

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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January 11th, 2021
Start: 10:42 a.m.
Recess: 2:00 p.m.

HELD AT: Remote Hearing (Virtual Room 2)

B E F O R E: Rafael Salamanca
CHAIRPERSON

COUNCIL MEMBERS:
Adrienne Adams
Diana Ayala
Inez Barron
Joseph Borelli
Chaim Deutsch
R. Diaz, Sr.
Vanessa Gibson
Barry Grodenchik
Peter Koo
Stephen Levin
I. Daneek Miller
Francisco Moya
Kevin Riley
Antonio Reynoso
Carlina Rivera
Mark Treyger
Debbie Rose

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

Anita Laremont, Executive Director
Department of City Planning

Susan Amron, General Counsel
Department of City Planning

Lucy Joffe, Assistant Commissioner
Department of Housing Preservation and
Development

Alex Fennell, Senior Housing Organizer
Association for Neighborhood and Housing
Development (ANHD)

Gregory Jost
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Rob Solano, Co-founder and Executive
Director
Churches United for Fair Housing (CUFFH)

Fitzroy Christian, Leadership Team
Community Action for Safe Apartments
(CASA)

Paul Epstein, Co-Chair
Inwood Legal Action

Samuel Stein, Senior Policy Analyst
Community Service Society

Tafadar Sourov, Organizer
Laborers Local 79

Summer Sandoval
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New York City Environmental Justice
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Adam Meyers, Attorney
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Latoya Washington, Member
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Robert Camacho, New York City Resident

Marcel Negret, Senior Planner
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Paula Crespo, Senior Planner
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Anne Guiney, Chair
Housing and Land Use Committee
Brooklyn Community Board Four

Victor Davila
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Boulevard Coalition Group

Alessandra Ametrano
Artists Against Displacement
Committee to Protect Chinatown

Kelly Vilar, Head
Staten Island Urban Center

Joseph Lara, New York City Resident

Phil Simpson, Lawyer
Racial Impact Study Coalition

Corey Ortega, Founder
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Ana Nunez, Services Coordinator
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Brayan Pagoada, Youth Organizer
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Maxwell Cabello, Land Use and Policy
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Churches United for Fair Housing

Cesar Rodriguez, Housing Specialist
Churches United for Fair Housing (CUFFH)

Ausar Burke, Organizer
Churches United for Fair Housing (CUFFH)

2 SERGEANT-AT-ARMS: Okay, all. Thank you
3 for your patience. As per Chair Salamanca, were
4 going to wait about a minute to just make sure that
5 the livestream is working properly and then we will
6 reconvene.

7 CHAIRPERSON SALAMANCA: Hold on. So, we
8 are ready to reconvene, right?

9 SERGEANT-AT-ARMS: Just if you want to wait
10 the minute just to make sure that we're staying in
11 that room and then we're going to start.

12 CHAIRPERSON SALAMANCA: Yeah. I'm going to
13 wait the minute. I'm also going to tweet something.
14 What room are we on so that they can get-- when they
15 get on?

16 SERGEANT-AT-ARMS: We're back in room two
17 where we were supposed to be. Okay, Chair
18 Salamanca, it seems that everything is rolling
19 smoothly. We're going to start again. So, we are
20 just going to restart the recordings and our opening
21 statement and then we'll hand it over to you.
22 Sergeant-at-arms, at this time, can you please start
23 your recordings?

24 SERGEANT-AT-ARMS: PC recording is started.

25 SERGEANT-AT-ARMS: Thank you.

2 SERGEANT-AT-ARMS: Cloud recording started.

3 SERGEANT-AT-ARMS: And, Sergeant Polite,
4 with your opening statement, please.

5 SERGEANT-AT-ARMS: Thank you. Good morning
6 and welcome to the remote hearing on land use. Will
7 Council members and staff please turn on their video
8 at this time? Once again, will Council members and
9 staff please turn on their video at this time? Thank
10 you. To minimize disruptions, please place all cell
11 phones and electronics to vibrate. You may send your
12 testimony to landusetestimony@council.nyc.gov. Once
13 again, that is landusetestimony@council.nyc.gov.
14 Chair, we are ready to begin.

15 CHAIRPERSON SALAMANCA: Thank you. Thank
16 you, sergeant-at-arms. Good morning. I am Council
17 member Rafael Salamanca. I am the Chair on the
18 Committee on Land Use and today we have been joined
19 by Public Advocate Jumaane Williams, Council member
20 Adams, Reynoso, Grodenchik, Lander, Rivera, Menchaca,
21 Dharma, Diaz, Rose, Ayala, Chair Moya, Borelli, Chair
22 Riley, Chin, Treyger, Koo, Council member Reverend
23 Ruben Diaz. And that's it for now. We're here today
24 to discuss the proposed legislation of 1572 A, a bill
25 sponsored by Public Advocate Jumaane Williams that

2 would require an analysis of racial and ethnic
3 disparities for land use applications of
4 significance. The analysis would identify existing
5 conditions in transit neighborhoods, racial and
6 ethnic composition, social and economic indicators,
7 and disparities in data between racial and ethnic
8 groups among other provisions. In 2021, New York
9 remains the divided and inequitable city where
10 persistent disparities between black and Latino
11 families and white families. Numbers and statistics
12 can't fully express the crushing reality of this
13 inequality, but here are just a few citywide figures.
14 The income of the median white household in New York
15 City is more than double than that of black or Latino
16 households. For example, \$94,000 for white
17 households, versus \$48,000 for Blacks and \$44,000 for
18 Latinos in this is before the impacts of Covid 19
19 which is impacted the health and economic well-being
20 of black and Latinos. While 60% of white New Yorkers
21 have at least a bachelor's degree, only 19% of
22 Latinos and 25% of black New Yorkers do. The life
23 expectancy in communities of color across the Bronx
24 in central Brooklyn is 5 to 10 years lower than in
25 affluent parts of Manhattan in Queens and, according

1 to a Brookings Institution study, the New York City
2 metropolitan area the remains region in the nation,
3 second only to Milwaukee. Much of this inequality is
4 due to the legacy of decades of explicitly
5 discriminatory housing and land use practices from
6 red lighting to urban renewal to exclusionary
7 [inaudible 00:05:16]. These practices systematically
8 exclude generations of New Yorkers of color from
9 access to fair housing and economic opportunity.
10 While the Housing Fair Act of 1968 and did the worst
11 of these practices, they were that followed by
12 decades of implicitly biased policies that continue
13 to facilitate exclusion from wealthy areas of
14 opportunities and concentrate new affordable housing,
15 production, and lower income communities of color.
16 New York school to become a more equitable city you
17 will remain out of reach if we fail to understand the
18 potential disparities and harms and benefits of our
19 land use decisions. From the very start, land-use
20 applications should include analysis of how the
21 proposal may affect different racial and ethnic
22 groups and identify potential measures to address any
23 disparities. The analysis, proposed by this bill,
24 would identify trends in neighborhood, racial, and
25

2 ethnic composition, social and economic indicators,
3 the housing market, and analyze disparities in this
4 data between racial and ethnic groups. Identifying
5 potential disparities in both the potential negative
6 effects of proposed projects, and the potential
7 benefits to the community of that project. For
8 example, for an affordable housing project, the
9 report may reveal a disparity in the households
10 eligible for proposed housing units, pushing
11 stakeholders to provide deeper affordability to
12 achieve a more equitable project and to invest in
13 local anti-displacement work. For commercial
14 development, the report may help reveal disparities
15 in the workforce that would be employed at the future
16 project, highlighting the need for more workforce
17 development. Local hiring, with a more diverse set
18 of employment opportunities to be included in the
19 development. The legislation proposed today will not
20 solve New York's racial equity crisis on its own, but
21 by ensuring analysis of potential disparities, is
22 included from the very beginning of a proposal, this
23 bill can help begin to institutionalize the goal of
24 the racial equity in our land use decisions and
25 making process and provide stakeholders the needed

2 information to push for more equitable outcomes. In
3 this way, we anticipate that this bill will move us
4 towards the goal shared by the administration, as
5 highlighted in their where we live Fair Housing
6 report, to make the city truly equitable. The
7 committee looks forward to hearing testimony today
8 from the Department of City Planning and the
9 Department of Housing and Preservation and
10 Development. I would like to call on Public Advocate
11 Jumaane Williams, the bill sponsor, who has prepared
12 remarks for today.

13 PUBLIC ADVOCATE WILLIAMS: Thank you so
14 much, Mr. Chair. As was mentioned, my name is
15 Jumaane Williams, Public Advocate for the city of New
16 York. I want to thank Chair Salamanca who has been
17 a partner in this from the beginning and being the
18 Land Use Chair has meant a lot to getting this done,
19 so I appreciate you. I want to thank Speaker Johnson
20 for helping us get this done. The members of this
21 committee for Land Use for holding this hearing.
22 Including a racial impact analysis in the uniform
23 land use review procedure is very long overdue. The
24 way in which land is the rezoned in our city has
25 subsequently made it difficult for many New Yorkers

2 to find a home, let alone stay in their home. The
3 land zoning process, coupled with the use of the
4 mandatory inclusionary housing program, as it is
5 currently drafted, has led to the message
6 gentrification, exclusion, and displacement across
7 the city because its process did not take into
8 account the potential effects that proposed land-use
9 actions could have on the racial makeup of the
10 neighborhood. My bill, Intro 5072 A would address
11 this issue by requiring racial disparities report for
12 certainly in use applications for a minimum number of
13 adjacent blocks or floor area. The report must
14 include, but is not limited to an analysis of the
15 existing demographic social, economic, and housing
16 conditions, trends in the neighborhoods racial and
17 ethnic composition, and social and economic
18 indicators in the two decades preceding the year of
19 the filing of application and potential measures that
20 may address any identified disparities or
21 displacement risks such as certificate of no
22 harassment protections, right to counsel protections,
23 workforce development programs, or other initiatives
24 or policies that would achieve greater racial and
25 ethnic equity. As for the MIH program, I believe it

2 needs to be completely revamped. The city has to
3 amend the current MIH plan by revising the terms of
4 options one into to account for deeper affordability.
5 Option one should require the developers to set aside
6 70% of residential floor area is affordable for
7 families earning an average of 50 percent of AMI an
8 option two should require developers to allocate 75
9 percent of residential floor is affordable for
10 families earning an average of 70%. These changes
11 would ensure that affordable housing exists for lower
12 to moderate income New Yorkers like teachers, police
13 officers, and other public employees. Some of you
14 may be wondering why our city needs the racial impact
15 study to be part of the ULURP process. We can look
16 to rezoning's that have been done over 20 years as
17 evidence of why we need this change. The Park Slope
18 Fourth Avenue rezoning in 2003 and Greenpoint
19 Williamsburg Water rezoning in 2005 displaced
20 thousands of black and Latin X residents. Despite
21 both the neighborhoods population growth, between
22 2000 and 2015, Greenpoint and Williamsburg saw a
23 decrease of nearly 15,000 Latin X residents, even
24 though there was a population increase of 20,000
25 during that period. In Park Slope, there was a

2 decrease of about 5000 black and Latin X residents
3 between 2000 and 2013, despite the population growth
4 of more than 6000 during that same period. Rezoning
5 lead to the building of new developments in
6 communities and the creation of these new
7 developments affects housing affordability so much so
8 that various communities have localized their
9 concerns. Advocates, residents, business owners, and
10 others across the city have formed coalitions in
11 response to the city initiated rezonings. We saw
12 this during the Inwood rezoning where the plan was
13 approved by the Council in 2018, community advocates
14 suited to an all the rezoning plans the following
15 year, arguing that the city's environmental review
16 process failed to examine the racial impact of
17 rezoning in residential displacement. The judge in
18 the case ruled to overturn the resolutions approving
19 the rezoning saying that the public review process to
20 allow the residents of the community to have
21 meaningful enrollment in the process and provide
22 feedback regarding important issues under review to
23 determine any environmental impact that the proposed
24 planning will have. In other words, community
25 members need to have [inaudible 00:11:43] development

rezoning process proposals to ensure transparency, while addressing the environmental racial and economic impact. Unfortunately, instead of going back to the drawing board and meeting with the advocates and community members, the administration appealed the decision before the Appellate Division last June which subsequently ruled in favor of the city. Although this Court of Appeals refused to hear an appeal of the Appellate Division's decision from the advocates, it is clear that the rezoning should have never been initiated in the first place as it will exacerbate gentrification and accelerate displacement in Inwood. Every rezoning should have a racial impact study conducted before it is approved. Community advocates want this change and New York City residents need it. If the outcome of the Industry City rezoning taught us anything, it is that an engaged community members are not simply going to continue accepting rezoning plans that lead to displacement, exclusion, and loss of social cohesion. It will mobilize and speak out against these land use actions and it's time the city started listening to them. Mandating that a racial impact study be a part of the ULURP process is a good place to start. I

2 urge the members of this committee and the entire
3 city Council to pass this bill without much delay so
4 that we can ensure this administration effectively
5 addresses housing inequality in this city. Passing
6 Into 1572 A will put us on a path to a more fair New
7 York where everyone can afford to live regardless of
8 race, ethnicity, or income level. I also want to
9 thank the Black Latin Asian Caucus for their support
10 and a shout out to all the advocates, especially
11 CUFFH. We have a tendency to be able to describe the
12 problems in terms of race. We also have to have the
13 ability to push forward the solutions in terms of the
14 same things we describe the problems. And so, I'm
15 thankful that we have this hearing today. I'm
16 looking forward very much to the administration.
17 This discussion is important because, very often,
18 there's some kind of light shed on folks who push
19 these ideas and push back on the rezonings that we
20 don't want development. We don't want things to
21 develop in the city when nothing could be further
22 from the truth. We just want to make sure it's
23 developed in a way that doesn't leave anyone behind.
24 We don't want to go back to normal before the
25 pandemic because that didn't work. So many of the

2 rezonings that came previously have brought us to
3 this point. They did not do the things that they
4 told us it would do. It did not develop the city in
5 a way where everyone can benefit. We have a great
6 opportunity to come out of this pandemic with new
7 structures and new policies, new procedures that
8 could make sure no one gets left behind. A racial
9 impact study, I believe, is one big step in doing
10 that. So, thank you.

11 CHAIRPERSON SALAMANCA: Thank you very
12 much, Public Advocate Jumaane Williams. I am now
13 going to turn over to our committee counsel to go
14 over some procedural items.

15 COMMITTEE COUNSEL: Thank you. I am
16 Malaika Jabali, counsel to the city Council's
17 Committee on Land Use for today's hearing. Before we
18 begin, I want to remind everyone that you will be on
19 mute until you are called on to testify that which
20 point you will be unmuted by the host. Please listen
21 for your name to be called as we will periodically
22 announce who the next panelist will be. Instead of
23 or in addition to testifying during the hearing, you
24 may email your testimony to the
25 landuse[testimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov) with disparity

2 report hearing in the subject line. During the
3 hearing, Council members who would like to ask
4 questions of the administration, advocates, or
5 members of the public should use the zoom raise hand
6 function. The raise hand button should appear at the
7 bottom of the participant panel. At the end of
8 public testimony on this bill, I will call for the
9 meeting to stand at ease while we check to see if
10 there are any more members of the public who wish to
11 testify. As we adjust to public hearings via zoom,
12 there may be extended pauses as we encounter
13 technical delays. We ask that you please be patient
14 as we work through this format. And as a reminder,
15 we've already ended public testimony for this
16 hearing, so those registrations should have already
17 been in and you should receive your information. We
18 will first hear testimony from the Department of City
19 Planning represented by Anita Laremont and Susan
20 Amron followed by the Department of Housing
21 Preservation and Development represented by Lucy
22 Jaffe. During the hearing, if Council members would
23 like to ask a question, please use the zoom raise
24 hand function and I will call on you in order. I
25 will now administer the oath to both panelists. So

2 I'm just making sure we have our panelists here.

3 Please raise your right hands. Do you affirm to tell
4 the truth, the whole truth, and nothing but the truth
5 before this committee and to respond honestly to
6 Council member questions?

7 UNIDENTIFIED: Yes.

8 COMMITTEE COUNSEL: Thank you. Before
9 you begin, please state your name and affiliation for
10 the record and the representatives of DCP, when
11 you're ready, please begin. Ms. Laremont--

12 SERGEANT-AT-ARMS: She's muted.

13 COMMITTEE COUNSEL: you're still on
14 mute.

15 CHAIRPERSON SALAMANCA: Sergeant-at-arms,
16 can you-- Okay. Yes. We can hear you.

17 ANITA LAREMONT: I'm unmuted now. Okay.

18 CHAIRPERSON SALAMANCA: Yes, ma'am.

19 ANITA LAREMONT: Good morning. Okay. My
20 name is Anita Laremont and I am the executive
21 director of the Department of City Planning and I
22 want to say good morning and thank you to Chair
23 Salamanca and the distinguished Council members here
24 along with Public Advocate Williams. I want to thank
25 you for the opportunity to testify at this hearing on

2 Intro 1572 A which would require applicants
3 submitting certain land use applications to prepare a
4 racial disparity report. This is an important
5 discussion that-- and we are wholly committed to
6 advancing fair housing in New York City, ending the
7 legacy of discrimination and ongoing discrimination,
8 and advancing and addressing the inequities that
9 plagued our city. We understand that, when
10 considering land use in the neighborhood, it is
11 critically important to have an understanding of the
12 demographic trends and changes underway. Housing
13 supply and affordability and existing patterns of
14 inequity. For this reason, the city and city
15 partners have created extensive information and
16 resources that provide this information in context
17 which DCP, HPD, and others used to inform our
18 engagement and all of the discussion that leads up to
19 rezoning. These resources include the Department of
20 City Plantings community District profiles poverty,
21 educational attainment, rent burden, unemployment,
22 and other resident characteristics with borough wide-
23 - borough and citywide context to highlight
24 disparities, as well as information about land use,
25 coastal flood risk, and more. The Mayor's Office of

2 Economic Opportunity produces the annual report on
3 social indicators and equity which describes
4 disparities in poverty, economic opportunity, housing
5 conditions, public safety, and more, along with an
6 inventory of policies and programs seeking to address
7 them. The Furman center also publishes information
8 that we utilize in this regard. I'm sorry. Just
9 excuse me one second here. I'm having a little
10 technical difficulty here. And other data in the
11 state of New York City's housing and neighborhoods
12 and maintains the city Council funded record data.NYC
13 data hub which inventories subsidized housing
14 throughout the city along with data on rents,
15 housing, prices, and more. All these data sources
16 are available to the public and readily accessible
17 formats. With the extensive resources already
18 directed to maintaining these data sources, it is
19 important to clarify the problem that we are trying
20 to solve so that we can work together to solve it.
21 Racial disparities are the product of systemic racism
22 made up of ongoing practices, as well as a legacy of
23 explicit and implicit racism and prior decisions and
24 practices. As acknowledged in where we live in NYC,
25 progress towards eliminating racial disparities

2 requires holistic evaluation, focus and cooperation
3 across government and nongovernment partners.

4 Concerns about displacement and disparate outcomes
5 are by no means limited to the rezoned areas. Only
6 one to two percent of the city's land has been
7 rezoned since 2014, but require a broader and more
8 holistic focus. Analyzing disparities within a
9 neighborhood does not provide an adequate

10 understanding of disparity, nor does an individual
11 land-use actions necessarily provide a vehicle for
12 addressing it. The greatest disparities in New York
13 City exist across and between neighborhoods, rather
14 than within them and the lack of sufficient housing
15 for all people who need it is the root cause of
16 displacement pressure in neighborhoods throughout the
17 city. While we acknowledge the very tangible
18 concerns about displacement that emerged during
19 discussions of rezoning, we also cautioned against
20 attributing causality between rezoning or new
21 construction and demographic change or suggesting
22 that future demographic patterns can be predicted
23 with or without zoning changes. New York City's
24 diverse residents move and the composition of
25 communities' changes over time because of a variety

2 of factors and in ways that cannot be forecasted with
3 accuracy. Policies such as rezoning with mandatory
4 inclusionary housing are intended to ensure that plan
5 growth expands the range of housing options available
6 to all low income populations, including those who
7 may be at risk of displacement. This administration
8 is fighting displacement with record levels of
9 affordable housing, free legal services, rent
10 phrases, and programs to combat harassment and
11 enforce antiharassment laws. Through Where We Live
12 in NYC, we are advancing fair housing initiatives to
13 fight discrimination and build more inclusive
14 neighborhoods. We are making tangible progress and
15 ensuring that all neighborhoods are carrying their
16 weight in providing affordable housing opportunities
17 by advancing proposals to rezoning Soho NoHo and
18 Gowanis. We are continuing to try to do more to make
19 sure inequities are properly understood and
20 addressed. We want to work with you understand what
21 information in your view is missing, how that
22 information can be useful in the process of
23 formulating policy and making decisions, and to work
24 together to test and refine approaches to providing
25 this information. The Where We Live NYC plan,

2 released this past fall, includes new commitments to
3 data disclosure and analysis to more thoroughly
4 describe current conditions and enable the candidate
5 and informed discussion of needs and concerns and an
6 extent to which these can be addressed through a wide
7 range of policies. The first commitment Where We
8 Live NYC spelled out is to analyze citywide trends in
9 housing growth and loss. The availability of low
10 income housing and demographic changes, in order to
11 provide an equity oriented basis for furth policy and
12 decision making. To enable this analysis, the
13 Department of City Planning has recently created a
14 new housing database, available through the open data
15 portal, describing all permitted additions and
16 subtractions to the housing stock since 2010.
17 Further detail analysis and comparison among
18 neighborhoods will provide important context for
19 broader policy as well as individual land use
20 decisions. The department will be issuing additional
21 data and analyses over the course of this upcoming
22 year that investigate current trends and illuminate
23 the impact zoning and other factors have on housing
24 production. The second commitment is to require that
25 all land use applications, not only up zonings, to

2 disclose readily available demographic information
3 about the surrounding neighborhoods so that all
4 parties commenting on or participating in the
5 decision understand characteristics of the population
6 living nearby. This commitment has commonalities
7 with Intro 1572 A and we look forward to working to
8 align the two proposals further. We want to work
9 together to ensure that accurate and informative data
10 is available to decisionmakers and the public while
11 avoiding potential unintended consequences. The data
12 and analyses themselves are one aspect of Intro 1572
13 A that we believe would benefit from further
14 consideration. As we have found in conducting our
15 own data analyses, there are significant technical
16 challenges in evaluating issues of disparities in a
17 highly localized way. Proposed privacy oriented
18 changes to the way the US Census Bureau discloses
19 data may make this even more challenging in the
20 future. We want to work so that the data that would
21 be required is available and statistically reliable
22 and issue especially significant in small geographic
23 areas. We also want to thoroughly examine the
24 analyses required to avoid the potential for
25 inferences and predictions that cannot be made in a

2 credible way. We look forward to further
3 conversations on how this proposal can be aligned
4 with and can build upon other issues to use data to
5 advance fair housing. For instance, the proposal
6 should apply not just to up zonings, but to down
7 zonings, as well. We appreciate the Public Advocate
8 and the Council's strong interest in advancing this
9 conversation and we look forward to working with you
10 to continue to further fair housing in New York City.
11 Thank you.

12 COMMITTEE COUNSEL: Thank you for your
13 testimony. We will now turn to testimony from HPD.
14 Before you begin, please state your name and
15 affiliation for the record. Ms. Joffe, you may begin
16 when ready.

17 LUCY JOFFE: Lucy Joffe, assistant
18 commissioner from the Department of Housing
19 Preservation and Development. Good morning, Chair
20 Salamanca, Public Advocate Williams, and members of
21 the Committee on Land Use. I am Lucy Joffe,
22 assistant commissioner of housing policy at the
23 Department of Housing Preservation and Development.
24 Thank you for the opportunity to provide testimony on
25 Intro 1572 A here today. The de Blasio

2 administration is deeply committed to making the city
3 more fair and affordable for New Yorkers. We are now
4 experiencing one of the toughest the Covid 19
5 pandemic has exacerbated the challenges faced by New
6 Yorkers who do not have a stable, safe, and
7 affordable home. Has the city responds to the
8 pandemic and works toward recovery, it is vital that
9 we take a multifaceted approach to ensure New Yorkers
10 have increased access to high-quality affordable
11 housing and can remain in the city they love and in
12 the neighborhoods they have worked so hard to keep
13 together. Before the pandemic, the city released a
14 draft version in January 2020 of the Where We Live
15 NYC plan, a blueprint for fair housing that was the
16 culmination of a two-year planning process led by HPD
17 and the New York City Housing Authority and in close
18 partnership with the Department of City Planning and
19 dozens of governmental agencies. The city engaged
20 hundreds of residents, over 150 community-based and
21 advocacy organizations through the Where We Live NYC
22 process to discuss difficult fair housing issues
23 including persistent discrimination in the housing
24 market, segregation in our neighborhoods in schools,
25 and unequal access to amenities and resources on the

basis of race, disability, and other characteristics protected by fair housing laws. The draft plan received considerable public comment from formal testimony and public events across the five boroughs in the city finalized the plan in October 2020. Over the past year, our city is gone through a dramatic transformation. As the plan details, the disproportionate impact the pandemic has had on low income communities of color is inextricably linked to the historical and ongoing exclusion of people of color from housing, job opportunities, and access to capital. Black and Latin X New Yorkers are the most likely of our residents to have pre-existing health conditions, have the least access to paid sick leave and health insurance through employers, and have fewer healthcare resources to draw from in the neighborhoods in which they live in. At the same time, the brutal murders of Ahmad Arburey, Brionna Taylor, and George Floyd repeated horrible reminders of the importance of working to undo the legacy of segregation and systemic racism in our city. Intentional policies and practices over centuries created segregation and inequity across the country and in our city and it will take a concerted effort

2 from all levels of government working with our
3 partners in the private and nonprofit sectors to undo
4 that legacy. Where We Live NYC reflects the city's
5 commitment to look at all of our work through a fair
6 housing in equity lens. Through Where We Live NYC,
7 the city of New York lays out comprehensive approach,
8 including metrics, strategies, policy proposals, and
9 new priorities to break down barriers to opportunity
10 and to build more integrated, equitable, and
11 inclusive neighborhoods. Where We Live NYC plan
12 included extensive analysis looking at where New
13 Yorkers with different personal characteristics
14 including race, income, national origin, and
15 disability live in relation to each other and how
16 this impacts their experiences in their homes from
17 the amount they pay in rent each month to the
18 likelihood they will experience maintenance problems.
19 Available housing options, based on the location of
20 new development, the distribution of affordable
21 housing, and the persistence of discrimination in the
22 housing market and access to resources and
23 opportunities. The plan reflects the city's
24 commitment to combat persistent housing
25 discrimination with expanded resources and

1 protections, facilitate equitable housing development
2 in New York City in the region, preserve affordable
3 housing to prevent the displacement of long-standing
4 residents, and enable more effective use of rental
5 assistance benefits, create more independent and
6 integrated living options for people with
7 disabilities, and make equitable investments to
8 address the neighborhood-based legacy of
9 discrimination, segregation, and concentrated
10 poverty. The city will work across agencies to
11 better incorporate racial equity and fair housing in
12 every stage of the project's development. Already at
13 HPD, we are looking to incorporate data and metrics
14 from Where We Live NYC in the processes through which
15 we allocate our annual capital funding and new
16 project-based section 8 vouchers each year. These
17 new procedures will be aimed at broader geographic
18 distribution of affordable housing across the five
19 boroughs and we look forward to partnering with DCP
20 and other agencies to ensure that growth not only
21 achieves greater affordability, but is centered in
22 equity and racial justice in neighborhoods that have
23 historically experienced disinvestment. When this
24 administration seeks to expand the range of housing
25

2 options available through planned growth strategies
3 such as mandatory inclusionary housing, HPD is
4 instituted new policies to couple newly affordable
5 housing with critical investments and services and
6 amenities. We have created new community engagement
7 tools to ensure that development plans at their
8 earliest phases are informed by a diversity of local
9 perspectives and we have conducted community-based
10 planning processes like the Brownsville plan and the
11 resilient Edgemere community plan to promote
12 equitable distribution of service and infrastructure
13 investments in neighborhoods to combat historic
14 disinvestment and discrimination. HPD is in the
15 business of protecting tenants. The Council's
16 partnership in all of these areas has been vital to
17 the administration's efforts to keep people in their
18 homes and provide broader access to safe, high-
19 quality affordable housing. As the pressures causing
20 displacement of evolve and change, we look forward to
21 further conversations with the Council about data-
22 driven, targeted approaches to effectively work at
23 combating these effects. Thank you for the
24 opportunity to testify and I look forward to
25 answering any questions you may have.

2 CHAIRPERSON SALAMANCA: Thank you for your
3 testimony, New York City Planning and HPD. So, I'm
4 going to start with a few questions and then I'm
5 going to hand it off to Public Advocate Jumaane
6 Williams for his questions and then we will hand it
7 off to Chair Moya for some questions and then we are
8 going to open it up to the Council members. So,
9 first, thank you for your testimony. Given the
10 national conversation taking place around race since
11 the summer and the local state and federal government
12 pledge to review current policies, can you speak to
13 what city planning and HPD has done to review or
14 institute new policies that community stakeholders
15 have been calling for?

16 ANITA LAREMONT: Chair Salamanca, I will
17 try to answer that question. You know, we have had a
18 great deal of internal sort of reckoning and
19 discussions about the impact of planning on racial
20 segregation in the city of New York. We are working
21 with an outside consultant to address issues of
22 systemic racism and understanding systemic racism for
23 our staff and we are embarking on an effort to
24 analyze the things that we can change and the way
25 that we plan that will address and rectify some of

2 these issues. We talked extensively about the need
3 to listen to communities and understand community
4 needs in a way that is at odds with going into
5 communities and sharing with communities what we
6 believe they need to really get a better
7 understanding of what their needs are. You know, we
8 are very data-driven and we want to reenforce the
9 tools that we have, as I mentioned in my testimony,
10 but we also need to understand the way people feel
11 and get some sense of qualitative data and
12 incorporate that into our work in a way that we
13 haven't previously. But our efforts in this regard
14 are going to be ongoing throughout this year to try
15 to see how we can modify the way that we work that
16 will make a change in the way that these issues are
17 addressed.

18 CHAIRPERSON SALAMANCA: You mentioned an
19 outside consultant. How long have you had an outside
20 consultant to help you address systemic racial
21 issues?

22 ANITA LAREMONT: We engaged the
23 consultant probably early this fall following an RFP
24 process and we are just getting underway with the

2 consultant's work. It just took us a while to get it
3 set up.

4 CHAIRPERSON SALAMANCA: City Planning,
5 about two and a half years ago, they commissioned a
6 rezoning. A Southern Boulevard rezoning in my
7 district with the intentions to rezone upwards of 80
8 blocks in the south Bronx and, along with community
9 stakeholders, I was extremely concerned about the
10 risk of displacement as a result of the rezoning
11 which is way I, ultimately, killed the rezoning. You
12 know, one of the main concerns that I had with this
13 rezoning was that, about 90% of the empty lots that
14 the city wanted to rezone were privately owned lots
15 and, therefore, we would've just given a blank check
16 to developers expecting them to do the right thing
17 for our community. Now, had Intro 1572 been law at
18 the time, do you believe that city planning or HPD
19 would've been able to prove that displacement of
20 minorities would not have occurred and we would've
21 move forward with this rezoning?

22 ANITA LAREMONT: Chair, I would suggest
23 that the answer to that would be no because I don't
24 believe that, even when we have in place a construct
25 that gives us all of this data, that we will be able

2 to show the causality in terms of a rezoning action.
3 That is something that we actually do have a
4 difference of opinion about. What causes
5 displacement. We see displacement all the time in
6 New York City. It's due in large part to economic
7 forces. It is certainly happening in neighborhoods
8 that we are not working in whatsoever. What I would
9 say that I fully agree with this is that, in all
10 instances, we should be armed with every ounce of
11 data that we can find to have a full understanding of
12 the demographics and racial composition of
13 neighborhoods that we are working.

14 CHAIRPERSON SALAMANCA: A year and half ago
15 to two years, we had a hearing with City Planning on
16 the CEQR process and one of the questions that I
17 asked was, the City Planning, when they rezone
18 certain communities, do they go back after a few
19 years to see what were the outcomes of that rezoning?
20 Whether there was displacement, whether, you know,
21 new members of the communities have moved in, whether
22 businesses were displaced and City Planning's
23 response to me was no because they are a forward
24 moving agency. Do you still have that mentality in
25 terms of, you know, being a forward moving agency and

2 not going back and reviewing rezonings that were done
3 in the past?

4 SUSAN AMRON: Chair, if I could address
5 that question. To introduce myself, I'm Susan Amron,
6 the general counsel at the Department of City
7 Planning and I testified at the CEQR hearing that you
8 were referring to. We continue to look at all
9 neighborhoods. We look at neighborhoods both that
10 have been rezoned and that have not been rezoned and,
11 as Ms. Laremont said in her testimony, we do think
12 it's critical to understand demographic trends and
13 changes in the housing supply and affordability and
14 look at that in neighborhoods throughout the city.
15 And, to do this, we had extensive data resources we
16 have committed to developing and sharing additional
17 data. And so, I think it is not that we are not
18 looking back to say what is happening in communities,
19 but we are not doing that through environmental
20 review. We do that through vast numbers of other
21 programs and other analyses that we do on a regular
22 basis.

23 CHAIRPERSON SALAMANCA: So, when I first
24 came to the Council about-- going on five years
25 now-- we rezoned-- there was an east New York

2 rezoning and it's five years in the making. Has City
3 Planning gone back since it's going to be almost five
4 years now. Have they gone back to see if there's
5 been any changes in that immediate community because
6 of that rezoning?

7 SUSAN AMRON: Well, again, as I-- we are
8 looking at neighborhoods throughout the city and not
9 simply the ones that have been rezoned and I think,
10 you know, Where We Live, for example, looked at
11 neighborhoods throughout the city to assess housing
12 demographic changes, trends, and so we have not
13 specifically said we need to go back and look at a
14 particular rezoning through the rezoning lens or
15 through CEQR, but more generically and more
16 holistically in understanding what's going on in
17 neighborhoods throughout the city.

18 CHAIRPERSON SALAMANCA: And wouldn't you
19 think it would be appropriate to go back after a
20 couple of years when that community has been rezoned
21 to if there has been displacement?

22 SUSAN AMRON: I think we are interested in
23 understanding displacement and movement of
24 populations. As, I think, Ms. Laremont cautioned, we
25 need to be careful about attributing causality

2 between rezonings, population changes, changes in
3 demographics, and movement of people. And so, what
4 we are trying to do is not look and say precisely
5 what has happened in this neighborhood because it was
6 rezoned, but what is happening in neighborhoods
7 through the city, what are the trends, and what are
8 causing, in a larger, more holistic sense, people to
9 move, housing to be developed, housing shortages to
10 occur.

11 CHAIRPERSON SALAMANCA: I have one more
12 question and then I'm going to hand this over to
13 Public Advocate Jumaane Williams. In November of
14 2019, CUFFH released a report outlining how previous
15 neighborhood rezonings, specifically the 2005
16 Greenpoint and Williamsburg waterfront rezoning, lead
17 to a massive displacement of black and Latino
18 families and I'm pretty sure that, when Council
19 member Reynoso gets on, he will have some comments on
20 that. And while the area added 21,000 residents from
21 2000 to 2015, the Latino population decreased by over
22 15,000. So both to HPD and City Planning, number
23 one, are you familiar with this report and, further,
24 can you speak on whether or not the city at the time

2 had forecasted that this type of displacement of
3 minority communities would occur?

4 ANITA LAREMONT: Let me try to handle
5 that. First of all, we would never do a rezoning
6 where we were forecasting that this kind of
7 displacement would occur. We're aware of the report.
8 We actually did our own analysis of that neighborhood
9 and, you know, like many things, I think we have
10 different perspectives on what happened there. We
11 actually don't see it as being a rezoning that led to
12 displacement.

13 CHAIRPERSON SALAMANCA: So, do you mean to
14 tell me that there being a decrease of 15,000 Latinos
15 after that area was rezoned did not lead to
16 displacement because of that rezoning?

17 ANITA LAREMONT: Well, again, we have the
18 issue of causality. New York City is a very dynamic
19 city where people move all of the time. We saw
20 minorities, including Latinos, move into that
21 neighborhood also. We can't ascribe the cause of
22 those changes to the rezoning. We actually have
23 citywide forces that work here that are working in
24 virtually every neighborhood in the city where we're
25 not doing any work and we have not seen any evidence

2 of those forces being influenced either amplifying
3 people moving or diminishing it by reason of the
4 rezonings. But what we do think about our rezoning
5 is that they do provide permanently affordable
6 housing for segments of our population that, but for
7 our rezonings, would not have those opportunities in
8 those neighborhoods.

9 CHAIRPERSON SALAMANCA: This is why I think
10 this bill is crucial that we pass Intro 1572. With
11 that, I'm going to hand it over to Public Advocate
12 Jumaane Williams for some questions.

13 PUBLIC ADVOCATE WILLIAMS: Can you hear
14 me?

15 CHAIRPERSON SALAMANCA: Yes.

16 PUBLIC ADVOCATE WILLIAMS: Thank you very
17 much. I appreciate it. Thank you for the
18 opportunity to speak. I've got say I'm a little
19 disappointed in some of the responses that I've heard
20 from the administration and it is kind of-- you
21 know, everybody pretends that, I think, their part
22 doesn't play as much as it does. And so I agree that
23 there are different forces that attribute to the
24 segregated city that we have, but if you speak to
25 each one of those forces, they kind of just blame it

2 on other forces and no forces kind of staying kind of
3 what their part is. And so, it just is remarkable.
4 I just want to be clear. The administration is
5 saying that their rezonings have had no impact on
6 gentrification. I just want to make sure I'm clear
7 on the record.

8 ANITA LAREMONT: What I'm saying is that
9 we maintain that we cannot find any causal link
10 between our rezonings and gentrification. We
11 understand that gentrification is the force that
12 work, but we don't have evidence that our rezonings
13 exacerbate that.

14 PUBLIC ADVOCATE WILLIAMS: So, if you
15 have rezonings or you have small ones with MIH or you
16 have larger ones and there is a problem to begin with
17 in that community with affordable housing and you
18 bringing in more market rate than lower income
19 housing, wouldn't that exacerbate the problem? I
20 mean, I've been told that that would make it better,
21 but the math never seemed to work out at that point.
22 If you bring in 100 units and 70 of them are market
23 and of the 30, quote unquote, affordable-- some of
24 them are on the higher echelon-- how does that help

2 solve the affordability in that community? Aren't
3 you just bringing more people at market rate?

4 ANITA LAREMONT: So, my response to that
5 really has to do with what we've seen in many
6 neighborhoods throughout the city where there is no
7 rezoning. Where there is no rezoning in development
8 goes on unfettered without any affordable requirement
9 attached to it, you see the loss of units for those
10 that lower AMI levels with no correlated commitment
11 to affordable units, permanently affordable for that
12 segment of the population. What we believe that we
13 are doing is a couple of things. First, broadly, we
14 absolutely believe in the proposition that, to
15 address the city's housing challenges, we must have
16 units of housing, so we need to support the
17 development of housing. But what we say about that
18 is that, when you are creating additional units, at
19 least a certain percentage of those units must be
20 affordable and that is to ensure that there is some
21 permanent percentage of units that go to those at
22 lower AMI's and, you know, I know that you commented
23 at the beginning about thinking that MIH should be
24 more robust than it is, but I will just go back to
25 when we originally enacted MIH and we did extensive

2 legal analysis to ensure that our program would not
3 be successfully challenged legally, that we had to
4 make a program of broad applicability where we don't
5 have the ability to change the AMI levels in
6 different neighborhoods in higher, you know, value
7 neighborhoods, nor do we have the ability to require
8 a very high percentage of affordable units. What we
9 settled on was what we economically could justify
10 across the board in the city and that was all done
11 with the eye of ensuring that our program would
12 withstand legal scrutiny and we can say, happily,
13 that we have not been challenged yet. But at that
14 time, that was certainly our view.

15 PUBLIC ADVOCATE WILLIAMS: Well, just a
16 few things working backwards. I would rather be
17 challenged in trying to make the city better than not
18 be challenged in a policy that I think has made the
19 city worse. So I just want to be clear about that.
20 Also, I believe, in MIH, we had a lot more room even
21 within your legal framework, to provide permanent
22 affordability. Second, the affordability is defined,
23 I think, wrong, just to begin with, quite frankly.
24 But second or third, you think your framework at the
25 beginning is also wrong. You keep admin and folks

2 who support what the current status quo has been
3 present since false binary that there is a space
4 where people are just going to develop unfettered and
5 that a space where we put in something that is right
6 now. But what we could have created is another
7 option where people have to build, but they have to
8 build with the fact that we need affordability first
9 and foremost in our minds. So, it's not this fake
10 binary that you keep putting forth of if we do
11 nothing, they're going to build, so we have to do
12 just this. But there is so much more that we can do
13 to address that problem of if we do nothing, they
14 will build. So we should do something, but that
15 something should be a lot more than what we have
16 done. And what I submit again is all of these
17 rezonings-- Hudson Yards, whatever-- are supposed
18 to make-- what I don't understand is when these
19 things are presented, they are presented causally.
20 They are presented that we build this rezoning and
21 there is a causation that will make this community
22 and the city better, this is how. That is what is
23 presented to us. Now, after the fact, we want to
24 pretend that we weren't presented with this causal
25 equation, that this would make this community and the

2 city better. I don't understand it. Either there is
3 a causation there or there isn't. And I suspect that
4 it is presented that way so it can sell better, but
5 our communities are suffering all across the board
6 which means they are failing all across the board and
7 so I'm happy to talk to all of the other institutions
8 and policies that you are suggesting, probably
9 correctly, also contribute to gentrification. But we
10 can ignore all the-- to try to pretend the rezoning
11 of the city doesn't have an outsized impact is just
12 wild to me even if the-- you correctly state that
13 there are other influences and powers at play. To
14 pretend that the land use doesn't have an outside
15 impact is very strange to me. I also want to ask--
16 it seemed like there was punt here both from HPD and
17 DCP punting to the Where We Live report. So I just
18 want to be clear. Are you saying that we don't need
19 this bill because we have Where We Live or are you
20 saying you support this bill? Do you support or
21 oppose the bill that we're putting forth today?

22 ANITA LAREMONT: We support working with
23 to-- on this bill. We absolutely agree 100 percent
24 with you that we need to be concerned about and find
25 ways to ensure that we have really good data on

2 racial demographics and the issues that you raised
3 here. We do support that. We're not punting and
4 saying we have Where We Live so we don't need to talk
5 to you. We're not saying that at all.

6 PUBLIC ADVOCATE WILLIAMS: Okay. And
7 also, you mentioned that the need to have data, so I
8 just want to be clear that you also agree that we
9 should codify getting that data so it is not left up
10 to simple change.

11 ANITA LAREMONT: I think we agree that we
12 should work together to identify what is the proper
13 data that we should be getting and we don't object to
14 having that codified.

15 PUBLIC ADVOCATE WILLIAMS: Okay. I just
16 want to sum up, I think, we have to go into this with
17 the assumption that we just don't need units and that
18 we just don't need developments. That we need and
19 development that address the need of the city of New
20 York and that might be a fundamental difference in
21 how I am thinking about this and how they had made
22 his thinking about it. And then we have to figure
23 out how we legally make that happen. We did not do
24 that. That is not what happened. And so, even in
25 trying to look back at what we have been, I was a

2 little stunned to hear that it doesn't seem to be
3 excitement to look back on the question that the
4 Chair raised on the rezonings that have occurred and
5 really get some data. Why would you not want to look
6 back at every-- you know, if every time we bring
7 something up, you say there's no causality. You say
8 it doesn't have any impact, yet you don't want to
9 look back to really look at that data. I just see
10 that there is a big split here and how important we
11 think these things are and how we make the city
12 better with affordability than what the admin is
13 thinking. We cannot just look forward. We have to
14 look backward and we have to commit to getting deeper
15 affordability. That should be where we start. That
16 shouldn't be the aftereffect of wanting to build
17 units. It should be the whole thing. And then we
18 figure out how to legally make it happen. And as
19 we're coming out of this pandemic, we can't go back
20 to before the pandemic. It just didn't work and the
21 proof is in the pudding and I hope everybody can see
22 that. Thank you so much.

23 CHAIRPERSON SALAMANCA: Thank you, Public
24 Advocate Jumaane Williams. Before I handed over to
25 Chair Moya, I just have a question for city planning.

2 In your statement, you speak about that this proposal
3 not only to up zoning , but to down zoning. And I
4 just, you know, a red flag came up. During my
5 conversations with the administration during the
6 Southern Boulevard rezoning, I identified pockets of
7 my community that I felt were necessary to down zone
8 and the deputy mayor told me the city is not in the
9 business of down zoning, so it is kind of
10 contradicting with your statement and what the deputy
11 mayor has said, so I give you an opportunity, as you
12 are going and moving forward and you are looking at
13 other areas to rezone, are you specifically looking
14 at pockets and communities to down zone?

15 ANITA LAREMONT: So, the deputy mayor's
16 statement to you really is a reflection of the
17 administration perspective that, at a time when we
18 are so constrained in housing supply, that down
19 zonings as a general proposition are not recommended
20 or determined to be a good use of our resources when
21 we really need to be finding ways to get more housing
22 units. That said, we could envision that there could
23 be a time when a down zoning would be appropriate
24 perhaps in an instance of the neighborhood such as
25 yours. That said, we get requests for down zonings

2 very, very frequently and typically those requests
3 are from neighborhoods that would not be considered
4 inclusive neighborhoods or demographically mixed
5 neighborhoods and when we say that we would want to
6 apply this analysis in those instances, we believe
7 that would be extremely important to do because it
8 would amplify what the impact of shrink wrapping a
9 community that is not dents, is not demographically
10 mixed would have on exacerbating inequity in the
11 city. That is what we are saying when we suggest
12 that that should happen.

13 CHAIRPERSON SALAMANCA: Well, you know, I--
14 thank you for some clarification here. You know, one
15 of the main reasons for down zoning communities that
16 have much density such as mine, Ayala, and other, you
17 know, the low income communities are because we also
18 do have communities that if you build higher, you are
19 going to kill the character of that immediate
20 neighborhood. Especially blocks or I would say
21 pockets of our communities that are two and three
22 family homes. And then, before I got to Chair Moya
23 where you with the Soho and NoHo and Gowanis
24 rezoning?

2 ANITA LAREMONT: So, we are actively
3 working on both of those proposals. We have scoped
4 the Soho NoHo proposal so we are in the process of
5 preparing the draft environmental impact statement
6 and having community outreach. So that will be
7 certified later this winter or early spring. And
8 Gowanus, we are very hopeful. We will be certified
9 very, very shortly this month.

10 CHAIRPERSON SALAMANCA: It's good to see
11 that, you know, the administration is looking at more
12 wealthy and whiter communities opposed to communities
13 of color as they have done in the past. So it is
14 good to see that you are also looking into those
15 communities, as well. With that, I'm going to hand
16 it over to questions from Chair Moya. I think he's
17 mute. Sergeant-at-arms, if you unmute Chair Moya.
18 Thank you.

19 CHAIRPERSON MOYA: Thank you. Thank you,
20 Chair Salamanca. Thank you for bringing this up. I
21 go back because, you know, I had Intro 1487 where we
22 had a hearing on this, I think, about a year ago that
23 dealt with the same things except it was much broader
24 that it incorporated the look back which the look
25 back was actually going back to the first rezonings

2 in this administration and it would require that five
3 year look back after every rezoning that came in to
4 see if the environmental impact study actually
5 matched the results that came out of the rezonings
6 itself. And so, I just want to go back to something
7 I asked before. How do you plan on looking back on
8 secondary displacements in areas where CEQR said it
9 wasn't an issue and how can you mitigate what you
10 haven't identified?

11 SUSAN AMRON: I think, you know, as we look
12 at what's going on in a neighborhood, we look at the
13 housing and the population in a neighborhood and,
14 again, because there's been a rezoning and what it
15 goes on in the neighborhood after a particular
16 rezoning, the rezoning may be one factor in that, but
17 there are inevitably numerous other factors, too.
18 There's federal policy. There's things like a
19 pandemic. There's the economy. And so, when we are
20 looking at an area that's been rezoned, it, again,
21 you can see changes in a neighborhood, but you can't
22 create or draw a causal tie between what's going on
23 in the neighborhood and the fact that it may have
24 been rezoned. And, certainly, if it's been rezoned
25 in the fairly recent past then, in fact, the impacts

2 of the rezoning are very unlikely to actually have
3 shown up either in data and statistics about the
4 neighborhood or in actual changes in a neighborhood.
5 And so, we are not, you know-- we still believe
6 that, when we're looking at neighborhoods both
7 rezoned and un-rezoned, neighborhoods that have not
8 been rezoned-- which are, in fact, the far majority
9 of neighborhoods in the city-- that it is not so
10 much about the rezoning itself, but what is going on
11 in the neighborhood and how do we address inequities,
12 housing shortages, segregation in neighborhoods
13 regardless of rezonings.

14 CHAIRPERSON MOYA: But in the manual
15 itself, wouldn't you have to do a look back if there
16 was an increase of-- or displacement of over five
17 percent of the population?

18 SUSAN AMRON: You would not-- well, you
19 would-- in the manual, you would be looking at the
20 time you're doing the rezoning or the time you're
21 doing the analysis not the rezoning of what you are
22 projecting may happen in a particular community. I
23 think most people would agree that what you are
24 projecting is a projection at the time that doesn't
25 anticipate and rarely correctly anticipates what

2 actually happens in communities down the road or what
3 the impacts of action are going to be. And, again,
4 because, if you have, at the time that you're doing
5 the analysis, a significant impact, if you've
6 identified that, then you would have to address it to
7 the extent you can. But the issue is not what
8 happens in a neighborhood five, 10, 15, 20 years
9 later and was that correctly projected when the
10 environmental review was done and was that, in fact,
11 results of a rezoning or result of numerous factors
12 of which a rezoning may be some contributing part,
13 but maybe not in certainly other forces are
14 contributing to whatever happens in a neighborhood.

15 CHAIRPERSON MOYA: so, with that, how do
16 you avoid the mistakes like Long Island city where
17 300 new units of housing were predicted and it ended
18 up being over 10,000 new apartments and it still
19 keeps growing? What about downtown Brooklyn where it
20 was 979 units that were predicted, yet we got 8000
21 units that were built? Isn't this the evidence that
22 the CEQR manual is just inadequate?

23 SUSAN AMRON: I think it's an indication
24 that whatever one is projecting at a particular
25 period of time and whatever the best data may tell

2 one to expect that what unfolds over the course of
3 10, 15, 20 years is inevitably going to be affected
4 by many other factors and that it is extremely
5 difficult to predict what housing demand is going to
6 be, what is going to affect housing demand, what, you
7 know-- 9/11 added impact on--

8 CHAIRPERSON MOYA: [INAUDIBLE 01:04:33]

9 ANITA LAREMONT: office growth.

10 CHAIRPERSON MOYA: I'm sorry to interrupt,
11 but I'm just curious why you wouldn't want to have
12 these mechanisms in place where there would be a look
13 back after five years into the rezoning or if there
14 was an increase of 5% of displacement in any one of
15 the rezonings. If you look at the first one that
16 you-- under this current administration, in East
17 Harlem, has there been a look back to see whether or
18 not there was displacement of over 5% of the
19 population there?

20 SUSAN AMRON: Because we look to say what
21 is happening in communities. What does the data tell
22 us about housing development, housing starts--

23 CHAIRPERSON MOYA: But what is the data
24 telling you about what is currently happening now in
25

2 the neighborhoods that you've already gone into and
3 rezoned?

4 SUSAN AMRON: It's, again, the question of
5 not being able to draw a causal connection between
6 rezoning in particular housing changes in the
7 neighborhood and so--

8 CHAIRPERSON MOYA: It seems to me that the
9 developments that are happening there and you're
10 looking back at it after five years and there's been
11 a five percent displacement of the actual population
12 of that neighborhood. You're telling me that there
13 is no mechanism that DCP has that actually can
14 correlate that to the rezoning itself? To
15 gentrification that has come into those
16 neighborhoods?

17 SUSAN AMRON: One has to look at the large
18 number of factors that affect housing and population
19 movement in the city and in a particular
20 neighborhood. And when we're doing environmental
21 review, we are trying to look at the best data that
22 we have at a particular time and, in fact, you know,
23 we are looking at the environmental review technical
24 manual. The Mayor's Office is leading that effort to
25 try and update it to make sure we are using the best

2 information and the analyses are as good as they can
3 be at the time they are being done. But there is an
4 inherent lack in being able to project with any
5 degree of real confidence what will happen in the
6 future in a neighborhood based on a projection made
7 before anything-- you know, a rezoning has happened
8 based on before you know whether the economy is going
9 to, you know, soar or crash or what immigration
10 policy is going to be or who is going to be in the
11 white house or whether there's going to be a
12 terrorist attack-- all of which are the big events
13 that effect the--

14 CHAIRPERSON MOYA: Other than Covid 19,
15 that hasn't happened in any other past rezonings
16 throughout this administration. So, what I'm saying
17 is what are the mechanisms in place internally that
18 DCP has to learn from each of these rezonings? And
19 why not-- if you're talking about how you are trying
20 to work with-- on finding out whether or not there
21 is a correlation here, Intro 1487 does that. It
22 makes you actually look back at all of the rezonings
23 that you have actually done in this administration to
24 see what that displacement looks like and then look
25 back at what was done right and what was done wrong.

2 SUSAN AMRON: I think we take displacement,
3 we take inequity and housing-- we take housing
4 shortages extremely seriously and what we are trying
5 to do is not to say let's look back, but rather
6 trying to address the issues that exist at the time
7 and let's look forward to see how can we address
8 those issues? And so, we want to look at where we
9 are now and how we can improve, how we can make
10 things better moving forward, not necessarily say how
11 did we-- did we predict accurately five or 10 years
12 what was going to happen. And so, it's about trying
13 to address these issues and collect the data now and
14 to address displacement and movement, population
15 movement, and housing shortages now and moving
16 forward.

17 CHAIRPERSON MOYA: Well, Chair, just two
18 more question and then I'm going to end it there.
19 Just moving on, so gentrifying communities across the
20 city often criticize the land use decision as
21 ignoring the potential for localized displacement in
22 favor for the citywide growth goals that you set.
23 Shouldn't we be setting the growth targets for each
24 community to ensure that the growth is actually
25 distributed more equitable rather than waiting for

2 the private developer to tell us where they want the
3 change in the zoning to be?

4 ANITA LAREMONT: So, I think that
5 question, Chair Moya, is really a question about
6 comprehensive planning and we are considering and,
7 you know, exploring the bill that has been introduced
8 in that regard and are happy to talk to you all and
9 consider it because we actually do agree that we need
10 to look at the city holistically and plan for its
11 future in the holistic way. That said, though, you
12 know, we know that there is more than just setting
13 growth targets for a particular. There are economic
14 forces that incentivize or dis-incentivize
15 construction in neighborhoods and we need to figure
16 out how we can ensure the robust growth that we
17 actually need to continue in the city, particularly
18 now more than ever after this pandemic and the
19 economic dislocation that we think it will cause.
20 So, it's not clear to us at this moment how one does
21 that on a neighborhood by neighborhood basis and we
22 also need to deal with some of the impediments to
23 grow that we have in the city because some of our
24 more wealthy residential neighborhoods are
25 neighborhoods that have a cap and cannot actually

2 increase density because of the state FAR 12 On
3 development in those neighborhoods. So, we have
4 these structural issues that we still need to deal
5 with in that regard because we couldn't set growth
6 targets in certain neighborhoods at this point.

7 CHAIRPERSON MOYA: Okay. Over the-- this
8 is my last question. Over the past few years, many
9 community groups have fought against neighborhood
10 rezonings and suggesting that they have been unfairly
11 targeting-- have been targeted because they are
12 communities of color, looking back, do you think that
13 focusing on East New York, Jerome, Far Rockaway,
14 Inwood, Bay Street, and East Harlem as a first batch
15 of rezonings was the right approach for a-- from a
16 racial equity standpoint?

17 ANITA LAREMONT: We stand by all of those
18 rezonings because we first, as you well know, need to
19 find willing Council members to work with on our
20 rezonings and, in those instances, we had Council
21 members who wanted to work with us, not only because
22 they believed in the proposition that we need more
23 housing, but also because of the approach that the
24 administration took in terms of rezoning which was to
25 address community infrastructure needs while we were

2 bringing in increased density in those neighborhoods.
3 So, I would submit that those neighborhoods believed
4 that they were seeing improvement through working
5 with us to achieve those rezonings. But, again, it
6 really comes to having willing partners to work with
7 on it and we have to prioritize those places where we
8 see a way to realize the rezoning that we are joined
9 to achieve.

10 CHAIRPERSON MOYA: You know, thank you and,
11 Chair, I'm going to end it, but I just think that,
12 you know, to me, at large and to the public at large,
13 it looks like that DCP looks at this-- looks at each
14 rezoning in a vacuum and that it is absent to the
15 context of how each one directly impacts that
16 neighborhood. And that needs to change. I think
17 that there is an opportunity here while we are facing
18 a huge housing crisis that we were facing before
19 Covid. Now it has just been exacerbated. We have
20 legislation right now introduced by Chair Salamanca
21 and Public Advocate Williams. My introduction that
22 is the look back on CEQR that we did, 1487. This is
23 an opportunity for this administration to actually
24 get it right. Instead of looking to make excuses
25 about how we can't really tell what is happening in

2 these communities-- well, we can make as we are on
3 the ground. And for us who have lived here, were
4 born and raised in these communities and have seen
5 the changes that have seen gentrification come into
6 our communities. This is real and this is an
7 opportunity, I think, for you all to actually get it
8 right, to work with the Council, and to work with
9 community stakeholders to the make sure that we are
10 doing everything possible to keep communities of
11 color intact, that we are bringing in affordable
12 housing to our communities, that we are not pricing
13 them out, that we are not waiting on the developer to
14 come and tell us what we should be doing in these
15 communities. This is a moment for this
16 administration to do some reflection and to actually
17 get this right. What is being asked here right now
18 is no stretch. It's not a big stretch. This is
19 something that should have been done prior to this.
20 We shouldn't be having a hearing on this. So, with
21 that, thank you, Chair, for the opportunity. Thank
22 you.

23 CHAIRPERSON SALAMANCA: Very well said,
24 Chair Moya. Thank you. I just have a couple
25 questions and then we are going to go to the Council

2 members for questions. Given Covid, what Covid has
3 done to our economy and in this last budget, you
4 know, it was a difficult budget. There was an \$11
5 billion deficit. Tough decisions needed to be made.
6 But prior to Covid, there were a few rezonings, large
7 rezonings, and I will give an example. The Jerome
8 Avenue rezoning that was approved, I would say maybe
9 a year and a half ago, maybe two years. As part of
10 the rezonings, something that the administration just
11 says that they commit to capital projects for these
12 rezonings whether it is parks, schools, you know,
13 roads, infrastructure. Where are we with some of
14 these commitments that the administration made to
15 these past rezonings given that we are in the
16 financial restraints that we are in? Are you going
17 to be able to-- even though the mayor has less than
18 a year left in his administration-- but if city
19 planning monitoring the commitments that were made
20 and where they are at? Are you within that timeline?
21 Have there been delays? What is happening with these
22 commitments or promises that city planning made in
23 terms of capital projects?

24 ANITA LAREMONT: So, all of the
25 commitments that were made in the context of our

2 rezonings are still commitments that we fully expect
3 to honor. You are correct that we have to anticipate
4 that the economic downturn that the Covid 19 pandemic
5 has caused may result in delays in the realization of
6 some of these things, but they continued all be on
7 the path to completion and we fully anticipate that
8 we will meet all of our commitments.

9 CHAIRPERSON SALAMANCA: This mayor has less
10 than a year left. How can you commit that these
11 commitments are going to be fulfilled if there is
12 going to be a new administration moving in?

13 ANITA LAREMONT: Our commitments were not
14 that they would all be fulfilled within this
15 administration. They all have timelines for their
16 achievement and we are saying that we believe that
17 all of the things that we promise to do will continue
18 to be done and that the funds to support the work
19 that we committed will be found and appropriated as
20 there is revenue as we move forward. We have no
21 reason to expect otherwise. And even without Covid,
22 all of these things would never been achieved by the
23 end of this administration.

24 CHAIRPERSON SALAMANCA: and, finally, has
25 there been any rezonings that you did not push

2 forward because you identified that they would be a
3 cause for displacement?

4 ANITA LAREMONT: There are no
5 neighborhood rezonings that we did not go forward
6 with for that reason and that, I think, is due to the
7 working analysis-- the very long number of years
8 that it takes to even get up to the point where you
9 would do a rezoning. But no. There isn't.

10 CHAIRPERSON SALAMANCA: Okay. Thank you
11 very much. I am going to hand it off to the Council
12 where she will call on our members for questions.

13 COMMITTEE COUNSEL: We will now call on
14 Council members to ask questions in the order they
15 have used the zoom raise hand function. Council
16 members, please keep your questions to three minutes,
17 including responses. There will be one round of
18 questions. A sergeant-at-arms will keep a timer and
19 let you know when your time is up. I see that
20 Council member Lander has questions followed by
21 Council member Menchaca.

22 SERGEANT-AT-ARMS: Time starts now.

23 COUNCIL MEMBER LANDER: Thank you very much
24 to the Chair for convening this important hearing.
25 I'm glad to be here. I'm proud to be a co-sponsor of

2 Intro 1572 which I think is urgent for us to pass, so
3 I want to give a big thank you to the Public Advocate
4 for introducing it and the Churches United for Fair
5 Housing for advocating for it. I want to say very
6 clearly, because I believe this is a good idea and
7 should be applied to all actions and because the
8 reason I'm open to doing the Gowanus neighborhood
9 rezoning is because I believe it is positive in terms
10 of racial equity. I'm committed to make sure this
11 analysis gets done for Gowanus even if that's before
12 it would be required by law. We need to provide this
13 data information clearly and transparently to make a
14 real case. Ms. Laremont, as someone who, you know,
15 is one of the Council members who's open to leaning
16 in and being open to the possibility that growth can
17 put our city in the direction of equity, I have to
18 say I'm really deeply disappointed with the
19 administration's answers today because we are never
20 going to convince anyone that that is true. If we
21 can't be honest about it, if we can't look at the
22 data, if we can't look backward, if we can't look
23 forward. So, I guess I want to ask this question. I
24 think you said that part of your reason for
25 opposition to Intro 1572 is because we need to take

2 more of a citywide more comprehensive look to make
3 sure that we could achieve fairness and racial
4 equity. But I hear that right?

5 ANITA LAREMONT: No. Because I didn't
6 say we oppose this bill. I said that we were working
7 to-- we want to work with you all to find the right
8 way to do this. So, we support this concept,
9 clearly.

10 COUNCIL MEMBER LANDER: Okay. That's not
11 what it sounds like because I know a lot of times
12 when the administration says we support the bill in
13 concept, but we are going to need some tweaks and
14 adjustments. And the testimony today was not like
15 that. The testimony today was, in principle we are
16 in favor of racial equity and racial justice, but we
17 don't believe you should do, you know, action by
18 action review, but I guess what I-- the thing that
19 frustrated me especially and like I almost have steam
20 coming out my ears because for you to say we don't
21 believe you can look at rezonings one by one to have
22 a perspective on racial equity across the city
23 because we need to take a whole comprehensive look
24 citywide. I totally agree with you on that. Of
25 course, if we're going to do a fair housing analysis,

2 if we're going to look at systemic racial
3 disparities, we have to look citywide. But when I
4 proposed comprehensive planning a couple years ago,
5 city planning was the main opponent of an effort
6 taking a comprehensive look at the city with equity
7 and justice and fair housing principles in mind and I
8 know you just said you are going to take a look at
9 that bill that has now been newly offered, as well,
10 but it is hard to the believe. So, I only have at
11 whether that action is e a few more seconds, but, Mr.
12 Chair, could I have maybe 30 more seconds? All
13 right. Well, my time's about to expire.

14 CHAIRPERSON SALAMANCA: Yes. Yes. Go
15 ahead.

16 COUNCIL MEMBER LANDER: I'm going to ask
17 two-- I'm going to ask-- thank you, Mr. Chair,
18 because I just want to-- I guess I want to ask two
19 questions. One, if the point is that we need to do
20 proactive comprehensive planning where we set goals,
21 including fair housing and equity as well as livable
22 neighborhoods, then you have got to work with us to
23 find a way to adopt a new comprehensive planning
24 framework that cares about equity and that we can
25 look action by action at whether that action is

2 achieving those goals. These things work together.
3 Set the goals first in a democratic and collective
4 way, evaluate the individual actions against those
5 goals, but it feels to me like we are saying let's
6 lean into both and you're reading the two things
7 against each other and saying we shouldn't look at
8 individual actions, but we need comprehensive goals,
9 but we shouldn't do comprehensive planning because
10 that is too big. We are never going to get to equity
11 and justice if we don't try some bold things and
12 then, I guess my second and much more specific
13 question gets to the Gowanus rezoning which you know
14 I want to do. I want us to be able to adopt it
15 because I believe it can carry us forward on issues
16 of racial equity, but it has to start by doing right
17 by the public housing residents in the neighborhood,
18 which has beheaded the communities number one goal
19 for achieving racial equity in that rezoning and we
20 are about to certify that rezoning after five years
21 of very productive and positive community engagement
22 and we still have no plan for investing in the public
23 housing developments immediately adjacent to that
24 rezoning. It is right to rezone areas that are wider
25 and wealthier like Gowanus, but how can we lean

2 forward and say this is an example of racial equity
3 when, at the moment of certification, we are offering
4 nothing to the public housing residents who are
5 overwhelmingly the low income families and
6 communities of color that live in the neighborhood.

7 ANITA LAREMONT: I guess your question is
8 place to me. I will have to say is misplaced because
9 NYCHA investments is really and administration
10 initiative and you know that we have had extensive,
11 extensive conversations throughout this whole Gowanus
12 planning process about NYCHA and what could be
13 achieved there.

14 COUNCIL MEMBER LANDER: They don't want
15 conversations. They want investment in dilapidated
16 buildings. I guess it feels like what you are
17 offering is like you are willing to have
18 conversations. Where We Live were conversations.
19 You're offering more conversations. There have been
20 conversations with NYCHA residents, but how long do
21 they have to wait for real investment and for those
22 values to inform actions? That's what this bill
23 would do is require that the values be used to judge
24 the actions and not just have citywide conversations

2 through where we live that have no impact on the
3 actions themselves.

4 ANITA LAREMONT: Well, Councilman Lander,
5 first I would say that there's no questions-- and I
6 don't think you could argue that anyone in the
7 administration doesn't appreciate the needs of NYCHA
8 and we don't need an analysis to inform the fact that
9 those needs need to be addressed. As to what the
10 administration will commit in the context of this
11 rezoning, that is something that plays out throughout
12 the rezoning process. We--

13 COUNCIL MEMBER LANDER: It shouldn't be
14 something that plays out throughout the zoning
15 process.

16 ANITA LAREMONT: We, at City Planning, do
17 not--

18 COUNCIL MEMBER LANDER: I'm sorry, Mr.
19 Chair. I know I'm over time and I know there's a
20 lot--

21 CHAIRPERSON SALAMANCA: I'm sorry, Mr.
22 Council member. Thank you very much. [inaudible
23 01:25:18]

24 COUNCIL MEMBER LANDER: [Inaudible
25 01:25:20] and I appreciate your hearing.

2 CHAIRPERSON SALAMANCA: Yeah. I gave
3 Council member Lander a little bit more time because
4 I know that he's negotiating an important rezoning in
5 his community. Thank you.

6 COUNCIL MEMBER LANDER: Thank you, Mr.
7 Chair.

8 CHAIRPERSON SALAMANCA: Counsel, next
9 person.

10 COMMITTEE COUNSEL: I have Council
11 member Menchaca followed by Council member Reynoso.

12 SERGEANT-AT-ARMS: Time starts now.

13 COUNCIL MEMBER MENCHACA: Thank you and
14 I just want to support the efforts of Council member
15 Lander around just the shear frustration that I think
16 this hearing is bringing to the table and I want to
17 see if I can get to some kind of core concepts here
18 and one of them is really trying to get a sense of
19 the commitment that there needs to be a racial impact
20 study at all. I think that the administration has
21 presented that they are wanting to understand a
22 little bit more of the data that needs to be
23 collected, but at the core question, do we need this?
24 Yes or no?

2 ANITA LAREMONT: We need to understand
3 what the demographics and impact in communities is
4 with respect to actions that we may take. We need to
5 understand who is living there, who is coming, who is
6 going, with the landscaping is of gentrification, but
7 we do not agree that a racial impact analysis in the
8 form of an analysis particularly in the context of
9 CEQR needs to be done. I think we are speaking a
10 little bit semantically here because we absolutely
11 agree that we should be informed in our actions by as
12 much data as we can to be sure that we understand
13 when we make these decisions what the lay of the land
14 in the community is.

15 COUNCIL MEMBER MENCHACA: You know, I
16 remember sitting down with you about Industry City
17 and this is just bringing me back. It's a little bit
18 of a whiplash because these are the same
19 conversations that we were having and, by the grace
20 of power, community power, Industry City removed
21 their application and this is where we are now.
22 We're talking about investments. We are talking
23 about mitigation. We are talking about more analysis
24 that we just never had from the Department of City
25 Planning that the communities were fueled by Council

2 resources to better understand the impacts of a
3 massive rezoning like Industry City and here we are
4 about to start talking about Gowanis and I am glad
5 that Council member Lander is really kind of pushing
6 these questions, but my ultimate comment right now is
7 thanking the Public Advocate in the local
8 organizations that have been working on this because
9 we can't have an understanding if we don't have the
10 data and that data can be provided and pulled
11 together in a holistic approach to understand a more
12 comprehensive understanding of it that may change
13 your understanding of what the impacts might be to
14 all rezoning as massive as Gowanis. And so, I'm just
15 confronting, I think, your premise here and so, maybe
16 my last question is this: as we think about--

17 SERGEANT-AT-ARMS: Time expired.

18 CHAIRPERSON SALAMANCA: You can finish your
19 question, Council member.

20 COUNCIL MEMBER MENCHACA: Thank you,
21 Chair. When we understand a-- When we take into
22 consideration what happens in the middle of this
23 pandemic where Covid has impacted the very specific
24 group of people in this city, what prevents you from
25 taking this on wholeheartedly and supporting this

2 mission to understand the impacts? Covid has changed
3 everything. How has it not changed your mind about
4 how development should work and having a positive
5 racial impact in our communities?

6 ANITA LAREMONT: We, like everyone--
7 Sorry. Do you want me to answer? We, like everyone
8 else, is really fueled by the Covid pandemic in terms
9 of wanting to ensure that the disparities that we see
10 throughout our city and, indeed, this nation are less
11 than and we want to work with you all, as we said in
12 Where We Live and as I laid out in my testimony here.
13 We are very interested in ensuring that we have very
14 informative data about what is occurring in our
15 neighborhoods so that we can ensure that we are
16 taking are equitable and informed in terms of what is
17 actually happening on the ground. I think the only
18 place that we have a disagreement is in causality.
19 We don't necessarily believe that the actions that we
20 take our causing or exacerbating the conditions that
21 we find on the ground. That said, we believe that we
22 need to understand fully and robustly what those
23 conditions are and we are committed to enhancing the
24 information that is available in that context.

2 CHAIRPERSON SALAMANCA: Thank you very
3 much. Thank you very much, Council member Menchaca.
4 We will move on, Council.

5 COMMITTEE COUNSEL: We have Council
6 member Reynoso followed by Council member Miller.

7 SERGEANT-AT-ARMS: Time starts now.

8 COUNCIL MEMBER REYNOSO: Thank you,
9 Chair. First, I just want to start off by thanking
10 all of the organizations that have been putting work
11 throughout all these communities and fighting many of
12 these rezonings that are unjust and don't start with
13 community first, especially Churches United for Fair
14 Housing, an organization that actually started
15 because of the waterfront rezoning in Williamsburg in
16 2005-2006. And I just want to put some numbers out
17 there to put things in perspective. We're talking
18 about a decrease in 15,000 Latinos in an area where
19 there was an increase of 21,000 residents. So a
20 decrease of 15,000 Latinos in this neighborhood and
21 an increase of 21,000 residents. So, when you look
22 at that the cumulatively, to think that there wasn't
23 something that happened specifically there that led
24 to this mass displacement in a time of residential
25 increase is mind-boggling, but the issue here with

2 DCP and with the testimony that we are hearing is
3 that they don't want this to happen because what it
4 can do, they are afraid that what it will do what is
5 show that we are ready. That is the problem. That
6 information will actually lead to the thing that most
7 New Yorkers already know is that these rezonings are
8 causing gentrification and displacement. If not,
9 they would just do it and get more information
10 because there is nothing wrong with more information.
11 Just do the work, get the information, see what it
12 says, and then fix or modify where you see fit. The
13 city of New York is the only place that continues to
14 lose, whether it is Industry City or Jerome Avenue
15 are the Bushwick rezoning, everywhere, just losing
16 and does not adjust. They stay the same exact way.
17 It makes no sense. They keep losing and they don't
18 adjust and it speaks to the fact that they are just
19 trying to hold-- they are trying to hold on to the
20 same thing they do all the time in an effort to see
21 if we, the advocates, the people would give up and
22 that's not going to happen. It's only going to get
23 stronger with time and it's actually going to get
24 stronger with the next Council, so they are in big
25 trouble, but I guess it-- the visual that I want

2 people to see is what DCP is doing is taking all of
3 the oranges off of a jury and then, when one new one
4 grows and, they say, oh, there is growth happening in
5 that district. That is what they are saying. They
6 wiped out the entire Latino population and after a
7 couple of buildings were built, there were some MIH
8 and, because of it, there is a couple of new
9 residents that moved in, but they are disregarding
10 the complete wipeout of the Latino population in the
11 Williamsburg community. Completely disregarding it
12 did not understand the pain that these communities
13 like Accor, like Lo Sures went through in trying to
14 protect their people. They are completely wiping it
15 out and ignoring it. And then we are saying, you
16 know what? Look back at this rezoning so that you
17 can do better in the future and they are saying they
18 don't want to do it. Why would they not want this
19 information? It's very simple. They are afraid that
20 it is going to say exactly what we think it is going
21 to say or we know it is going to say: that
22 displacement is triggered by these rezonings. That's
23 it. There is no other way. Why not get more
24 information to help build the causality? Why not get
25 more information--

2 SERGEANT-AT-ARMS: Time expired.

3 COUNCIL MEMBER REYNOSO: There's no--

4 I have no understanding on how more information can
5 be a problem at all and if you don't want the
6 information because you don't want to solve for the
7 problem. You know that NYCHA had needs and you know
8 that there needs to be a solution to those needs.
9 You have been in this administration for seven years
10 or you have been working on this administration for
11 seven years and you have done nothing for NYCHA. So,
12 to say that you understand it and that you know that
13 something needs to be done and you do nothing about
14 it, then you are just, again, being a part of the
15 problem. I am sorry, Chair, but this crisis in Covid
16 has made it so that the black and brown communities
17 need justice and they need it right now the problem
18 in talking about causality not being the problem, not
19 wanting information, not thinking that any of this is
20 significant, saying they wanted and saying they don't
21 want the legislation is just nonsense and we've got
22 to start cutting the BS because our people are hurt,
23 are dying, are being displaced. They are further
24 polarizing these neighborhoods and further polarizing
25 New York, the tale of two cities. It is even more

2 polarized than it was when de Blasio started. 90,000
3 people and homeless shelters. I am done with it. I
4 am done with the DS and DCP and HPD being a part of
5 that problem. And history is going to show that they
6 exacerbated this problem and that this type of
7 hearing is where they spoke the most nonsense. And
8 all of this is being recorded. So, I'm excited to
9 know that all of these people that are testifying on
10 behalf of the city that no that this would be good.
11 Information is good, are going to be held accountable
12 in the future. Judge that. Thank you, Chair.

13 CHAIRPERSON SALAMANCA: Thank you, Council
14 member. Counsel?

15 COMMITTEE COUNSEL: I have Council
16 member Miller followed by Council member Barron.

17 SERGEANT-AT-ARMS: Time starts now.

18 COUNCIL MEMBER MILLER: Am I on?

19 CHAIRPERSON SALAMANCA: Council member
20 Miller, we can hear you. Yes.

21 COUNCIL MEMBER MILLER: Okay. Wow. Good
22 afternoon. I'm actually at-- you know, while I do
23 this, I want to thank you so much to the Chairs for
24 having this important hearing along with the Public
25 Advocate, but I do want to wager an objection to this

2 hearing happening simultaneously at the same time we
3 are addressing oversight on police reform and this is
4 because they are very important to myself and,
5 particularly, the members of the caucus here. So,
6 I'm going to jump back in and I just a small bit
7 distracted. There was a lot of talk about data being
8 utilized to better inform the city planning on what
9 needs to be done in terms of rezoning. What have we
10 learned since the Greenpoint Williamsburg, in
11 particular, as well as the Metro Tech? We have had
12 some very intense dialogue over these and I recall
13 city planning saying that-- or lauding these has
14 great success, even though they displaced many New
15 Yorkers, Brooklynites from their homes in doing so.
16 What would we do differently in terms of that and how
17 are we utilizing the current data to ensure that we
18 don't see this again? And then, furthermore, this is
19 a little outside of the scope, but certainly
20 absolutely with rezoning and displacement. Are we
21 accounting for the other mitigating circumstances
22 such as infrastructure if, in fact, the city is not
23 providing infrastructure? Infrastructure is adding
24 tens of millions of dollars to project development
25 projects, therefore, developers are not able to

2 create affordable housing. I mention this because a
3 lot of the development that has occurred on those
4 other three projects that we were lauded as success
5 did not have the municipal services that
6 infrastructure included initially and then they had
7 to pull back. Clearly, they were able to do it
8 because of the location and magnitude of the
9 projects. Long Island City, Metro Tech, and so
10 forth. But it also, I think, would have contributed
11 to displacement, particularly, in the downtown
12 Jamaica area is, in fact, we are creating affordable
13 housing and other places throughout the city and we
14 are adding significant sums to--

15 SERGEANT-AT-ARMS: Time expired.

16 COUNCIL MEMBER MILLER: the course of the
17 project. Does that contribute to displacement? How
18 do we assess that in advance and what are we doing to
19 prevent that from happening again?

20 ANITA LAREMONT: So, we certainly have
21 learned over the years and, you know, as we lay out
22 and Where We Live, which was a very broad and in-
23 depth exploration of these issues throughout the
24 city, you know, we need to be mindful of the
25 conditions and neighborhoods, perceptions, and

2 neighborhoods, and with always an eye to ensuring
3 that we are pursuing our fair and equitable housing
4 goals. You know, we have enhanced our process and,
5 as we stated in Where We Live, we really do believe
6 that more robust disclosure of Dana would be very
7 helpful in ensuring that our decision-makers are
8 fully informed. And so, in that document, we commit
9 to providing much more robust analysis of housing
10 development throughout the city, impacts the
11 building, or the loss of units throughout
12 neighborhoods and the like and have laid out whole
13 things, which I did in my testimony, that will give
14 us better information. So, that is what we have
15 learned from what we did previously. Another major
16 thing in response to the second part of your question
17 is those earlier rezonings that you talked about,
18 like Long Island city and Metro Tech, we did
19 differently than we did the neighborhood rezonings in
20 this administration where we said from the very
21 outset, needed to be supported by an include
22 infrastructure investments to address the increases
23 in intensity that would occur. And we believe very
24 strongly that we cannot do a neighborhood rezoning
25 particularly in a neighborhood that has seen

2 disinvestment over the years in historically notable
3 way without addressing those issues. So, that is
4 something different that we started in this
5 administration and are committed to.

6 COUNCIL MEMBER MILLER: So, and finally---
7 and I'll talk about Jamaica area which was rezoned in
8 2007, but because of, you know, all the things that
9 occurred, the development began to happen until 2015-
10 16. And so now we're seeing the development and so
11 the philosophy that you have now in terms of
12 infrastructure consistent with the development did
13 not exist in 2007 when it was rezoned and now
14 developers who were developing affordable housing
15 have been as to commit 10-20 million dollars on a
16 project which then makes them say, I can no longer do
17 affordable housing if I have to do that. How do we
18 learn from this throughout the city and make sure
19 that that is happening and you said that that's
20 happening, but in hindsight, some of this particular
21 development, as in others, actually occurred a decade
22 ago-- I'm sorry. The rezoning occurred a decade
23 ago, that the actual work is just happening now and
24 so the policy is not consistent with what needs to
25 happen now. How do we rectify that?

2 ANITA LAREMONT: That is challenging. I
3 will admit there is a challenge there, but, you know,
4 I will say that, in terms of infrastructure needs in
5 communities, we, one, do need to ensure that the
6 private sector, where it is appropriate, bears its
7 share of responsibility for the impacts that their
8 developments calls. But, in addition, you know, the
9 city is mindful of its needs and obligations with
10 respect to infrastructure and, while we are in a very
11 constrained and challenged time, the city will
12 continue to be responsible for ensuring that
13 communities have the infrastructure that they need.
14 So, it is a question of working with those that are
15 developing in neighborhoods and the administration to
16 address all of those outstanding issues. But, like I
17 said, we really must, as we move forward, try to
18 factor those needs in when we are increasing density.

19 COUNCIL MEMBER MILLER: Thank you. Thank
20 you.

21 CHAIRPERSON SALAMANCA: Thank you. Thank
22 you, Council member Miller. I have a quick question
23 before we move on. In this was something that was
24 frustrating to me when they approach the Southern
25 Boulevard rezoning. The administration had a list of

2 capital projects that they wanted to move forward
3 should I approve this rezoning. If the
4 administration-- hold on. If the administration
5 knew, why do I need to rezoned my community in order
6 for you to provide this capital needs? Why can't--
7 Why couldn't this Mayor do the right thing and
8 provide those capital needs without having to add
9 more density?

10 ANITA LAREMONT: You know, that question
11 presumes that there are any capital needs in the city
12 met unless there is a rezoning. Nothing could be
13 further from the truth. The city is working in
14 multiple neighborhoods across the city continually
15 with a robust infrastructure program that it is
16 realizing all the time in the absence of rezonings
17 and it is certainly not a question of holding
18 infrastructure commitment hostage to rezoning. We
19 are simply saying that, where there will be a
20 rezoning, there will be focus on community and the
21 infrastructure needs that are occasioned by the
22 reason of increasing density. That does not mean
23 that the city does not commit infrastructure funding
24 to neighborhoods throughout the city where there's
25 not a rezoning which is more than 98 percent of the

2 city's infrastructure budget. It's spent in
3 neighborhoods that are not increasing density.

4 CHAIRPERSON SALAMANCA: I'm sorry. I have
5 to disagree with that. I mean, if the city knows
6 that I have a park that has been disinvestment for
7 years, if the city knows that I have infrastructure
8 needs such as repairing my sewage and my water, and
9 the city knows that is, why can't the city just come
10 and fix that? Why does the city, and say, I will fix
11 it if I am allowed to up zone? That is the problem.
12 That is what is happening with this administration.
13 Counsel, I'm going to move forward. You can call on
14 the next panelist.

15 COMMITTEE COUNSEL: I have Council
16 member Barron and the last questions by Council
17 member Diaz.

18 SERGEANT-AT-ARMS: Time starts now.

19 COUNCIL MEMBER BARRON: Thank you, Mr.
20 Chair. Thank you to the panel. This hearing is
21 unbelievable. There is a line in a movie that says,
22 what we have here is a failure to communicate. We
23 are talking at cross purposes because the
24 administration's testimony here is not in line with
25 what it is that we know the needs of our community

2 are. There's a denial of reality here. There is a
3 refusal to look back to be able to get an intelligent
4 assessment to make appropriate plans to move forward.
5 There is a securitist [sic] conversation that is
6 being had. There is very indirect-- are you
7 supporting this bill? And all of the conversation to
8 that point had been very much opposed to the bill,
9 but when the question got asked again, it was, oh,
10 no, no, no. We're looking to see what-- it was
11 never said that, you know, this bill is a good bill
12 as it existed we just want to do some, as we like to
13 say, tweaking. This has been unreal listening to
14 this. The obfuscation that is going on here is so
15 blatant that it is embarrassing. So, I represent
16 about four blocks of East New York that were in the
17 East New York rezoning plan. I heard someone's
18 testimony say that we want to engage the community.
19 We want to talk to the community. We want to make
20 sure that we hear what their needs are and what they
21 want to have happen. When they came to East New York
22 for the East New York rezoning, the community said,
23 we don't want this plan because you are bringing in
24 6000 units and at the outset, you're putting 3000
25 units in market rate. And then the rest that remain,

2 only 20% of those will be affordable to those of us
3 who live in East New York with an AMI of about, at
4 that time, 34,000 dollars. Community said they did
5 not want it. The community board said they did not
6 want it. The borough president supported the
7 community board, but yet it was very clear-- it was
8 clearly stated that DCP will stand by the rezoning
9 when they get partners who are willing to work with
10 them. So, regardless of the masses of people in the
11 community who said they didn't want it, it got forced
12 onto this community. On that portion of East New
13 York, the Atlantic Avenue side of East New York. We
14 also talked about the fact that the city has done a
15 miserable job with NYCHA. Miserable job. So, now
16 they have got in RAD PACT program that they are
17 advancing and people in my community are saying they
18 don't want it. They don't want to be forced into
19 section 8. They don't want to be forced into
20 downsizing, because that is a requirement that you
21 have to get, what they call, right size apartments.
22 And, here, again, the city is trying to steamroll
23 this. Here we all are in a period of Covid and they
24 are trying to steamroll this program and trying to
25 get into people's homes until the assembly member and

2 I wrote a letter objecting to their coming in to make
3 their surveys to see what the status of those
4 apartments were. A very, very, very dangerous
5 situation. Fortunately, they have now taken a pause
6 in that situation, but I am here to say that the city
7 has not demonstrated through its plans either for the
8 homeless or for maintaining housing for people who
9 have special needs or for people who are working for.
10 They have not demonstrated-- they have not
11 demonstrated by the mismanagement, the failure, the
12 lies, and the fraud that NYCHA has had a history,
13 which requires a monitor to be here. So we don't
14 see, based on your history, that there is a genuine
15 interest in making sure that the least among us have
16 the opportunity to have adequate housing. You don't
17 want to look back, so I guess you don't want to
18 acknowledge that that's the case. But I don't know
19 if anyone who tries to move forward without having an
20 evaluation of what has already occurred. And I don't
21 believe that, in this 21st century, we can't get the
22 analytics that we need to parse out how each of these
23 factors may have an impact on displacement. Thank
24 you very much, Mr. Chair.

2 CHAIRPERSON SALAMANCA: Thank you, Council
3 member. Counsel?

4 COMMITTEE COUNSEL: Next, we have
5 Council member Dharma Diaz.

6 SERGEANT-AT-ARMS: Time starts now.

7 COMMITTEE COUNSEL: Council member, you
8 are still on mute.

9 SERGEANT-AT-ARMS: Council member, you may
10 have to fix your audio on your end.

11 CHAIRPERSON SALAMANCA: We can't hear you.

12 COMMITTEE COUNSEL: Council member, can
13 you please try again?

14 CHAIRPERSON SALAMANCA: No. I'm sorry,
15 Council member. We can't hear you. All right.
16 Counsel, is there any other hands raised? Any other
17 questions?

18 COMMITTEE COUNSEL: I see no other
19 hands raised for Council members. So, at this time,
20 we are going to begin the public panel.

21 CHAIRPERSON SALAMANCA: Okay. Before we
22 begin with the public panel, I want to thank City
23 planning and HPD for attending this important
24 hearing. The racial disparity report, the racial
25 impact study and we look forward to having further

2 discussions with this administration immediately and
3 it is my hope that we can work with the Council and
4 the Public Advocate and the administration and we can
5 get this bill passed before this Mayor leaves office.
6 So, again, thank you for attending today's hearing.

7 LUCY JOFFE: Thank you.

8 COMMITTEE COUNSEL: We will now turn to
9 testimony from members of the public. Members of the
10 public will be on mute until they are recognized to
11 testify. I will be calling groups of panelists. I
12 will then recognize each member of the public
13 individually. Once your name is called to testify,
14 our staff will unmute you and the sergeant-at-arms
15 will set the timer and announced that you may begin.
16 Your testimony will be limited to two minutes.
17 Please confirm that your mic is unmuted before you
18 begin speaking. Council members will have an
19 opportunity to ask questions after each panel of
20 witnesses. I would now like to welcome our next
21 panel. So, we have Alex Fennell, Gregory Jost, Rob
22 Solano, and Fitzroy Christian. When you begin,
23 please state your name and affiliation for the
24 record. Mr. Fennell, you may begin.

25 SERGEANT-AT-ARMS: Time starts now.

2 COMMITTEE COUNSEL: Or rather Ms.
3 Fennell.

4 CHAIRPERSON SALAMANCA: We have to unmute
5 Ms. Fennell.

6 ALEX FENNEL: Good afternoon. Thank
7 you, Chair Salamanca, and members of the Committee on
8 Land Use for the opportunity to testify today. My
9 name is Alex Fennell. I'm the senior housing
10 organizer for the Association for Neighborhood and
11 Housing Development, ANHD. Our 80 plus members
12 across New York City are committed to winning
13 affordable housing and building thriving, aqua
14 neighborhoods for all New Yorkers. I am so excited
15 to sit before you today and offer our support for
16 Intro 1572 A. This legislation is a significant step
17 towards equity and planning that our communities have
18 been calling for for decades. Throughout the
19 dramatic changes made under the Bloomberg and de
20 Blasio administrations, low income communities of
21 color were repeatedly targeted for rezonings that
22 resulted in the racialized displacement of residents
23 and significant losses of industrial jobs in small
24 businesses. In addition to being a member of the
25 Racial Impact Study Coalition, ANHD has provided

2 technical assistance and support to our member groups
3 around rezonings, we have seen firsthand the effects
4 of the egregious reality that race is never
5 explicitly discussed or analyzed as part of the land-
6 use process. Addressing this is of central concern
7 to our members and their communities. This is
8 highlighted by our analysis that is demonstrated that
9 historic inequities in communities of color have been
10 a significant factor in the spread of Covid 19.
11 Decades of planning without regard to race and
12 historic disinvestment have left our communities of
13 color most vulnerable to health risks, economic
14 impact, and housing insecurity. New York has the
15 opportunity to fulfill promises made by the Fair
16 Housing Act and our own Where We Live in NYC. Racial
17 disparity reports would be a fundamental piece of
18 this approach and would work in complement with other
19 vital new tools like a comprehensive planning
20 framework. We look forward to working with the
21 Council to ensure that this bill is as strong as
22 possible and, to do that, we ask racial disparity
23 reports disaggregate by race the risks of
24 displacement based by current residence,
25 independently owned businesses, workers, and industry

2 sectors. If we hope to build a New York that is
3 truly for every resident, then this is a fundamental
4 first step towards rooting decision making and equity
5 at both the neighborhood and citywide--

6 SERGEANT-AT-ARMS: Time expired.

7 ALEX FENNEL: level. Thank you.

8 COMMITTEE COUNSEL: Thank you, Ms.

9 Fennell, for your testimony. Next, we have Gregory
10 Jost. When you begin, please state your name and
11 affiliation for the record. Mr. Jost, you can begin.

12 SERGEANT-AT-ARMS: Time starts now.

13 GREGORY JOST: All right. Can you all
14 hear me and see me?

15 CHAIRPERSON SALAMANCA: We can hear you,
16 Gregory.

17 GREGORY JOST: Okay. Great. Thank you
18 so much for having me here today. Thank you, Chair
19 Salamanca. As you know, part of Banana Kelly and the
20 Southern Boulevard coalition and we have worked
21 together and discussed this already, but thank you to
22 the entire committee. And I also appreciate city
23 planning taking the time in coming out today and I
24 offer up quickly just a few remarks. You know, we
25 have been part of-- [inaudible 1:57:42] part of the

2 coalition of-- in terms of working specifically on
3 the racial impact study, our focus has been very much
4 around what is happening on the ground in the South
5 Bronx, in the Southern Boulevard vicinity, and
6 looking at the displacement that is already
7 happening. We know that there are deep problems
8 inherent in so many of the systems, even before the
9 rezonings come in these tend to exacerbate the issues
10 and I think this is such a positive first step and
11 commend you on putting this bill for. Lots of thanks
12 to Public Advocate Williams on having this bill come
13 forward. And I think the resistance that you get
14 from the city, from the administration, from city
15 planning is a good sign and I just want to say that,
16 100 percent, like as much as there is pushback, that
17 is a good sign because I think this opens up the
18 right can of worms in terms of what we are seeing on
19 the ground. This is the everyday reality that
20 community residents are facing. It's the threat of
21 displacement, the rezonings that don't take into
22 account the impact of policies that continue to grow
23 the racial wealth gap, continue to grow the disparity
24 in wealth and ownership in power in the neighborhoods
25 are things that rightfully have our community

2 residents feeling very afraid and very vulnerable at
3 a time, again, in the pandemic only makes this even
4 more and more visible to the rest of the world. I
5 think this is groundbreaking legislation in. A bill
6 that has the opportunity to move forward a lot of
7 conversations. We will see a lot of shift in---

8 SERGEANT-AT-ARMS: Time expired.

9 GREGORY JOST: , but I just want to
10 commend you all and ask you to keep moving forward
11 with it and keep working with us on the details of
12 it. Thank you.

13 COMMITTEE COUNSEL: Thank you for your
14 testimony. We have Rob Solano next. Again, as a
15 reminder, when you begin, please state your name and
16 affiliation for the record.

17 SERGEANT-AT-ARMS: Time starts now.

18 ROB SOLANO: Rob Solano, executive
19 director and co-founder of Churches United for Fair
20 Housing. Our coalition of churches throughout New
21 York City between Sunset Park, Williamsburg, and
22 Bushwick, and East New York have suffered for years
23 in rezonings. Many committees throughout New York
24 City have seen major land-use actions that have
25 created incredible displacement and segregation in

2 our city. To hear the Department of City Planning
3 say today that none of these rezonings have caused
4 any displacement or any segregation in New York is
5 wild and speaks truth to this testament that the city
6 and this administration is not only not part of the
7 solution, but part of this problem. We need to
8 address the issue of displacement in our communities
9 firsthand. The resistance to have any racial impact
10 study or now racial disparity report as just a basic
11 line to show if race is important in these rezonings,
12 continue to here today that they do not want to
13 address it. In 1968, the Federal Fair Housing Act,
14 our communities have suffered so much and nothing has
15 been done in New York for it to happen. That's my
16 son Robert Junior. I'll add because I probably lost
17 some time in Robbie's entry, but I would say to you
18 that Rob will grow up and be a man and face this
19 community and want to know what we did in our time in
20 power and what we did for his future. Today is one
21 step to show that race is important and it matters.
22 And for the city of New York to continue to say that
23 it doesn't and continue to silence us is not only
24 disrespectful but it would be on record that we have

2 stand against them and we will continue to fight
3 this. Thank you so much.

4 COMMITTEE COUNSEL: Thank you for your
5 testimony. Next, I have Fitzroy Christian.

6 SERGEANT-AT-ARMS: Time starts now.

7 FITZROY CHRISTIAN: Yeah. Good
8 morning. My name is Fitzroy Christian. I am a
9 member of the leadership team at CASA, Community
10 Action for Safe Apartments in the South West Bronx.
11 I am also a member of the Racial Impact Study
12 Coalition. Again, good morning. Thank you for the
13 opportunity to testify and thank you, Public Advocate
14 Williams, for your work in producing this piece of
15 legislation that is so badly needed. Apart from the
16 deniers and the evasiveness we experience not too
17 long ago, we have witnessed over the years just how
18 much devastation has been wrought on communities of
19 color when New York City chooses to rezone
20 neighborhoods. The massive displacement of families,
21 the destruction of the economic and cultural
22 institutions, the financial losses to so many
23 thousands of families who have to relocate, often to
24 environments worse than the ones that they have left.
25 The traumatic and emotional burdens of starting over,

2 the loss of truly affordable homes, the
3 transformation of their communities into
4 neighborhoods into which they have been sidelined and
5 from which they will eventually be driven. In
6 essence, rezoning of neighborhoods of [inaudible
7 02:03:09] gentrification and displacement. And that
8 is because New York City has intentionally,
9 consistently, and contemptuously disregarded the
10 impact of its rezoning on communities of color,
11 deliberately ignoring the evidence of the [inaudible
12 02:03:25] cause to thousands and thousands of people
13 who suffer so much economic and cultural loss as a
14 result of New York City's denial of its role in
15 destroying so many lives in the so called, but
16 misdirected development and rezoning plans. So, it's
17 with some excitement, though it is somewhat reserved,
18 because I am not unaware of New York City's history
19 of promising one thing and unashamedly doing the
20 reverse. I welcome this piece of legislation, Intro
21 1572 A that holds the promise of the different
22 approach to the redevelopment of distressed
23 neighborhoods. We commend Public Advocate Williams
24 and Council member Salamanca for bringing this so
25 necessary--

2 SERGEANT-AT-ARMS: Time expired.

3 FITZROY CHRISTIAN: Give me one more
4 second, please. And long overdue legislation forward
5 and we're looking forward to collaborating with you
6 to not only making it public law, but to make it
7 stronger so that our neighborhoods can be preserved.
8 I will be submitting a fuller testimony online, but,
9 again, I want to thank all of the people who were
10 involved in and who have worked to bring this forward
11 and I am looking forward to working with you, board
12 of CASA, and with the Racial Impact Study Coalition
13 to make this a reality in our New York City. Thank
14 you.

15 CHAIRPERSON SALAMANCA: I want to thank
16 this panelist and advocates for your hard work and
17 dedication in helping elected such as myself and
18 Public Advocate Jumaane Williams with, you know,
19 accurate data. On the ground data. Data that,
20 unfortunately, the city or misinform us of what the
21 reality actually is. You know, I have such a group
22 in Banana Kelly working with Jeremy Jost, you know,
23 when, you know, we had candid conversations on how
24 the Southern Boulevard rezoning should it, would it
25 had been approved, how it would have had a negative

2 impact and actually would have displaced black and
3 brown members of our communities. So, I just wanted
4 Council, is there any members? Any Council members
5 were elected officials that had their hands up to
6 speak?

7 COMMITTEE COUNSEL: Yes. I see that
8 Council member Menchaca has his hand raised.

9 CHAIRPERSON SALAMANCA: Council member
10 Menchaca? You're muted, sir.

11 COUNCIL MEMBER MENCHACA: Thank you.
12 Thank you, Chair. I think I'm also next over at
13 public safety. I can't believe that we're having
14 these two hearings right now. Though I have a
15 question for this panel. And, really, I just want to
16 say thank you to everything that CUFFH has been doing
17 and engaging us members and organizing us. So much
18 of what we do is in partnership with communities who
19 have been living this through the organizations and
20 impacts to their members. And so, maybe to the Mr.
21 Rob Solano, I want to ask him to really kind of talk
22 a little bit about what he believes is possibly in
23 violation. It is the city of New York in violation
24 of the Federal Fair Housing Act and how all this
25 would help organizers like the ones that he is

2 organizing through his organizational the ground to
3 prevent displacement?

4 ROB SOLANO: Thank you, Council member
5 Menchaca. As you heard today earlier in Salamanca's
6 testimony to city planning, they just got an advisor
7 a few months ago and got started in trying to
8 understand racial disparity and racial impacts in
9 rezonings two months ago. There have been major
10 rezonings for the last decade in the de Blasio
11 administration and 100 rezonings in the Bloomberg
12 administration. So, 100+ several in the de Blasio
13 administration mean thousands and thousands of
14 residents in New York City. I have had residential
15 rezonings from M to R with zero attention to race
16 and for someone to get on this call that works with
17 the city of New York, we just got an advisor, means
18 that their own staff and administration from top to
19 bottom from City Planning to HPD, that has no one on
20 the staff that has any background in the Fair Housing
21 Act, in implementing it. And the Fair Housing Act is
22 really simple. You have to have effort to have
23 policies that do not segregate the city. It's not
24 enough to say that we don't think it does or maybe it
25 has indirect. You have to show how you are

2 integrating your communities. You have to show the
3 federal government. You have to show New Yorkers
4 what are you doing when you redo these housing
5 developments to bring everyone together? So, for the
6 city to admit today that its advisors are-- it's
7 wild to me and many people on this call. That's how
8 bad this is. They just got someone on their team on
9 the last term of the administration to advise them on
10 the Fair Housing Act and racial implications on
11 rezonings.

12 COUNCIL MEMBER MENCHACA: Thank you.

13 ROB SOLANO: It violates the Fair Housing
14 Act. For sure they are violating it. Yes.

15 COUNCIL MEMBER MENCHACA: So, I think
16 you for, walking us through this violation and I'm
17 hoping that the administration can-- who is still
18 here-- can respond about it I want to work with the
19 city Council and the land use committee to make sure
20 that we get a proper response. I think what I want
21 to do with my last few minutes is that the work that
22 you and a lot of the organizers are doing in
23 partnership with us as elected officials, I hope that
24 we send some big messages as we are looking for a
25 massive transformation of the actual government

2 itself to ensure that this administration, before it
3 leaves, actually has an impact. And I'm hoping that
4 this Council steps up and confronts it and, through
5 legislation, we have the power to reconstruct
6 government. We are the policymakers. The people's
7 body is where we build policies that the
8 administration executes and I feel like this
9 administration continues to confront our body and the
10 people as the true policymakers, which is--

11 SERGEANT-AT-ARMS: Time expired.

12 COUNCIL MEMBER MENCHACA: So, thank you
13 for this time.

14 CHAIRPERSON SALAMANCA: Thank you, Council
15 member. All right. Thank you, panelists. We can
16 move on. thank you.

17 COMMITTEE COUNSEL: I see no other
18 hands raised from Council members for questions, so I
19 would like to now welcome our next panel. Patrice
20 Edwards, Paul Epstein, Carla Fisk, and Cheryl
21 Pahaham. As a reminder, your testimony will be
22 limited to two minutes. Please confirm that your mic
23 is unmuted before you begin speaking and Council
24 members will have an opportunity to ask questions
25 after each panel of witnesses. When you begin,

2 please state your name and affiliation for the
3 record. Ms. Edwards, you may begin.

4 SERGEANT-AT-ARMS: Time starts now.

5 CHAIRPERSON SALAMANCA: Is Ms. Edwards on?
6 Counsel, do you see Ms. Edwards?

7 COMMITTEE COUNSEL: It looks like Ms.
8 Edwards is no longer in the zoom, so we will go to
9 our second attendee, Paul Epstein.

10 SERGEANT-AT-ARMS: Time starts now.

11 PAUL EPSTEIN: Hello. I am Paul
12 Epstein, cochair of Inwood Legal Action and a member
13 of the Racial Impact Study Coalition. Inwood Legal
14 Action lead the lawsuit again the Inwood rezoning
15 claiming, among other things, that the city should
16 have studied the racial impact of residential
17 displacement and impact on minority and women owned
18 businesses. The trial judge agreed. However, that
19 was reversed on appeal. The appeals court said, if
20 we want those studies to be required, we should raise
21 them with city Council. Well, here we are. A bill
22 like 1572 A is badly needed. The city and developers
23 often claim wonderful benefits will arise from land
24 use actions without saying who will benefit and what
25 populations will be at risk. It is very good that

2 1572 K will mandate a report that shows which racial
3 and ethnic groups are likely to benefit from new
4 housing and jobs and which are not. That is badly
5 needed, if we care about equity. The bill needs
6 improvements, however, which I plan to submit in the
7 testimony-- in the next written testimony in the
8 next few days as will the Racial Impact Study
9 Coalition. For how, here is just one. Please add a
10 mandate that disparity reports disaggregate by race,
11 businesses at risk of displacement. Inwood, like
12 other minority neighborhoods, has an ecosystem of
13 small businesses owned by residents of color which
14 keeps income circulating in the community rather than
15 being extracted. Business ownership also builds
16 wealth. Racial disparity reports should assess
17 whether risk of business displacement is
18 disproportionately affects minority owned business,
19 thereby worsening the vast racial wealth gap. I want
20 to thank Public Advocate Williams, Land Use Chair
21 Salamanca, and cosponsors for getting 1572 A this far
22 and I look forward to working through the Racial
23 Impact Study Coalition to help the Council improve
24 the bill as it goes through the legislative process.
25 Thank you very much.

2 COMMITTEE COUNSEL: Thank you for your
3 testimony. Seeing that Carla Fisk is no longer a
4 panelist, I would like to now call on Cheryl Pahaham.

5 SERGEANT-AT-ARMS: Time starts now.

6 CHAIRPERSON SALAMANCA: Cheryl, you are
7 muted.

8 CHERYL PAHAHAM: I'm Cheryl Pahaham,
9 cochair of Inwood Legal Action and member of the
10 Racial Impact Study Coalition. Many thanks to all of
11 you for sponsoring Intro 1572 Hey, a strong step
12 towards equity and planning. During the Inwood
13 rezoning, we asked the city to examine the racial
14 impacts of its proposed plans, but our concerns were
15 ignored, including by our Councilman. If a racial
16 disparity report had been required during the Inwood
17 rezoning, we could have held our Council member and
18 involved city agencies to account. More importantly,
19 we would've been able to engage in a more transparent
20 process to plan our community's future. We might
21 have even reached consensus on the Inwood rezoning
22 and might have avoided the litigation that occurred.
23 My one suggestion to strengthen this legislation is
24 to be more explicit about the racial impacts of
25 proposed land-use actions and planned development.

2 This bill should define displacement for the purposes
3 of examining racial disparity in proposed land-use
4 actions and require the disaggregation by race of
5 residents who risk displacement. To advance equity
6 in land use, the public needs the right data and the
7 right analysis before being asked to support land-use
8 proposals. The public needs to fully understand
9 which demographics planned land-use actions will
10 support and whether a project threatens to
11 disproportionately displace people of color.

12 Finally, despite the denials of city officials, it is
13 possible to predict who is likely to be displaced.

14 Already in use in city government, there are existing
15 models to build on such as the work done by the
16 Mayor's Office of Data Analytics which has identified
17 where tenant harassment is likely to occur and where
18 rent-stabilized units are likely to be lost or the
19 efforts by the tenant support unit to examine whether
20 AI models can more efficiently predict where tenant
21 harassment is occurring. Thank you for listening and
22 I look forward to working with the Racial Impact
23 Study Coalition all of you to improve this bill.

24

25

2 COMMITTEE COUNSEL: Thank you for your
3 testimony. Chair Salamanca, do you have any
4 questions for this panel?

5 CHAIRPERSON SALAMANCA: No. I just want to
6 thank you for your testimony and, Paul, I look
7 forward to your recommendations on this bill. Thank
8 you.

9 COMMITTEE COUNSEL: I see no Council
10 members with their hands for this panel, so thank you
11 all for your testimony. I would now like to welcome
12 our next panel. Samuel Stein, Tafadar Sourov, and
13 Summer Sandoval. When you begin, please state your
14 name and affiliation for the record. Samuel Stein,
15 you may begin.

16 SERGEANT-AT-ARMS: Time starts now.

17 SAMUEL STEIN: Great. Can you hear me?
18 You can hear me? Great.

19 CHAIRPERSON SALAMANCA: Yes. We can hear
20 you.

21 SAMUEL STEIN: Thank you to the bill
22 sponsors for introducing this important legislation
23 and thank you to the land use Committee and Chair for
24 the opportunity to testify today. My name is Samuel
25 Stein. I am a senior policy analyst at the Community

2 Service Society, nonprofit organization that seeks to
3 address the most pressing problems facing low income
4 New Yorkers, including the city's combined and
5 continuing crises: housing on affordability and
6 racial discrimination. Planning and development
7 dynamics have never been race neutral in New York
8 City and certainly are not so today. The racial
9 disparity report proposed in Intro 1572 A would be an
10 important way to identify disparities before they are
11 written into the zoning map. This policy would get
12 city planners, community members, elected officials,
13 and advocates an important tool to understand how it
14 proposed land-use action would either contribute to
15 or [inaudible 02:17:30] in pursuit of racial equity
16 in our city. These keywords, racial equity, points
17 to an important way the legislation can be
18 strengthened. Section six of Intro 1572 A calls on
19 the applicant outline the ways any identify
20 disparities or displacement risks might be mitigated
21 in pursuit of, quote, greater racial and ethnic
22 equity. While the bill defined several key terms, it
23 does not define racial and ethnic equity. This opens
24 up the proposed racial-- I'm sorry. This opens up
25 the proposed racial disparity report to misuse by

2 those who would draw a false equivalency between
3 gentrification and integration. While there are many
4 ways the bills authors could address this problem,
5 one potential solution lies in the Fair Housing Act
6 itself which aims to outlaw discrimination in
7 housing, essentially mandating that people should be
8 able to live wherever they want without fear of
9 discrimination based on protected classes, including
10 most prominently race. A similar approach can be
11 applied to the question of greater racial and ethnic
12 equity in the legislation. The measure of equity can
13 be the ability to live where one wants without fear
14 of--

15 SERGEANT-AT-ARMS: Time expired.

16 SAMUEL STEIN: Okay. There's a lot
17 more detail in my written testimony which I've
18 already offered. Thank you very much and we urge the
19 community to support this legislation.

20 CHAIRPERSON SALAMANCA: Thank you, Mr.
21 Stein.

22 COMMITTEE COUNSEL: Next, I have
23 Tafadar Sourov.

24 SERGEANT-AT-ARMS: Time starts now.

2 CHAIRPERSON SALAMANCA: Is the panelist on,
3 Counsel?

4 TAFADAR SOUROV: Hi. I'm sorry. I was
5 muted.

6 COMMITTEE COUNSEL: The panelist is.

7 CHAIRPERSON SALAMANCA: Okay.

8 TAFADAR SOUROV: So, good afternoon. My
9 name is Tafadar Sourov and I'm organizer with
10 Laborers Local 79, a member of the Racial Impact
11 Study Coalition and a Bronx resident and, like many
12 of my union brothers and sisters, I believe that
13 labor and community advocates have to stand together
14 against racial income inequality. I want to start by
15 thanking Chairman Rafael Salamanca and Public
16 Advocate Jumaane Williams for their leadership on
17 this legislation and for the opportunity to voice our
18 support of this racial impact study and the means to
19 equip the city with necessary information and make
20 impactful changes. I would also like to thank them
21 for setting the record straight in this hearing on
22 the results of the city's rezoning plans which have
23 led to the metastatic growth of the exploitation of
24 black and brown construction workers who do not have
25 union representation. This legislation will fill a

2 gap in information that show the undeniable truths
3 about racial inequalities when it comes to
4 development in the city. Growing up in the city, I
5 have seen firsthand the damage that rezoning can do
6 to a community in the damage that bad jobs with low
7 wages can do by exacerbating the racial wealth gap.
8 In addition to the undeniable truth that rezonings
9 are often recessed, we have to face the undeniable
10 truth that the underground economy of workers who
11 build the city is often ignored, cast aside, and
12 forgotten at the expense of immigrant workers and
13 workers of color. Workers who are deemed essential
14 during the pandemic, but treated as anything but
15 that. Construction workers are too often left behind
16 when we talk about rezoning and it is time that the
17 city Council reconcile the fact that your responsible
18 development will remain such until we look at one of
19 the projected jobs and sectors that support workers
20 of color can provide fair wages and career
21 opportunities. My union brothers and I-- and
22 sisters and I, we see the plight of nonunion workers
23 and know what it is like to start doing hard labor
24 before the sun has even come up in a dangerous
25 industry. And the difference between us and our

2 nonunion counterparts is vast and a large part of
3 that is due to a lack of representation in that
4 sector for the workers. The director of City
5 Planning said earlier in the hearing that she
6 believes we need a data driven approach to understand
7 the impact on communities. Before all this
8 information becomes data, it is the lived experience
9 of agonizing labor and shameful wages. This
10 legislation--

11 SERGEANT-AT-ARMS: Time expired.

12 TAFADAR SOUROV: provides an opportunity
13 to expose these hard truths and I support the study
14 and I hope that the city Council will also look at
15 residential projects in addition to commercial
16 projects in this bill. Thank you.

17 CHAIRPERSON SALAMANCA: Thank you.

18 COMMITTEE COUNSEL: Thank you for your
19 testimony. The next and last panelist for this panel
20 is Summer Sandoval.

21 SERGEANT-AT-ARMS: Time starts now.

22 SUMMER SANDOVAL: Hello and thank you for
23 holding this hearing today. My name is summer
24 Sandoval and I am here on behalf of Up Rose and the
25 New York City Environmental Justice Alliance. Up

2 Rose is Brooklyn's oldest Latino community based
3 organization and works at the intersection of racial
4 justice and climate change. On the heels of our
5 community lead victory over the failed Industry City
6 rezoning application, we must look critically at an
7 amendment the land use review process that has
8 allowed countless private developers such as
9 Jamestown Properties to harass, displace, and
10 undermine community planning and leadership and use
11 outdated development models that do not allow us to
12 utilize the few and invaluable industrial sectors to
13 build for our climate future and economic resilience.
14 Into 1572-A is a necessary attempt to capture some of
15 the analyses in areas that CEQR and the ULURP process
16 fails to address, but the proposal must integrate
17 more community leadership for it to be an effective
18 tool to protect communities and community priorities
19 in the area of climate change in Covid 19. We need
20 to work collaboratively to ensure effective
21 implementation and accountability of the reporting
22 period we need clear and strong thresholds and
23 baselines for what determines a significant impact
24 and how those results would be enforced. The term
25 trend and displacement risk also needs further

2 definition to address displacement and loss of social
3 cohesion threats over time. We need a collaborative
4 process to help determine what type of data and how
5 the data will be used child build a reporting
6 procedure that is able to capture cumulative impacts
7 that threatened environmental Justice communities
8 across New York City. The proposal cannot be
9 informed by conventional metrics such as area median
10 income that fails to meaningfully support communities
11 and hearts low income communities of color because it
12 does not capture local affordability issues. The
13 proposal must help--

14 SERGEANT-AT-ARMS: Time expired.

15 SUMMER SANDOVAL: D silo-- thank you very
16 much. We will submit more thorough written comments.

17 CHAIRPERSON SALAMANCA: Thank you.

18 Council, have a question. Well, for the speaker from
19 the laborers, Tafadar-- is he still on?

20 TAFADAR SOUROV: Yes, sir.

21 CHAIRPERSON SALAMANCA: Just very quickly,
22 I want to clarify. I think in your statement you
23 mentioned something about this bill only affects
24 commercial spaces?

2 TAFADAR SOUROV: Yeah. The bill, as it
3 is, calls for wage and employment data requirements
4 for commercial projects and it is very imperative
5 that it also include residential because the workers
6 who are building affordable housing deserve to be
7 able to have living wages. Poverty wages should not
8 be subsidizing affordable housing. It is an
9 unjustifiable shame on our city that that is
10 happening.

11 CHAIRPERSON SALAMANCA: Okay. All right.
12 Thank you. I just wanted to get some clarity on
13 that. Thank you very much for your testimony.

14 TAFADAR SOUROV: Thank you, Councilman.

15 CHAIRPERSON SALAMANCA: Thank you. Are
16 there any other questions, Counsel?

17 COMMITTEE COUNSEL: I see no other
18 questions for this panelist, but, Council members, if
19 you do have any questions, please use the raise hand
20 function and seeing that we have no raised hands, we
21 would like to thank this panel for their testimony
22 and I would now like to welcome our next panel. Adam
23 Meyers, Shekar Krishnan, and Latoya Washington. When
24 you begin, please state your name and affiliation for
25 the record. Adams Meyers, you may begin.

2 SERGEANT-AT-ARMS: Time starts now.

3 ADAM MEYERS: Good afternoon. My name is
4 Adam Meyers and I am an attorney with Communities
5 Resist, nonprofit legal services organization that
6 works with tenants and tenant associations in
7 Brooklyn and Queens. I offer this testimony in
8 support of Intro 1572 A, which will bring the
9 racially disparate consequences of future land-use
10 actions into the light of day and empower New Yorkers
11 representatives to make informed decisions on zoning
12 and development proposals which will shape the future
13 shape of this-- shaping composition of the city. As
14 the committee knows, segregation remains alive and
15 well in New York City. This is no accident. Rather,
16 it is the direct consequence of a long series of
17 deliberate choices by governmental and industry
18 actors. While programs like redlining, block
19 busting, white flight, racially restrictive
20 development, discriminatory urban renewal programs
21 are largely the things of the past, their legacies
22 remain with us. The simple reality is that, in a
23 geographically segregated city, the location of new
24 development will determine in large part the
25 allocations of the burdens and benefits as to people

2 with different races. When we build massive luxury
3 developments in low income neighborhoods of color, it
4 is the current residents that bear the burdens of
5 noise, dust, traffic, and rent pressures. The
6 benefits go elsewhere. We can't solve issues of
7 segregation and racial impact by closing our eyes.
8 We must be conscious of the fact that so-called
9 underutilization is often the consequence of
10 deliberately racist policies of years past and we
11 must examine whether new land-use proposals will
12 perpetuate these historic evils. Yes, the city needs
13 more housing. And, yes, the only way to get there is
14 to build. This proposed legislation will not tie the
15 city's hand or force the rejection of any project.
16 Rather, it will simply ensure that the city's
17 representatives have the information that they need
18 to evaluate whether a project will perpetuate
19 segregation and racially disparate impacts or will be
20 a step towards ameliorating these ills. Thank you.

21 COMMITTEE COUNSEL: Thank you for your
22 testimony. Next is Shekar Krishnan. When you begin,
23 please state your name and affiliation for the
24 record.

25 SERGEANT-AT-ARMS: Time starts now.

2 SHEKAR KRISHNAN: Good afternoon,
3 everyone. My name is Shekar Krishnan. Resist in
4 North Brooklyn and Queens and I am here today like my
5 colleague, Adam Meyers, to testify in support of
6 Intro 1572. I have heard a lot of testimony that I
7 from the agencies that we have heard many years
8 before that raises a lot of serious concerns about
9 how seriously New York City and this administration
10 are taking fair housing and rezoning, displacement,
11 and gentrification in New York. My organization and
12 many of us in coalitions in Brooklyn have fought
13 against rezonings that have discriminated against and
14 so many residents in our neighborhood which are
15 already some of the most gentrified neighborhoods in
16 New York City. Whether it was the Broadway Triangle
17 litigation 11 years ago, whether it was the Pfizer
18 rezoning litigation, whether it was battling against
19 the closure of daycare centers in our neighborhood,
20 to-- in each of these fights, we have had to
21 challenge the city on their willful lack of
22 compliance with the fair housing laws. It is a
23 requirement under the federal Fair Housing Act that
24 the city of New York affirmatively further fair
25 housing when it resounds neighborhoods. That has not

2 ever happened. That is not a requirement to avoid
3 segregation. That is environment to integrate
4 neighborhoods. Every-- I want to be clear about
5 this. Since our Broadway Triangle litigation exposed
6 to this and has afterwards and every other lawsuit we
7 have brought. The city of New York is willfully
8 violating the Fair Housing Act. The city of New York
9 has the largest recipient of funding in the country.
10 It is violating federal Fair Housing Act by failing
11 to study the racial impacts and the displacement
12 impacts of rezonings. It is simply a fact that
13 rezonings proceeding in this way not only do not
14 comply with fair housing laws, but they actually
15 exacerbate gentrification in neighborhoods that have
16 suffered so much. The city cannot say that there is
17 no gentrification of facts when they haven't even
18 studied them. This bill is a step in the right
19 direction to ensure that we are studying these issues
20 and we must study them even more closely in terms of
21 racial displacement impacts, but it is strongly one--

22 SERGEANT-AT-ARMS: Time expired.

23 SHEKAR KRISHNAN: that we need in the
24 city. Thank you.

2 COMMITTEE COUNSEL: Thank you for your
3 testimony. The next panelist is Latoya Washington.

4 SERGEANT-AT-ARMS: Time starts now.

5 LATOYA WASHINGTON: Good afternoon. I
6 Latoya Washington, a member of Local 79 Laborers and
7 also leader and member of Women's Local 79. Women's
8 Committee Local 79. I want to start by thanking
9 Chairman Salamanca and Public Advocate Williams for
10 the opportunity to testify today in support of racial
11 impact studies on rezoning through Intro 1572 A. As
12 a union member, I am lucky enough to be guaranteed a
13 fair wage and benefits on every job site I report to.
14 The same cannot be said for my nonunion counterparts.
15 I come from every-- they come from every community.
16 They are often people of color that they deserve more
17 than they are getting. In order to do more, we must
18 be able to examine wages that they are paid. Intro
19 1572 A should require a breakdown of workers at risk
20 of displacement and current community by race along
21 with a report of the potential impact of new
22 developments on workers. This report should analyze
23 factors such as wages and benefits. What does it
24 mean if the only projected jobs cannot provide fair
25 wages and benefits to workers of color? Such

2 potential impacts must be considered not only when
3 commercial projects are proposed, but also rezonings
4 that seek to permit residential development. The
5 city Council can do more for construction workers and
6 the study and the impact of rezoning wages would be a
7 step in a right direction. Thank you.

8 COMMITTEE COUNSEL: Thank you for your
9 testimony, Ms. Washington. I see no Council members
10 with their hands raised for this panel, so I would
11 like to now welcome the next panel. We have Robert
12 Camacho, Marcel Negret, Paula Crespo, and Anne
13 Guiney. When you begin, please state your name and
14 affiliation for the record. Robert Camacho, you may
15 begin.

16 SERGEANT-AT-ARMS: Time starts now.

17 ROBERT CAMACHO: Thank you.

18 CHAIRPERSON SALAMANCA: Mr. Camacho, you
19 are muted. Can we unmute Mr. Camacho?

20 ROBERT CAMACHO: Got it. Thank you.

21 Thank you all for giving me the opportunity and thank
22 you all for stepping up to the plate, all the elected
23 officials in making sure that we are all on the same
24 page. Is it frozen? Am I on? Hello?

25 SERGEANT-AT-ARMS: You are on.

2 CHAIRPERSON SALAMANCA: Mr. Camacho, we can
3 hear you and we can see you.

4 ROBERT CAMACHO: All right. Thank you
5 very much. Thank you for giving me the opportunity.
6 I've lived in Bushwick all my life. I've been here
7 all my life. I have seen when they didn't want us
8 here. I have seen in '77 the block out. I have seen
9 when AIDS killed our people. I have seen when Harold
10 when now all of a sudden is an addiction and now that
11 they have-- we no longer can afford to live here and
12 they are pushing us farther and farther. Bushwick
13 did a community plan back in 2013. Yes. 2013. And
14 the Bushwick community did this plan with elected
15 officials, all the stakeholders, all the people and,
16 in the news media, the man said that this is a down
17 zone. It is unacceptable. It is up zoned areas that
18 we can't afford to live there. And make sure that we
19 keep our families in our two-family homes and our
20 families together. My kids can afford to live here
21 anymore. My kids are all grown. I have been here 60
22 years. My grandmother was 103 in Bushwick when
23 nobody wanted to live here. Now, all of a sudden,
24 everybody wants to live here. If you don't think
25 that this racial impact study isn't good for us, it

2 is good for us because if Stevie Wonder and Ray
3 Charles that are legally blind see what's going on,
4 we see what's going on. So we really need to push
5 this issue and I want to thank all the organizations
6 that were involved for us to get together and
7 Bushwick is going to ride. I am speaking on behalf
8 of myself because I have the Chair of housing Land
9 Use Committee and that is going to speak in regards
10 to the community in general, so I really need to keep
11 our people here. I want my kids to continue to live
12 here. I want my kids to live here and I want the two
13 and three family homes to be here because back then
14 they didn't want to give us subsidies and rent for us
15 to buy a home. Now, all of a sudden, they are
16 pushing us out and making all of these big buildings
17 that we can't afford to live in and race plays a big
18 issue in that and affordability. So, we really need
19 to push it and push it and the next Mayor that's--

20 SERGEANT-AT-ARMS: Time expired.

21 ROBERT CAMACHO: we want them to continue
22 and see if we can push the Bushwick Community Plan.
23 Thank you, God bless you, and be safe and let's all
24 be together like always.

2 COMMITTEE COUNSEL: Thank you so much
3 for your testimony. Marcel Negret is next.

4 SERGEANT-AT-ARMS: Time starts now.

5 MARCEL NEGRET: Thank you for having me
6 this afternoon. My name is Marcel Negret. I am a
7 senior planner at the Regional Plan Association. The
8 current New York City land use and environmental
9 review procedures lack the necessary information and
10 are based on methodologies that do not accurately
11 disclose displacement impacts of residents and local
12 businesses, particularly those in low income
13 communities of color. In essence, these procedures
14 ignore that social factors are often interrelated and
15 compound over one another creating different levels
16 of vulnerability and displacement risk. The proposed
17 racial disparity report would address assessment gaps
18 by disclosing racial disparities through an
19 examination of different socioeconomic conditions and
20 housing factors that can determine displacement risk
21 levels. These include, but are not limited by race
22 and ethnicity, labor force, household composition,
23 housing market trends, overcrowding, and evictions
24 rates. I underscore eviction rates, among others.
25 Having access to such information would proactively

remedy some of the issues raised by RPA in the past, documented and pushed out and inclusive city, but reports that were published supporting the fourth regional plan. More recently-- and we have continued to articulate these ideas and comments to the Mayor's Office and city Council regarding modifications to the city's environmental quality review process. We also believe that the racial disparity report could facilitate proactive planning in ways that support equitable growth oriented goals articulated the cities fair housing plan Where We Live. The proposed legislation would ensure that these long term planning efforts moved beyond current administration on our considered priorities and to the future. The proposed racial disparity report could disclose needed information to determine whether a land use change under consideration would meet local and citywide housing needs that promote integration and minimize displacement risk of vulnerable residents, a project that would seek to facilitate development in wealthier and amenity rich areas since we have lower displacement risk levels and thus would be more likely to gain support and

2 cross acceptance if clearly communicated in the type
3 of reports proposed by this legislation.

4 SERGEANT-AT-ARMS: Time expired.

5 MARCEL NEGRET: In analyzing-- Thank
6 you. I will submit more detailed comments in
7 writing.

8 CHAIRPERSON SALAMANCA: Thank you.

9 COMMITTEE COUNSEL: Thank you for your
10 testimony. Next is Paula Crespo.

11 SERGEANT-AT-ARMS: Time starts now.

12 PAULA CRESPO: Hi. Good afternoon. I
13 Paula Crespo, senior planner at the Pratt Center for
14 Community Development and I appreciate this
15 opportunity to testify in support of this Intro. As
16 an active member of the Racial Impact Study Coalition
17 and through our technical assistance and research we
18 have repeatedly pointed out the need for
19 intentionally prepared and publicly accessible
20 information that looks explicitly at the racial and
21 ethnic impacts of all planning and policy decisions.
22 In land use, the need to examine racial impacts is
23 made clear by the woefully inadequate current system
24 of environmental review, a point which we detail in
25 our extensive explorations of the measures of

2 indirect residential and commercial displacement
3 risks. In the use are from our reports called Flawed
4 Findings One and Flawed Findings Two. In these
5 reports, and policy processes to aim squarely for
6 equitable outcomes and to create multiple
7 reinforcement mechanisms to evaluate progress and
8 course correct. Racial disparity reports are an
9 essential and important complement to equitable,
10 comprehensive planning and reform of the CEQR
11 technical manual. Importantly, 1572 A goes beyond a
12 sideload approach to understanding racial impacts by
13 requiring the collection and presentation of
14 information that provides important neighborhood
15 contacts. By looking at the historic trends in a
16 neighborhood, including a neighborhood wide study
17 area and considering the cumulative impact of changes
18 that affect residential and commercial activity, the
19 racial disparity reports will be a critical tool for
20 community members, Council members, and the public to
21 better understand the people and places that a land
22 use application may affect. As we consider the ways
23 that the racial disparity reports can have the
24 greatest impact, there are some additional measures
25 that we advocate for, including considering the

2 impacts of commercial use changes and, specifically,
3 not just evaluating the average wages--

4 SERGEANT-AT-ARMS: Time expired.

5 PAULA CRESPO: potentially created, but
6 almost-- I'm almost done. Thanks. But also looking
7 at the average wages and demographics of workers
8 before the proposed action. So, in short, we're
9 looking forward to working closely with you to
10 further strengthen this bill and thank you so much to
11 Public Advocate Williams and Chair Salamanca and the
12 other Council sponsors for this.

13 CHAIRPERSON SALAMANCA: Thank you for your
14 statement.

15 COMMITTEE COUNSEL: Next, we have Anne
16 Guiney.

17 SERGEANT-AT-ARMS: Time starts now.

18 CHAIRPERSON SALAMANCA: Anne, you're muted.
19 They have to--

20 ANNE GUINEY: I'm trying-- Okay. There we
21 go. Good afternoon. My name is Anne Guiney, Chair
22 of the Housing and Land Use Committee for Brooklyn's
23 Community Board For anti-participate in the Racial
24 Impact Study Coalition. We support this legislation
25 I believe it will be a valuable tool that will allow

2 us as a board to make well-informed decisions about
3 the land use changes that have been reshaping our
4 community. For the last 15+ years, Bushwick has
5 seen an extraordinary amount of development at every
6 skill in these changes have put incredible pressures
7 on the many long-term residents of the community who
8 are predominately Latin X and black. These are the
9 very same people who have fought for the community
10 through decades of disinvestment when no one else
11 would and yet they are the ones who are facing the
12 strongest displacement pressures today. Each year
13 the board is asked to comment on a number of land-use
14 actions and development projects that will have a
15 profound and lasting impact on our community and we
16 take that role very seriously. We dig into the
17 details and try to anticipate how the proposed
18 changes will affect our neighbors in our community.
19 Who is going to benefit from the project and who will
20 suffer? As residents, we have a lot of anecdotal
21 data. We saw gentrification in Bushwick take off
22 after the 2006 rezoning in Williamsburg and we saw
23 the M to R rezonings road manufacturing jobs without
24 delivering the promised benefits. We see our friends
25 and neighbors moved to other parts of the city or

2 leave it altogether. In our gut, we know the
3 beneficiaries of most of these changes are not the
4 long-term residents and the Latin X and black
5 community in Bushwick. When the environmental review
6 process and ULURP includes an RIS, we will be able to
7 use that data to reinforce what we know in our gut
8 and see in the neighborhood every single day. It
9 will allow community Board members to ask the hard
10 questions about who benefits from land-use changes
11 and empower us to make sure that those benefits are
12 shared equitably within the community. Thank you
13 very much.

14 CHAIRPERSON SALAMANCA: Thank you for your
15 statement.

16 COMMITTEE COUNSEL: Thank you. I see
17 no Council members with their hands raised for this
18 panel, so I would now like to welcome the next panel.
19 Victor Davila, Alessandra Ametrano, and Kelly Vilar.
20 When you begin, please state your name and
21 affiliation for the record. Victor Davila, you may
22 begin.

23 SERGEANT-AT-ARMS: Time starts now.

24 VICTOR DAVILA: Hello. Council member
25 Salamanca. Oh. Sorry. Can you hear me?

2 CHAIRPERSON SALAMANCA: Yes. We can hear
3 you.

4 VICTOR DAVILA: Sorry about that. I
5 would first like to thank Council member Salamanca
6 for committing to putting this bill forward and
7 everyone else who has been working on this for some
8 time. My name is Victor Davila. I am a member of
9 the Point CDC and on board with also the Boulevard
10 Coalition Group and I am in support of this bill.
11 But right now I do want to speak strictly for myself.
12 As someone who has spent their entire life growing up
13 in the South Bronx, I want to chose my words
14 carefully and broadly because I have to, in two
15 minutes, speak to 27 years of frustration with the
16 administrative abuses in New York. It takes an
17 individual of strong moral character, integrity, and
18 will just say I was wrong, I am sorry, and I will do
19 better. And after today's hearing, I worry that
20 there is not one person within this administration
21 who holds that capacity. We are coming into yet
22 another year of horrors and we have an opportunity to
23 make things right, but we cannot do that if our
24 administrative bodies are unwilling to listen to
25 communities when they claim that something is wrong.

2 You cannot cherry pick data without an agenda.
3 Whether we are talking about climate change, fascism,
4 or gentrification, all of these monstrosities are
5 forces fueled by the exact same things. That is
6 greed, apathy, ignorance, and cowardice. I want to
7 remind us all that evil is banal and I would
8 encourage you to all look at the state of the land
9 around you and ask if you are truly contributing to
10 the betterment of all people or only the advancement
11 of narrow and specific goals. This bill gives us an
12 opportunity to work back the harm that has been done
13 unjustly and illegally to many communities within--

14 SERGEANT-AT-ARMS: Time expired.

15 CHAIRPERSON SALAMANCA: Thank you, Mr.
16 Davila, for your statement.

17 COMMITTEE COUNSEL: Next is Alessandra
18 Ametrano.

19 SERGEANT-AT-ARMS: Time starts now.

20 ALESSANDRA AMETRANO: Hello, all. I'm
21 Alessandra Ametrano. I'm here as a representative of
22 the Committee to Protect Chinatown and the Lower East
23 Side, as well as Artists Against Displacement and I'd
24 like to thank the Chairman and Public Advocate
25 Williams for their advocacy thus far. We, as both

2 organizations, stand in strong support of this bill.
3 The racial implications of the proposed rezoning
4 should be painfully obvious to all involved,
5 especially to those at the city and from my
6 experience, working with the Coalition to Protect
7 Chinatown and Artists Against Displacement, we can
8 already look to a relationship between this kind of
9 like luxury megadevelopment in these type of rezoning
10 plans and the overall disenfranchisement of
11 communities of color. Where immigrant businesses
12 were already struggling prior to the Covid due to the
13 skyrocketing rent prices due to the influx of new
14 luxury housing and subsequent, you know, changes to
15 community businesses that would either force them
16 out. And these kind of community changes-- These
17 communitywide changes make basic services and
18 accessible to many of the long-term residents of
19 these neighborhoods. It makes it more difficult to
20 access things like groceries or schooling and an
21 additional issue that arises in this proposed piece
22 of legislation. Involves the environmental impact.
23 We can already see in Chinatown and the lower East
24 side just the aftereffects of the Axtell tower
25 development. I'm almost done.

2 SERGEANT-AT-ARMS: Time expired.

3 ALESSANDRO AMETRANO: I'm almost done.

4 In the skyrocketing rate of respiratory illness that
5 it caused to the many NYCHA residents in the area and
6 we can see, with the increasing pathogen level of the
7 Gowanus River and the continued contamination and
8 toxicity that will arise throughout influx of 20,000
9 new residents, it can be predicted now--

10 CHAIRPERSON SALAMANCA: [inaudible 02:40;
11 34] She can finish her statement. Yeah. Alessandra,
12 if you could just wrap up and finish her statement.

13 ALESSANDRA AMETRANO: Okay. It can be
14 predicted now, despite what the Department of City
15 Planning wants to say, how this kind of rezoning will
16 affect communities of color. And so we stand in
17 strong support of this bill.

18 CHAIRPERSON SALAMANCA: Thank you.

19 COMMITTEE COUNSEL: The next and last
20 panelist for this panel is Kelly Vilar.

21 KELLY VILAR: Hi. My name is Kelly Vilar
22 and I am the head of Staten Island Urban Center, and
23 a member of the Racial Impact Study Coalition. This
24 piece of legislation is important to Staten Island as
25 it would put a magnifying glass on the tale of two

2 cities that has existed for generations in our
3 borough. Poor communities are poor communities by
4 design and when you are in a borough that typically
5 receives the least to begin with, the odds are even
6 worse when you are black or brown and poor. When the
7 recent rezoning attempted to address some of the
8 affordable housing needs, it did not account for the
9 poorest with the need for MIH options that provide
10 the deepest affordability. It also did not make
11 analysis of the impact on two of the largest black
12 and brown neighborhoods in the borough which bordered
13 like bookends the parameters of the rezoning area.
14 Intentional or not, there were communities of color
15 left out of the rezoning plan. The mere smell of
16 rezoning sent gentrification in our community on the
17 fast track. A school just a few doors down from
18 NYCHA housing struggles to keep its title I status
19 because it is being filled with the enrollment of
20 children of new families that are white, middle-
21 class, and upper income living in single-family homes
22 and in high-end condos in the new high-end condos
23 nearby. Rory, a small shop owner, was illegally
24 evicted and had to fight like hell from losing her
25 store. Faye, who is a low income fam-- who comes

2 from a low income family of six-- faced illegal
3 eviction because the landlord saw profits ahead in
4 tenants. There were vast warehousing tactics to keep
5 storefronts empty until the gentrification kicked in.
6 Young people-- young adults can't afford to live on
7 their own and are forced to live with aging parents
8 or moving out of the city altogether. For years, the
9 planning process on Staten Island has been grounded
10 in private economic interests with no comprehensive
11 planning--

12 SERGEANT-AT-ARMS: Time expired.

13 KELLY VILAR: models to consider the impact
14 on communities of color. So we fully support the
15 racial impact zoning statements as these give a
16 deeper view on planning that goes far beyond the EIS.
17 Thank you.

18 CHAIRPERSON SALAMANCA: Thank you for your
19 statement.

20 COMMITTEE COUNSEL: I do not see any
21 Council members with hands raised for this panel, so
22 thank you for your testimony and I would now like to
23 welcome our next panel. Joseph Lara, Bill Simpson,
24 and Corey Ortega. When you begin, please state your
25 name and affiliation for the record.

2 SERGEANT-AT-ARMS: Time starts now.

3 COMMITTEE COUNSEL: Joseph Lara, you
4 may begin.

5 CHAIRPERSON SALAMANCA: He's muted. If you
6 can please unmute Joseph.

7 JOSEPH LARA: All right. Thank you so
8 much. Beautiful. All right. So, my experience
9 reflects that of many city residents. I am-- I live
10 in Sunset Park. I am the son of an immigrant and we
11 lived most of our lives moving a lot, so for the last
12 20 years, we have lived in almost every borough and
13 we have seen the entire neighborhood. It is just
14 changed dramatically. Beyond statistics, my first
15 tenant experience [inaudible 02:51:39] proves an
16 equal results of land use in New York City. Today I
17 work as a community health worker here in Sunset
18 Park. I see the same fear and trauma in my immigrant
19 neighbors made worse by Covid. They're unsure of
20 when they will be displaced and what the future may
21 hold for their loved ones. The premise of, quote,
22 affordable housing is nothing for families in
23 overcrowded and unsafe housing conditions. We're
24 having rezonings left and right under the premise of
25 inclusivity and progress. But good intentions do not

2 translate to positive impact and, without
3 accountability or transparency, these policies are
4 causing more harm than good for most underserved New
5 Yorkers. If it wasn't obviously at from the events
6 of last week, we are living in a white supremacist
7 nation and, regardless of intentions, it is easy to
8 perpetuate exclusion in anti-blackness. Beyond the
9 racial impact study, I would like to call for you to
10 think of this as a more-- to have more look alike
11 studies. More neighborhood wide analysis. A broader
12 impact study that looks not just in the immediate
13 area and proposed land use applications, but the use
14 of the larger costs under [inaudible 02:52:43] in
15 these areas. Looking at all land use applications,
16 not just larger developments, and analyzing the
17 racial and economic displacement [inaudible 02:52:51]
18 changes to demographics of each community,
19 particularly the displacement of minority and women
20 owned businesses. We're not going to get out of the
21 housing crisis by building more market rate units
22 which those most in need can't even access. All New
23 Yorkers simply want a place where they have the
24 opportunity to live rich, successful, and fulfilling
25 lives. Our black and brown neighbors deserve this

2 opportunity just as much as anyone. And as we enter
3 election year with the backdrop of last week's
4 events, we will see if the Council--

5 SERGEANT-AT-ARMS: Time expired.

6 JOSEPH LARA: If the Council and
7 prospective candidate stand on equity and walk the
8 walk, not just the talk. Thank you.

9 COMMITTEE COUNSEL: Thank you for your
10 testimony. Next is Phil Simpson.

11 SERGEANT-AT-ARMS: Time starts now.

12 PHIL SIMPSON: Thank you. My name is
13 Phil Simpson. I support this very important bill.
14 I'm a member of the Racial Impact Study Coalition and
15 I'm a lawyer and I was very involved in the Inwood
16 lawsuit. As the Public Advocate noted, the appellate
17 court ruled against the Inwood community. In its
18 ruling, the appellate court did not-- did not-- say
19 that a racial impact study was not good policy. The
20 court only held that the Mayor's Office had
21 discretion to rely on the CEQR manual, not to
22 undertake a racial impact study. In the court could
23 not overrule that discretion. The court said to the
24 extent petitioners take umbrage with the limited
25 scope of the CEQR review process, this argument can

2 only be raised to the legislative body that
3 periodically revises the criteria contained in the
4 technical manual. In the meantime, the court is
5 constrained by the limited standard of review. The
6 court said we had to raise our argument with the
7 legislative body that periodically revises the
8 technical manual. Well, here we are before you
9 raising our arguments for a racial impact study.
10 Now, there was discussion earlier with HPD about
11 their use of data. Our lawsuit demanded that the
12 city compare its development predictions which the
13 city makes in its EIS statements with actual results
14 from past rezonings. We started to Williamsburg to
15 show the huge problems with the city's estimates.
16 The city refused. It's clear that the administration
17 just does not want to know what's going on. Given
18 how segregated New York City is, this bill is very
19 important. The city's segregation, as we all know,
20 is not an accident of history. It is a direct result
21 of institutional and deliberate racism. This city
22 cannot address the current burdens of it's baked-in
23 racism by ignoring the racial impacts of real estate
24 development by--

25 SERGEANT-AT-ARMS: Time expired.

2 PHIL SIMPSON: Thank you. Sticking a
3 finger in the wind and not paying any attention to
4 what really happens. This bill is a very good first
5 step in the right direction. Thank you.

6 COMMITTEE COUNSEL: Thank you for your
7 testimony. Corey Ortega is next.

8 SERGEANT-AT-ARMS: Time starts now.

9 CHAIRPERSON SALAMANCA: Corey, you're
10 muted.

11 COREY ORTEGA: Hey, everyone. Thank
12 you. I must be getting rusty. I'm actually a little
13 nervous to testify today. Hi. My name is Corey
14 Ortega. I'm the former executive director for the
15 Council's Black Latino and Asian Caucus and I'm the
16 founder of the NYC Covid Coalition. I am also a
17 member of the Racial Impact Study Coalition which we
18 have come out in full force Mighty Ducks formation,
19 but it is not the fact that there are several of us
20 here, but the fact that we are reviewing this Intro
21 against our lived experience is in the respective
22 communities of color. We need racial impact studies
23 to make responsible, informed decisions about
24 development and make sure that major land-use actions
25 are helping to create a more equitable New York City.

2 The pattern of land use and development in this city
3 is that minority communities get displaced and
4 replaced and yet there is no official notice taken of
5 this displacement. The reality of our city is that
6 we have an affordability crisis and mandatory
7 inclusionary housing has failed to address this
8 crisis. By analyzing the racial impacts of proposed
9 land-use actions, the city will be better positioned
10 and the elected officials here in this hearing to
11 equitably increase housing opportunities across the
12 city and ensure that black and Latin X people, right,
13 can remain in their communities even in the face of
14 neighborhood changing. Intro 1572 A is strong step
15 forward towards true equity in planning and I'm glad
16 to be here and I'm glad that Chair Salamanca and
17 Public Advocate put this bill before. A lot of
18 people keep saying, you know, it's a step in the
19 right direction. There has to be more. But without
20 this step, the cookie would crumble. We need this
21 step to affect real change and I'm happy that this
22 body is affecting that change. Thank you.

23 COMMITTEE COUNSEL: Thank you for your
24 testimony. I see no Council members with their hands
25 raised for this panel, so I would like to now welcome

2 the next panel. Ana Nunez, Anita Dos Santos, Ari
3 Espinal, and Brayon Pagoada. When you begin, please
4 state your name and affiliation for the record. Ana
5 Nunez, you may begin.

6 SERGEANT-AT-ARMS: Time starts now.

7 ANA NUNEZ: Hello. Good afternoon. My
8 name is Ana Nunez. I am the services coordinator at
9 Churches United for Fair Housing. And so, the
10 testimony that I would like to give is, I would say,
11 my own personal testimony as myself and my family, we
12 have suffered the effects of gentrification. So I
13 grew up in Bushwick in the early 2000s up until 2013.
14 My family and I, we lived in a Section 8 apartment
15 and, you know, I was going through college and doing
16 all of that and then our landlord, through
17 mismanagement of the apartment building, he told us
18 that we would have to leave within the next three
19 months. We were scrambling looking for a place that
20 would accept our Section 8. And everywhere my mom
21 went, she was told that they do not accept Section 8
22 and we did not know our rights as tenants and that we
23 were facing discrimination. And so we went to the
24 first apartment that we found. We lost our Section 8
25 and the rent was so much higher than what we could

2 afford. At that time, I was about to graduate
3 college and I had to make the decision to stay at the
4 parttime job that I had taken during college and take
5 it on full time in order to be able to help support
6 the family. That took me into a very deep depression
7 because I could not fulfill my ambitions post college
8 graduation. My mom had to take on much, much more
9 hours of work having to travel from Corona Queens all
10 the way to somewhere near Sunset Park in Brooklyn
11 just to be able to work and she was working some--

12 SERGEANT-AT-ARMS: Time expired.

13 ANA NUNEZ: 60 to 70 hours a week. So
14 that's the effects that gentrification had on me
15 personally. Thank you for your time.

16 COMMITTEE COUNSEL: Thank you. Next is
17 Anita Dos Santos.

18 SERGEANT-AT-ARMS: Time starts now.

19 ANITA DOS SANTOS: Hi. My name is Anita
20 Dos Santos. I'm a constituent services specialist at
21 Churches United for Fair Housing in Brooklyn. My
22 work here is to provide services to the homeless and
23 hidden homeless population. Hidden homeless would be
24 people who stay with others, but have no permanent
25 home of their own. The services I provide include

2 helping people sign up for a variety of different
3 services including the city's affordable housing
4 lottery. And I wanted to share that the phrase that
5 I think best describes the way many of my clients
6 feel about the communities they have lived in for
7 decades is locked out. My clients come in search for
8 affordable housing either because of one of the
9 impacts of gentrification where landlords are
10 encouraged to create the most intolerable conditions
11 until tenants just move out or, at a lease renewal, a
12 landlord will legally make the rent-- sorry. Can
13 you still hear me? Sorry. Or the landlord will
14 legally make the rent go up something like 500
15 dollars and tenants will have to move out. So people
16 come in and they say, oh, can you help me apply for
17 that building just down the block from where I live?
18 And I have to tell them no because the building being
19 built on your block, income requirements are like
20 three to five times the amount of money that you
21 make. There's no question to me that the people
22 being negatively impacted are the black and Latino
23 community. They are locked out of their
24 neighborhoods. They are forced into overcrowded
25 living situations in the neighborhood they would like

2 to live in. They move out of their neighborhood or
3 they move into shelter. From my experience, I could
4 see that this type of displacement negatively impacts
5 residents' finances, work life, physical and mental
6 health, relationships to their neighbors, their
7 spiritual communities, and their overall quality of
8 life. Thank you for listening to my experience.
9 This is why I expressed the support for the racial
10 impact study bill. Thank you so much.

11 CHAIRPERSON SALAMANCA: Thank you for your
12 statement.

13 COMMITTEE COUNSEL: Next is Ari
14 Espinal.

15 SERGEANT-AT-ARMS: Time starts now.

16 ARI ESPINAL: Yeah. Like other people,
17 too--

18 CHAIRPERSON SALAMANCA: Ari, are you there?
19 She's muted. I see her on the panel. Ari?

20 COMMITTEE COUNSEL: We're going to
21 stand at ease while we see if Ari is still available.

22 COMMITTEE COUNSEL: Ari, you should be
23 receiving an unmute request. Please confirm that you
24 can unmute yourself. Chair Salamanca, we can move
25 to the next panelist.

2 CHAIRPERSON SALAMANCA: Yeah. Can we leave
3 her there and just move on to the next panelist and
4 see-- okay. Great.

5 COMMITTEE COUNSEL: The next panelist
6 is Brayan Pagoada.

7 SERGEANT-AT-ARMS: Time starts now.

8 BRAYAN PAGOADA: Hi. Can you hear me?

9 CHAIRPERSON SALAMANCA: Yes. We can hear
10 you.

11 BRAYAN PAGOADA: I'm Brayan, the youth
12 organizer at Churches United for Fair Housing and I
13 will be sharing my testimony and more about my
14 personal experience. So I came to the US when I was
15 13 years old. I have moved around seven times living
16 in New York City because, specifically, my family are
17 undocumented and most of the time they don't qualify
18 for a lot of things that are to be available to
19 everyone and we feel excluded and also disappointment
20 because we work really hard to maintain the economy
21 for this country and many people are building the
22 building that we are talking about and they don't
23 even get the opportunity to live in a safe space
24 where it's not even creaky or like the apartment is
25 looking good. Also, many of my fellow young people,

2 we feel that there's not going to be a place for us
3 in the future because so many in this city are being
4 taken places and also they are not being-- they are
5 not [inaudible 03:05:43] for young people where young
6 people can feel safe and also have a safe home and go
7 to school because so many things are happening in the
8 street, but they are not thinking in [inaudible
9 03:05:55] undocumented youth and queer people in the
10 spaces. So I would like to say that we need to be
11 including young people to be making more informed
12 decisions for our future and our house that we're
13 going to be living in. So, at CUFFH, we organize our
14 young people to be rallies or, you know, any other
15 young people that would like to join us, please reach
16 out to us and then I will be writing more comment in
17 the text. Thank you.

18 CHAIRPERSON SALAMANCA: Thank you.

19 COMMITTEE COUNSEL: We are going to
20 call on Ari Espinal. Another moment.

21 CHAIRPERSON SALAMANCA: Counsel, I was just
22 informed that Ari Espinal is not going to join the
23 panel. She is not going to speak.

24 COMMITTEE COUNSEL: Okay. Thank you.
25 So I see that we have no Council members with their

2 hands raised for this panel, so I would now like to
3 welcome the next panel. We have Maxwell Cabello,
4 Maria Roca, Cesar Rodriguez, and Ausar Burke. When
5 you begin, please state your name and affiliation for
6 the record. Maxwell Cabello, you may begin.

7 SERGEANT-AT-ARMS: Time starts now.

8 CHAIRPERSON SALAMANCA: Maxwell, you're
9 muted.

10 MAXWELL CABELLO: Okay. Can you hear me
11 now?

12 CHAIRPERSON SALAMANCA: Yes. We can.

13 MAXWELL CABELLO: Okay. My name is
14 Maxwell Cabello and I am the land use and policy
15 analyst at Churches United for Fair Housing. I've
16 done a lot of work on a report that some people have
17 talked about today, so if anyone has questions about
18 that, I'm happy to answer. But I'm seeking favor to
19 this legislation because our organization and so many
20 people that have been on this call and others have
21 seen first hand how supposedly race neutral land use
22 decisions can disparately affect different
23 communities in New York, especially low income
24 communities of color and really, organizationally,
25 our history-- our formation came from organizing

2 around rezoning that was ultimately deemed racist by
3 the courts, so we're very familiar how land use's
4 racist history had spilled over into present day,
5 particularly in the form of rezonings. And like a
6 lot of people had mentioned, we released a report
7 over a year ago looking at some of these Bloomberg
8 era rezonings and how they disparately affected
9 people specifically along ethnic and racial lines.
10 I'm happy to speak more to that. People have touched
11 on it. But in addition to that report, as Anita was
12 mentioning, our organization provides direct services
13 and we've seen people in North Brooklyn fighting to
14 stay in their communities, but I think it's 100
15 percent against the narrative that DCP presented
16 earlier today which I think was aggressively
17 dishonest and against the lived experiences that
18 we've seen of people fighting to stay in their
19 communities. Fighting to survive and stay in this
20 city and, again, we've seen who those people are. We
21 feel that this legislation is great first step, as
22 many people have said, in establishing accountability
23 and transparency that has up to now been ignored in
24 lieu of supposedly race neutral policy. And we
25 really believe that to overcome the racist history of

2 land use that we were very targeted legislation that
3 attacks that. And I will just say again that I feel
4 that it's professional malpractice for DCP to imply
5 some of the things they have about not looking back
6 because of what we know about redlining, racial
7 covenants, and how that has spilled over into present
8 day New York. We have to look back. We have to have
9 accountability and do--

10 SERGEANT-AT-ARMS: Time expired.

11 MAXWELL CABELLO: because the racism
12 that's baked into the system will not undo itself nor
13 will race neutral policy address that. Thank you.

14 CHAIRPERSON SALAMANCA: If I may, first,
15 Maxwell, I want to welcome you and I want to thank
16 you. Just for transparency, Maxwell and I wrote and
17 op-ed that came out to the city limits on the
18 importance of a racial impact study as part of the
19 EIS for the ULURP process. Maxwell, I just have one
20 question. Yes. Giving your expertise in this, you
21 saw the resistance from the city when we asked them,
22 you know, as part of CEQR, if they go back and review
23 rezonings that they've done, what's your opinion in
24 terms of their response and why were they so
25 reluctant to want to agree that they should be

2 reviewing decisions that were made in past rezonings?
3 You're muted, Maxwell.

4 MAXWELL CABELLO: Okay. Yeah. I mean,
5 like obviously I suspect they view it-- I think they
6 know what happened. I think they are worried that
7 high level of accountability will thwart their future
8 endeavors. To me, logically, I think a lot of people
9 pointed out why would they not want more data and
10 information whether it's looking back or this
11 legislation which would, ahead of a rezoning, provide
12 that information? And the only thing I can think of
13 is they feel like it will stop development because
14 people will be informed about what development really
15 means, which I find deeply concerning because it
16 tells me, you know, the issues that are happening or
17 they are willing just to-- they really think that
18 just developing and doing kind of more-- allowing of
19 people that build whatever they want is going to get
20 us out of this crisis. I think a bunch of people
21 pointed out, even when MIH has been in play, we just
22 haven't gotten affordability to levels we need to.
23 So I think they are avoiding that tough conversation
24 of the nuance of this. This isn't about not building
25 anything or building anything. There's a lot more

2 nuance in the NIMBY and YIMBY conversation. It's
3 about getting the right type of housing development
4 in the placed where needed and I think that's the
5 idea of this legislation. And so I think that more
6 nuanced conversation is one that they have been
7 avoiding because it's a lot easier for them to
8 encourage development and kind of try to promote that
9 narrative. It's what they have been doing across the
10 de Blasio and Bloomberg administrations.

11 CHAIRPERSON SALAMANCA: Thank you. Thank
12 you, Maxwell. Counsel, I just-- just for the
13 record, I just want to recognize that we, earlier
14 today, I didn't mention her name, but we were joined
15 by Vanessa Gibson. Council member Vanessa Gibson and
16 that her attendance counts. Thank you. Thank you,
17 Maxwell.

18 MAXWELL CABELLO: Thank you.

19 COMMITTEE COUNSEL: The next panelist
20 is Maria Roca.

21 SERGEANT-AT-ARMS: Time starts now.

22 MARIA ROCA: Hi. Can you hear me?

23 CHAIRPERSON SALAMANCA: Yes, Maria. We can
24 hear you.

2 MARIA ROCA: Okay. Good. Good afternoon.
3 Thank you all for bringing this issue to the public
4 to be able to share their opinion and observations
5 and experiences. I'm testifying in support of Intro
6 1572 A as a step in the right direction in generating
7 truly affordable housing to working and low middle
8 class New Yorkers, something that really hasn't
9 happened for a long time. I'm asking that, as
10 conversation and negotiations move forward, that the
11 Council recognize and address the massive and
12 negative impacts of money laundering activity in real
13 estate deals across the city-- something that we saw
14 come at us particularly in the 1990s in the city.
15 And not only in New York, but most in cities on our
16 historically working class communities like Sunset
17 Park. The leading-- Sorry. This was very quickly
18 put together and I will submit more in the testimony.
19 The displacement as well as inability of the
20 upcoming-- the young and upcoming of my neighbors to
21 climb the socioeconomic ladder by thousands. The
22 influx of massive amounts of illegal cash into the
23 real estate transactions and, as I said before, most
24 prominently since the early 1990s and ongoing. It
25 must come to an end and be investigated

2 retroactively. Until we get that money that we-- is
3 not on the paper--

4 SERGEANT-AT-ARMS: Time expired.

5 MARIA ROCA: we will never get ahead of
6 this problem. So, money. Always follow the money.
7 Well, certainly in this case an di think most people
8 on this-- here in this hearing know about this. We
9 all have the stories in every neighborhood. I've
10 spoken across the city in working class
11 neighborhoods. Everybody has seen it. Everybody has
12 documented it. It is time, please, for the New York
13 City Council to be willing to acknowledge it and deal
14 with it legislatively. Thank you so much for the
15 opportunity.

16 CHAIRPERSON SALAMANCA: Thank you.

17 COMMITTEE COUNSEL: Next is Cesar
18 Rodriguez.

19 SERGEANT-AT-ARMS: Time starts now.

20 CESAR RODRIGUEZ: Hey. Good afternoon,
21 everybody. So, for starters, I'm Cesar Rodriguez.
22 I am a housing specialist for Churches United for
23 Fair Housing. So, if anything, I just wanted to
24 share like a quick experience in my line of work.
25 So, of course, I've been working in this field for, I

2 guess, a course of eight years now and the thing is
3 I, you know, interacted with many different residents
4 from many different neighborhoods and most
5 neighborhoods-- most of which are communities of
6 color, right? And most of them will always tell you
7 the same thing, right? How they are struggling now
8 in regards to trying to find housing. Some of these
9 people have vouchers and they struggle with trying to
10 find developments that are willing to take their
11 vouchers. And sometimes their vouchers have
12 expiration dates, right? And so they don't even
13 really have enough time to even find something. And
14 the thing is, a lot of these communities, again, are
15 undergoing a lot of stress given the fact that it's
16 getting relatively difficult to find affordable
17 housing. Not only that, but also the change in the
18 demographic of these neighborhoods can also make
19 people feel excluded in the sense that you have, I
20 guess, different like types of culture coming in.
21 you have these different bars, art galleries, and all
22 these like different places that are opening up in
23 the neighborhoods. And a lot of the people that live
24 here, of course, will see that and then they will see
25 that it brings an influx of other individuals, as

2 well. And sometimes when these long term residents
3 will see these places, they will sometimes feel like
4 it's not even really for them because they will
5 also-- they will foresee the demographic that it's,
6 I guess, for or catered to or the ones that spend a
7 lot of time inside these places. And so it really
8 creates a sense of like exclusivity and I also want
9 to speak from, I guess, a personal experience, as
10 well, because I am also a long term resident of
11 Bushwick and this is something that I have also been
12 seeing for years. I grew up on Evergreen Avenue.

13 SERGEANT-AT-ARMS: Time expired.

14 CESAR RODRIGUEZ: 154 Evergreen Avenue.

15 Across the street, there was an open lot and now
16 there is a senior housing development there. There's
17 been a lot of like changes that have been going on in
18 the neighborhood, but a lot of people will tell you
19 that they do feel excluded in the sense that there
20 are certain things here that aren't exactly for us.
21 Right? We've heard the gunshots. We've seen cars
22 lit on fire. At least for me, I've seen a few of the
23 [inaudible 03:17:15] types. A lot of things going on
24 and, of course, we've been here through those times
25 and now when things are--

2 CHAIRPERSON SALAMANCA: Cesar, I'm sorry.
3 Your time expired. I'm going to ask that you just
4 wrap up your statement. Can you unmute him so he
5 can--

6 CESAR RODRIGUEZ: Oh, yeah. Here. I'm
7 unmuted. I'm sorry about that. I guess, if
8 anything, I'll just end it with I am in support of
9 the racial study legislation. Thank you for your
10 time.

11 COMMITTEE COUNSEL: The next and last
12 panelist for this hearing is Ausar Burke.

13 SERGEANT-AT-ARMS: Time starts now.

14 AUSAR BURKE: Hello. My name is Ausar
15 Burke. I am also an organizer with Churches United
16 for Fair Housing. I've been directly in the field
17 working with tenants across Brooklyn, you know,
18 helping tenants find housing solutions that best suit
19 their living situations and I'm also a resident of
20 Williamsburg and, you know, over the course of, you
21 know, working as an organizer and even personally
22 living in Williamsburg, we know gentrification has,
23 you know, transformed our communities as far as not
24 being affordable to the people that built these
25 communities. People that have been in these

2 communities during these 40 years and they don't have
3 access to different housing options let alone they
4 can even afford to stay in their own neighborhoods
5 anymore. And over the course of, you know, the years
6 that I've been an organizer, I am personally living
7 in Williamsburg. The lack of affordability continues
8 to raise year after year each and every year and I am
9 overwhelmingly in support of the racial impact study
10 because I think we deserve-- tenants from all across
11 these black and brown communities deserve to have
12 an-- deserve to live in their communities. Deserve
13 to have more access to affordable, more equitable
14 housing and that's just something that we haven't had
15 over these last few years and affordable housing,
16 it's very misleading, you know, for the tenants that
17 I come across. The buildings being built in their
18 communities not being able to-- for the lack of
19 affordability in these communities. So, I just would
20 like to just say that, you know, we need this racial
21 impact study now. I think that it's something that
22 should have been done a long time ago because, you
23 know, how we are--

24 SERGEANT-AT-ARMS: Time expired.

2 AUSAR BURKE: How are we able to further
3 fair housing when people still can't afford to stay
4 in the communities that they come from? So, I'm in
5 support of it. Thank you.

6 CHAIRPERSON SALAMANCA: Thank you, Mr.
7 Burke.

8 COMMITTEE COUNSEL: I do not see any
9 hands raised from Council members for this panel, so
10 this concludes the public testimony. I will now turn
11 it over to Chair Salamanca to close the hearing.

12 CHAIRPERSON SALAMANCA: Thank you, Counsel.
13 There being no other members of the public who wish
14 to testify on proposed 1572 A, this hearing is now
15 closed. I would like to thank the administration,
16 members of the public, my colleagues, the sergeant-
17 at-arms, my committee counsel today, Malicka, the
18 land use staff for all your help in preparing for
19 today's hearing and I hereby adjourn this meeting.
20 Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date January 31, 2021