

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON PUBLIC HOUSING

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May 17, 2013  
Start: 1:15 p.m.  
Recess: 3:10 p.m.

HELD AT: Council Chambers  
City Hall

B E F O R E:  
ROSIE MENDEZ  
Chairperson

COUNCIL MEMBERS:

Council Member Maria del Carmen Arroyo  
Council Member Margaret S. Chin  
Council Member Robert Jackson  
Council Member Melissa Mark-Viverito  
Council Member James G. Van Bramer

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

Brian Kavanagh  
Assembly Member  
New York State Assembly, 74th Assembly District

Brad Hoylman  
State Senator  
New York State Senate, 27th District

Linda Jones  
Co-Chair, Land Use, Zoning, Public and Private Housing  
Committee  
Community Board 3, Manhattan

Mark Diller  
Chair  
Community Board 7, Manhattan

Madeleine Innocent  
Community Advocate, Caring Residents of Public Housing  
Member and Team Leader, Community Voices Heard  
Member, Community Board 7

Genora Johnson  
Community Advocate, Caring Residents of Public Housing  
Public Housing Team Leader, Community Voices Heard  
Member, Community Board 7

Debrella Nesbitt  
Resident  
Wald Houses

Victor Bach  
Senior Housing Policy Analyst  
Community Service Society

Judith Goldiner  
Attorney in Charge, Civil Law Reform Unit  
Legal Aid Society

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

Stacy Cammarano  
Attorney  
Urban Justice Center

Rajiv Jaswa  
Law Clerk  
New York Environmental Law and Justice Project

Mayzabeth Lopez  
Representative  
Good Old Lower East Side

CHAIRPERSON MENDEZ: Good

afternoon. I am Councilwoman Rosie Mendez, and I chair the Committee on Public Housing. Today, the Committee will be considering a Preconsidered Resolution that calls upon the New York State Legislature to enact the NYCHA Real Property Public Review Act. This Act would require NYCHA to follow the City's uniform land use procedure, or ULURP, as we all call it, whenever it seeks to dispose of land, or buildings. The Act is sponsored in the Senate by Senators Hoylman, Parker, Serrano and Squadron, and in the Assembly by Assembly Members Wright, Kavanagh--who has just joined us, my Assemblyman--Barron and Rodriguez, some of whom I expect will be testifying today. And the resolution before us is sponsored by myself, our Speaker, Christine Quinn, and Council Members Chin and Mark-Viverito. And we are the three Council Members that the developments are being proposed, the in-fill development is being proposed in. Everyone in this room has probably heard of NYCHA's current leasing plans; otherwise, you wouldn't be here spending your Friday afternoon with us [laughs] and this Committee on

1  
2 an oversight hearing. And back on April 5th, we  
3 held an oversight hearing on these plans. In  
4 January of this year, we'll try to summarize,  
5 NYCHA announced plans to lease property at eight  
6 of its Manhattan developments to private  
7 developers, in order to raise money. The sites to  
8 be leased currently hold parking spaces, trash  
9 compactors, basketball and handball courts,  
10 baseball fields, outdoor spaces and a community  
11 center. After the leasing, private developers  
12 will clear out those spaces and build market rate  
13 housing, along with a relatively small number of  
14 apartments that will be affordable to lower income  
15 families. NYCHA says most of the parking spaces  
16 in the other areas will be replaced, but it hasn't  
17 said how much of the lost areas will be replaced.  
18 And it hasn't said when that replacement will  
19 happen, and where the replacements will go.  
20 Before NYCHA can lease property, it has to comply  
21 with a federal process called Section 18. And  
22 Section 18 has a number of requirements. But one  
23 of them, and the one we are concerned with today,  
24 is that NYCHA must consult with affected residents  
25 and resident organizations, in developing any

1 leasing plans. This is a good requirement, but  
2 it's missing a few things. First, Section 18  
3 requires consultation, but it doesn't say what  
4 consultation is. We just don't want residents and  
5 resident organizations to get a chance to talk.  
6 We want them to be heard. We want NYCHA to listen  
7 to resident comments, to respond to those  
8 comments, and to change its plans based on those  
9 comments. Section 18 requires consultation with  
10 residents and resident organizations, but not the  
11 rest of the community. Public housing is not an  
12 island, it's a part of a neighborhood. And a  
13 change in public housing affects everyone in the  
14 neighborhood. So it's only fair that everyone in  
15 the neighborhood gets a chance to weigh in. And  
16 that includes not only the people living in the  
17 neighborhood, but also the elected officials in  
18 the organizations that represent and serve those  
19 people. Third, and maybe most important, under  
20 Section 18, NYCHA has the final say on any leasing  
21 plans. Residents and elected officials and  
22 community stakeholders can complain and protest  
23 and object until the cows come home, but at the  
24 end of the day, NYCHA can choose to ignore all of  
25

1  
2 that. And that's a problem. Right now, every  
3 single affected resident association opposes  
4 NYCHA's leasing plans. All eight resident  
5 association opposes the leasing plans. NYCHA  
6 tells us that they're going to work to address the  
7 associations' concerns and we're glad to hear  
8 that. But all we have are promises and we've  
9 heard promises before. Remember that back in  
10 September, we were told that NYCHA wouldn't start  
11 picking lease sites until after they'd engaged  
12 with residents and elected officials and community  
13 leaders. We were told they play a role in that  
14 process, and yet here we are today with a set of  
15 sites that none of had a hand in choosing. We  
16 can't let that happen again. I'm glad that NYCHA  
17 says they're going to work with the resident  
18 association to resolve their issues, but nothing  
19 in Section 18 prevents NYCHA from changing its  
20 mind tomorrow, from throwing up its arms and  
21 saying, "To hell with it, I'm pushing forward  
22 despite staunch opposition." This is why it's  
23 critical that the State passes the NYCHA Real  
24 Property Public Review Act, and requires NYCHA to  
25 go through ULURP when it tries to dispose of its

1  
2 property. ULURP has a set framework, the  
3 community boards get a certain amount of time to  
4 hold public hearings and make recommendations, the  
5 borough boards and the borough president get a  
6 certain amount of time to do the same, and then  
7 the Council itself gets to hold a hearing. And if  
8 opposition to the plans is strong enough, and  
9 pervasive enough, then the plans can be stopped.  
10 In considering this resolution we've got to ask  
11 ourselves, "Who do we ultimately want shaping our  
12 communities?" I think the answer is clear, and so  
13 I urge my colleagues to support the resolution  
14 before us today. At this time, I want to ask the  
15 cosponsors of the bill to say a few words if they  
16 so wish. I know Melissa Mark-Viverito was here  
17 and she stepped out. And we've been joined by  
18 Council Member Robert Jackson, and Maria Carmen  
19 Arroyo, who's a member of this Committee stepped  
20 out for another hearing and she'll be back. So at  
21 this time, Council Member Chin?

22 COUNCIL MEMBER CHIN: Thank you,  
23 Madam Chair. I'm very glad to be one of the co-  
24 sponsor of this resolution, and I wanted to thank  
25 our State elected official, our Senator and



1  
2 Assembly Representative, for proposing this  
3 legislation in the State level, to mandate NYCHA  
4 go through this process. Because as NYCHA has  
5 told us, the leadership, they said they're not  
6 going to do this on their own; unless this is  
7 mandated, they're not going to voluntarily do  
8 this. But we want to make sure there's a  
9 meaningful process, that the NYCHA resident do  
10 have a chance to really give input to decide the  
11 fate of their community and the building that they  
12 live in, and to get the repairs that needs to be  
13 done there. And as elected official, we just  
14 don't want to be a name on a checklist. That they  
15 just, "Okay, they met with us," check us off. We  
16 want to have meaningful input. And I think with  
17 comp--you know, compelling NYCHA to go through  
18 this ULURP process, I think we will be able to get  
19 that. So, I look forward to hearing from all of  
20 you who took time out of your busy schedule to be  
21 here, and we want to pass this as soon as  
22 possible, and hopefully the State will do that to.  
23 Thank you.

24 CHAIRPERSON MENDEZ: Thank you,  
25 Council Member Chin. For those of you who may not

1  
2 have been at the last hearing, we asked of  
3 Chairman Rhea to submit to the ULURP process then.  
4 And since then, our colleagues at the State have  
5 introduced this resolution. At the time, Chairman  
6 Rhea said that they are not seeking any zoning  
7 variances, so there's no need for them to go  
8 through ULURP, that they would be doing a  
9 comparison between Section 18 and the ULURP  
10 process, and that they would get back to us. But  
11 that they didn't think that that would change.  
12 So, that is just to refresh everyone's  
13 recollection. I think it's important for us to  
14 pass this resolution, and I feel it's important  
15 for the State to pass this and make this law.  
16 Otherwise, we know that NYCHA will not voluntarily  
17 submit to the ULURP process. With that, I'd like  
18 to call Assembly Member Brian Kavanagh who's here.  
19 Thank you.

20 [pause, background noise]

21 BRIAN KAVANAGH: [off mic] Thank  
22 you. Sorry.

23 CHAIRPERSON MENDEZ: Yes.

24 BRIAN KAVANAGH: [off mic] Thank  
25 you very much. And--[on mic] Apparently not,

1  
2 that's better, yes. Thank you very much. For the  
3 record, I'm Brian Kavanagh, I'm the Assembly  
4 Member for the 74th Assembly District on the east  
5 side of Manhattan. My district includes 18,000  
6 public housing residents, including residents of  
7 Gompers, Baruch, Wald, Riis and First Houses,  
8 Campos Plaza, Bracetti Plaza, Lower East Side 2  
9 and 3, Lower East Side Rehab Group 5, Strauss  
10 Houses and 344 East 28th Street. There are two of  
11 the sites that are the subject of NYCHA's proposal  
12 that are in, within the confines of my district,  
13 and obviously many others that are nearby and  
14 would have an effect on residents of my district,  
15 and certainly residents of other communities that  
16 we care greatly about. I'd just like to begin by  
17 thanking the Committee not only for holding this  
18 hearing, which I think is very important, but also  
19 for your great leadership on this issue,  
20 particularly holding the NYCHA accountable on  
21 this. And I was present for the last hearing, and  
22 I thought the Chair and the other members did a  
23 terrific job of really asking the tough questions  
24 and getting NYCHA on the record on some of this.  
25 I just, I'm going to submit formal written

1  
2 testimony, but, you know, Chairwoman Mendez did a  
3 very good job of summarizing the issue, so I'm  
4 going to skip some of that and just, I just want  
5 to make a few points. The first is about Section  
6 18. ULURP is--I'll talk in a minute about the  
7 value of ULURP, but I want to just make the point  
8 that ULURP is not a substitute for Section 18.  
9 Section 18, I think it's important to recognize,  
10 has some requirements that we should be in the  
11 process of holding NYCHA to now. So a lot of the-  
12 -it seems that NYCHA's original plan to go forward  
13 on this was to maybe tell some tenants somewhere  
14 that they were going to have some meetings and try  
15 to get their approval, and then sort of portray  
16 that as proper consultation with tenants. We  
17 should all recognize that Section 18 is a federal  
18 mandate and we should be making sure as we go  
19 forward that NYCHA is complying with that, and we  
20 should be prepared to say if they do not comply  
21 with that, that we're going to hold them to that.  
22 And if they fail to comply, HUD should reject  
23 their applications as a legal matter. And so I  
24 think that's important. I don't want to go too  
25 far into the requirements of that, but it is

1  
2 specific and it's comprehensive, and we should be  
3 pushing because Section 18 also applies to many  
4 other things other than disposition. And we  
5 should be maintaining the position that Section 18  
6 is important and should be complied with. Having  
7 said that, we wouldn't be here today if we thought  
8 Section 18 was sufficient. And you know, the  
9 Council Member very eloquently stated some of the  
10 reasons why. These, this kind of development that  
11 is proposed by NYCHA has effects that go way  
12 beyond the normal effects that you might have in a  
13 Section 18 application. Obviously, the first way  
14 it does that is it might have a very dramatic  
15 effect on the communities that they're planning to  
16 build. So I think in one of the most dramatic  
17 examples, at Smith Houses, there's a plan to build  
18 more than 1,000 new units of housing on the  
19 property. And that just will have enormous  
20 consequences for the residents of that community,  
21 and Section 18, while it's important, is not the  
22 best mechanism to consider all the ramifications  
23 of that. But the second point is critical.  
24 Section 18 is about community consultation and  
25 resident consultation, but it does not have the

1 full range of checks and process that ULURP has,  
2 that allows everyone in the community and every  
3 affected party to have a real say. Not just the  
4 opportunity to comment, not just the opportunity  
5 to come to a meeting, but a real say in what's  
6 going to happen. And the final way that ULURP is  
7 distinct, and most important, and again the Chair,  
8 Chairwoman mentioned this already, but the big  
9 question about a review process, it is a real  
10 review process in my view, if it has one critical  
11 aspect, and that critical aspect has to be that  
12 at the end of the day, when the review is done,  
13 people can say, "Yes," or people can say, "No."  
14 The process that NYCHA is following, as has been  
15 said, is basically a process where there'll be  
16 lots of consultation and then they will ship an  
17 application off to Washington, and people in New  
18 York will not, other than NYCHA itself, which  
19 wants to lease this property, will not have the  
20 opportunity to say yes or no in a way that's  
21 binding. ULURP does provide that, ULURP we all  
22 know is not a perfect process, but it is a robust  
23 process, and it allows communities, first at the  
24 community board level, the borough president, the  
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1  
2 City Planning process, and ultimately the City  
3 Council, to play an active role in this. And the  
4 fact that they know at the end of the day that the  
5 City Council can simply say no, gives the rest of  
6 the process teeth. We know that developers come  
7 before community boards and try to get their  
8 approval, try to make modifications, try to, you  
9 know, get the community board to accept the  
10 process, because they know that if you get a "no"  
11 at that level, if you get a "no" from the borough  
12 president, even though decisions are not binding,  
13 at the end of the day, if everybody else is saying  
14 "no," there's a good chance the City Council's  
15 going to say "no," too. So it's critical that we  
16 adopt this. I'm happy to report that I see that  
17 Senator Hoylman has joined us, and I assume will  
18 be saying a few words. But I'm happy to report  
19 that we are, we have begun to try to move this  
20 bill in the Assembly. We voted it out of the  
21 Assembly Housing Committee a couple of weeks ago.  
22 And we do expect to get some traction on this.  
23 But it is going to take the kind of push that, and  
24 the leadership that folks on this Committee have  
25 shown to make it clear that we are not accepting

1  
2 this process. To my mind, the City has expressed  
3 skepticism about ULURP, but they have not said  
4 flat out that they won't do it. They have, as the  
5 Chairwoman said, "We're not sure it's necessary."  
6 But there is some possibility that we can push  
7 them hard to agree to this. If they don't agree  
8 with it, you know, my position is that we should  
9 impose it on them through State legislation. So  
10 again, thank you for your resolution in support of  
11 this and thank you for all your leadership. And  
12 I'm happy to take questions, or I don't know if  
13 you want to just bring the Senator up.

14 CHAIRPERSON MENDEZ: Well, I'd like  
15 to ask Senator Hoylman to join you, and then that  
16 way we can ask you both questions together.  
17 Senator? [background comment] Yes, great.

18 BRAD HOYLMAN: Hello, Council  
19 Member. My name is Brad Hoylman, I am the State  
20 Senator for the 27th District. And I'm here to  
21 testify on behalf of myself and Keith Wright from  
22 the New York State Assembly. We--I represent New  
23 York's 27th, but Assembly Member Wright, as my  
24 esteemed colleague to my left, Assembly Kavanagh  
25 represents the 70th. And together, our districts



1  
2 include 13 NYCHA developments, including in my  
3 district, Campos Plaza 1 and 2, which have been  
4 targeted, as you know, Madam Chair, for in-fill  
5 developments under the NYCHA proposal. I wanted  
6 to thank Council Speaker Quinn from the outset,  
7 along with Council Member Mendez, for holding this  
8 hearing, as well as Council Member Chin and  
9 Council Member Jackson, along with Council Member  
10 Mark-Viverito for introducing the resolution--  
11 calling on the New York State legislature to enact  
12 the bill, which we're calling the NYCHA Real  
13 Property Public Review Act. Your leadership on  
14 behalf of NYCHA residents who concerns are not  
15 always heard in the halls of government is  
16 admirable. And as you know, NYCHA plans to lease  
17 14 parcels of in-fill land and eight developments  
18 to provide developers for the construction of new  
19 high rise apartment towers, in which 80 percent of  
20 the units would be market rate. Our legislation,  
21 that I'm happy I'm working closely with Assembly  
22 Member Kavanagh on, would require that any  
23 disposition of land or buildings by NYCHA,  
24 including this proposed in-fill development, be  
25 subject to the land use review procedure. The

1  
2 same review process that City agencies must adhere  
3 to when redeveloping public land. Regrettably,  
4 despite calls by residents, elected officials and  
5 other community stakeholders for full  
6 transparency, NYCHA's efforts to solicit public  
7 input on in-fill development have been woefully  
8 inadequate. And while the authority will likely  
9 meet and even exceed the requirements for  
10 community consultation set forth in Section 18 of  
11 the Housing Act of 1937, the only relevant  
12 requirements to which NYCHA is bound, this law is  
13 generically designed to apply to every state in  
14 the country and is clearly insufficient for a  
15 dense, urban environment like New York City.  
16 We've introduced our legislation in order to  
17 address this problem and bring NYCHA in line with  
18 other Mayoral agencies. We recognize that NYCHA's  
19 in-fill development proposal based on current  
20 projections has the potential to generate revenue  
21 to pay for some long overdue capital projects, but  
22 the authority will only truly benefit the  
23 communities it serves by listening to residents  
24 and advocates before determining whether and how  
25 to proceed. And my question is, Madam Chair, why

1  
2 should NYCHA residents be entitled to anything  
3 less? Our legislation will ensure that anytime  
4 NYCHA seeks to sell or lease its land or building,  
5 public housing residents in the broader  
6 communities, of which they're a part, can help  
7 shape the future of their neighborhoods through a  
8 fair and transparent process. It will also enable  
9 public housing residents to avail themselves of  
10 the same community planning resources that  
11 residents of private housing use to develop and  
12 evaluate major land use actions in their  
13 backyards. In addition, it'll require the City  
14 Council to approve any privatization of NYCHA's  
15 publicly owned land, which as you know, is a key  
16 part of the existing land use review process for  
17 private development. It's important to note that  
18 this infill development proposal, and the eight  
19 targeted sites, are likely only the beginning of a  
20 program that could spread to numerous other NYCHA  
21 developments across the City. According to the  
22 borough president's August 2008 report, called  
23 "Land Rich, Pocket Poor," there are 30.5 million  
24 square feet of unused development rights in NYCHA  
25 developments throughout Manhattan alone. We must

1  
2 act now, and I'm pleased that Assembly Member  
3 Kavanagh agrees, and helped craft this bill,  
4 before a single square foot is offered up for  
5 lease or sale. I'd like to once again thank  
6 Speaker Quinn, Chairperson Mendez, the Council  
7 Members, for holding this hearing and inviting us  
8 to testify. I wanted to acknowledge my good  
9 friend, Council Member Van Bramer, happy to see  
10 him. And I wanted to thank the co-sponsors in  
11 Albany of the NYCHA Real Property Public Review  
12 Act, including my colleagues in the Senate,  
13 Senators Parker, Serrano and Squadron. Of course,  
14 Assembly Member Kavanagh, Barron and Rodriguez.  
15 Thank you so much.

16 CHAIRPERSON MENDEZ: Thank you,  
17 Senator. Assembly Member Kavanagh, you said this  
18 was voted out of the Housing Committee?

19 BRIAN KAVANAGH: Yes.

20 CHAIRPERSON MENDEZ: And so now it  
21 needs to go to the full Assembly?

22 BRIAN KAVANAGH: Yes.

23 CHAIRPERSON MENDEZ: And--

24 BRIAN KAVANAGH: So it's basically,  
25 it is pending on the floor of the Assembly.

1  
2 Obviously, we need to find time, we have a few  
3 things that have occupied our time, might occupy  
4 my time on Monday.

5 CHAIRPERSON MENDEZ: Really

6 [laughs]

7 BRIAN KAVANAGH: Some of which are  
8 developing as we speak. But, yeah, no we do,  
9 again, we, the, you know, some of them are right,  
10 who's the prime sponsor of the bill in the  
11 Assembly is also, you know, the Chair of the  
12 Housing Committee. And we are committed to moving  
13 this bill. I also will say that it got, you know,  
14 very substantial support in the Housing Committee.  
15 It was not controversial. I think that people  
16 recognized that this was something that, you know,  
17 just makes sense, and we need to do. So, I don't  
18 have a date that we expect to bring it up on the  
19 floor of the assembly, but we do expect that we'll  
20 be passing it soon.

21 CHAIRPERSON MENDEZ: Okay. So that  
22 means before the end of the summer, maybe?

23 BRIAN KAVANAGH: So, we adjourn for  
24 the summer by June 20th, so certainly the  
25 intention would be to do it before then.

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CHAIRPERSON MENDEZ: Thank you.

And State Senator Hoylman, the bill right now in the Senate is where?

BRAD HOYLMAN: It's in the Housing Committee. It's going to be up to me to get it out of the Committee and onto the floor. I'm working with my colleagues now, they're the cosponsors to make sure that we can do that. We have a different challenge. And the Senate, given the Republican and IDC control of the Chamber, but I'm hopeful that given the narrow int--relatively narrow interest for New York City, that I can convince my colleagues on the Republican and IDC lines, that this is a good planning process for all the residents of New York City and frankly the State.

CHAIRPERSON MENDEZ: And is the Chair on the--the Chair of Housing on the Senate side, where's the Chair at? As you'll be working with the Chair, I'm assuming.

BRAD HOYLMAN: Exactly.

CHAIRPERSON MENDEZ: Do you know--

BRAD HOYLMAN: It's one of my priority bills, and we are working with Senator

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2 Stewart Cousins, our leader. We in the Democratic  
3 Conference have a number of measures that we can  
4 use to force a bill to committee consideration,  
5 and I'm going to be doing that for this bill. And  
6 I'm hopeful that we can get some traction.  
7 Certainly the assembly support, which as Assembly  
8 Member Kavanagh said, is, seems to be widespread,  
9 will be a strong impetus. And so, we'll use that,  
10 hopefully, as leverage, to get support in the  
11 State Senate.

12 CHAIRPERSON MENDEZ: Thank you. My  
13 colleagues? Go ahead.

14 COUNCIL MEMBER JACKSON: Well,  
15 first let me thank both of you as elected  
16 representatives of the people for--hello--for  
17 coming out and [off mic] speaking in favor of this  
18 particular resolution of the City Council. And  
19 obviously, knowing that there are bills pending in  
20 the Assembly and Senate, to have the will of the  
21 body of the New York City Council behind it is  
22 extremely important in the process. And I truly  
23 believe that when this bill, when this resolution  
24 is voted on Wednesday, at our Stated Meeting, I  
25 hope that it will be unanimous. Because as--[on

1 mic] Yeah, as I, well--as--as Chair Mendez  
2 indicated, that, Senator, before you arrived, that  
3 none of the eight residential NYCHA resident  
4 leaders are in favor of this the way it is.  
5 Clearly, the lack of consultation, the lack of  
6 working together, where, you know, for example, if  
7 it was like 50/50, or some other formula that they  
8 can agree to, maybe they may be willing to go  
9 along with it. Maybe. But obviously there's a  
10 trust, a trust factor that is not solidified.  
11 Obviously, as the Chair indicated, based on the  
12 rules and regulations and law, you know, when it  
13 goes to the federal government, they can just do  
14 what they want to do. And clearly, we, I guess  
15 the people of New York City, our legislators up in  
16 Albany, do not want that to happen. We want to go  
17 through a process where we have to approve it.  
18 And so, I just thank both of you for being  
19 advocates on behalf of the people of New York  
20 City, more specifically Manhattan, and especially  
21 if you have developments within your senatorial  
22 district, your assembly district. I know for  
23 example, you know, my City Councilmatic district,  
24 the 7th District, I do not have any development at  
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1  
2 this point in time, where in-fills are being  
3 considered. But as you all said, you never know,  
4 it opens the door for everything. So I just  
5 wanted to thank you. Madam Chair, I didn't have  
6 any questions, but I think it was imperative for  
7 me to speak up and say that I applaud them for the  
8 leadership that they're doing.

9 CHAIRPERSON MENDEZ: Thank you.

10 BRAD HOYLMAN: Thank you.

11 CHAIRPERSON MENDEZ: And--

12 BRAD HOYLMAN: If I could just  
13 respond, Council?

14 CHAIRPERSON MENDEZ: Yes.

15 BRAD HOYLMAN: Just wanted, I  
16 couldn't agree more, in terms of the weight that  
17 the Council resolution will have in Albany. And I  
18 wanted to thank you for that. Again, in Albany,  
19 it's usually, like New York City and the rest of  
20 the state, often there's deference to City  
21 legislators. So, knowing that the Council of the  
22 City of New York is supportive of this in a strong  
23 and fulsome way, will be extremely helpful.

24 BRIAN KAVANAGH: And if I also, may  
25 also, you obviously have your means of

1 communicating this as you pass it to our  
2 colleagues, but I think we will make sure that  
3 all, certainly all the members from the City and  
4 our colleagues in both houses, are aware of the  
5 strong support. And this is going to be, you  
6 know, it is going to be a battle. The City of New  
7 York, which you know, the Mayor has a substantial  
8 say, sometimes, in Albany, and will also put his  
9 priorities forth. So, we will be, this will be a  
10 battle. And we, you know, appreciate the unity  
11 and the strength that the City Council has shown  
12 on this end. And again, just, you know, at every  
13 level from those community meetings, all the way,  
14 you know, and I know Council Member Chin and  
15 Council Member Mendez, who are present, and  
16 Council Member Mark-Viverito in particular,  
17 because of the sites in our district. But really  
18 it's been great to see so many Council Members  
19 from all over the City really focus on this,  
20 because this, because at the end of the day, we  
21 know that public housing is a tremendous resource  
22 for our entire City. And we intend to make that  
23 point in Albany and hopefully get it through to  
24 our colleagues at the City.  
25

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2 COUNCIL MEMBER CHIN: Yes, I also  
3 wanted to thank both of you for, you know,  
4 sponsoring this legislation. One of--my district,  
5 I have two sites--and one of the concern we have  
6 was like, Assemblyman Kavanagh mentioned them in  
7 my district, Smith, where they're projecting to  
8 build over 1,000 unit. But one of the things that  
9 haven't done is any kind of environmental impact.  
10 And when I asked NYCHA about that, it's like this,  
11 "Oh, well, we're going to do that, but we're going  
12 to do that at a later point after we issue the RFP  
13 and we get a developer." It's wait a minute,  
14 aren't you supposed to do that up front? You  
15 know, what's the impact on our local school and  
16 the infrastructure, having, you know, 80 percent  
17 market rate housing in an area that you're going  
18 to cause a lot of displacement, maybe rents going  
19 up. I mean, there's a lot of questions that needs  
20 to be answer. And so I think by mandating them,  
21 that they have to go through this ULURP process,  
22 then those questions can be answered up front.  
23 Because right now they're just like, "Oh, yeah,  
24 this is the maximum numbers that we can build."  
25 And they don't think about, you know, all the

1  
2 impacts that can happen in a community. So, I  
3 think having a set process that they have to  
4 follow, I think it's making so much better in  
5 terms for the community, for resident and for  
6 everyone to have their input.

7 BRIAN KAVANAGH: And just the  
8 predictability and the fact that, I mean, one of  
9 the problems I think we've seen is that the  
10 Housing Authority's been sort of making this up as  
11 they go along, and responding to concerns of yours  
12 and others. But one of the advantages of ULURP is  
13 it is a rigorous process, it's a set process, it's  
14 a known process. We have made the point to the  
15 City, and to NYCHA, as well, that there is an  
16 advantage from their perspective for that, too. I  
17 mean, this is a known process. If you want  
18 approval of the community, you have specific  
19 clocks, specific deadlines, specific tasks you're  
20 supposed to do. Developers who are going to big  
21 on these should want this process to go through  
22 ULURP rather than going through something that's  
23 much more nebulous and political and people are  
24 going to rally and like having a process where at  
25 the end of the day there's a yes or a no is an

1  
2 advantage for the communities and for the elected  
3 officials and for NYCHA, we believe, as well.

4 COUNCIL MEMBER CHIN: Well, the  
5 reason is that they keep saying, "Well, we're not  
6 asking for any zoning change." But one thing that  
7 they neglect to say is that this is public land.  
8 Even though they don't want to recognize it as  
9 public land, and that was said back and forth that  
10 we had at the last hearing. You know, they don't  
11 consider as public land, but we do. It is public  
12 land. And they need to, you know, have this  
13 input. So--

14 BRAD HOYLMAN: If I could add, I  
15 mean, let's just be clear, the reason that they  
16 oppose any ULURP process is because they may not  
17 get their way. And that's what we're pushing up  
18 against. I'm a former Chair of a local Community  
19 Board, and I've seen, as many people in this room  
20 and certainly Council Member Chin knows, the  
21 process through ULURP actually results in a better  
22 community development. And we've seen it time and  
23 time again. So, as Assembly Member Kavanagh said,  
24 it's not only better for the developers, it's  
25 certainly better for the community, it's certainly

1  
2 better for the residents. And the inequity to  
3 think that these residents and NYCHA developments  
4 may have a different standard for development than  
5 everyone else in their part of Manhattan has, is  
6 just unacceptable.

7 BRIAN KAVANAGH: And just one more  
8 point, if I may, Chair. One of the advantages of  
9 ULURP is exactly that. What can be built as of  
10 right can be changed in that process. So, one of  
11 the things that the Chair has said is that there  
12 is no plan to put anything but residential towers,  
13 no ground floor amenities or retail. Some of  
14 these communities might actually be interested in  
15 that, and some of them are physically isolated,  
16 maybe don't have opportunities for supermarkets or  
17 other things that are useful in a residential  
18 neighborhood. NYCHA's current plan, because they  
19 don't want a variance, they don't want a variance  
20 'cause they don't want to go through ULURP, and  
21 they don't want to go through ULURP for the  
22 reasons we've discussed, they are not considering  
23 what else you might be able to do in these  
24 buildings. A variance is also often the way you  
25 get more affordable housing out of projects, as

1  
2 well. And so ULURP, again, it provides a  
3 structure for having those kinds of negotiations.  
4 It's a very valuable process, and again we think  
5 that, notwithstanding their desire to just do it  
6 their way, that NYCHA and the City ought to  
7 embrace this.

8 COUNCIL MEMBER CHIN: Great, thank  
9 you.

10 CHAIRPERSON MENDEZ: I'm going to  
11 hand it over to Council Member Van Bramer, but  
12 there's two things I want to state. One is when  
13 we talk about Smith Houses, which is pretty large  
14 size development, this 1,000 units they're talking  
15 about building, they're talking about building it  
16 in one site. It's not spread over throughout the  
17 developments, it's 1,000 units in one location.  
18 The other thing is that the Chair of NYCHA,  
19 Chairman Rhea, has told us that this is just the  
20 beginning. They're looking at eight out of the 14  
21 sites that they've identified in these  
22 developments, but that they're going to be looking  
23 at every development, all 334 developments that  
24 they have in the City, to see where they can do  
25 in-fill development. Council Member Van Bramer.

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2 COUNCIL MEMBER VAN BRAMER: Thank  
3 you very much, Madam Chair. And I thank our  
4 colleagues, as well, from the State Assembly and  
5 State Senate, for being here and for their  
6 leadership on this issue. And I'm not sure if  
7 they're aware, but I represent more public housing  
8 residents in Queens than any other City Council  
9 Member. Something I'm very proud of. And to  
10 Assembly Member Kavanagh's point, I support this  
11 wholeheartedly because I know that while  
12 Queensbridge, Ravenswood and the Woodside Houses  
13 may not be on the list yet, someone's looking  
14 right now to see if they could be. And in point  
15 of fact, there is a very, very lovely open space  
16 at the Woodside Houses that we would love to build  
17 a community center in. And I met with NYCHA  
18 recently about that, and they were a little unsure  
19 if they were supportive of that community center,  
20 which I want very much and the community wants  
21 very much. And I thought, I wonder if they would  
22 love that parcel to develop and use in another  
23 way. So, I'm very, very concerned about that for  
24 the future of not just the eight and my  
25 colleague's three districts, but for mine and



1  
2 citywide as well. The community has a right to  
3 say what they would like to see happen in the  
4 Woodside Houses, and not be denied that  
5 opportunity because I know we want and need a  
6 community center. And that's a wonderful place  
7 for it. So we're going to keep fighting for that  
8 and I thank you for being here and for your  
9 leadership on this issue. And I look forward to  
10 supporting this in committee and also next week at  
11 the Stated. So, thank you very much, Madam Chair,  
12 and thank you Senator Hoylman and Assembly Member  
13 Kavanagh.

14 CHAIRPERSON MENDEZ: Thank you.

15 So, thank you for being here, thank you for your  
16 work on getting this legislation introduced, and  
17 the work you still have ahead of you for getting  
18 it passed. And we'll do our part here in the City  
19 Council. So, the next panel will be Linda Jones  
20 from Community Board 3 and Mark Diller from  
21 Community Board 7. [pause, background noise] So  
22 whoever's ready can grab the microphone and start  
23 giving their testimony.

24 LINDA JONES: Good afternoon, I'm  
25 Linda Jones, Co-Chair of Community Board 3's Land

1 Use, Zoning, Public and Private Housing Committee.  
2 I'm representing Community Board 3 today. Five of  
3 the sites chosen for NYCHA in-fill projects are  
4 within the boundaries of Community Board 3: Smith  
5 Houses, Campos Plaza, La Guardia Houses, Baruch  
6 Houses and Meltzer Tower. These sites will create  
7 2,000 units of housing. I'd just like to say,  
8 after listening to the testimony, that we've been  
9 having hearings on this matter since last  
10 November. And at first, the representatives from  
11 the different housing projects came to our  
12 meeting, just raising heck, protesting, carrying  
13 on. And finally they realized, hey, we're on  
14 their side. [laughs] We're supportive of their  
15 rights. So, things calmed down, we began to work  
16 together. In a resolution voted in February 2013,  
17 Community Board 3 expressed its concerns about  
18 these in-fill projects. We were concerned about  
19 the lack of community board participation under  
20 the Section 18 process, even though the addition  
21 of thousands of new apartments would have a  
22 significant impact on our community. We're  
23 concerned about school overcrowding, as well as  
24 environmental, economic and infrastructure issues.  
25

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2 Secondly, we were concerned that the tenants of  
3 the affected NYCHA projects were not receiving  
4 adequate legal, technical and political support in  
5 order to negotiate effectively with NYCHA. CB3  
6 adopted a set of principles for NYCHA land  
7 disposition. One, there must be transparent  
8 outreach, trilingual. Such outreach should  
9 provide a clear outline of the Section 18 process.  
10 Two, the disposition process should be slowed down  
11 to a pace that gives residents time to respond.  
12 Three, the RFP process should be suspended until  
13 there is a public process that includes meaningful  
14 resident participation and community input. Four,  
15 independent technical and legal resources must be  
16 provided and should be funded by the tenant  
17 participation activities fund. Five, disposition  
18 should be considered from a comprehensive  
19 perspective, taking into account environmental  
20 schools, economic transportation and  
21 infrastructure impacts. Six, no development plan  
22 should be acted upon without agreed, satisfactory  
23 benefits for the current residents. And seven,  
24 NYCHA should include the relevant community boards  
25 of process. In summary, requiring that NYCHA be

1  
2 subject to ULURP would address our concern that  
3 the community board is not included in the NYCHA  
4 16, Section 18 disposition process. The ULURP  
5 process would also require an EIS, which would  
6 note the impacts of this additional housing.  
7 Currently, the plan would create the additional  
8 2,000 units without any accompanying  
9 infrastructure. The need for a school has been  
10 noted. Transportation needs, both public  
11 transportation and street traffic, first  
12 responders and other infrastructure, must  
13 accompany new housing to meet the needs created.  
14 Additional housing and accompanying infrastructure  
15 must be planned according to urban planning  
16 guidelines. This takes time and proper process.  
17 We also ask that the entire process be slowed down  
18 to allow meaningful resident participation prior  
19 to issuance of RFPs. Thank you.

20 MARK DILLER: Good afternoon. My  
21 name is Mark Diller, I'm the Chair of Community  
22 Board 7 on the Upper West Side of Manhattan, and I  
23 thank you for the opportunity to testify today and  
24 to fully support the resolution before you and the  
25 call for ULURP for this NYCHA in-fill process.

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2 I'm joined today by the co-chair of our Housing  
3 Committee, Louis Cholden-Brown, as well as two  
4 tenant leaders from the Douglass Houses in my  
5 district: Madeleine Innocent and Genora Johnson,  
6 who are exactly the kind of people that we want to  
7 be heard when questions like this come up. I  
8 think that the best way to summarize, we have two  
9 resolutions which are being distributed to you.  
10 They may seem inconsistent but they're not. One  
11 calls for a moratorium on the RFP process until an  
12 appropriate manner of public outreach is engaged.  
13 One that actually is interactive and leads to  
14 transformation and better input. The other is an  
15 outright rejection of the plan that's on the table  
16 now. So we need a better process wherever we're  
17 going and we're not going to the right place right  
18 now. I think the best way to frame my remarks to  
19 go back to kindergarten and the difference between  
20 hearing and listening. NYCHA has been conducting  
21 hearings, which is [laughter] which is a passive  
22 enterprise [background comment] and which leads to  
23 the recognition that sound is being created. We  
24 need a process by which they listen. And that,  
25 and I think that Assembly Member Kavanagh had it

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2 just right, in saying that the power to say no is  
3 the power to command someone to listen and to make  
4 good changes. The Borough President's staff is  
5 very good at saying that ULURP makes projects  
6 better. Here I think it needs to be a little more  
7 pervasive, because I think the first initial  
8 inquiry is whether the project is appropriate at  
9 all. And I think the ULURP process is one that  
10 gives us the opportunity to address that and to,  
11 if it is a worthy project, to let it go forward  
12 with appropriate benefits to the community, after  
13 actually taking their word for it as to what they  
14 should be. And then to make sure that they are  
15 delivered in a way that is appropriate to the  
16 community. So an interactive dialogue that leads  
17 to transformation, that leads to a change in the  
18 proposal, that's what we need. There's not a  
19 single change that has been made to any of the  
20 proposals for any of the projects, I'm only  
21 speaking about Douglass 'cause that's what's in my  
22 district, I don't want to preempt Community Board  
23 3 or anybody else. But not a word of their  
24 proposal has changed from any of the outreach that  
25 they've done. I think it's time for a better

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process, and I think you've got the right one.  
Thank you very much.

CHAIRPERSON MENDEZ: Thank you.

Mr. Diller, I have in front of me just one  
resolution, which is dated May 7th.

MARK DILLER: We have two, and they  
were submitted together, so I'll work with the  
clerk to make sure that you get the right ones.

CHAIRPERSON MENDEZ: Great. And if  
either one of you have your testimony that you can  
submit later on in writing, we'd love to have you  
delineate at certain points and just want to  
double check everything we have and we've been  
asking for, make sure we've covered everything.  
But wouldn't surprise me if you came up with  
something that we haven't covered that we want to  
take up, so--okay?

MARK DILLER: Terrific, thank you  
so much.

CHAIRPERSON MENDEZ: My colleagues?  
Okay. Thank you for being here today.

MARK DILLER: Thank you.

CHAIRPERSON MENDEZ: And for your  
testimony. We'll be calling up now Genora Johnson

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2 from Douglass Houses, Madeleine Innocent from  
3 Douglass Houses, and Debrella Nesbitt [phonetic]  
4 from Lillian Wald Houses. [pause, background  
5 noise] Yes, whenever you're ready.

6                   MADELEINE INNOCENT: My name is  
7 Madeleine Innocent. And I am a Community Advocate  
8 with Caring Residents of Public Housing, as well  
9 as a member and team leader of Community Voices  
10 Heard. Also, I've been newly appointed to  
11 Community Board 7. But I am here speaking on my  
12 own behalf because I live in Douglass Houses as a  
13 longtime residence. And I am appalled in the  
14 treatment and disregard for public housing  
15 residents. How is it that one person or  
16 organization has control over where and how I  
17 live? I've worked since I was the age of 14 years  
18 old and have contributed my fair share of taxes  
19 and still do. The recent proposal to sell--oh,  
20 I'm sorry, leasing of land to this proposal or  
21 presentation of building luxury high rises on  
22 public housing lots and playgrounds are in  
23 violation of our human rights, of our human rights  
24 and civil rights, are horrible and repulsive. The  
25 current Administration, Mayor Bloomberg, already



1  
2 took action in this land leasing in public housing  
3 in his last term, and most importantly this, his  
4 last year. This was because he thought we would  
5 not have any opposition to this project, and he  
6 would be able to do what he wanted to do without  
7 time to protest the in-fill. Many years ago,  
8 parts of Central Park as well as Park West Village  
9 consist of a black community and a church in which  
10 it was a part of my church now, St. Michael's  
11 Church. That was taken away from the black  
12 community and they built Central Park and Park  
13 West Village, in which no one in--no one who is in  
14 this category of low income can afford to live  
15 there anyway. Then it was Harlem. In maybe the  
16 '70s or '80s, the landlords abandoned and ignore  
17 pleas of the residents to repair the buildings.  
18 At one time, Harlem looked like a ghost town  
19 because of the landlords purposely neglected  
20 Harlem buildings. Look at it now, it is so  
21 vibrant and many new stores, different type of  
22 residents now live in Harlem. Again, most of low  
23 income people cannot afford to live in Harlem,  
24 either. They took that away from us, too. Now it  
25 is public housing, it's the last place for

1  
2 minorities and low income people and families who  
3 live in New York City. Mayor Bloomberg is trying  
4 to take the last place where low income people can  
5 live solely on his say-so. That is why I'm very  
6 much in support of the ULURP because of the lack  
7 of transparency and disregard for communities and  
8 Douglass Houses, as well, and public housing  
9 residents. NYCHA presentation about ULURP and the  
10 roundtable is to say that they were only  
11 presentations and real resident consultations,  
12 that is so far from the truth. With HUD, Section  
13 18, all NYCHA has to say is, "We talked to the  
14 residents." Certainly, that has not yet been an  
15 opportunity for residents, their families and  
16 community members have input in this process. We  
17 are an important asset to the community and we  
18 should be treated as such. And yes, we would like  
19 a nice place to live as well as a good security  
20 and a place where our children can learn and live  
21 in peace. With this in-fill at Douglass House,  
22 that takes away the chances of children and  
23 expectant mothers of living a normal, health free  
24 life with the high levels of lead that will cause  
25 damage and health issues to everyone and probably

1  
2 has already. I would like to say this, "How is  
3 one person like Mayor Bloomberg, with his net  
4 worth of around \$27 billion, is able to decide my  
5 fate in life without any opposition from anyone,  
6 especially the people involved. Mayor Bloomberg  
7 appears not to have considered the impact of the  
8 residents, seniors and the disabled, as well as  
9 the families and the surrounding communities. So  
10 what Mayor Bloomberg has \$27 million. That  
11 doesn't make him better than anyone or smarter  
12 than anyone. This is a man who is out of touch  
13 with decent human beings for the--and out of touch  
14 with decent human beings. And for the next Mayor,  
15 we will not tolerate being pushed around anymore.  
16 This is about money for him and his friends when  
17 he leaves office and in the future this is their  
18 plan to get rid of public housing in New York City  
19 in the future. And that is it. It is not about  
20 preservation for public housing, it is about  
21 lining the pockets of the one percent. We are not  
22 as stupid as he may think we are. And we will not  
23 let them take, we will not let him take anything  
24 away from us anymore. Fix the existing buildings  
25 before you start something new, it has to stop

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now.

GENORA JOHNSON: My name is Genora Johnson, and I'm a Caring Resident of Public Housing, Public Housing Team Leader of Community Voices Heard and also just appointed to Community Board 7. My family and I reside in Frederick Douglass Houses, one of the developments in which a land inside [phonetic] decided to take place. In the 1950s, the urban redevelopment was the most important public policy undertaken by New York City. It transferred the City physically and morally to local subsidies backed by millions of federal funds. The City leveraged huge sections of Manhattan to make room for middle home--middle income housing. In 1959, 16 Title I projects were built and near completion when they replaced tenements occupied by at least 100,000 low income people. Nearly 40 percent of them were African-American and Hispanic. It's clear that redevelopment proceeded on the backs of the poor and produced a city increasingly divided by income, race, cleverly unsound reasoning. It is 2013 and here we are right there, back where we started, where no one--but with more sophisticated

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2 terms. I'm here to support the resolution calling  
3 upon New York State Legislature to revise the New  
4 York NYCHA Real Property Public Review Act, an Act  
5 which requires any disposition of land or building  
6 by the New York City Housing be subject to comply  
7 with the provisions of ULURP. This means the  
8 applicant must file a stabilized land use review  
9 application and all required documentation with  
10 the Department of City Planning. Certification  
11 meaning the Department of City Planning be  
12 responsible for certifying the application is  
13 that's complete. That the community board within  
14 60 days of receiving the certified application be  
15 required to hold a public hearing and adopt and  
16 submit written recommendations, submit to the  
17 borough president for review, the City Council for  
18 the review, and Mayoral review. This covers  
19 everything to have stakeholders involved in what  
20 goes on in our community. This especially gives  
21 us as residents the right publicly to be informed.  
22 Bring more transparency to NYCHA. Due to the fact  
23 that we had a recent meeting in our surrounding  
24 community, there was a find of high lead--levels  
25 of lead found in the parking lots of Park West

1  
2 Village and Douglas Houses. It is important that  
3 we have an environmental study done. Right now,  
4 NYCHA is following Section 18 guidelines which  
5 states engagement and resident consultation. The  
6 process is a sham. First meeting was a dictation  
7 with a presentation that we do what they do, what  
8 that, what--wait, wait. Present that they are  
9 going to do. No real consultation with the  
10 residents. Roundtable meetings was a sham  
11 facilitated by NYCHA, documented by NYCHA, no  
12 input from residents from previous meetings. Even  
13 when I worked for the New York City Transit  
14 Authority, if we had a station inspection, you  
15 don't allow the station supervisor to do the  
16 inspection. The reason we need new ULURP is that  
17 it allows a longer process, gives us opportunities  
18 to give input through public hearings. Elected  
19 officials of City Council have power to stop what  
20 should be stopped. Just because we live in public  
21 housing, does not mean we all are on public  
22 assistance. There are at least 40 percent whom  
23 are children, who haven't even finished school  
24 yet, have no idea if they will be able to live  
25 anywhere else other than public housing. 30

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2 percent seniors who have paid their dues to  
3 society, retired, wanting to live comfortable, a  
4 comfortable life. It's not fair that NYCHA plays  
5 by its own rules. Thank you.

6 DEBRELLA NESBITT: Hi, my name is  
7 Debrella Nesbitt, I'm from Wald Houses. I don't  
8 have a title, I'm just a resident. And that  
9 worked to my advantage, because NYCHA treated us  
10 different at the meeting, who didn't "have a title  
11 than those who did have a title." And I was able  
12 to see things with a, I don't want to say trained,  
13 but a different eye. One of the things that I  
14 noticed at the meetings were they were very  
15 controlled. NYCHA controlled the meeting from the  
16 start to the finish. And it was more NYCHA  
17 employees there than it was tenants. NYCHA did  
18 not reach out to the tenants to tell them about  
19 the meetings, NYCHA did not tell them; those that  
20 they did, they didn't tell them what the meetings  
21 were about. The tenants would find out about the  
22 meetings the next day from other residents. So,  
23 there's no evidence of NYCHA reaching out and it  
24 shouldn't be the TA president's responsibility, it  
25 should be NYCHA's responsibility to make sure that

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2 the tenants be involved in the process. While at  
3 the meeting, there would be eight people at the  
4 table. Of these eight people, two of 'em would be  
5 NYCHA employees. And NYCHA would decide what the  
6 subject would be, and that the table would only  
7 have 15 minutes. And of these 15 minutes, NYCHA  
8 would take at least six of these minutes. And  
9 NYCHA would decide what to write on the paper.  
10 You were not allowed to go away from the subject  
11 or ask questions. These were really controlled  
12 meetings, and NYCHA would get up and tell what was  
13 said at the table. They chose to choose what was  
14 said at the table. And of course, they would  
15 reframe what you said to make it seem like it was  
16 what you--for instance, one of the suggestions was  
17 that NYCHA residents have 51 percent of the vote  
18 in making the decisions. When NYCHA made the  
19 speech, they said that the residents should have a  
20 vote. That was how they reworded it. And like I  
21 said, one of the things it was, was they  
22 controlled everything that was done. They was  
23 able to tell us that they were showing us a  
24 proposal, a proposal for a building, I was at  
25 Campos. This proposal had ten slides. But they



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said that that was the proposal that they wanted us to make a decision on. That's it.

CHAIRPERSON MENDEZ: Thank you. I want to thank this panel and Ms. Innocent you've been here for lots of my hearings before, and Ms. Nesbitt you're a constituent of mine. I'm glad to see you here. This meeting that you went to, at what development was that meeting held at or--

DEBRELLA NESBITT: Okay.

CHAIRPERSON MENDEZ: --how many meetings have you been to and at what developments? 'Cause I know you get around.

DEBRELLA NESBITT: I've been to three. As a matter of fact, I was at the first one, and I got the impression that I was the only one there who knew why we were there. People were talking about dogs barking and people making this much money, because they didn't know, they were -

GENORA JOHNSON: Disinformed.

CHAIRPERSON MENDEZ: But that meeting was being held at where?

GENORA JOHNSON: What development?

CHAIRPERSON MENDEZ: At what--?

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DEBRELLA NESBITT: No, it was at--

CHAIRPERSON MENDEZ: Campos Plaza?

DEBRELLA NESBITT: No, no, it was  
at--was it 34th Street? The first--

CHAIRPERSON MENDEZ: 34th Street.

DEBRELLA NESBITT: The first one.

CHAIRPERSON MENDEZ: Oh, when they  
were--

DEBRELLA NESBITT: No, no, I'm  
sorry, it was in Harlem.

CHAIRPERSON MENDEZ: Okay.

DEBRELLA NESBITT: It was in  
Harlem. [background comment]

DEBRELLA NESBITT: No, no, it was  
in Harlem.

CHAIRPERSON MENDEZ: Okay.

DEBRELLA NESBITT: It was--

CHAIRPERSON MENDEZ: So, it was one  
of the developments that they're talking about  
developing in uptown. Or was it like a general  
meeting that they were inviting some tenants to?

DEBRELLA NESBITT: It, it was the  
first meeting where they was doing the proposal,  
but they didn't tell--people really didn't know

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what was going on.

GENORA JOHNSON: I think it was a roundtable discussion.

DEBRELLA NESBITT: It was a roundtable discussion.

GENORA JOHNSON: 'Cause we had it as well, and she's just describing it accurately. I even went from table to table, because like she was saying, it was controlled. And I explained to each resident what they're not telling the residents. And I was asked to go sit down. But I told them that I'm going to explain it to them, so they know why they're there. And they almost put me out, but they didn't. But anyway.

CHAIRPERSON MENDEZ: And when was this, more or less? This meeting.

GENORA JOHNSON: Which one?

DEBRELLA NESBITT: Oh, ours was April 1st, April 17th.

GENORA JOHNSON: Yeah.

CHAIRPERSON MENDEZ: This year.

GENORA JOHNSON: Yeah.

MADELEINE INNOCENT: Yeah.

MADELEINE INNOCENT: No, mine

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wasn't this year.

GENORA JOHNSON: Oh, okay, - -  
roundtable.

MADELEINE INNOCENT: I went to the  
first one, I--like it wasn't--they hadn't, it was,  
it, they had - -

CHAIRPERSON MENDEZ: Oh, I believe  
this is regarding the Plan NYCHA, when they were  
doing roundtables about a year or so ago.

MADELEINE INNOCENT: Right, right.

GENORA JOHNSON: Yeah, roundtables.

CHAIRPERSON MENDEZ: Okay.

GENORA JOHNSON: But they all are  
the same. [crosstalk]

DEBRELLA NESBITT: Yeah, but they,  
even, it's--

CHAIRPERSON MENDEZ: So you know  
what it is? It's practiced. And they know how to  
hold a roundtable.

GENORA JOHNSON: Exactly.

[crosstalk]

DEBRELLA NESBITT: That was  
impressive, yeah, they put a lot of energy in it.

CHAIRPERSON MENDEZ: And curtail

1  
2 any, especially you, Ms. Innocent. [laughter]  
3 They're going to get you, Ms. Nesbitt, anytime  
4 soon, they're going to curtail you, as well.

5 MADELEINE INNOCENT: Because, I  
6 just want to say this: It concerns me to say, for  
7 them to speak about the eight TA presidents, I  
8 mean, you can buy eight TA presidents [laughter]  
9 but you can't buy eight developments. You  
10 understand what I'm saying? So.

11 CHAIRPERSON MENDEZ: Now, Ms.  
12 Innocent and Ms. Johnson, you're both from  
13 Douglass Houses.

14 MADELEINE INNOCENT: Right.

15 GENORA JOHNSON: Yes.

16 CHAIRPERSON MENDEZ: Can you tell  
17 me how many meetings have been had since they've  
18 announced this in-fill development plan in your  
19 development?

20 MADELEINE INNOCENT: Well,  
21 initially they had, it wasn't a roundtable  
22 discussion, it was sort of a town hall meeting  
23 type thing in the community center. Whereas, the  
24 community center wasn't large enough to, for the  
25 residents, 'cause they didn't expect all the

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people that came out. And--

CHAIRPERSON MENDEZ: How much space did it have to how many people - -

MADELEINE INNOCENT: [interposing] It was held at the Children Aid Society. I'm not sure of the numbers, but it was packed, it was standing room only. Not only that, there were residents outside wanting to come in and they wouldn't let them in.

CHAIRPERSON MENDEZ: How big is your development? Let's start with that.

GENORA JOHNSON: [off mic] 2,054.

CHAIRPERSON MENDEZ: 2,054 units.

GENORA JOHNSON: Units.

CHAIRPERSON MENDEZ: Okay.

MADELEINE INNOCENT: 'Cause we went and campaigned. [background comment] And they even called the police to curtail the crowd outside. I even went out and spoke to them and I mean they were upset, they all wanted to participate in it. Then, because of all the commotion--

CHAIRPERSON MENDEZ: Was it cold outside? I mean, was it winter?

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2                   MADELEINE INNOCENT: No, no, no, it  
3 wasn't bad. But at least they could have had a  
4 speaker outside, or something, rather than--and  
5 they could be - -

6                   CHAIRPERSON MENDEZ: [interposing]  
7 So the people who were waiting outside never got  
8 to hear--

9                   MADELEINE INNOCENT: We invited so  
10 many people, yes.

11                   GENORA JOHNSON: [off mic] But did  
12 they get, they came the roundtable the following  
13 month? [on mic] And then they were, used the  
14 gym--they used, I'm sorry, and then they used the,  
15 where was that--

16                   MADELEINE INNOCENT: High school.

17                   GENORA JOHNSON: --the high school,  
18 the gym of the high school, so we got the peop--  
19 more people in who didn't make it in to the first  
20 time, first meeting. Roundtable meeting, that's  
21 what Madeleine went around to say.

22                   MADELEINE INNOCENT: We forced them  
23 to have that second meeting, actually.

24                   CHAIRPERSON MENDEZ: Yeah. And  
25 that high school, what high school was it?

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GENORA JOHNSON: Westside High.

CHAIRPERSON MENDEZ: Westside High?

MADELEINE INNOCENT: On 102nd and Amsterdam. And that was large enough, but that was the roundtable discussion. But as I said, when I went to tables, like she was just indicating, they were telling the residents what they want to do, but not asking them what is their opinion. And like, like she said, if they gave a suggestion, they would get up and interpret it in a different way. Because we had stood outside in front of the school and spoke to the residents before they went in. So they knew what they were there for, but NYCHA told them what they were there for, in a different way.

CHAIRPERSON MENDEZ: Any other meetings besides this roundtable and the big--

MADELEINE INNOCENT: That's it.

CHAIRPERSON MENDEZ: --town hall?

MADELEINE INNOCENT: That's it.

GENORA JOHNSON: We just had a meeting at Community Board 7.

MADELEINE INNOCENT: Yeah.

GENORA JOHNSON: That was - -



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2 CHAIRPERSON MENDEZ: Okay. Now,  
3 are any of you on the Tenant Association?

4 GENORA JOHNSON: We're members.

5 MADELEINE INNOCENT: Members.

6 CHAIRPERSON MENDEZ: You're  
7 members, but you're not on like the Exec Board.

8 MADELEINE INNOCENT: No.

9 GENORA JOHNSON: No.

10 CHAIRPERSON MENDEZ: Okay. And so,  
11 I know that they did have separate meetings before  
12 they had the town hall, I was told, with the--

13 MADELEINE INNOCENT: We were told.

14 CHAIRPERSON MENDEZ: --with the  
15 Exec.

16 MADELEINE INNOCENT: You were told.

17 GENORA JOHNSON: You were told.

18 MADELEINE INNOCENT: Not true.

19 [laughs]

20 CHAIRPERSON MENDEZ: It did not  
21 happen in your development.

22 MADELEINE INNOCENT: No.

23 CHAIRPERSON MENDEZ: Okay. I think  
24 I heard that at the last hearing, the same  
25 testimony.

1  
2 GENORA JOHNSON: And then when they  
3 had the roundtable meeting, before that when they  
4 had it at the gym, they had said that they would  
5 take our parking spots, but they would definitely  
6 speak to us first to find out where we can put the  
7 parking spots. But when we got to the roundtable  
8 meeting, they had already picked them for us and  
9 that big picture of where they were going to be,  
10 so they took green plan, they're going to take the  
11 farmers' land, so they decided already the big  
12 picture, "This is what it's going to be." Without  
13 even asking us, but they told us they would ask  
14 us.

15 CHAIRPERSON MENDEZ: Okay. And you  
16 are in--well, there's only three Council Members,  
17 so you're in Melissa Mark-Viverito's district.

18 MADELEINE INNOCENT: Yes.

19 CHAIRPERSON MENDEZ: Okay. Well,  
20 anything else you'd like to tell us, or my  
21 colleagues, you have any questions? Okay. Thank  
22 you for coming here and we will continue to meet  
23 with all of you to see how this process is going.

24 MADELEINE INNOCENT: Thank you.

25 CHAIRPERSON MENDEZ: And thank you

1  
2 for being here again today. The next panel will  
3 be Judith Goldiner from the Legal Aid Society, and  
4 Victor Bach from the Community Service Society.  
5 And then the last panel will be Stacy Cammarano,  
6 from Urban Justice Center, Rajiv Jaswa, the New  
7 York Environmental Law and Justice Project. And  
8 that's all that's signed up to speak. So, if  
9 anyone else does want to speak, you can still see  
10 the Sergeant and fill out one of these papers, and  
11 give your testimony and put it on the record.  
12 [pause, background noise] Thank you very much.  
13 Whenever you're ready.

14 VICTOR BACH: Is this on? Yes.  
15 Thank you very much, Council Member Mendez and the  
16 rest of the Committee for this opportunity. As  
17 you can imagine, CSS and the Legal Aid Society  
18 both wholeheartedly support the Council Resolution  
19 asking the State Legislature to enact the NYCHA  
20 Real Property Review Act. A number of key points  
21 have already been made by some of the former  
22 panels, and so on. But I think it's important to  
23 understand that the in-fill program looms much  
24 larger than just the eight developments that have  
25 been targeted so far. As has been made clear,

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2 this would be just part of a larger NYCHA strategy  
3 to generate the revenues it needs to preserve its  
4 housing. And many, many, many developments will  
5 be affected, not only in Manhattan, but elsewhere.  
6 And that's--public housing residents constitute  
7 one out of every 12 residents in the population of  
8 New York City. And it's very important that there  
9 be a process like ULURP, to deal with very  
10 significant proposals that will affect hundreds of  
11 these public housing communities. So we applaud  
12 the resolution and we applaud the initiatives in  
13 Albany. That given, I think it's important to ask  
14 ourselves, no matter how wholeheartedly we endorse  
15 the use of ULURP and want NYCHA to be required to  
16 comply with it, whether or not the best review  
17 process for a bad plan will give us anything  
18 that's worth doing other than rejecting. And for  
19 that reason, considering the haste with which the  
20 current NYCHA in-fill plan has been put together,  
21 the faulty planning that has gone into it, which  
22 we'll talk about later, and the faulty process of  
23 engaging the affected communities, what we would  
24 also like to do here today is call for a halt in  
25 the current in-fill program. We'd like NYCHA to

1  
2 go back to the drawing boards and come up with a  
3 plan worth reviewing. And let's explain the--our  
4 plan, by the way, that would be, might be an in-  
5 fill strategy that calls for, that looks at  
6 whether or not private redevelopment in NYCHA  
7 communities can be a boon to both NYCHA and its  
8 resident communities, and the communities at  
9 large. For one thing, what we need to ask is  
10 "What's the rush?" NYCHA faces a serious  
11 structural, financial deficit, it is a long term  
12 deficit. It will not be solved by the current in-  
13 fill program. We know that will go a bit of the  
14 way, but it will not be solved by one stroke or  
15 one strategy. So we have to ask ourselves, "What  
16 is the rush to move forward with the current in-  
17 fill plan so quickly and so clumsily?" So, that  
18 being said, what we're asking for is for long  
19 term, better NYCHA planning. There is no urgent  
20 reason to rush in-fill plans forward. The  
21 authority should be required to put together a  
22 more community sensitive, more comprehensive, less  
23 narrow plan than in-fill represents to-date. If  
24 in fact zoning variances are appropriate, to make  
25 the community a better place to live, let's take

1  
2 the time to do it. If plans need to be changed  
3 and made more ambitious, that deficit will be  
4 standing there waiting to be addressed in any  
5 case. so, we have here a number of reasons why  
6 we'd like to see the current in-fill program  
7 brought to a dead halt, NYCHA go back and start  
8 over and do it with meaningful community  
9 participation from the start. Judith will list  
10 our other reasons.

11 JUDITH GOLDINER: My name is Judith  
12 Goldiner, and I'm the Attorney in Charge of the  
13 Civil Law Reform Unit at the Legal Aid Society.  
14 And we join here with CSS today in calling for a  
15 halt to the Housing Authority's in-fill plan. In  
16 terms of revenue, so the main issue that the  
17 Housing Authority, reason the Housing Authority  
18 articulates, for wanting to do the in-fill plan,  
19 is it will raise them \$50 million in revenue a  
20 year. We point out that in every year, the  
21 Housing Authority gives \$100 million to the City  
22 of New York in the term, in terms of payments to  
23 the Police Department, payments to Sanitation,  
24 payments in lieu of taxes. That money is more  
25 than twice the amount that would be raised by the

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2 in-fill program. If we could simply stop those  
3 payments, the Housing Authority would have a lot  
4 more money to spend on capital as a whole. In  
5 addition, alternative sources of revenue, such as  
6 potentially using Battery Park City Authority  
7 money have not been fully looked at, and other  
8 sources of revenue have not been explored. In  
9 addition, it's not clear even that what the  
10 Housing Authority has proposed is in fact a fair  
11 payment for these very valuable lands. Some of  
12 the last available vacant lands in Manhattan. And  
13 given that people have told us they don't think  
14 it's a fair price, you wonder who is benefiting  
15 from the fact that it may not be a fair price. In  
16 addition, funds for independent, technical  
17 assistance to resident councils so far are not in  
18 sight. The Housing Authority has just now  
19 released an RFP to designate a third party  
20 consultant to administer the use and decide on the  
21 allocation of TPA funds for this purpose. They  
22 have--they just put it out there, they haven't  
23 awarded it, the residents are frankly, the  
24 residents associations that we represent at  
25 Douglass and Baruch are quite frankly confused

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2 about how this process is going to work and how  
3 they can really use those funds. Again, we need  
4 to make sure that the residents have the  
5 independent information they need before the  
6 Housing Authority moves forward with its plan, not  
7 afterwards. So, we have not seen drafts of the  
8 in-fill RFPs, even though it's clear that the  
9 Housing Authority has them. And there's no good  
10 reason why we can't see what they're saying so we  
11 can see whether the promises that they've made  
12 really bear any reality. In addition, the in-fill  
13 planning has failed to give residents in the  
14 community opportunity to look at this process  
15 overall and decide what makes sense. For example,  
16 it may be that instead of residential  
17 construction, that retail or some commercial  
18 zoning would make sense for residents. A lot of  
19 developments do not have good supermarkets close  
20 by, and other, there may be other retail that  
21 would benefit residents. The Housing Authority  
22 has been here before, talking about the dire lack  
23 of senior housing. We know that we have an aging  
24 population, the Housing Authority seems as though  
25 if there would be residential development, making



1  
2 residential development that would be accessible  
3 for seniors would maybe be a better use for this  
4 development. But again, those are just off the  
5 top of our head ideas, because no meaningful  
6 consultation has been done to reach consensus on  
7 any of those ideas. So, finally, CSS and Legal  
8 Aid are really reluctantly coming to this  
9 decision, because we do understand the depth of  
10 NYCHA's fiscal problems. But NYCHA has entirely  
11 boxed this process. They have done a very good  
12 job at convincing people who are perhaps on the  
13 fence about this development plan to oppose it,  
14 because they have not given people the appropriate  
15 information to make a meaningful decision about  
16 this, they haven't explored what other options  
17 would be. And quite frankly, they've made  
18 promises over and over to residents that they have  
19 not kept. Let's look at other developments that  
20 they've done. At Markham Gardens, they tore down  
21 the public housing there, they redeveloped it,  
22 they said they would give a priority to public  
23 housing residents. It's my understanding that  
24 almost no apartments at Markham Gardens went to  
25 the residents. Let's look at Prospect Plaza.

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2 They tore down Prospect Plaza almost 20 years ago.  
3 And they are still redesigning, rethinking what  
4 they're going to do. Yet, they told all the  
5 residents there that they would get to go back.  
6 And the only development that's been done there is  
7 single family homes, and I don't believe any of  
8 them went to residents. So, we have to look very  
9 carefully at why we don't believe them, and why we  
10 don't believe them is promises that were made in  
11 the past, have not been lived up to. Thank you  
12 very much.

13 CHAIRPERSON MENDEZ: Thank you.  
14 So, wow, I have a lot of questions. Just jotted  
15 down a couple of things. Let me start with what  
16 you just talked about, Markham Gardens and  
17 Prospect Plaza. And I covered, during my eight  
18 years in the City Council, some discussion about  
19 Markham Gardens. And residents came to give  
20 testimony. And part of the problem that happened  
21 at Markham Gardens, which was confirmed by the  
22 Housing Authority, is that while some residents  
23 applied, they did not meet the, they were  
24 determined to have bad credit history, and could  
25 not apply. Which is something that's also been

1  
2 raised for the so-called 20 percent affordable,  
3 that even though NYCHA says a preference is going  
4 to be given to public housing authority tenants,  
5 that at the end of day, even if their application  
6 gets selected, they may not pass the credit  
7 criteria of the developer. So it is a big  
8 problem. And they did, in Staten Island, do some  
9 credit counseling and were able to get some people  
10 who were interested to apply. I don't know if  
11 then they were selected. But that's, you know,  
12 it's a lot of work to get our residents to be able  
13 to get something they should be entitled to have  
14 the first shot at getting these housing.

15 JUDITH GOLDINER: Well, and again,  
16 why should that be something that the--if the  
17 person's paying their public housing rent, and  
18 their public housing rent is going to be the same  
19 as the new rent, which is what they've alleged it  
20 will be, no more than 30 percent of your income,  
21 why should they look at that at all? And that's  
22 why we look at these broken promises. People were  
23 told, "Oh," people were not told, "Oh, if you pass  
24 our credit check, and if the developer likes you,  
25 and if at the end of the day we don't decide to

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2 take someone who has more money than you, then  
3 maybe you'll get an apartment." That's very  
4 different from saying, "Oh, no, these 20, you  
5 know, the 20 percent units are going to go to  
6 public housing residents." That's what we've been  
7 told. And we know based on past experience with  
8 them that that's not going to happen.

9 VICTOR BACH: Again, it raises  
10 another consideration around the ground lease,  
11 what conditions ought to be imposed on the  
12 developer concerning screening of applications for  
13 apartments. And I think NYCHA would have some  
14 control over that as part of the ground lease and  
15 as a condition in the RFP.

16 CHAIRPERSON MENDEZ: Thank you.  
17 Ms. Goldiner, you are representing, as part of  
18 Legal Aid Society, you're representing some of  
19 these--

20 JUDITH GOLDINER: Douglass and  
21 Baruch.

22 CHAIRPERSON MENDEZ: Douglass  
23 Houses and Baruch Houses. I was told yesterday  
24 that no resident association has requested TPF  
25 funds yet.

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VICTOR BACH: TPA.

CHAIRPERSON MENDEZ: TPA. Yet. So to date, no one's requested the funding. The Housing Authority has put this third party, this RFP for a third party consultant, to--in attempts, if residents want to avail itself, that this third party consultant would help with all of the paperwork that is required. 'Cause even if you put your application in and they say, "Yes, they're going to give you the money," nothing gets released until the work gets done and all the documentation and all the paperwork. And it's all federal requirements. So all this work will be going on and no one will be getting paid until all of that is done. And so the tenant association can choose to do that work themselves, or if they go through this third party consultant, the third party consultant would be submitting all that paperwork. And I know the last time we had a hearing, you requested, and I believe some of the other legal providers may have requested the application for TPA funds and you weren't allowed or weren't given it.

JUDITH GOLDINER: We since then

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2 were given a copy of the application, but we were  
3 told that there were instructions that the Law  
4 Department was preparing. And it's my  
5 understanding that we have not received those  
6 documents that are going to, that would make it--  
7 otherwise it's sort of difficult for us to  
8 meaningfully advise clients on how to do it. The  
9 other concern I have is in terms of the  
10 developments I represent, we're looking at  
11 environmental consultants, 'cause really that's  
12 where we don't have expertise and we really need  
13 someone to look at those environmental questions  
14 carefully. It's hard to do that when you really  
15 have no idea what the RFP is going to say, and you  
16 don't have any idea how big these buildings are  
17 going to be. And assessing the environmental  
18 impact at this time is pretty speculative. And  
19 you know, in our, you know, introductory  
20 discussions with people who might be able to help  
21 us with that, that's their concern, like when can  
22 you get us, you know, documents that would explain  
23 this project in more detail, and I don't have an  
24 answer to that. I mean, I guess they're saying  
25 now that they might have a draft RFP out at the

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end of the month. But you know, again, we haven't seen that and maybe that will make it easier.

CHAIRPERSON MENDEZ: When did the Law Department tell you or when did someone from NYCHA tell you that the Law Department was drafting these instructions?

JUDITH GOLDINER: Well, I remember they spoke to one of the attorneys in my office and I think it was like a few weeks ago, a month ago.

CHAIRPERSON MENDEZ: How much--

JUDITH GOLDINER: I have to, it wasn't to me--

CHAIRPERSON MENDEZ: It was after the hearing, obviously.

JUDITH GOLDINER: But it was after, but I believe it was after the hearing.

CHAIRPERSON MENDEZ: Yes, and my, the last hearing was on April 5th.

JUDITH GOLDINER: Yeah, so--

CHAIRPERSON MENDEZ: So it was sometime after the hearing.

JUDITH GOLDINER: Right.

CHAIRPERSON MENDEZ: But at least

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three weeks ago, and you've yet to receive these instructions for the TPA.

JUDITH GOLDINER: Well, I was told they had it in draft form, and that they're working on releasing it, but they hadn't released it yet, and you know, those, you know, I don't want people to have to go through these hoops twice, it's a pretty burdensome process. And the idea that people are going to work first and get paid later is not very realistic.

CHAIRPERSON MENDEZ: So, if I could find out when exactly they told you that, so that we can--

JUDITH GOLDINER: I will try and get you that information.

CHAIRPERSON MENDEZ: --sort of follow up with it.

JUDITH GOLDINER: I'm sorry, it wasn't a conversation with me, so I would have to go back and try and recreate that.

CHAIRPERSON MENDEZ: But also if a letter could go out to them, also reiterating that while after the last hearing they did provide you with the application finally, on behalf of your



1  
2 clients, they've yet to release the instructions  
3 which means you can't really fill out the  
4 application.

5 JUDITH GOLDINER: Right. [laughs]  
6 Okay.

7 CHAIRPERSON MENDEZ: So--

8 JUDITH GOLDINER: We will  
9 definitely do that.

10 CHAIRPERSON MENDEZ: 'Cause it was  
11 a little alarming to me yesterday to find out that  
12 none of the associations had applied or submitted  
13 an application, even though there were requests  
14 for applications back on--

15 JUDITH GOLDINER: Right.

16 CHAIRPERSON MENDEZ: --prior to  
17 April 5th.

18 JUDITH GOLDINER: But I think you  
19 also have to understand that until we see the--  
20 even a draft RFP--

21 CHAIRPERSON MENDEZ: Right.

22 JUDITH GOLDINER: --it's hard, it's  
23 really hard for us to get meaningful technical  
24 assistance. It just is.

25 VICTOR BACH: Also my impression,

1  
2 check me if I'm wrong, Judith, is that the legal  
3 representatives working with the resident  
4 councils, are still raising the kinds of questions  
5 Judith raised. Plus, each of the councils has  
6 given a list of questions to NYCHA, those which,  
7 the answers to those questions will in part  
8 determine what sort of technical issues most need  
9 to be addressed through the independent  
10 assistance.

11 CHAIRPERSON MENDEZ: Yeah, and my  
12 concern when they told me that was that since  
13 residents had gotten legal representation, that  
14 maybe, you know, and of course they didn't tell me  
15 anything about drafting any instructions and not  
16 finishing it; otherwise, I would've requested a  
17 copy immediately. But I was afraid maybe  
18 residents, because for some they're new to this  
19 process, may think, "Well, we got our lawyers and  
20 we're okay. But we need the experts. And so, we  
21 need to at least in all of these developments, and  
22 I'll speak to my colleagues, make sure that the  
23 resident leaders are sending something in writing  
24 saying, "We've requested the application." And my  
25 staff can help me out here. They can follow both

1  
2 process, right? They can apply for the third  
3 party consultant and they can also apply directly.  
4 So, you should be doing both tracks.

5 JUDITH GOLDINER: All right, then  
6 I--

7 CHAIRPERSON MENDEZ: And NYCHA  
8 actually is encouraging to do both tracks.

9 JUDITH GOLDINER: Right, and I  
10 think we've been very clear with our clients that  
11 we're lawyers and we're not environment--you know,  
12 we're not environmental experts. So--

13 CHAIRPERSON MENDEZ: Yeah.

14 JUDITH GOLDINER: --we need people  
15 who have that knowledge. We don't--

16 CHAIRPERSON MENDEZ: I'm going to  
17 be requesting a meeting while they're going  
18 through this RFP process which the last date to  
19 submit is at the end of this month, correct? The  
20 24th. For organizations to submit to be  
21 considered as technical assistance, apart for  
22 administrating and documenting all the TPA  
23 requirements. But I'm going to request a meeting  
24 on Legal Aid's behalf for your two developments.  
25 And I'll--one of them is mine, Baruch Houses.

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JUDITH GOLDINER: Yep.

CHAIRPERSON MENDEZ: And the other one is Melissa Mark-Viverito's district. And I'll do likewise with the other developments and their Councilperson and their legal providers. So that we can try to move this forward, so that the money can be forthcoming. 'Cause NYCHA's not stopping its process.

JUDITH GOLDINER: No that's totally right.

CHAIRPERSON MENDEZ: And meanwhile, not only do we not have the money, we don't even have the instructions to fill out the application to figure out when we can get the money to get the experts who have to wait for the money at some point in the future.

JUDITH GOLDINER: Right.

CHAIRPERSON MENDEZ: So, Margaret, any questions?

COUNCIL MEMBER CHIN: No, I think just a comment. We met with them yesterday, and they were saying, "Oh, you know, we have this, nobody has filed an application," but they failed to tell us they didn't give any instruction. And

1  
2 this sounded like, you know, they're not going to  
3 stop and they're not going to do anything unless  
4 it's mandated. So, I think what we're talking  
5 about with this resolution today, if we get the  
6 state to pass the law, then they have to comply  
7 with the process. And one of the concerns that I  
8 have and also the resident in my development  
9 instead, was the environmental impact. Because  
10 buildings, you know, buildings always have, you  
11 know, gas problem, and then we had two buildings  
12 that were damaged by the storm. They want to  
13 know, "What's going to happen if you build another  
14 humongous building right next to it? What would  
15 that do to the structure of the buildings that we  
16 have?" And to NYCHA, it's like, "Well, we'll do  
17 the environmental impact later."

18 JUDITH GOLDINER: Yeah, that's what  
19 they do.

20 COUNCIL MEMBER CHIN: It's like it  
21 doesn't make sense to us. So, I think that's what  
22 we need to really get this legislation in place.  
23 But at the same time, I think we need to really  
24 encourage our residence leaders that the  
25 organization to start pushing for this TPA

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funding, and we'll do on our end to help push it.

JUDITH GOLDINER: Great. We appreciate that, thank you so much.

CHAIRPERSON MENDEZ: You heard the testimony of the previous panel, which are residents from public housing, some of the--well, they're all affected developments, 'cause while there's no plan to build today, in Lillian Wald Houses, the other two developments, three developments are right near there, and it certainly impacts them. And who knows when they're going to target Lillian Wald, as well. Have you been to any of these town hall meetings or these roundtables, and the process that was described by the residents, which seemed very accurate. I mean, I was at one of the roundtables, but I left at the very beginning when they broke up into small groups. And certainly what the resident from Lillian Wald, Debrella Nesbitt was talking about, was something that happened over a year ago, which I believe is the Plan NYCHA roundtables. Have you been at any of those meetings? What were your experience? And--

JUDITH GOLDINER: Yeah, I've been--

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VICTOR BACH: Yeah.

JUDITH GOLDINER: --at, well--

VICTOR BACH: Oh, okay, I'm sorry.

Yeah, I've been to several. And I went to some of the roundtables before in-fill. And on the in-fill roundtables, the description is very accurate, they generally start at 6:30, end at 9:00, NYCHA spends an hour with a slide show on its financial problems, residents are seated at round tables with one or two NYCHA facilitators. There is no open mic until 9:00, when the meeting is scheduled to end. So there's very little open mic. Generally, the tables are after an hour of weary financial figures, and a brief description of the plan, the tables into buzz mode and there's, for about 15 or 20 minutes, the NYCHA facilitator reports out. Now can you imagine listening to reporting out from 20 tables in the room? That takes you to 8:30, quarter to 9:00. Sometimes there's a second buzz group. I have, I was at one where a resident said, "Where do I'm against this plan? Where do I say it?" It's very, very hard, this is so well managed, it's very hard to dissent, because you're dealing with

1  
2 a NYCHA person across the table from you. You  
3 have no chance to relate to others in the room who  
4 many feel similarly. It's extremely well managed.  
5 And--

6 JUDITH GOLDINER: And let me add at  
7 my table, where we all said, you know--

8 VICTOR BACH: [laughs]

9 JUDITH GOLDINER: --"We hate this  
10 plan and it's a bad plan," they got up and they  
11 said everything else, but that. And I said, you  
12 know, "Excuse me. You didn't report on the fact  
13 that this is actually what we said." And they  
14 said, "Oh, yeah, that's actually what they said,  
15 too." [laughter] I was like, "Really?"

16 VICTOR BACH: I was at, I was at  
17 one roundtable, this is pre-in-fill, where NYCHA  
18 had a huge presentation on the annual plan, and  
19 one or the issue they presented on was something  
20 called "Moving to Work." And they talked about  
21 the funding flexibility that Moving to Work would  
22 provide. They said nothing else about Moving to  
23 Work. And some of the tables said they liked  
24 Moving to Work, 'cause it provided funding  
25 flexibility and so on. And I got a call the next



1  
2 day from someone at NYCHA saying, "What did you  
3 think of the roundtable?" And I said, "Well, why  
4 didn't you tell them that under Moving to Work,  
5 it's possible to impose time limits on tenancy,  
6 work requirements, repeal the Brook Amendment, and  
7 so on?" And I was told, "Well, that's because  
8 NYCHA doesn't intend to do it." So that it  
9 presents its view of the picture and it requires,  
10 I think the worst of it, is it calls on residents  
11 for immediate feedback, without any consideration  
12 of what's been presented without any chance to  
13 come together and position themselves. It's  
14 immediate feedback and very limited feedback.  
15 Sorry to take so long.

16 JUDITH GOLDINER: That's right, I  
17 have nothing, I mean, there--I've been to a number  
18 of these and that's the way they are.

19 CHAIRPERSON MENDEZ: And at the  
20 roundtable where you, you or your group, commented  
21 that you didn't like this in-fill development and  
22 it didn't get reported in the summary. What  
23 development was that?

24 JUDITH GOLDINER: That was at  
25 Douglass.

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CHAIRPERSON MENDEZ: That was at  
Douglass. And that meeting was held--?

JUDITH GOLDINER: I'm sorry, I  
could get you the date, but I don't have it off  
the top of my head.

CHAIRPERSON MENDEZ: Sometime  
[background comment, "April 17th."]

JUDITH GOLDINER: Oh, there you go.  
[background comment, "Or April 1st."]

CHAIRPERSON MENDEZ: Okay.

JUDITH GOLDINER: It was the April  
17th one, cause the April 1st one was the one  
where they just talked at everyone." [background  
comment] And then they locked everyone out.

VICTOR BACH: And of course there's  
a NYCHA photographer taking pictures throughout  
the evening.

CHAIRPERSON MENDEZ: To document--

VICTOR BACH: Any other photographs  
are prohibited. [background comment

CHAIRPERSON MENDEZ: To document,  
'cause pictures can capture the consultation, that  
they have to comply with in Section 18. Okay. I  
want to thank this panel for their testimony. And

1  
2 thank you for your advocacy on this issue for  
3 decades.

4 JUDITH GOLDINER: Thank you.

5 VICTOR BACH: Thank you.

6 CHAIRPERSON MENDEZ: We are all  
7 better off because you're always there and being  
8 vigilant, thank you. The next panel, Stacy  
9 Cammarano and Rajiv Jaswa. And I just got another  
10 one that I would like to add you to this panel,  
11 let me see if I'm pronouncing it, Mayzabeth Lopez,  
12 from Good Old Lower East Side. So, who, whoever's  
13 ready to give testimony, you can grab the  
14 microphone, identify yourself for the record, and  
15 start with your testimony.

16 STACY CAMMARANO: I'm Stacy  
17 Cammarano, I'm an attorney with the Urban Justice  
18 Center. And I actually don't have independent  
19 testimony, but we're endorsing the testimony of  
20 the New York Environmental Law and Justice  
21 Project. It should be treated as joint testimony.

22 CHAIRPERSON MENDEZ: Okay.

23 RAJIV JASWA: Good afternoon, my  
24 name is Rajiv Jaswa, and I'm a Law Clerk at New  
25 York Environmental Law and Justice Project. The

1  
2 Law Project, together with the Urban Justice  
3 Center, currently represent several hundred NYCHA  
4 residents living at developments targeted for the  
5 construction of new market rate high rise towers,  
6 including Smith Houses, Meltzer Tower, Washington  
7 Houses, and Carver Houses. These residents all  
8 oppose NYCHA's so-called land lease opportunity to  
9 preserve public housing, because they believe that  
10 it is actually a land grab opportunity, and a  
11 threat to everything which has made New York  
12 City's public housing uniquely livable for the  
13 last 75 years. These residents believe NYCHA has  
14 constructed a false dichotomy between the living  
15 and aging substandard housing, or giving up the  
16 community centers, parks and open spaces which  
17 have helped sustain their communities for decades.  
18 Before continuing, I would like to state on behalf  
19 of both of our organizations, as well as the NYCHA  
20 residents we represent, that we strongly  
21 appreciate the efforts of both the State  
22 Legislature and the City Council to ensure that  
23 NYCHA's in-fill development plans will be  
24 submitted for review under New York City's Uniform  
25 Land Use Review Procedure, or ULURP. Since NYCHA

1 officials first began publicly discussing the in-  
2 fill development proposal, it has been met with  
3 consistent demand for ULURP review. This demand  
4 has come from all corners. NYCHA residents, their  
5 neighbors, prominent community based  
6 organizations, affected community boards and of  
7 course from you, our City Council representatives.  
8 In response, NYCHA officials have suggested that  
9 ULURP review is somehow unnecessary, and even  
10 redundant, because their in-fill development plans  
11 are already subject to regulatory review under  
12 Section 18 of the 1937 United States Housing Act.  
13 The federal Section 18 review and the local ULURP  
14 review are two markedly different types of  
15 proceedings. They differ in form, substance,  
16 purpose and history, and any attempt to  
17 characterize Section 18 as a reasonable substitute  
18 for ULURP is plainly inaccurate and misleading.  
19 Section 18 is part of the 1937 Housing Act, which  
20 courts have described as a fairly typical federal  
21 grant and aid program. In exchange for various  
22 types of federal funds, local public housing  
23 agencies must comply with an assortment of  
24 conditions. Among other things, the Act regulates  
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2 rent calculations, lease provisions, tenant  
3 selection and of course the demolition or  
4 disposition of housing projects. Section 18,  
5 which controls the demolition and disposition of  
6 housing projects, primarily insures that federal  
7 funding is not being wasted when a public housing  
8 authority decides to walk away from a development.  
9 By contrast, ULURP is part of the New York City's  
10 local land use and planning regime. And it  
11 emerged in the late '70s from the movement towards  
12 more community based planning approaches. Among  
13 its distinctive features, ULURP provides  
14 opportunities for input from community boards,  
15 borough presidents, elected representatives, as  
16 well as experts and bureaucrats. It fundamentally  
17 reflects that fact that in New York City's dense  
18 built environment, individual land use and  
19 planning decisions have far reaching social,  
20 economic and environmental impacts, all of which  
21 spill over well beyond the - - and bounds of any  
22 particular development site. And this is  
23 precisely why it is essential for NYCHA to submit  
24 its in-fill development plans for ULURP review.  
25 ULURP is broadly inclusive, standardized, and

1 familiar, while Section 18 is top down and  
2 narrowly focused on the management of public  
3 housing. In its Section 18 application, NYCHA  
4 will have to make certain statutorily required  
5 certifications to the Department of Housing and  
6 Urban Development, or HUD, most of which address  
7 the vaguely defined "best interests" of the  
8 Housing Authority and its residents. The  
9 Secretary of HUD is then legally required to  
10 approve this application unless there are any  
11 grossly apparent inconsistencies with information  
12 already available to the Secretary. Although  
13 Section 18 does include the much discussed  
14 resident consultation requirement, HUD has  
15 repeatedly rebuffed requests that they prescribe  
16 minimum standards for what should pass as  
17 consultation. ULURP, by contrast, provides a  
18 standardized review process that is much more  
19 familiar to New York City residents who are long  
20 accustomed to participating in local land use  
21 decision making through their community boards.  
22 Moreover, ULURP is designed to allow input from a  
23 wider range of stakeholders and on a wider range  
24 of issues. This distinction is extremely  
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1  
2 important because of the tremendous social,  
3 economic and environmental implications of  
4 erecting 14 new high rise residential towers, each  
5 with natural gas fired cogeneration facilities,  
6 and each of which will add thousands--and in  
7 aggregate, which will add thousands of new market  
8 rate units to already densely populated Manhattan  
9 neighborhoods. ULURP may not be a panacea, but  
10 for all of the above stated reasons, we strongly  
11 support the efforts of both the City Council and  
12 the State Legislature, to ensure that NYCHA's in-  
13 fill development plans are submitted for ULURP  
14 review. Thank you very much for allowing me this  
15 opportunity to testify in support of today's  
16 resolution.

17 MAYZABETH LOPEZ: I apologize for  
18 the lateness. My name is Mayzabeth Lopez. I  
19 represent the Good Old Lower East Side.

20 CHAIRPERSON MENDEZ: Never too  
21 late.

22 MAYZABETH LOPEZ: Yeah. I wanted  
23 to actually testify on behalf of the Executive  
24 Director, Damaris Reyes, who is also submitting a  
25 written testimony. So, I'm reading off a cell



1  
2 phone, and again I apologize, I--but I felt that  
3 it was necessary to do. So--sorry?

4 CHAIRPERSON MENDEZ: And if at some  
5 point you can get us the testimony in writing,  
6 it'll be helpful when we review things later, but  
7 it's fine.

8 MAYZABETH LOPEZ: Okay. So on  
9 behalf of Damaris, "Good afternoon, my name is  
10 Damaris Reyes, and I am the Executive Director of  
11 GOLES, Good Old Lower East Side, a 35 year old  
12 membership organization dedicated to tenants'  
13 rights, economic equality and community  
14 revitalization. As a pioneer and a leading voice  
15 in public housing issues, both locally and  
16 nationally, we reach more than 10,000 people on  
17 the Lower East Side every year with our work.  
18 Last year as a part of the New York City Alliance  
19 to Preserve Public Housing, GOLES joined our  
20 colleagues and elected officials from around the  
21 City to highlight in the Alliance platform, before  
22 NYCHA announced its plans, the failings of the  
23 Housing Authority's process for demolition and  
24 disposition proposals. To reiterate, this  
25 included requiring a separate special hearing and

1  
2 review process for any Section 18 proposal, as  
3 well as a thorough public outreach and education  
4 and dedicating TPA funds for technical assistance.  
5 Since Section 18 requirements and more general HUD  
6 964 regulations mandate that housing authorities  
7 consult with residents in developing any  
8 demolition or disposition proposal, we know that  
9 NYCHA's woefully inadequate current process, even  
10 if executed to the letter and in good faith, would  
11 barely comply with the strict federal regulations  
12 to begin with. With that in mind, I come here  
13 today on behalf of Good Old Lower East Side, in  
14 support of the proposed legislation that would  
15 engender greater transparency from NYCHA.  
16 Notwithstanding two significant points of note,  
17 one about the process and two about this plan.  
18 First, GOLES, in addition to our public housing  
19 work, also participates actively in land use  
20 issues impacting the Lower East Side and our peers  
21 around the City. Having participated intensively  
22 in the ULURP process, including very recently the  
23 process surrounding Spurs, GOLES can attest to  
24 ULURP's own myriad imperfections and the ways it  
25 falls short of being a truly public process. That

1  
2 said, requiring a ULURP like process would  
3 represent a tremendous step up from the low bar  
4 NYCHA currently set for its public land use  
5 decisions. Organizations around the City  
6 currently want to reevaluate ULURP with the aim of  
7 straightening its effectiveness and relevance to  
8 the communities, its decision's impact, and I want  
9 to applaud these efforts and encourage this  
10 Committee to recommend that any process required  
11 of NYCHA to go beyond ULURP, even in terms of  
12 transparency and accessibility. Secondly, as I've  
13 stated before, this Committee not long ago, GOLES  
14 takes issue not only with the process but with  
15 NYCHA's plan itself. I want to take this  
16 opportunity to reiterate that we oppose NYCHA's  
17 plan and feel that using what little public space  
18 is left for luxury housing, to say nothing of  
19 subverting federal required resident consultant  
20 procedures to do so, is to keep it succinct,  
21 reprehensible and shortsighted. Even setting  
22 aside the tremendous adverse impacts it will  
23 inevitably have for residents, the plan would  
24 generate vastly greater revenue for private  
25 developers than it does for the Housing Authority.

1  
2 I want to ask, "Who does NYCHA's plan genuinely  
3 benefit?" With respect to the topic of today's  
4 hearing, any measures for transparency would help  
5 to ensure that these kinds of questions would come  
6 to the forefront in an appropriately accountable  
7 process. To conclude, I want to emphasize that  
8 with respect to NYCHA's current plan, starting a  
9 ULURP process now for this land lease plan is  
10 unequivocally not enough and shouldn't be mistaken  
11 for a real resident engagement. We all know that  
12 a ULURP process foundation is laid long before the  
13 first public hearing and before the scoping for  
14 the EIS. Any process that NYCHA brings forward  
15 must involve genuine resident participation from  
16 the beginning, long before there are development  
17 specs or polished presentation of a finalized  
18 plan. However, for future Section 18 proposals,  
19 GOLES supports any mechanism that would increase  
20 NYCHA's accountability to residents, its  
21 communities and the City as a whole. Thank you.

22 CHAIRPERSON MENDEZ: Thank you very  
23 much. So, the Environmental Law and Justice  
24 Project is a project of UJC, of the Urban Justice  
25 Center.

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RAJIV JASWA: [off mic] No, it's--

CHAIRPERSON MENDEZ: No?

RAJIV JASWA: [off mic] --we're co-counsel in--

CHAIRPERSON MENDEZ: Okay.

RAJIV JASWA: --representing, but we're a separate organization.

CHAIRPERSON MENDEZ: Oh, okay, 'cause I looked at this real quickly. Okay. So then, my first question, you're--the both of you are representing different resident associations at this moment?

STACY CAMMARANO: That's correct.

RAJIV JASWA: [off mic] We both together represent Smith and Meltzer.

CHAIRPERSON MENDEZ: Smith and Meltzer. Okay.

RAJIV JASWA: And then--

STACY CAMMARANO: And then a separate project within the Urban Justice Center represents the Washington and Carver Houses.

CHAIRPERSON MENDEZ: Hold on a second, let me get this over here. Smith and Meltzer is jointly by both of you; and then,

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another one is representing Carver?

STACY CAMMARANO: Washington and Carver.

CHAIRPERSON MENDEZ: And what project, or what part of UJC, or--?

STACY CAMMARANO: That's the Safety Net Project, recently renamed from HOP, the Homeless Prevention Project.

CHAIRPERSON MENDEZ: And that's part of UJC?

STACY CAMMARANO: Yes, there-- they're all part of UJC, except for the New York Environmental Law and Justice Project.

CHAIRPERSON MENDEZ: Representing Washington and Carver. So, is, so then we don't know who is representing Campos Plaza and La Guardia Houses. And one of those is mine. Well, La Guardia--well, La Guardia and Campos Plaza actually were for the development at one point, and now they're against it. So, I guess we'll find out.

STACY CAMMARANO: Oh, the residents are not--at La Guardia, are for the plan. It's just the TA.

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CHAIRPERSON MENDEZ: No, the TA, I think they've come out against it, officially.

STACY CAMMARANO: I'm talking about La Guardia. I - -

CHAIRPERSON MENDEZ: Yes, La Guardia, I'm talking about La Guardia, as well.

STACY CAMMARANO: Just recently?

CHAIRPERSON MENDEZ: Yes. That's what I was told, so, well, we can all confirm that. But I know several weeks ago, about two weeks ago, Campos Plaza's President came out against it, and I heard that in the last two days the same thing happened at La Guardia. But we, you know--[background comment] Yes. So, the Environmental Law and Justice Project, can you tell me, have you been involved in any of these issues before? Because there have been some other Section 18 process that has happened in New York City, and I don't remember, since it wasn't in my district, what organizations were involved. And if any of you were, which I believe maybe UJC was, I'm not sure. Can you tell me what happened in those other process? And what would've been different had we had a ULURP option?

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2                   RAJIV JASWA: So, I--it was a  
3 similar sort of th--so, UJC and the Environmental  
4 Law and Justice Project were also co-counsel in  
5 the St. Nicholas Houses case, where they built a  
6 charter school on the parkland area at the center  
7 of the development. And I guess in that case, the  
8 residents came to us after construction had  
9 already begun and so this was actually a few  
10 months after the Section 18 application had been  
11 approved. In that case, there actually was ULURP  
12 review for a part of the project, because the  
13 project involved opening up a cul-de-sac and  
14 creating a through street through the middle of  
15 the development. So actually what NYCHA did is  
16 they sort of segmented the project, so they said  
17 that the disposition of the land wasn't subject to  
18 ULURP. But they went through ULURP review just  
19 for the change to the City map required to open up  
20 the through street. I think part--Like, the  
21 residents would've come to us sooner, I think  
22 maybe, like a major issue in the St. Nick's case  
23 was that everything happened before anyone really  
24 knew what was going on. The disposition already  
25 took place, the Section 18 application was already



1  
2 approved. The residents were under the impression  
3 that they could present an alternative plan so  
4 they actually hired architects first, and came up  
5 with an alternative plan, because they thought  
6 that would be a way to challenge it. And I guess,  
7 yeah, it was really difficult to meaningfully  
8 engage with the process, because of that.

9 CHAIRPERSON MENDEZ: Thank you.

10 [pause] Just give me a second here. [pause,  
11 background noise] Okay. I don't have any more  
12 questions. Margaret? No? So, I'm trying to  
13 think of--I was going to ask something, but I  
14 speak to Damaris every day, so I think I kind of  
15 know everything that's going through her head at  
16 this point. I want to thank you all for your  
17 testimony. I suspect we're going to be seeing a  
18 lot of each other in the coming weeks and months.  
19 And as I mentioned earlier, I will be requesting a  
20 meeting with the legal representatives, the  
21 tenant's associations and NYCHA, to talk about how  
22 we can get to that TPA funds. The other thing  
23 that I want to state on the record and people  
24 should know, is--and I've had this verified by the  
25 Housing Authority--that the tenant association

1  
2 president has to request the TPA funds. And if  
3 the President does not, then no one in that  
4 development can get access to those funds. I  
5 would think it'd be important for the tenant  
6 president to do that, they get elected just like a  
7 lot of other people do. So, they would have a  
8 constituency that would want to get some of the  
9 money to get the experts, I would think they'd  
10 want to do that. But people need to start talking  
11 to their, the executive boards on these  
12 associations, to at least start accessing the  
13 money and getting the application. [pause] Okay.  
14 My counsel is telling me to ask, because I just  
15 assumed, based on the information I got earlier  
16 and yesterday, have--do you know if any of your  
17 tenants associations that you are representing, or  
18 working with, in the case of GOLES, have requested  
19 or started the application process for the TPA  
20 funds?

21 STACY CAMMARANO: I don't know of  
22 any of our tenants associations that have started  
23 the request for TPA funds. I think that the same  
24 issues have been encountered that other people  
25 testified to in terms of not really knowing what

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the process is for applying. Is that accurate?

RAJIV JASWA: Yeah, it's, I think we, like met with Legal Aid and jointly sent a letter to NYCHA, requesting more clarity about the process. And we haven't really received a response yet. So, yeah.

MAYZABETH LOPEZ: Right, that's, yeah, that's pretty much the information I know, too.

CHAIRPERSON MENDEZ: So, we just need to get something--you know, I'm going to urge whatever associations you're working with, get to the executive board, get to the tenant president, and have them at least submit something in writing, so we can get this rolling. And as I mentioned earlier, the RFP, the Request for Proposals, for those organizations that will be providing the technical assistance, and the documentation and disbursement and retrieving of the money from TPA, is coming up on May 24th. So that's, they're moving along with that process to try to help and assist residents. And then we'll see who applies to provide that technical assistance. That is something the residents can

1  
2 then access, but we--I believe, and NYCHA agreed,  
3 that it should be both tracks, they should try to  
4 do both. And they understand and know that the  
5 regular process, without this assistance, and  
6 providing all the documentation is labor intensive  
7 and sometimes even though approved, money does not  
8 get released, because documentation and  
9 requirements have not been complied with at the  
10 federal level. So, that's why they started this  
11 RFP, for the technical assistance for the TPA.  
12 Yes.

13                   RAJIV JASWA: I guess one thing we  
14 have heard from the TA presidents we represent is  
15 that it seems like there needs to be like some  
16 sort of like bidding process that they need to get  
17 three bids from anyone in order to access TPA  
18 funds, which is something difficult because of the  
19 sort of like particularized nature of the service  
20 they're looking for. So to get like three  
21 competitive environmental analysts to look at this  
22 issue is sometimes difficult.

23                   CHAIRPERSON MENDEZ: Well, you  
24 know, the federal rules are made by our federal  
25 legislators and by HUD. If, you know, if the

1  
2 agency, if HUD decides to change some of that,  
3 we'd have to go to them and ask them, and I don't  
4 know when and if any waivers are made or if two  
5 bids would be sufficient. Certainly, TPA funds to  
6 run a family day, is much different than TPA funds  
7 to get an environmental consultant and do an EIS  
8 study, and get attorneys. So, you know, we can,  
9 we need to start talking to our legislators and  
10 calling HUD, and knocking on Washington's door,  
11 which has forsaken public housing tenants a long  
12 time ago, though. All right. Well, I want to  
13 thank everyone who's still here. This hearing is  
14 being laid over for a vote on a date to be  
15 determined. And at that point, I will--the  
16 resolution is being laid over. And at that point,  
17 when we get together again, I will be asking for  
18 my colleagues for a yes vote on this resolution.  
19 Thank you, everyone. Do I still get to bang the  
20 gavel?

21 MALE VOICE: Yes, you do.

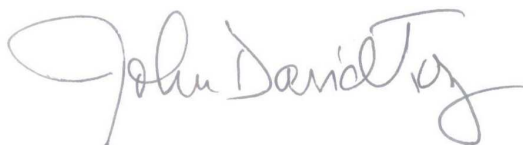
22 CHAIRPERSON MENDEZ: There we go.

23 [gavel] Thank you.

C E R T I F I C A T E

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

Signature

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date June 3, 2014