

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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June 17, 2013

Start: 11:56 a.m.

Recess: 12:15 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:

Council Member Leroy G. Comrie, Jr.
Council Member Daniel R. Garodnick
Council Member Vincent M. Ignizio
Council Member Robert Jackson
Council Member Letitia James
Council Member Jessica S. Lappin
Council Member Joel Rivera
Council Member Albert Vann

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

David Lombino
Director of Special Projects
Two Trees Management

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2 COUNCIL MEMBER JACKSON: Good
3 morning, everyone. [pause, background noise]

4 COUNCIL MEMBER WEPRIN: Okay, all
5 right. All right. Good morning.

6 COUNCIL MEMBER JACKSON: [off mic]
7 Good morning.

8 COUNCIL MEMBER WEPRIN: Barely, but
9 good morning. My name is Mark Weprin, I am Chair
10 of the Zoning and Franchises Subcommittee. I am
11 joined by the following members of the
12 Subcommittee: Council Member Dan Garodnick,
13 Council Member Al Vann, Council Member Joel
14 Rivera, Council Member Robert Jackson and Council
15 Member Vincent Ignizio. We are also joined by
16 Council Member Tish James, whose district the item
17 we are hearing today is in. We also have other
18 members of the Land Use Committee who are in the
19 room, but they'll have that meeting after our
20 Subcommittee. So, today we are, we have clo--the
21 other day we had a hearing on BAM South in
22 Brooklyn. That's Land Use Nos. 829, 830 and 831.
23 And over the last couple of days there's been many
24 discussions since our hearing about this. And I
25 would like to call on Council Member Tish James to

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2 discuss some of these, and then I'm going to open
3 up the record to a representative from Two Trees
4 to read a letter into the record. So, Ms. James.

5 COUNCIL MEMBER JAMES: [off mic]

6 Thank you. [on mic] I want to thank the Chair
7 and all of the Members for their indulgence
8 regarding this very important project. As most of
9 you know, downtown Brooklyn is home to more than
10 60 world class arts and cultural organizations,
11 and it's always been my position that all cultural
12 organizations within downtown Brooklyn be
13 incorporated into the development of this
14 "cultural district," and that it not benefit one
15 particular organization. It is a central--all of
16 these organizations play a central role in the
17 community, they're part of the economic
18 development aspect of our City. They provide a
19 significant amount of vibrancy to the community,
20 and as well as contribute to our tax base. But
21 it's important that they be inclusive and that
22 this "cultural district" reflect the community as
23 a whole. As part of the project, the City will
24 own and control 50,000 square feet of cultural
25 space in a 10,000 square foot public plaza. I've

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2 agreed with the Administration that the cultural
3 space will be affordable and reserved for cultural
4 uses in perpetuity. And the public plaza will be
5 designed to accommodate outdoor programming and
6 that there'll be more community stakeholders who
7 are part of the programming of that particular
8 space. In addition to that, as most of you know,
9 the City controls two development sites in this
10 district: BAM North Site 1, North Site 2, as well
11 as this particular project and the Administration
12 has agreed to increase the affordable housing to
13 no less than 30 percent. We've also talked about
14 the income bands and not less than 150 units will
15 be reserved for households with incomes up to 80
16 percent of the area median income, which reflects
17 working and moderate income families in this
18 district, which unfortunately have been, for far
19 too long, ignored by this Administration and
20 others. In addition, and most importantly, the
21 Brooklyn public library will work with my office
22 to preserve the Pacific Street Library and
23 continue to provide library service for children
24 in the community through an on--through an open
25 community process. And I am grateful for that.

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2 Last but not least, because of the time
3 constraints, we were not able to come to an
4 agreement with regards to prevailing wage
5 agreements and those negotiations are ongoing;
6 notwithstanding the fact that the City Council is
7 voting on this today. In addition to that, I
8 would hope that BAM, and particularly the
9 President of BAM, Karen Brooks Hopkins, would meet
10 with the musicians union. I recognize that she
11 had opposed a recognition agreement, but I would
12 hope that she would at least sit down with the
13 musicians and recognize their rights. And
14 recognize that they, too, would like to be
15 accommodated. And so, with all of those
16 agreements and understandings, I would urge my
17 colleagues to vote in support of this project.
18 And I thank you for this opportunity.

19 COUNCIL MEMBER WEPRIN: Thank you,
20 Council Member James. What I'd like to do now is
21 call up Dave Lombino, come up to that table right
22 there. Representative of Two Trees Management,
23 the developer in this action. Mr. Lombino, just
24 make sure the mic is on, state your name again,
25 and then read whatever it is you have for us into

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the record.

DAVID LOMBINO: I'm Dave Lombino of Two Trees. Two Trees Management is proud of our track record of creating good jobs at our construction sites around Manhattan and Brooklyn. And we pledge to continue to do so in the future. We construct our projects through our own affiliated general contractor, so in doing so we bid, review, negotiate and sign our own contracts with various building trades and contractors. At the Subcommittee's public hearing for BAM South on June 4th, we heard from members of two building trades who took issue with our normal procurement practice of bidding contracts both to union and nonunion firms. With regard to the construction of BAM South, we pledge to work together with the Building and Construction Trades Council, to ensure that the work on the \$130 million project will be bid out to multiple union firms, giving them the opportunity to compete for the work. We are confident that union contractors will be employed at this site over the course of construction of this great, mixed-use project. We would also like to take this opportunity to

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2 reiterate our commitment to ensuring that the
3 construction of this project will create good
4 opportunities for both minority and women owned
5 enterprises, and will aim to meet ambitious
6 workforce participation goals for hiring of
7 minorities and women, and residents from the local
8 community. Thank you, again.

9 COUNCIL MEMBER WEPRIN: Thank you,
10 Mr. Lombino. Do any Members of the Committee have
11 any questions or comments? I see none. We thank
12 you. We are once again going to close this
13 hearing. And call on Counsel to please read the
14 roll.

15 [background comment]

16 COUNCIL MEMBER WEPRIN: Okay, yes,
17 I'm sorry. The three items, 829, 830 and 831,
18 which encompass BAM South, will be coupled into
19 one vote.

20 COUNSEL: Chair Weprin.

21 COUNCIL MEMBER WEPRIN: Aye.

22 COUNSEL: Council Member Rivera.

23 COUNCIL MEMBER RIVERA: [off mic] I
24 vote aye.

25 COUNSEL: Council Member Jackson.

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COUNCIL MEMBER JACKSON: Aye.

COUNSEL: Council Member Vann.

COUNCIL MEMBER VANN: [off mic]

Aye.

COUNSEL: Council Member Garodnick.

COUNCIL MEMBER GARODNICK: [off

mic] Aye.

COUNSEL: Council Member Ignizio.

COUNCIL MEMBER IGNIZIO: [off mic]

Aye.

COUNSEL: By a vote of six in the affirmative, no negatives and no abstentions, Land Use Items 629, 630--I'm sorry, 829, 830, and 831, are approved and referred to the full Land Use Committee.

COUNCIL MEMBER WEPRIN: Okay. We are going to leave the rolls open until the Land Use meeting actually starts, which will be in this room, as soon as there's a quorum present. And with that in mind, the meeting is now adjourned.

[gavel]

[pause, background noise]

COUNSEL: Chair Comrie.

COUNCIL MEMBER COMRIE: Aye.

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COUNSEL: Council Member Lappin.

COUNCIL MEMBER LAPPIN: Aye.

COUNSEL: Vote now stands eight in
the affirmative, zero abstentions, zero negatives.

[pause, background noise]

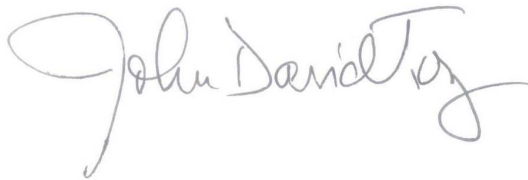
COUNCIL MEMBER COMRIE: All right,
I hereby close the Subcommittee meeting for Land--
the Zoning and Franchises Committee for June 17,
2013.

[gavel]

C E R T I F I C A T E

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

Signature

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

Date June 8, 2013