masks. That is general
8 guidance from public health. Everything is running
9 on televisions, so I do know word is getting out
10 about wearing masks. We have not put-- we have
11 asked people to social distance and--

12 COUNCIL MEMBER ROSENTHAL: But why
13 couldn't--

14 SERGEANT-AT-ARMS: Time expired.

15 COMMISSIONER SILVER: [inaudible
16 06:43:27]

17 COUNCIL MEMBER ROSENTHAL: you just take
18 the signage you have for parks and-- or playgrounds--
19 and just put it on the yards?

20 COMMISSIONER SILVER: It's about 5000
21 signs, but it's something, like I said, we could
22 explore. We are telling people to social distance
23 and part of that does include wearing a face
24 covering. But I hear you. I hear you.

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 276

2 COUNCIL MEMBER ROSENTHAL: Thank you so
3 much.

4 COMMISSIONER SILVER: Fields that are
5 open--

6 COUNCIL MEMBER ROSENTHAL: My time is
7 out, but this feels not responsible to me. Thank
8 you.

9 CHAIRPERSON DROMM: Thank you very
10 much. That'll be all.

11 CHAIRPERSON KOO: Chair Dromm, I have a
12 question.

13 CHAIRPERSON DROMM: Okay. Yes.

14 CHAIRPERSON KOO: Commissioner, yeah, so I
15 want to ask how many parks or playgrounds are closed
16 because the playground cannot be closed?

17 COMMISSIONER SILVER: All of the
18 playgrounds are closed. We have over 1000
19 playgrounds. They are all closed. Was that your
20 questions? In terms of playgrounds?

21

22

23

24

25

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 277

2 CHAIRPERSON KOO: Well, but there's some
3 parks with a playground inside.

4 COMMISSIONER SILVER: Correct.

5 CHAIRPERSON KOO: So--

6 COMMISSIONER SILVER: There are a few
7 parks that, because-- let's take Seward Park in
8 Lower Manhattan. Because there was a playground in a
9 garden and the path is no way to close off the
10 playground, we had to close off the entire park
11 because we can only put up, maybe, barricade or tape
12 and we felt that was not sufficient enough to close
13 off that playground. So in very few cases, we had to
14 close off a larger element of a park because
15 basketball, handball, playground, and maybe another
16 another area, that we had to close off the whole
17 park. But those were a few cases. For the most
18 part, it was--

19 CHAIRPERSON KOO: So, how many?

20 COMMISSIONER SILVER: I can get you the
21 number. I do know there are 1000 playgrounds.

22 CHAIRPERSON KOO: Okay.

23 COMMISSIONER SILVER: I can't say, like
24 the Council member Gjonaj brought up, how many like
25 that that are in our system.

1 COMMITTEE ON FINANCE JOINTLY WITH GENERAL WELFARE,
COMMITTEE ON JUSTICE SYSTEM, AND COMMITTEE ON PARKS
AND RECREATION 278

2 CHAIRPERSON KOO: Okay. Thank you. Thank
3 you, Chair Dromm.

4 CHAIRPERSON DROMM: Okay. Thank you
5 very much. Thank you, Commissioner, for coming in
6 and for answering our questions. This will conclude
7 today's hearing. Before we close, as a reminder to
8 the public, the committee and subcommittee will be
9 holding a remote hearing for the public testimony on
10 the executive budget on May 21st at 12 p.m. If you
11 would like to testify at that hearing, please
12 register at www.council.nyc.gov/testify. And
13 information about how to access the Zoom meeting will
14 be emailed to you. You may testify at that hearing
15 via web or via telephone. You may also submit your
16 testimony through that registration website or by
17 emailing financetestimony@council.nyc.gov. and with
18 that, this meeting is adjourned at 4:36 in the
19 afternoon. Thank you very much.

20 [gavel]

21

22

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 June 13, 2020