

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

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February 1, 2016
Start: 11:16 a.m.
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HELD AT: Council Chambers - City Hall

B E F O R E:
BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:
Inez E. Dickens
Daniel R. Garodnick
Ydanis R. Rodriguez
Margaret S. Chin
Deborah L. Rose
Jumaane D. Williams
Rafael L. Espinal, Jr.
Mark Levine
The Speaker (Council
Member Mark-Viverito)
Steven Matteo

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

Shin-pei Tsay

Nominee

Public Design Commission

Jeff Byles

President

Fine Arts Federation of New York

2 CHAIRPERSON LANDER: Thank you. [gavel]

3 [background comments] [pause]

4 Super. Okay, apologies [gavel]. Good
5 morning, welcome to the New York City Council's
6 Committee on Rules, Privileges and Elections. My
7 names' Brad Lander; I chair the committee; pleased to
8 be joined this morning by our Minority Leader, Steven
9 Matteo from Staten Island and also Council Member
10 Inez Dickens from Manhattan and some other members
11 will join us along the way.

12 Thank you to our committee counsel, Abid
13 Hossain and to the staff members of the Investigative
14 Unit, Chuck Davis, our Director of Investigations, as
15 well as Deandra Johnson, Alicia Vissel [sp?] and two
16 investigation interns, welcome to the investigation
17 interns, Sheena Blaze [sp?] and Otto Knight; we
18 really appreciate the good work that you do getting
19 ready for these hearings; sometimes, as today, I
20 think they turn out to be pretty straightforward, but
21 it's always good to make sure we can do the
22 investigations and **[inaudible]** as well.

23 This morning we will be considering
24 providing the Council's advice and consent for the
25 nomination of Shin-pei Tsay for nomination to the New

2 York City Art Commission, also known as the Design
3 Commission. Good morning Ms. Tsay; thank you for
4 being with us.

5 In a letter dated January 12, 2016, the
6 Mayor formally submitted to the Council Ms. Tsay's
7 nomination and we will be considering it this morning
8 and in general in these hearings, for members of the
9 public who follow along the very exciting Rules
10 Committee hearings, we don't vote on the day of the
11 Q&A with the candidate; that gives us a little time
12 and opportunity to reflect; make sure that we tied on
13 any loose ends and we may open the vote today, but
14 most of the vote will be held on Friday.

15 Good morning to Council Member Margaret
16 Chin from Manhattan who's joining us.

17 If the Council gives it advice and
18 consent, Shin-pei Tsay, a Brooklyn resident, will be
19 appointed to the Art Commission in one of the seats
20 designated for a layperson; one interesting thing
21 there is that there are several seats required for
22 people with particular architectural and design
23 skills and also some designated for laypeople, and
24 she'll be eligible to complete the remainder of a 3-
25 year term that expires on December 31st, 2018. The

2 New York City Art Commission, also known as the
3 Public Design Commission, reviews permanent works of
4 art, architecture and landscape architecture proposed
5 on or over city-owned property; those projects
6 include construction, renovation or restoration of
7 buildings, such as museum and libraries, creation or
8 rehabilitation of parks and playgrounds, installation
9 of lighting and other streetscape elements and
10 design, installation and conservation of artwork.

11 It's composed of the Mayor and his or her
12 representative, the President of the Metropolitan
13 Museum of Art, the President of the New York Public
14 Library, the President of the Brooklyn Museum, one
15 painter, one sculptor, one architect, one landscape
16 architect, all of whom shall be residents of the
17 city, and as I mentioned, three other residents of
18 the city who cannot be painters, sculptors,
19 architects, landscape architects or any other members
20 of the profession in the fine arts and we sent our
21 investigators to Ms. Tsay's house to make sure she's
22 never engaged in any painting, sculpting or other
23 artistic expression, to make sure that we're
24 complying with the charter.

2 The appointed member whose service is ex
3 officio, including Ms. Tsay, are chosen from a list
4 submitted by the Fine Arts Federation of not less
5 than three times the number to be appointed and all
6 members serve on the Commission without compensation,
7 public members for 3-year terms or until a
8 successor's been appointed and qualified.

9 One thing I will note before we get
10 started with Ms. Tsay is that we don't approve the
11 executive director of the Public Design Commission;
12 members of the Council in the past have had some
13 questions about sort of the functioning of the
14 Commission, how we make it work better; we have had
15 productive dialogue with Faith Rose, who I'm sad to
16 say is stepping down as the Executive Director of the
17 Public Design Commission; you may remember this
18 Council has had one appointee come before it for the
19 Public Design Commission previously, Hank Willis
20 Thomas, who though everyone agreed was immensely
21 qualified for the Public Design Commission, we really
22 grilled with questions about the Council's oversight
23 of the Commission because we hadn't had the
24 opportunity to do the same with Ms. Rose, since the
25 charter doesn't provide us that opportunity and even

2 though we may have been a little harsh on Mr. Thomas,
3 it did lead to a very productive conversation with
4 Ms. Rose and the opportunity for us to learn about a
5 lot of changes that she has been making at the
6 Commission to try to adjust and reflect those things,
7 which I think were both in the interest of the
8 administration and of the Council, so that's not to
9 say those questions aren't appropriate to ask
10 Ms. Tsay as well, but I do just wanna remind people
11 and reflect that history. I will say, as with many
12 of our commissions and especially where there's
13 appointive non-paid board members, the policy matters
14 really, you know, are generally overseen by the
15 executive director and the members of the Commission
16 there to bring their expertise to each individual
17 proposal that's brought before and not necessarily to
18 restructure the whole system, so we can ask some of
19 those questions, but I wanna set an appropriate
20 context.

21 Ms. Tsay, we're very pleased to have you
22 with us today and we'll ask if you'll raise your
23 right hand to be sworn in by counsel?

24 COMMITTEE COUNSEL: Do you swear or
25 affirm that you will tell the truth, the whole truth

2 and nothing but the truth in the testimony that
3 you're about to provide? Thank you.

4 CHAIRPERSON LANDER: I'll point members
5 to -- you have Ms. Tsay's written testimony, her
6 answers to the questions submitted in advance, as
7 well as the extensive series of news articles and her
8 resume in the binders before you.

9 SHIN-PEI TSAY: Okay. Well good morning,
10 Chair Lander and members of the Rules, Privileges and
11 Elections Committee of this New York City Council;
12 it's a pleasure and honor to stand before you today
13 as a nominee to be considered for the Public Design
14 Commission. I'm deeply honored to testify; it is
15 humbling for me, an immigrant who came here when I
16 was 3, to have this opportunity to serve the greatest
17 city in the world, New York.

18 I moved to New York after finishing
19 graduate school 15 years ago and fell in love with it
20 immediately. As an urban planner, I now have had the
21 opportunity to travel to cities around the world, but
22 it was in New York many years ago that I really
23 experienced firsthand how the design of public spaces
24 can make life all the better; indeed, it's a unique
25 city that can provide so many places where so many

2 different kinds of people can peacefully coexist and
3 New York has some of the best public spaces I have
4 ever seen.

5 I discovered that good design in the
6 built environment and especially in public spaces is
7 not only beautiful and aesthetically pleasing; it
8 also allows all people, young and old, rich and poor,
9 newcomers and long-time residents to share space in a
10 way that many other cities around the world can only
11 dream of. This revelation was transformational for
12 me, having grown up without such amenities.

13 My personal interests in creating spaces
14 that are welcoming for all led me to build a career
15 in the field of urban planning and design;
16 specifically, I wanted to infuse the public's
17 interest in the design process so that the spaces we
18 share are designed to serve the broad public into the
19 future; not singular special interests. I built up a
20 base of knowledge around what makes a place appealing
21 to people by the way it looks, how it functions and
22 how we all benefit.

23 I gravitated towards a focus on
24 transportation, a natural inclination, because so
25 much of public life is carried out on the streets.

2 Streets make up as much as 80% of urban public spaces
3 in cities. For me, a standard to judge a city's
4 public realm is the way people get from place to
5 place and the experience of doing so has come to
6 embody the level of freedom and quality of life that
7 a vibrant city has to offer.

8 I've been lucky to regularly interact
9 with design and design community, as I imagined I
10 wanted to so many years ago. Much of my professional
11 experience, regardless of orientation or title,
12 involved understanding how people use public spaces
13 and translating that understanding into design
14 solutions. I have redesigned many streets and
15 streetscapes, considered public squares, assessed
16 public markets, reviewed designs of public buildings,
17 and provided feedback and proposals for public parks
18 for people as varied as community members to mayors.
19 My work involves matching the critical aesthetics of
20 a project to other vital economic social
21 environmental considerations in order to ensure that
22 whatever designs are made will support a high quality
23 of life for the people who need to live with the
24 design.

2 I love working with people in communities
3 to understand their cultures and needs and I
4 particularly value collaborative environments where
5 were used [sic] designed to solve problems. My
6 experiences working with community groups, design
7 professionals and leaders at all levels continually
8 remind me that each place is unique and may have its
9 own context or requires a specific design framework;
10 they also have taught me that everyone wants a chance
11 to live life to the fullest and that good design
12 makes the chance of doing so all the greater. Quite
13 simply, a well thought out and carefully designed
14 built environment has the potential to make each day
15 a little easier, happier and better for all who
16 experience it.

17 Again, it's incredible to me that I would
18 have an opportunity to serve the City in this
19 capacity on the Public Design Commission and to help
20 contribute to New York City's essential built
21 environment. Thank you.

22 CHAIRPERSON LANDER: Thank you very much,
23 Ms. Tsay. I really have to say that I think that's
24 the best articulation of why we have a public design
25 commission that I've ever heard, which I mean,

2 admittedly may be a low bar, but really, it was a
3 lovely outline of sort of what the goals of this
4 thing are and I really appreciate it and looking over
5 your resume, I think there's no doubt that you're
6 qualified and bring a great wealth of experience, so
7 I appreciate the de Blasio administration's
8 nominating you.

9 I guess I'll just kick off with one kinda
10 general question and then if my colleagues have
11 questions, they'll ask as well and then I might as a
12 few more detailed ones. But so you've articulated a,
13 I think a very sensible rationale for the Public
14 Design Commission, which is, you know, the users, the
15 public experience this space and we wanna make sure
16 it works as best it can for the public, so that I
17 think is a strong and sensible point of view and
18 great to have somebody give an eye to the projects
19 that are gonna affect the public realm with that
20 point of view.

21 Obviously there are people on the Public
22 Design Commission with a professional sense of, you
23 know, Hank Willis Thomas is a sculptor and they bring
24 a sort of professional aesthetics judgment, which I
25 think in some cases is harder sometimes to understand

2 why do we, you know, why is that an appropriate role
3 for the public sector, but I think often we wanna
4 make sure there's some professional judgment being
5 rendered and then obviously as council members who
6 are often trying to fund and support changes to the
7 public space, we wanna make sure their, you know,
8 cost-efficient, don't cost more than they need to,
9 that we don't overdesign them because of, you know,
10 some range of reasons, and they can get done in a
11 reasonably timely fashion and while it's improved
12 recently at the Design Commission, it has
13 historically been a source of both additional cost
14 and additional time and I just wonder how you imagine
15 that in each case you'll balance between the
16 perspective you articulated, a certain experience of
17 the user, the aesthetic judgment of professionals in
18 the art and design profession and the need to make
19 sure that we're sensitive to cost and time in public
20 projects [sic]... [crosstalk]

21 SHIN-PEI TSAY: That's a really good
22 question. You know design is basically a negotiation
23 of all of those different critical perspectives, from
24 the aesthetic aspect, the function aspect, how it
25 fits in the context, as well as how it will happen,

2 the costs, the time it takes; how will it be
3 maintained into the future and I think that design
4 from the outset should consider, when you're
5 embarking on a design process, should consider all of
6 those angles. I appreciate the idea or the fact that
7 the Commission actually consists of such diverse
8 perspectives, because it is that diversity that
9 you're able to have open conversation about all these
10 different perspectives and priorities and I think in
11 having diversity, no single opinion can dominate the
12 conversation to ensure that the design really is for
13 the public.

14 CHAIRPERSON LANDER: Who represents
15 though we've gotta get it done on time and on budget
16 on the Commission?

17 SHIN-PEI TSAY: I believe that all the
18 commissioners should take that on as one of the major
19 considerations for any design and their feedback and
20 recommendations should consider the implications of
21 time and cost.

22 CHAIRPERSON LANDER: Alright, that sounds
23 good, although I may introduce a bill saying that one
24 of the seats should be reserved for like an
25

2 accountant or someone who's gonna make sure things
3 come in on time and on budget.

4 Can you give us one or two examples from
5 your own experience; obviously you haven't been on
6 the Public Design Commission, but just a project or
7 two that you've worked on where you've worked to
8 balance these things, you know, called for a change
9 or made a change that reflected the kind of input
10 that you hope to give on the PDC?

11 SHIN-PEI TSAY: Sure. I think that --
12 you know, when I was at Project for Public Spaces;
13 this actually is not specific to New York City, but
14 we were looking at a courthouse, a square in front of
15 a courthouse, so a public plaza and when trying to
16 balance security issues with making the space really
17 part of civic life, right, it's a courthouse; you
18 want people to feel that they're a part of the city;
19 they're not afraid of going to the building, but you
20 wanted to have the protection and you could spend a
21 lot of time putting in expensive security measures,
22 but on the other hand, you want to make it open and
23 so working with the Mayor, working with the -- it was
24 the General Services Administration, with people in
25 the community that wanted to also open up the space;

2 it was a... I facilitated workshops and worked with the
3 designers to take into all that feedback and look at
4 the different options.

5 CHAIRPERSON LANDER: 'Kay. Thank you.
6 We've also now been joined by Council Member Dan
7 Garodnick and Council Member Mark Levine, both from
8 Manhattan. Do any of my colleagues have questions
9 for Ms. Tsay?

10 [background comment]

11 COUNCIL MEMBER MATTEO: Thank you, Chair
12 Lander. Welcome Ms. Tsay; thank you for your
13 testimony. And I just want to -- just a point that
14 Chair Lander made about balance and you know, and I
15 appreciate you answering the question, but I just
16 want to make sure that it's on record that for me the
17 most important part of hearing from you today is that
18 we need to have that balance when it comes to
19 projects that, you know, ultimately become delayed,
20 you know not just for two weeks, but weeks upon weeks
21 and without communication and ultimately starts
22 costing us more money, starts costing a project to
23 sometimes not even happen or delayed. So you know,
24 Brad and I both talk about balance a lot in these
25 hearings and it's extremely important for us that

2 these projects move in a timely manner with, you
3 know, the respect; we understand your
4 responsibilities, but that becomes a priority when
5 dealing with us and projects in our districts as we
6 go forward and I appreciate you answering; I just
7 wanted to make sure that, for me that that's on the
8 record because that's extremely important in my
9 district and I wish you the best of luck.

10 SHIN-PEI TSAY: Thank you.

11 CHAIRPERSON LANDER: We've also been
12 joined by Council Member Ydanis Rodriguez from
13 Manhattan. Both Council Member Levine, who's chair
14 of our Parks Committee and therefore I think the
15 parks projects are a high percentage; I don't know if
16 they're a majority, but they're certainly a high
17 percentage of what come before the PDC, has questions
18 and then after him, Council Member Chin.

19 COUNCIL MEMBER LEVINE: Thank you,
20 Mr. Chair. Welcome; it's great to see your
21 impressive resume and to meet you in person.

22 SHIN-PEI TSAY: Thank you.

23 COUNCIL MEMBER LEVINE: As you and I have
24 spoken about before, there's a lot of concern about
25 how long it takes to complete Parks capital projects

2 and one piece of that is the PDC's time that
3 sometimes could add several months to the process.
4 There are a variety of solutions that might help
5 tackle that challenge; one would be that if the PDC
6 met more frequently, since sometimes it takes
7 multiple iterations and you have to go through
8 multiple board meeting cycles; another, simply that
9 the PDC would have more staff so that projects are
10 completed more quickly; another is that there would
11 be greater flexibility on the use of prefabricated
12 elements, which the Parks Department likes to use
13 sometimes to save money and time, but which have
14 historically been frowned upon by the PDC; another
15 idea is the use of templates so that there can be an
16 agreement on a basic design parameter for the types
17 of elements that are repeated again and again in
18 Parks without having to go through the full review
19 process every time. Do you have thoughts on any of
20 these or any other strategies that we might use to
21 reduce the portion of the delays that are caused by
22 PDC?

23 SHIN-PEI TSAY: Yes, I can try to address
24 each of those different angles. Well one; I'm
25 actually not aware of a bias against prefabricated

2 materials necessarily; I think that they should be
3 considered within context; they can certainly work
4 very well. To that end, you know, speaking about
5 process, I would be very open, if appointed, about
6 working through staff to make sure that the
7 guidelines are followed in a timely fashion; that if
8 there are ways to find moments to really think about
9 the, you know, lessen the burden on time and cost
10 through such guidelines within context again and
11 within the discussion of, you know, bringing design
12 that can last for many, many years to come, I would
13 be very open and would work to make sure that that
14 happens. So I completely hear you about the
15 frustrations; I think that the staff has worked very
16 hard over the last year-and-a-half, from what I
17 understand, to lessen the burden and lessen the
18 impact from the feedback on the design to the actual
19 operationalizing of a design, and I would very much
20 want to continue in that vein.

21 COUNCIL MEMBER LEVINE: Thank you very
22 much. Thank you.

23 CHAIRPERSON LANDER: Council Member Chin,
24 followed by Council Member Dickens.

25 COUNCIL MEMBER CHIN: Good morning.

2 SHIN-PEI TSAY: Good morning.

3 COUNCIL MEMBER CHIN: Great seeing you
4 again and congratulations on the nomination and thank
5 you for your opening statement. It is really
6 important to have someone with your perspective I
7 think on the Commission and the question that I
8 wanted to follow up with is similar to what my
9 colleague has spoken about in terms of timeliness and
10 also really finding that balance and for the longest
11 time the Arts Commission or the Public Design
12 Commission, whatever you wanna name it, it's not one
13 of our favorites at all. So especially in projects
14 in our community, what I feel is like; how do we
15 ensure that the public interests, the community's
16 interests are being advocated in the design process.
17 I mean when we allocate funding to have, you know,
18 project built, it often takes a very long time and
19 sometimes the final results are not really what we
20 see is good for the community. For example, in my
21 district we have the strips along Allen Street, which
22 we try to fix up and turn it into open public space
23 and one of the designs that the Parks Department did,
24 I guess they -- I assume they got approval -- is they
25 put wooden slats on the chairs; I don't think the

2 community thought it was a great idea; why don't we
3 just, you know, use metal or whatever and all those
4 wooden slats got stolen and it took another year to
5 get it replaced. So it really wasn't a benefit to
6 the community and oftentimes like, how can you help
7 within the Commission; how do you see working with
8 not just the staff, but the different, you know, on
9 the Commission itself with people coming from
10 different perspectives to really make sure that the
11 community interests, the public interests; that
12 someone is there advocating for them?

13 SHIN-PEI TSAY: That's a really good
14 point and I love what has been going on on Allen
15 Street; so far just making it more pedestrian-
16 friendly and accessible. You know, I... this is a
17 situation I've been in several times over my career
18 where I've had to sit in a group that was getting
19 feedback on a design and I'm sitting with people who
20 don't really think about design from the perspective
21 of a user or the community or the just, you know
22 functional aspects; I think that's what I would bring
23 if I were appointed to this Commission; I would work
24 very hard to have those conversations with the fellow
25 commissioners, if I were appointed, to work through

2 that understanding and think about ways to educate
3 and elevate the idea that it should be a functional
4 place as much as it should be a beautiful place and
5 really look for ways to balance those two.

6 COUNCIL MEMBER CHIN: That's great; I
7 look forward to seeing that happen and I look forward
8 to working with you. Thank you.

9 CHAIRPERSON LANDER: Let me welcome
10 Council Member Espinal and just in case we start to
11 lose members -- well first of all, say after... we have
12 a couple more questions for Ms. Tsay and then we have
13 one person, the Fine Art Federation, because the
14 nominator often testifies at these hearings, so we'll
15 have them, but I do wanna put a plug in for Wednesday
16 morning's very exciting hearing in this committee,
17 joint with Gov. Ops right here at 10 a.m., so I urge
18 everyone to come back for that. We'll have to check
19 the agenda, the calendar to see what's on for
20 Wednesday morning.

21 Okay, Council Member Dickens, followed by
22 Council Member Rodriguez.

23 COUNCIL MEMBER DICKENS: Thank you, Chair
24 so much and good morning, Ms. Tsay and I wanna thank
25 you for being willing to serve and you have the most

2 impressive resume and the educational background is
3 par excellence...

4 SHIN-PEI TSAY: Thank you.

5 COUNCIL MEMBER DICKENS: quite
6 impressive. But what I found very interesting in
7 looking at your resume was that when you were
8 volunteering, by the way, with the Planning Corps,
9 you did work with the BIDs and as you know, having
10 done that type of work, that the BIDs across the city
11 in the five boroughs, along with Parks, often has
12 artwork as a part of the streetscape, which would be
13 submitted to you, but having said that, there's also
14 a cultural and economic variance and sometimes even a
15 disparity between the BIDs and the parks; for one
16 thing, a BID on 34th Street is gonna be different
17 from one say in my district at 125th Street, but yet
18 my community and my community boards feel it's just
19 as important and it is one of our commercial strips;
20 do you have any plans in mind in how you will be able
21 to even out or equalize that type of disparity so
22 that each of our communities in all of the boroughs
23 will be able -- our BIDs and our parks will be able
24 to feel that they got a fair shake, if you will, from
25 the Commission?

2 SHIN-PEI TSAY: Yes. Well I believe that
3 everyone deserves excellent design and it would be an
4 honor to serve on a commission that reviews all
5 projects; specifically I think that one of the things
6 about good design is that it doesn't need to be
7 expensive and that we should, you know take each
8 proposal into consideration as seriously -- every
9 community should deserve the same kind of
10 consideration and high value consideration to
11 consider how the design contributes to the overall
12 community; there would be no community that would
13 have priority over another, in my mind, across New
14 York City at all and that is something that I have
15 had some experience working with in other cities as
16 well.

17 COUNCIL MEMBER DICKENS: Well thank you
18 so much for that answer; I'm very glad to hear that,
19 because as you know, BIDs on certain commercial
20 strips, they're dues are much higher, so their budget
21 is much higher than in some other commercial strips,
22 such as in Washington Heights or in Central Harlem or
23 East Harlem, so I'm glad to hear that and I thank you
24 so much and congratulations on your nomination.

25 SHIN-PEI TSAY: Thank you.

2 COUNCIL MEMBER DICKENS: Thank you,
3 Chair.

4 CHAIRPERSON LANDER: Thank you. Council
5 Member Rodriguez.

6 COUNCIL MEMBER RODRIGUEZ: Thank you,
7 Chairman. First of all, congratulations again for
8 your nomination and I know that with your curriculum
9 and your life experience you will be contributing a
10 lot to this commission.

11 One of my questions or first of all,
12 concerns is about how still the City has challenges
13 on providing opportunity to artists in our city to be
14 informed on how they can participate when there is
15 any opportunity for artists who compete. So how do
16 you see the Commission of Public Design doing it when
17 it comes to really doing their work, inviting or
18 allowing informing artists through the whole borough
19 of any opportunity that they have; that it's not only
20 the well-established ones, that no questioning on
21 their credentials or their curriculum, but also for
22 others, the well-known, the new coming immigrant from
23 the former Soviet Union that came to Bennett Avenue
24 in Washington Heights great artists, to any new group
25 of artists that came from Africa and moved to some

2 places in Harlem; that they have a vast experience of
3 art; they should be able to know on when there's
4 opportunity to compete, to participate in any
5 opportunity; how is the City doing and how will you
6 contribute to be sure that more local artists,
7 especially the new coming, that came with a lot of
8 experience from their native country can contribute
9 and participate?

10 SHIN-PEI TSAY: Well I certainly
11 understand that desire very much; as an immigrant
12 myself, a lot of my work has been focused on
13 translating technical, you know, language into much
14 more accessible language and I would be open to
15 looking at ways to do that on the Commission. I
16 think specifically, you know, I haven't been on the
17 Commission, so I'm not sure how much there is
18 opportunity to actually publicize, but I believe that
19 there are moments for public feedback when there are
20 proposals in front of the Commission; I would
21 encourage the public to come and testify on projects
22 to offer feedback from -- at all stages; I think
23 there is the conceptual stage and a preliminary stage
24 as you're looking at proposals; I would take that
25 feedback from the public very, very seriously and you

2 know, really hope that there would be strong
3 engagement across all the different communities in
4 New York; I think that's what makes New York City and
5 the Design Commission so amazing is that there is
6 this opportunity to have diversity reflected in
7 public design.

8 COUNCIL MEMBER RODRIGUEZ: I **[inaudible]**
9 with your... if we brought in every... if you are added
10 to this Commission that you really, you know also
11 make a difference, because reality is that in the
12 past there was a lot of question about when there
13 were... I can tell you the Avenue of Americas, 176 and
14 Broadway Avenue, I know that it went through the
15 whole process in the previous administration, but for
16 so many years the Commission, they went to the
17 community board and there were artists that have
18 decades of experience, but I didn't know; they didn't
19 know, they were never informed and I think that for
20 an advertising in the local newspaper to all the
21 Avenue of... allowing the community know that this is
22 happening, this is important because still today,
23 2016, we have a city where we have two groups; it's
24 like the same thing with Cobs or any IFP process;
25 there's the well-established that have the top [sic]

2 lobby, that they are informed; that they know how to
3 navigate the system, but then you have the other
4 group, which is painters, artists that they've been
5 doing... they've been in art for 40-50 years, that many
6 of them, they are new coming to this country and they
7 can be part of the IFP, but however sometimes they
8 don't have information, so whatever you know you can
9 add, if moving forward you are added to this
10 commission will be very important.

11 SHIN-PEI TSAY: I can only agree with
12 you.

13 COUNCIL MEMBER RODRIGUEZ: Thank you.

14 CHAIRPERSON LANDER: Thank you, Council
15 Member Rodriguez. So I just have one more question
16 and then one comment and then I think seeing no
17 others, we'll move on to Mr. Byles.

18 I noticed in your resume that in addition
19 to your... Council Member Dickens spoke to some of your
20 other volunteer work; that you're on the Board of
21 Transportation Alternatives and obviously this
22 Council's been a big supporter of the Vision Zero and
23 Livable Streets efforts, which TA has contributed so
24 much to, so I was enthusiastic to see about that.
25 One thing that I've noticed is some tension, a

2 productive tension, but a tension nonetheless between
3 moving forward quickly in the interest of safety to
4 make changes to the streets with, you know, sticks
5 and thermoplasty and that makes safety changes happen
6 quickly, but it's not lovely in the public realm and
7 then on the other hand you can have a process that
8 really, you know, gets considered and is more plaza
9 like and gets built out and there'll be trees and
10 planters; that takes four or five years often, so I
11 just wonder if you've thought about this at all and
12 sort of what balance between the safety goals of
13 Vision Zero and the public design improving realms
14 and how we balance those two kinds of actions, both
15 very important to TA and many of us as well...

16 [crosstalk]

17 SHIN-PEI TSAY: Yes. Absolutely, there's
18 a very strong connection between design and how it
19 reinforces safe behavior and especially in making
20 streets more livable, making drivers slow down,
21 making people obey the law without even realizing
22 that there are slower speeds to be had. So I think
23 that like all design, all of these things are
24 incremental when you get into the public policy
25 realms of finding the right funding and the project

2 opportunities in order to make those spaces much more
3 permanent; I would be very open to designs that
4 create safer spaces, more livable spaces and to
5 further the City's over goal of safer streets and
6 safer pedestrian spaces. So you know, I would very
7 open to those kinds of projects and see a very strong
8 link.

9 CHAIRPERSON LANDER: Thank you. And I'll
10 just add here kinda two points to wrap up. I mean I
11 think that last point -- two things for you just to
12 consider; I think you're... you know, you've done a
13 nice job today and I don't have any doubt... you'll
14 receive certainly my support, but part of the reason
15 that people do quick changes of various sorts, both
16 street safety changes, but also even temporary public
17 art -- in that case of less than a year -- is to
18 avoid the time added by the Public Design Commission
19 and so I think one thing that might be useful for you
20 and your colleagues to think about is how to bridge
21 that divide between, you know, what can we get
22 through quickly that doesn't have design review and
23 what will have design review that then is gonna take
24 years to get done. And then second; I think you hear
25 from some of my colleagues a desire for a maybe more

2 proactive approach to public engagement with the
3 public realm and -- several people, Council Member
4 Dickens and Chin really spoke to this -- part of the
5 challenge is that the Public Design Commission is,
6 you know, by nature, a reactive entity that reviews
7 projects that agencies bring to it, but we really
8 don't have a comprehensive framework for thinking
9 about the City's public realm and public design; each
10 agency does their own thing, even in the realm of
11 public art; I mean the Department of Cultural Affairs
12 has a very modest budget for officially what is
13 public art, so I don't know that the Design
14 Commission can take on that role, but it's just
15 another area where it would be great to be thinking
16 together and more collaboratively and proactively.

17 SHIN-PEI TSAY: Well I look very much, if
18 I were appointed, to be working on those issues; I
19 very much agree.

20 CHAIRPERSON LANDER: Super. Thank you
21 very much for your testimony; for being here today
22 and appreciate... [crosstalk]

23 SHIN-PEI TSAY: Thank you. Thank you.

24 CHAIRPERSON LANDER: Super. We'll next
25 call up Jeff Byles from the Fine Arts Federation,

2 which as mentioned, is the nominator for the
3 positions on the Fine Arts Commission.

4 JEFF BYLES: Good morning, Chair Lander
5 and members of the committee.

6 CHAIRPERSON LANDER: Good morning.

7 JEFF BYLES: My name is Jeff Byles; I am
8 President of the Fine Arts Federation of New York,
9 which as you know nominates candidates for the Design
10 Commission. Thank you for this opportunity to
11 express our strong support for Shin-pei Tsay's
12 appointment to the Commission.

13 Shin-pei's background in community-based
14 planning, public space design and bicycle and
15 pedestrian advocacy gives her excellent
16 qualifications for this role on the Commission.

17 Shin-pei has helped create high quality
18 public buildings, parks, markets and spaces that
19 advance public health and equity. As a
20 transportation planner and advocate, she has been
21 instrumental in the design of better, safer streets
22 for all New Yorkers, especially seniors and children.
23 We believe Shin-pei's experience in making accessible
24 and sustainable public spaces will be a substantial
25 asset for the Commission.

2 Above all, we comment Shin-pei's career
3 as an advocate for the public interest, with a deep
4 regard for community needs. Shin-pei respects the
5 constraints of the public design process and the need
6 to balance all considerations while moving complex
7 projects forward; in this we believe Shin-pei's
8 values are well aligned with the priorities of
9 today's Design Commission; we are proud to nominate
10 Shin-pei. Thank you.

11 CHAIRPERSON LANDER: Thank you very much.
12 And let me just ask of you, and kind of representing
13 the Fine Art Federation, have any comments on the
14 broader set questions that council members asked,
15 whether they, you know, were reflected in your
16 thinking about who to appoint and whether there are
17 any other thoughts you have on the set of questions
18 that members raised today?

19 JEFF BYLES: I would just say yes,
20 absolutely, as a part of the nominating process, we
21 closely followed the Commission's and the committee's
22 thinking and questions and concerns over the last
23 year-and-a-half and I would say are very interested
24 in supporting finding equitable and collaborative
25 solutions to some of the problems with the Commission

2 and I think our appointments over the last year have
3 reflected that and so we certainly support your views
4 and your concerns and are proud to be a part of that
5 process.

6 [background comments]

7 CHAIRPERSON LANDER: Alright, very good.

8 Thank you very much; with that we will close the
9 public hearing [gavel] on Ms. Tsay's nomination.

10 Thank you. And the committee will go into recess; I
11 think we will resume from recess on Wednesday morning
12 at 10 a.m. and assuming, which I think that we'll
13 have quorum, then we'll actually probably vote on
14 this item Wednesday morning at 10 before we then
15 resume with the hearings for those items which are
16 calendared for Wednesday. Thank you very much; this
17 hearing stands in recess.

18 [gavel]

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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 February 2, 2016