

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES,
PRIVILEGES AND REGULATIONS
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July 22, 2014
Start: 11:02 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 A. Rodriguez
Margaret S. Chin
Deborah L. Rose
Jumaane D. Williams
Rafael L. Espinal
Mark Levine
Vincent M. Ignizio
Daniel Dromm
David Greenfield
Mark Weprin

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

Melissa Mark-Viverito
City Council Speaker

Cheryl Cohen Efron

Bomee Jung

Larisa Ortiz

2 CHAIRPERSON LANDER: Alright. [gavel]

3 Good morning and welcome. My name is Brad
4 Lander, I'm privileged to be the Chair of the
5 New York City Council's Committee on Rules,
6 Privileges and Elections and very happy we're
7 here to have this hearing this morning
8 regarding the nominations for appointments to
9 the City Planning Commission, Cheryl Cohen
10 Effron, Bomee Jung and Larisa Ortiz. Before we
11 get started, let me introduce my colleagues who
12 are here. We're joined by the Speaker, by
13 Council Member Margaret Chin, Dan Garodnick and
14 Mark Levine from Manhattan, by Council Member
15 Inez Dickens from Manhattan, by Council Member
16 Debbie Rose from Staten Island. We're all
17 sending a lot of love and thoughts to Staten
18 Island and Council Member Rose these days.
19 Council Member Ydanis Rodrigues from Manhattan
20 and Council Member Ralph Espinal from Brooklyn,
21 thank you all for being here this morning. We
22 have a hearing next door of the Land Use
23 Committee that some members are also on, so
24 they may be headed over there. Also want to
25 acknowledge the Committee's Attorney Imatu

2 [sic] LeBoeuf [sic], and thank and acknowledge
3 the staff members from the Council's
4 Investigative Unit, particularly Chuck Davis,
5 the Director of Investigations Deandra [sp?]
6 Johnson and Diana Areaga [sp?] for helping us
7 prepare all the materials for this morning. In
8 a letter dated June 23rd, 2014, Mayor Bill de
9 Blasio formally submitted the names of Cheryl
10 Cohen Effron, Bomee Jung and Larisa Ortiz to
11 the Council of the City of New York for its
12 advice and consent regarding their appointment
13 to the City Planning Commission.

14 Congratulations and welcome. In a separate
15 letter, the Mayor formally submitted the name
16 of Marcy Kessner [sp?] to the Council for
17 advice and consent regarding her appointment to
18 the Landmarks Preservation Commission, however,
19 yesterday, July 21st, 2014 at Ms. Kessner's
20 request the Mayor formally withdrew that
21 nomination, so we won't be considering it this
22 morning. I apologize if there are folks who
23 came specifically for that. Today we'll
24 therefore consider whether to give our advice
25 and consent to these three candidates. If

1 appointed, they'll serve the remainder of a
2 variously staggered five year terms. Ms.
3 Effron, a resident of Manhattan would succeed
4 Maria Del Torro [sp?] and serve a term expiring
5 on June 30th, 2019. Ms. Jung, a resident of
6 Brooklyn would succeed Betty Chen [sp?] and
7 serve a term expiring on June 30th, 2018, and
8 Ms. Ortiz, a resident of Queens, would succeed
9 Angela Battaglia [sp?] and serve a term
10 expiring on June 30th, 2017. Let me just say a
11 little bit about the City Planning Commission
12 before we turn it over to swear in our nominees
13 and ask them to present. Pursuant to the New
14 York Charter, the City Planning Commission must
15 consist of 13 members with seven appointments
16 made by the Mayor, which includes the
17 appointment of the Chair, one appointment each
18 made by the Public Advocate and each Borough
19 President. All members except for the Chair
20 are subject to the advice and consent of the
21 Council, and according to the Charter, those
22 members must be chosen for independence,
23 integrity and civic commitment. They serve, as
24 I mentioned, staggered five year terms except
25

2 for the Chair, who as Director of the
3 Department of City Planning serves at the
4 pleasure of the Mayor. Other CPC members are
5 not considered regular city employees, and
6 there's no limitation on the number of terms
7 they may hold, but while serving on the CPC
8 they're prohibited from any other city office.
9 The Chair and Vice Chair receive annual
10 salaries, the Chair of 205,180 dollars, the
11 Vice Chair of 62,270 dollars. Other members
12 receive an annual salary of 54,150. As I think
13 most folks know, the CPC has an array of
14 responsibilities. Some of those duties include
15 engaging in planning, focused on the city's
16 orderly growth, improvement and future
17 development with considerations including,
18 housing, business, industry, recreation and
19 culture, neighborhood quality of life, the
20 whole range of issues that make this a livable,
21 sustainable place to live, and we've got three
22 people with a lot of experience and history in
23 those areas. Assisting the Mayor and other
24 officials in developing the 10-year capital
25 strategy, the four-year capital plan, the city-

2 wide statement of needs, reviewing the city's
3 compliance with the City Environmental Quality
4 Review Act as mandated by state law, and an
5 array of other responsibilities around zoning
6 and planning, both in response to specific
7 proposals brought forward by land owners and
8 developers, as well as more proactively
9 developed by the City Planning Commission, as
10 well as promulgating a range of rules and
11 standards under the city's uniformed land use
12 and review procedure as established by the
13 charter, capital projects, minimum standards
14 for the form and content of plans as well as
15 rules around major concessions, and an array of
16 other similar things. We've got three
17 candidates that I'm excited to hear from each
18 of today with really significant history and
19 track record in the fields of planning and
20 development, and we're looking very forward to
21 hearing first opening statements from each of
22 them and then there'll be an opportunity for
23 Council Members to ask questions. I'll call up
24 Council Member's attention to the books in
25 front of you which contain copies of that

2 opening statement, the candidate's responses to
3 questions that were put to them beforehand as
4 well as their resumes and other investigative
5 materials. So, welcome to all three of you,
6 and as I mentioned before the hearing we ask
7 everyone to swear in or be affirmed that their
8 testimony will be the truth. So if you'd all
9 please raise your right hand and the Committee
10 Counsel will ask you to swear or affirm.

11 COUNSEL: Good morning. Do you
12 swear or affirm to tell the truth, the whole
13 truth and nothing but the truth, so help you?
14 Thank you.

15 CHAIRPERSON LANDER: Thanks very
16 much to each of you. So, I'll think what we'll
17 do is have you each go ahead and make your
18 opening statement. I think some people will
19 have questions that are specifically for one of
20 you and others will have questions for all
21 three of you. So we'll just--we'll go in
22 alphabetical order and I guess Ms. Cohen
23 Effron, that leaves you to begin.

24 CHERYL COHEN EFFRON: Thank you.
25 Good morning Speaker Mark-Viverito, Chair

2 Lander and members of the Committee on Rules,
3 Privileges and Elections. My name is Cheryl
4 Cohen Effron and I'm honored to be here before
5 you to be considered for an appointment to the
6 New York City Planning Commission. New York
7 City is at a crossroads between becoming an
8 increasingly divided city and one that through
9 affordable housing, accessible good jobs and
10 thoughtful open spaces, superior social
11 services and hospitals, cultural life and
12 excellent schools will benefit all citizens.
13 The path to this is comprehensive integrative
14 community based planning. I want to use some
15 of my experiences working in on behalf of some
16 of the city's most dynamic and diverse
17 communities and neighborhoods to participate in
18 what will be a bold move and a positive
19 direction for New York. Though many of my
20 activities have been around the built
21 environment, they have always been about
22 improving the lives of and opportunities for
23 New Yorker. The Department of City Planning
24 and the City Planning Commission have a unique
25 opportunity to leverage the vitality of this

2 city's many diverse neighborhoods for the long
3 term, but it requires good planning. We must
4 build on the strengths of our neighborhoods
5 that are in place today. The demographics of
6 this city, including immigrants and lifelong
7 New Yorkers, the investment in our transit
8 system, the proximity of good jobs and the
9 cultural and intellectual infrastructure of our
10 branch libraries, schools, colleges, cultural
11 institutions and our parks. One of the biggest
12 opportunities for the Department of City
13 Planning and the City Planning Commission is to
14 work with the City Council on the ambitious
15 goals for housing and economic development that
16 will ensure that neighborhoods have the
17 necessary infrastructure to thrive in the
18 future. My entire professional life has been
19 spent in or in support of neighborhoods of New
20 York. Before graduation from Brown University,
21 I began working within an industrial
22 neighborhood of Long Island City and later West
23 Chelsea to create out of empty warehouses
24 vibrant, multi-tenant manufacturing centers
25 filled with small manufacturing businesses that

2 expanded their workforces to include thousands
3 of New Yorkers. While working in Long Island
4 City, I served on the Local Development
5 Corporation Board, served on the Board of Local
6 Queens Social Service and Cultural Nonprofits,
7 and was appointed to the Community Board Two in
8 Western Queens in the early 1990's. My
9 experience of serving on a Community Board and
10 on nonprofit boards in neighborhoods where I
11 worked but did not live was among the most
12 valuable of my professional life and one of the
13 greatest influences on my personal life. One
14 of the best lessons for me was a new
15 understanding of how economic development
16 projects involved in retaining and creating
17 jobs in manufacturing needed to be integrated
18 into the residential fabric of the adjacent
19 neighborhoods. Having carried that lesson with
20 me throughout my adult life, I have spent my
21 career working on dynamic, comprehensive
22 solutions for financially disadvantaged
23 communities. My own grandparents believed in
24 the city's possibilities when they immigrated
25 from eastern Europe to Brooklyn where my father

2 attended public schools, college and then
3 Brooklyn Law School. My grandparents who were
4 unable to read or write English saved up enough
5 money to open a small neighborhood soda
6 fountain and later a small sewing business in
7 Brooklyn. My mother spent much of her
8 childhood on the Upper West Side with parents
9 who left Pittsburgh for the attraction of the
10 then fledgling broadcast industry in New York.
11 My parents raised me three blocks from where I
12 now live with my husband and three children in
13 Manhattan with more than two dozen members of
14 our families within our neighborhood. I would
15 like to give back to my city in thanks for all
16 it has given to my family and me. I'm honored
17 by the opportunity to be considered to serve on
18 the City Planning Commission today to build a
19 city that will in the future retain and attract
20 others who believe in its possibility. I will-
21 -would work hard to realize that potential, and
22 I would be happy to answer questions you may
23 have.

24 CHAIRPERSON LANDER: Thank you very
25 much. Ms. Jung?

2

3 BOME E JUNG: Good morning. Chairman

4 Lander, Speaker Mark-Viverito and members of

5 the City Council Rules Committee, thank you

6 very much for this opportunity to introduce

7 myself and to tell you a bit about why I seek

8 to serve in the City Planning Commission. Like

9 many others in our city, I came to New York

10 because it is a place of opportunity.

11 Individuals and families choose to come here

12 and those who are born here choose to stay

13 because it's a place that allows us to benefit

14 from and contribute to a vibrant economy, safe

15 homes, good jobs and bright futures for

16 ourselves and our children. The City Planning

17 Commission plays a key role in harnessing

18 public and private resources to enable this

19 vibrancy, to create a city that is inviting,

20 safe and healthy. It oversees an important and

21 democratic decision making process of giving

22 voice to communities as well as individuals in

23 determining where and how this city will direct

24 growth in balancing the common good against

25 private rewards. I believe in the Planning

2 Commission's mission to direct the growth of
3 the city for the aggregate good of all New
4 Yorkers and I believe my training in City
5 Planning coupled with my experience in
6 sustainability and affordable housing give me
7 the tools to contribute to this important
8 effort. For the past six years I've been
9 working at Enterprise helping to create and
10 preserve housing that is healthy and
11 affordable. Like my colleagues in housing and
12 community development elsewhere, I believe that
13 having stable housing that you can afford is a
14 prerequisite to being able to reach for and
15 attain the opportunities that we all want for
16 ourselves and our families. Stable housing has
17 been shown to make a difference in the ability
18 to find and keep stable employment, on
19 children's educational outcomes and on the
20 ability to live healthy lives. Unfortunately,
21 many New Yorkers have been finding it hard
22 during the recession and these early days of
23 the recovery to assess this vital support. The
24 recession push folks have been making it, been
25 able to make ends meet over the brink to losing

2 not only employment but also their homes. We
3 see this lasting impact still on the 13,000
4 families and 23,000 children sleeping in the
5 city's homeless shelters. As the city
6 continues to recover economically it is
7 critical that we use this opportunity to make
8 the investments that will help all New Yorkers
9 get a more stable footing toward opportunity
10 and prosperity by investing in our shared
11 resources, physical and civic infrastructure
12 that serve our communities including housing
13 that's within reach of family's budgets,
14 educational opportunities, healthcare and jobs.
15 This is why I've come today before you. I
16 believe that the new housing plan to create and
17 preserve 200,000 affordable housing is very
18 much the right investment for New York to make
19 and that the Planning Commission's role in
20 creating housing opportunities will be critical
21 to this effort of making sure that these
22 investments reach every neighborhood that needs
23 it and that communities and neighborhoods have
24 a strong voice in the process and its outcomes.
25 Thank you for this opportunity. I look forward

2 if confirmed to working closely with the
3 Council to deliver housing and services for a
4 bright future and strong neighborhoods.

5 CHAIRPERSON LANDER: Sorry. Thank
6 you very much. Ms. Ortiz?

7 LARISA ORTIZ: Hello? Okay. Good
8 morning Speaker Mark-Viverito, Chair Lander and
9 members of the City Council Committee on Rules,
10 Privileges and Elections. My name is Larisa
11 Ortiz and I'm honored to be here before you in
12 consideration of my nomination. I'm a resident
13 of Jackson Heights Queens where I run a
14 consulting firm specializing in strategic
15 planning for commercial and retail districts
16 both in the US and abroad. I'm a lifelong New
17 Yorker, though raised in the New York City
18 suburbs. My mother spent over 30 years
19 teaching in the New York City public schools
20 and later at the City University of New York
21 Hunter College as a professor of education. My
22 grandparents upon immigrating from Puerto Rico
23 in the 1940's raised my mother and her brother
24 in the Amsterdam Public Houses located behind
25 Lincoln Center where they lived their entire

2 lives. I'm a graduate of Wesleyan University
3 where I earned a Bachelor of Arts Degree and
4 MIT where I earned a degree in City Planning.
5 Before attending MIT I won a Fulbright
6 Scholarship to study and to teach downtown
7 development strategies in El Salvador son
8 Salvador [sic], and in 2009 I returned to El
9 Salvador to help form the first formal business
10 improvement district in Latin America. After
11 living abroad and attending graduate school I
12 returned to New York to work for a real estate
13 developer Jonathan Rose, known nationally for
14 his leadership role in sustainable, affordable
15 housing. Since leaving Jonathan Rose companies,
16 I've served in a variety of positions, most
17 notably with the New York City Economic
18 Development Corporation and with the Department
19 of Small Business Services. In both cases I
20 worked on issues related to retail, small
21 business and real estate strategy. In 2006, I
22 left EDC to work, to lead the commercial
23 markets advisory service, a program of the
24 Local Initiative Support Corporation, the
25 nation's largest community development

2 intermediary. While at LISC I managed
3 educational programs and initiatives in support
4 of community efforts across the nation to
5 improve local retail and business environments.
6 In 2008, I left LISC to start my firm. The
7 City Planning Commission's mission is to
8 better the city for residents, businesses and
9 neighborhoods by supporting the development and
10 improvement of real property making strategic
11 decisions with respect to Land Use and Zoning
12 and insuring that new development is in keeping
13 with the city's continual efforts to improve
14 the quality of life of all residents. I wish to
15 be part of that effort because throughout my
16 career I've seen the impact that smart planning
17 can have on the lives of people. I'm excited
18 and humbled by the opportunity to use my
19 professional experiences to improve the welfare
20 and quality of life of New York City residents
21 by supporting thoughtful planning, growth,
22 development and investment in an equitable
23 manner throughout every borough of the city.
24 And with that, I want to thank the City Council
25 for their consideration, and if confirmed, I

2 look forward to serving on the City Planning
3 Commission. I'm more than happy to answer any
4 questions you may have.

5 CHAIRPERSON LANDER: Thanks very
6 much to all three of you for those opening
7 statements, and I just want to again welcome
8 you, and I think, you know, obviously while
9 members have questions, I do want to say it's
10 encouraging to have a panel that's all women,
11 that's two-thirds women of color, as a credit
12 to the de Blasio--and that reflect from
13 Manhattan, Brooklyn, Queens, a real diversity
14 of perspective on this city and I really
15 appreciate those opening statements. The
16 Speaker's going to have to leave in a few
17 minutes, so we'll recognize her to ask a
18 question or two. I'll ask a couple and then
19 we'll throw it open to the committee.

20 SPEAKER MARK-VIVERITO: Thank you,
21 Chair Lander, and good morning to the three of
22 you. Thank you for your testimony. Just one
23 of the things that I wanted to ask about is
24 obviously there's a lot of emphasis on the need
25 to create affordable housing and obviously the

2 Mayor has a very aggressive housing plan, but
3 there are other aspects of the work of City
4 Planning, right, that have to do about growing
5 the economy and that can contribute to that.
6 One of the things that we have an interest in
7 in the Council, some of us here in the Council
8 did some site visit recently and we put some
9 money into looking at the industrial business
10 zones in the city, right, and how do we support
11 them, and there has been a lot of reporting
12 about some of the conflicts between the Mayor's
13 housing plan and the preservation and
14 maintaining of the industrial business zones
15 and figuring how we can continue to support
16 them. So that's one aspect of helping to grow
17 the economy, right, helping the manufacturing
18 businesses that are in these zones that are
19 feeling challenged. On the site visit we spoke
20 to some directly on how some of this housing
21 can possibly be encroaching on their ability to
22 thrive. So how do you--what is--to any one of
23 you. If any one of you can speak to that issue,
24 maybe your view on it, your thoughts on that?

25 [off mic]

2 LARISA ORTIZ: Not really. Thank
3 you. You know, I think you raise an excellent
4 question. It's something I've thought about
5 and have--in taking this position I've
6 considered, you know, how is it and how will we
7 manage those issues. You know, I don't think
8 there's an easy answer at this point. I think
9 we really do need to look at the issues and
10 ensure that whatever is done maintains our
11 ability as a city to, you know, support these
12 businesses in their efforts and allow them to
13 remain competitive. So I think, you know, I
14 think there's--that remains a priority
15 certainly for me personally.

16 BOMEET JUNG: So while my current
17 work is focused on housing, you know, how we do
18 housing work at Enterprise, for example, as a--
19 in the service of having vibrant economies and
20 communities of opportunity. So, you know, I
21 definitely recognize that how, you know, just
22 housing people isn't the end goal. It's the--
23 it's a platform that creates opportunity, and a
24 bridge to economic opportunity. And clearly,
25 having vibrant local businesses is part of

2 creating that sort of community of opportunity.
3 You know, while, you know, I wouldn't want to
4 speak generally about particular sites or
5 particular projects that where these kinds of
6 conflicts may arise in the growth of business,
7 small businesses and industrial zones versus
8 affordable housing, per say, I think that
9 again, you know, that balance has to be struck
10 in order for us as a city to have all of the
11 services and all of the opportunities that we
12 need for families here and for individuals, and
13 that, you know, most important in all of that
14 would be an opportunity to have honest
15 conversations about how we prioritize, you
16 know, those particular interests in specific
17 sites, and so I look forward to being, you
18 know, educated and being very involved in those
19 conversations as we look at specific requests
20 and specific cases.

21 CHERYL COHEN EFFRON: I feel so
22 lucky to be up here with both of these women.
23 So thank you for pointing out how lucky I am,
24 in fact. It is an excellent question and a
25 very important one and a great example of an

2 opportunity for this City Council to work with
3 the Department of City Planning and the City
4 Planning Commission because there is on the
5 ground information that individual City Council
6 members have and have access to that would be
7 really important to what I imagine to be
8 incredibly robust conversations going forward
9 about this. Obviously, I come from a
10 manufacturing advocacy background, but I also
11 believe in neighborhoods and the importance of
12 prioritizing people's homes, and it's, I think,
13 actually a great example of something that
14 sounds like it's in conflict, but there really
15 are some creative opportunities that will work
16 very well within this housing plan, and
17 personally, if I'm lucky to be appointed, I
18 think this is just the type of work that we
19 should be working on.

20 SPEAKER MARK-VIVERITO: Thank you for
21 your responses. This is an area of work which
22 you will hear more from us about, and I know in
23 answering your questionnaires you do talk about
24 and you give some responses about the
25 relationship you want to have with the City

2 Council. We definitely want to have a
3 proactive relationship, very engaged and very
4 thoughtful one. We do have a lot of experience
5 on the ground. We are the front lines in our
6 communities and we hear from those that we
7 represent directly. So I think that there's a
8 lot of value to what we can bring to the
9 conversation. So I appreciate your responses.
10 Look forward to hearing about the rest of the
11 questions that are asked, and thank you.

12 CHAIRPERSON LANDER: Thank you very
13 much, Madam Speaker. We've been joined by
14 Council Member Williams from Brooklyn and we're
15 also joined on the riser over there by Council
16 Member Mark Weprin who is the Chair of the
17 Zoning Subcommittee of the Land Use Committee
18 and so while not a member of the Rules
19 Committee, obviously works closely with the
20 Planning Commission, so. So I have a couple of
21 questions and then we'll throw it open to other
22 members as well. You're the first--this
23 committee so far has heard people who are in
24 something more like sort of the executive or
25 the chair function, someone who reports

1 directly to the Mayor and who--therefore, you
2 expect to, you know, to be completely aligned
3 with the Mayor. You're the first three people
4 we have that are be appointed this term, or
5 we're considering advice and consent from for
6 board positions, which on the one hand are
7 appointed by the Mayor and therefore expected
8 to have broad alignment but also being
9 appointed because of your independent judgment
10 to bring independent, that value to the broader
11 Commission. I just wonder how you view that
12 role of being team player on the Commission,
13 but also bringing your independent perspectives
14 and when you would see speaking up and saying
15 this might ought to change and how you view
16 that, primarily relationship with the
17 Administration, but in relationship to the
18 council and the rest of the body as well.

20 BOME E JUNG: Shall I go first since
21 I put you up the last time? So, I think folks
22 who know Enterprise and the way that we work
23 also know that those of us who work there tend
24 to be very collaboration oriented. Personally,
25 I believe in the Mayor's vision of bringing and

2 of course the progressive caucus and this
3 Council's vision of bringing equity--

4 CHAIRPERSON LANDER: [interposing]
5 Ms. Jung, can you speak a little more into the
6 mic?

7 BOMEET JUNG: Sure.

8 CHAIRPERSON LANDER: It's a little
9 hard to hear. Thank you.

10 BOMEET JUNG: As I was saying, I
11 believe in the critical need to create
12 affordable housing and the mission or the
13 vision to bring great better equity in the
14 city. I think that all of us share that
15 background in community, community development
16 and community based planning. I personally have
17 spent my career in this field also looking very
18 closely at issues of sustainability and, you
19 know, since the impacts of climate change have
20 sort of risen to the fore in the aftermath of
21 Sandy, working on residency issues as well.
22 And so from a personal perspective I think that
23 what I bring in--the lens through which I see
24 these issues is both through the lens of
25 affordable housing and the need to create, you

2 know, equity in these in communities as well as
3 the lens of sustainability and sort of what
4 are--what these planning decisions will mean
5 for the long term viability and the long term
6 sustainability and residency of these places
7 that are often also the most vulnerable both in
8 the physical sense as well as in the ability to
9 rebound after crisis. And so, you know, I
10 wouldn't be able to say, for example, about you
11 know, the--I'm going to--I don't frankly--I
12 don't think that I'll have wildly different
13 opinions from the Administration just because I
14 share these progressive values, but you know, I
15 am looking at it through the experience of my
16 own track record and experience and working on
17 sustainability issues and working on housing
18 issues.

19 CHERYL COHEN EFFRON: I think I can
20 answer sort of succinctly. I believe in
21 respectful independence, and I think that's the
22 perspective in which I bring.

23 LARISA ORTIZ: You know, I agree
24 with that absolutely, and I think, you know, at
25 the end of the day we're selected in part

2 because this Administration looks for
3 collaborative dialogue and looks to the
4 expertise that we individually bring to help
5 inform these decisions. So I, you know, I look
6 forward to having those conversations and being
7 able to steer the decisions that are made based
8 on the insight that we bring, and I think
9 that's one of the reason why we're selected.

10 CHAIRPERSON LANDER: Thank you. I
11 suspect members will drill down on a bit of
12 that. I want to give each of you credit. You
13 each sought guidance from the Conflicts of
14 Interest Board, though none of you required a
15 waiver. So you each proactively sought because
16 you're each people who have got extensive
17 backgrounds and histories in this field, and so
18 of course you worked on projects and deals and
19 with organizations that engage in planning and
20 development. So, though you didn't need to, you
21 each sought guidance from COIB and got a letter
22 back, and I wonder if you could just briefly,
23 you know, indicate whether you plan to observe
24 the guidance that they thought, that they gave
25 you and if that is requiring any changes in

2 your current practices within your
3 organizations?

4 CHERYL COHEN EFFRON: I haven't
5 received back a letter, but I imagine I will
6 live up to the letter once I receive one.

7 LARISA ORTIZ: In my work I have a
8 diverse set of clients from throughout the
9 United States, and in fact, I don't deal with
10 Land Use and Zoning issues in the majority of
11 my projects. Should those issues come up, I
12 absolutely will request additional guidance
13 when necessary from the Conflict of Interest
14 Board, and I am prepared to turn down any
15 projects that might suggest any conflict of
16 interest.

17 BOME E JUNG: The work that I lead in
18 the New York Office of Enterprise focuses
19 primarily on the programs around
20 sustainability, resiliency and connecting
21 homeless families with permanent affordable
22 housing. In the work that I currently do there
23 had the occasions when we've had Land Use as
24 part of the work have been very few. We have,
25 however, at Enterprise made some management

2 decisions to make sure that I'll be able to
3 serve within the guidelines provided by the
4 COIB including moving the reporting
5 relationship on the person who manages the
6 local policy program out from under me and
7 under, over to the head of the New York office.

8 CHAIRPERSON LANDER: Ms. Effron, I
9 appreciate. Maybe the letter that I have, I
10 guess, is directly from COIB to City Planning
11 rather than a direct response to you, but I
12 guess it does relate to--you have a interest
13 in, and a totally appropriate one, Industry
14 City which is a manufacturing entity, so it--

15 CHERYL COHEN EFFRON: [interposing]
16 Sure. Absolutely.

17 CHAIRPERSON LANDER: everything you
18 said, but--

19 CHERYL COHEN EFFRON: Yes, my
20 husband and I have a small relative to the size
21 of that deal, investment in Industry City, and
22 as I understand it if Industry City or its
23 developer for that project come before the City
24 Planning Commission imminently, that I would
25 divest myself of that interest, and by all

2 means, of course, and would recuse myself and
3 disappear from the room from any possible
4 discussion.

5 CHAIRPERSON LANDER: And you're not
6 in a-- you're not in a managerial--

7 CHERYL COHEN EFFRON: I am not. I
8 have a--

9 CHAIRPERSON LANDER: position--

10 CHERYL COHEN EFFRON: [interposing]
11 very small interest in a limited partnership
12 within that. It's an investment and I've
13 actually never visited the property. This was
14 something my husband decided to do and he
15 believes in manufacturing too, which is why he
16 decided to make the investment.

17 CHAIRPERSON LANDER: Speaking of
18 someone who has been there, it's a good--I
19 think it's a good investment for the city as
20 well. So that's great, and we don't say that,
21 you know. I think it's, you know, it's
22 transparent and admirable for you each to have
23 sought this guidance. We want people with
24 experience and we want to make sure that all
25 the potential conflicts are disclosed and

2 clear, so we ask about that on the record.
3 Alright, and then my last question before we
4 turn it over to colleagues and there are five
5 with questions. This goes a little to what the
6 Speaker was asking, but I think as you know in
7 the public dialogue right now there is
8 especially--you know, I'm a lifelong affordable
9 housing advocate and excited to see the plan
10 move forward. At the same time in many
11 communities there are real concerns about how
12 we manage growth and density, make sure we have
13 livable neighborhoods and attend to getting the
14 balance right. You know, for some people that
15 means thinking about growth in smart and
16 balanced ways. There are obviously some people
17 for whom it means I don't want any growth in my
18 neighborhoods. What perspective do you bring
19 to these questions of density development,
20 affordability and balanced neighborhood quality
21 of life?

22 LARISA ORTIZ: Sure, I'm happy to
23 take that question. You know, I think we need
24 to look at density, you know, a much more
25 focused way and ensure that wherever there is

2 density there is the infrastructure to support
3 that. I mean, I think ultimately the city needs
4 to grow to be and remain economically viable,
5 and we know that growth and we anticipate
6 growth will come through population increase as
7 well. So being able to manage that and maintain
8 it is important part of our work, and I think
9 the goal is to strategize so that the
10 communities where there is increased density
11 are the ones that can actually accept it.

12 BOMEET JUNG: I guess I would add to
13 that that, you know, folks who live in our
14 neighborhoods make real investments in our
15 neighborhoods both of time and emotionally.
16 This is where they raise their children. This
17 is where they've grown up. This is where they
18 have small businesses, and all of these
19 concerns that are--that, you know, folks,
20 members of the community have are obviously
21 concerns that are very real and that need to be
22 part of the dialogue that we have around these
23 sorts of decisions. I think that it's really
24 also very important to make sure that, you
25 know, when we talk about density that there's

2 a, as Larisa was saying, sort of a nuance
3 conversation about density. Density doesn't--
4 you know, density out in Queens or in South
5 Brooklyn isn't going to look like density in
6 Manhattan or in other places, and so I think
7 talking about sort of appropriateness and
8 making sure that we're not losing that nuance
9 and just talking about sort of density in the
10 abstract is very important. And finally, I
11 think that you know, as we think about growth,
12 it's important to recognize that the housing
13 needs that we have are, you know, it's not
14 confined to one neighborhood or another
15 neighborhood, and that you know, we--that the
16 investments, whether in housing or whether in
17 supporting the infrastructure that would need
18 to go with that are, you know, are arriving at
19 the neighborhoods, all of the neighborhoods
20 that need them.

21 CHERYL COHEN EFFRON: I agree, and I
22 think another word that needs to be thrown into
23 this conversation is context and understanding
24 what makes these neighborhoods special, unique,
25 important to the fabric of the city and

2 building upon that rather than simply adding
3 density for the sake of adding density. It's
4 also important that the housing plan
5 contemplates infrastructure not just in sewers
6 and transportation, but also infrastructure for
7 schools and intellectual capital that goes into
8 these neighborhoods. So they have to be done
9 together.

10 CHAIRPERSON LANDER: Thank you. I'm
11 going to--we have five members of the committee
12 signed up to ask questions, Council Members
13 Rose, Dickens, Garodnick, Levine and Rodriguez.
14 I'm, after calling on Council Member Rose,
15 going to sneak out for a minute to go vote in
16 the Land Use Committee, but I'll be back. And
17 I would just let people know we're not going to
18 be voting in committee today as has been the
19 practice of this committee during this term.
20 We find that, you know, it's great to do the
21 hearing fully able to listen as opposed to
22 having kind of already come having, you know,
23 with a predisposition. So, that's what we've
24 done thus far. We'll calendar a meeting for

2 Thursday morning to have the vote before the
3 Stated. Council Member Rose?

4 COUNCIL MEMBER ROSE: Thank you,
5 Chair. Good morning ladies. I have a question
6 for Ms. Efron. Your response to question
7 number two sort of excited me, because you said
8 that while discussing why you would like to
9 serve on the CPC, you stated that CPC should be
10 on the cutting edge of data collection and
11 corresponding demographic trend analysis. This
12 is the part that excited me. You said, "but we
13 also have to listen on the street, in the
14 barber shops, at the parent association
15 meetings and at the branch libraries for the
16 real needs and innovative community solutions
17 to urban issues." Coming from a district
18 that's very vocal and wants to have ultimate
19 input, and my second question will be related
20 to that, is how do you believe that the CPC
21 could best achieve these things and how do you
22 think that these actions would improve the CPC
23 and be an asset?

24 CHERYL COHEN EFFRON: After September
25 11th, I had the great privilege of being one of

2 the steering committee members of a listening
3 tour set up by the Municipal Art Society and
4 several other groups. That was really about
5 figuring out what people all around the five
6 boroughs had in mind for what should go in
7 Lower Manhattan, and for me it was really
8 instrumental in understanding that there are
9 community based intermediaries that have a
10 valuable role in organizing those voices that
11 otherwise can't be heard. So I believe that
12 it's incumbent upon the City Planning
13 Commission and I imagine you would agree the
14 City Council to listen to those intermediaries
15 and really hear everything from the ground up.

16 COUNCIL MEMBER ROSE: In my district
17 we had a beautiful tract of land called Mount
18 Monresa, and the community was very vocal about
19 saving this for some sort of public use and to
20 have it designated a part of the Hillside
21 Preservation. The fact that City Planning
22 didn't initiate that action, how do you
23 perceive will City Planning under your, with
24 your direction, review and initiate the
25 development of special zoning like Hillside

2 Preservation districts, and will you listen to
3 the input from communities?

4 CHERYL COHEN EFFRON: I'm afraid I
5 don't know enough to comment on the specifics
6 of the Hillside, though it sounds like a place
7 I should go visit personally. It sounds very
8 nice.

9 COUNCIL MEMBER ROSE: But special
10 zoning in general that--will you or the
11 Commission actually initiate, review and
12 initiate the need to identify certain things as
13 special zones or will you be receptive to
14 communities when they come and ask for a
15 special zoning?

16 CHERYL COHEN EFFRON: Again, I think
17 each one needs to be taken on its own case, but
18 there will be, at least for me, a willingness
19 to listen and an engagement in understanding
20 neighborhoods as they grow and change and to
21 really keep an ear to the ground as best as
22 possible.

23 COUNCIL MEMBER ROSE: And this is
24 for any of you. A constant response that my
25 office gets and the community from City

2 Planning is that they just don't have enough
3 staff to get it done to do the work that's
4 necessary. How are you going to address that
5 issue?

6 BOME E JUNG: I'm not able to speak to
7 the resourcing issues that Planning may have
8 had in the past and certainly I think to the
9 extent that, you know, these sorts of requests
10 are put before the Commission, I think that
11 it's the responsibility of the Commission. I
12 think it's also the intent of the Commission to
13 take these, you know, community concerns very
14 seriously and to be responsive to them. I
15 understand that that's also sort of the, you
16 know, the intent of the City Planning
17 Department to preserve these kinds of, the kind
18 of spaces that you're talking about to the
19 extent that they have value and that's
20 recognized by the community. I'm sure that the
21 planning processes that City Planning engages
22 in tries to accommodate all of those sorts of
23 voices. I mean, that is the planning process
24 that we all aspire to have in the city. So,
25 you know, I wouldn't--again, I wouldn't be able

2 to speak to the resourcing issues that, you
3 know, that your constituents may be raising. I
4 think that's important that both the, well all
5 of the, you know, the agencies in the city
6 including City Planning have the ability to
7 respond to community concerns.

8 LARISA ORTIZ: I would agree with
9 Bomee. I don't have much to add around how and
10 why City Planning, you know, at what point does
11 City Planning make a decision to review or
12 consider special zoning districts, but you
13 know, we'd have to go back and determine how
14 that process occurs and understand our role in
15 it. So, at this point, I don't have additional
16 comments.

17 CHERYL COHEN EFFRON: Did you want
18 me to answer also? I feel as if I've been
19 hogging this one for you, Council Member Rose.
20 I apologize. I know that additional requests
21 in the budget were made to increase the City
22 Planning budget, and I--as part of the housing
23 plan, and I was very happy to see that, but I
24 too do not know how the budget is allocated,

2 but it is something obviously we'll probably
3 familiarize ourselves with.

4 COUNCIL MEMBER ROSE: Okay. Thank
5 you.

6 CHAIRPERSON LANDER: Thank you very
7 much, Council Member Rose. I'm pleased to have
8 been joined by the Chair of the Council's Land
9 Use Committee, David Greenfield from Brooklyn,
10 and I'll not we're also joined by the Council's
11 Land Use Director Raju Mann who you'll likely
12 see more than us since I think he goes to more
13 of the Preservation Commission meetings than we
14 do, and we may hear from Council Member
15 Greenfield in a little bit. Next up on the
16 stack is Council Member Dickens followed by
17 Council Member Garodnick.

18 COUNCIL MEMBER DICKENS: Thank you,
19 Chair. And I want to thank all three of you
20 for being willing to serve on the City
21 Planning, which is very important to all
22 residents of the City of New York and those
23 businesses that invest to circulate the dollar
24 so that we continue to survive. My question to
25 Ms. Effron is, and it's a little further in the

2 vein of what my chair asked about the
3 independent thinking, ability within being on
4 the board. As a--that you are a director on
5 the trust for the Governor's Governor Island,
6 and your role as advisor on the Mayor's fund to
7 advance New York, particularly to date when the
8 focus has been on affordable housing within the
9 Planning community. There are other areas of
10 need such as up and down zoning, such as the
11 economy, such as the competitiveness within the
12 sensory and the global economy as a significant
13 impact. Because of your role in both the
14 Governor's Island and on the Fund to Advance
15 New York, do you think that when issues arise
16 within City Planning that impact on upon these
17 other areas other than affordable housing, how
18 will you be able to handle that?

19 CHERYL COHEN EFFRON: Thank you. It's
20 a good question and it gives me a chance to
21 clarify some things. I have been on the
22 advisory board of the Mayor's Fund to Advance
23 New York City for about four or five years, and
24 that was directly as a result of a program that
25 I co-founded called Greater New York, which is

2 completely funded by private sector money that
3 comes in and each of those individuals who are
4 corporate leaders and lawyers who pay that
5 money through the Mayor's fund then volunteer
6 to work in a partnership with the head of a
7 community based nonprofit to help that
8 nonprofit through the bad economy. And that's
9 an example of what I think is a very positive
10 public private partnership and very much in
11 line with how I believe the Mayor's Fund should
12 work in creating partnerships that help
13 communities all over the city and are not
14 reflective of any mayoral agenda necessarily,
15 but really reflect the needs of the New York
16 City population at large. And the Trust for
17 Governor's Island I was put on last summer. I
18 think of that as the park for all New Yorkers.
19 It's in the middle of the harbor, and in fact
20 is, as I understand it, between two
21 councilmatic [sic] districts, though Council
22 Member Chin I think can clearly claim it as her
23 own when you're coming from the Manhattan side.
24 And I do not believe that being a
25 representative appointed by the Mayor on both

2 cases to either of those organizations would
3 impede my independence or my judgment, and if
4 there was a concern that it would, I would
5 resign from both of those organizations because
6 I do believe in the importance of the City
7 Planning Commission.

8 COUNCIL MEMBER DICKENS: Thank you
9 so much. I'm glad to hear that. Ms. Jung, I
10 have a question for you, and I want to, by the
11 way, commend the fact that you are very
12 supportive of the recent legislation that was
13 passed in the State where it allows HPD to have
14 a pipeline to affordable housing that would
15 increase the participation of MWBE's, because
16 that's very important to me, and it within the
17 City Council that has been a fight for me
18 personally for MWBE's, and I'm glad to see that
19 Enterprise is your interim. When you were an
20 interim director you supported that
21 legislation. Am I correct?

22 BOME E JUNG: We--so Enterprise
23 serves as a trusted advisor to many agencies
24 including HPD. We have long history of serving
25 as a trusted advisor to HPD. When HPD began to

2 speak to us about their desire to have MWBE
3 program, we felt that it was an important
4 initiative and one that Enterprise ought to
5 support. You know, in our work, and again,
6 speaking from the perspective of Enterprise, in
7 our work we've not only worked in communities
8 of color, but we've worked directly in programs
9 where we have worked hand in hand entrepreneurs
10 who are local to those communities of color to
11 build affordable housing organizations that are
12 both owned and operated and served within those
13 local communities. And so, you know, we were
14 supportive of those programs, yes.

15 COUNCIL MEMBER DICKENS: Alright,
16 now the--who is the new President of Enterprise
17 or the new Director?

18 BOME E JUNG: We do have a new New
19 York Director of Enterprise. Her name is Judy
20 Kende, and she was most recently the regional
21 leader for low income investment fund, which is
22 another community intermediary.

23 COUNCIL MEMBER DICKENS: And I
24 believe she has agreed to restructure
25 Enterprise so that the duties that you

1
2 previously had that interacted with various
3 city agencies would be removed from your
4 purview, is that correct?

5 BOMEET JUNG: There is the--there is
6 one specific change in reporting that's
7 considered--that's regarding our policy staff.
8 We do maintain in our local office staffing
9 whose responsibilities are focused primarily on
10 state and local policy, and Enterprise is
11 registered as a lobbyist. And so, you know,
12 Enterprise as an organization felt that it
13 would be prudent and the most conservative
14 thing to do to remove oversight of that
15 particular function from my portfolio of
16 responsibilities and move it to Judy Kende's
17 portfolio.

18 COUNCIL MEMBER DICKENS: Well,
19 thank you. And lastly, Ms. Ortiz, I am very
20 impressed that you are a Fulbright scholar, and
21 congratulations. And as the owner of your own
22 boutique consulting firm, I believe you work
23 with various BIDs, is that correct, Business
24 Improvement Districts?

2 LARISA ORTIZ: Yes, I do. I provide
3 retail consulting for city's business
4 improvement districts throughout the nation,
5 not just in New York.

6 COUNCIL MEMBER DICKENS: Well, as
7 most BIDs for the most part don't work directly
8 with the City Planning, however, sometimes they
9 do have to have interaction or require, and I
10 use this in quote, "lobbying" for legislation
11 that would support various businesses that
12 belong to a BID. When this comes up before
13 City Planning and it's a BID that you
14 previously worked with or helped to create to
15 change legislation, how will you be able to
16 handle that?

17 LARISA ORTIZ: Certainly, you know,
18 my first call would be to the Conflict of
19 Interest Board to determine, you know, exac--
20 and to get guidance on exactly what I need to
21 do to ensure that I remain conflict of interest
22 free. You know, and in case that's necessary,
23 I will absolutely recuse myself of those issues
24 should they come before City Planning. And
25 what we've looked at is for the most because as

2 you did mention, most Business Improvement
3 Districts, their work does not come before City
4 Planning Commission. So for the most part,
5 we're hopeful that that won't be the case.

6 COUNCIL MEMBER DICKENS: Alright.
7 Well, thank you so much and thank you to all
8 three of you for answering the questions and
9 having the patience to bear up under all of our
10 questions. Thank you. Thank you, Chair.

11 CHAIRPERSON LANDER: Thank you,
12 Council Member Dickens. We all have Land Use
13 issues confronting our districts, but I think
14 some of the biggest are on the east side of
15 Manhattan that are coming up in the near
16 future. Next recognized Council Member
17 Garodnick.

18 COUNCIL MEMBER GARODNICK: Thank
19 you. Thank you very much, Mr. Chairman, and I
20 think I may be unique in the fact probably
21 about half of my district is either being
22 proposed for a rezoning or up for sale at this
23 moment and time, and so I appreciate that. And
24 thanks to all of you for your interest in
25 serving on the Planning Commission and with a

2 particular welcome to Ms. Effron who is one of
3 my constituents. I'm going to start with you,
4 with just a question about manufacturing,
5 because you noted that as a particular area of
6 expertise for you. We are right now struggling
7 conceptually with ways to protect manufacturing
8 zones in New York City. There have been
9 designations of 20 plus industrial business
10 zones under the Bloomberg Administration. The
11 zoning laws don't reflect the same level as
12 protection as what we might expect in an
13 industrial business zone. We have efforts to
14 build more affordable housing and to take areas
15 which are less developed in order to achieve
16 that goal. How would you recommend dealing
17 that challenge and protecting manufacturing
18 zones from the encroachment of residential
19 development?

20 CHERYL COHEN EFFRON: Thank you,
21 Council Member and thank you for being my
22 Council Member. I think one needs to take into
23 account that manufacturing is changing at the
24 same time that our city is changing and that
25 the future of manufacturing will probably be

2 quieter, less noisy and less smelly, and often
3 those are some of the issues facing
4 communities, and I think advancements in
5 technology show that that will become less of
6 an issue going forward. None the less, there
7 is question of where these two what seem like
8 opposing situations of manufacturing in
9 residential can coexist and how they coexist,
10 and I believe they're actually compatible in
11 many cases, and that this presents a really
12 great opportunity to create not just wonderful
13 affordable housing but also good job. And I'll
14 give you one small example from the 90's. A
15 tenant moving from Mid-town Manhattan several
16 floors in Mid-town moved to Long Island City.
17 This company had run the same ad in LGRAO for
18 years posting employment and they would get a
19 trickle or a handful of employees or
20 perspective employees coming to their Manhattan
21 address. When they posted the ad for the first
22 time in their Long Island City address, they
23 had people waiting around the corner outside
24 and through the building to apply for jobs. I
25 think there really is a value in having

2 proximity to good jobs and manufacturing
3 provides a ladder of career opportunities for
4 many New Yorkers. So I think it's incumbent
5 upon us to find creative solutions to actually
6 make those coexist.

7 COUNCIL MEMBER GARODNICK: Thank you
8 very much. And obviously, I'd be happy to hear
9 from either of the other candidates, although I
10 have a couple of specific questions. First,
11 for Ms. Jung, on the guidance that we've seen
12 from the Conflicts of Interest Board about the
13 accommodations that Enterprise agreed to
14 provide you with concerning responsibilities
15 and reporting in order to comply with the
16 Conflicts of Interest Law, it appears and
17 pursuant to Conflicts of Interest rules, you're
18 prohibited from appearing directly or
19 indirectly before a number of different
20 agencies on any matter, and you have confirmed
21 and acknowledged that fact, but you've also
22 indicated that the staff that you manage would
23 only refrain from having communications with
24 the Department of Buildings, BSA, DCA and SBS,
25 which are agencies that you're prohibited from

1 appearing before, only if the communication is
2 concerning Land Use or Zoning. And I just
3 wanted to see if you could address that in a
4 little more detail and also whether you would
5 consider prohibiting your staff from engaging
6 in communication with city agencies at the same
7 level that you are, what your thinking is on
8 that?
9

10 BOMEJ JUNG: Sure. So first of all,
11 you know, I think that, you know we--I
12 personally and Enterprise as an organization
13 takes the challenge of the Conflicts of
14 Interest Law and being in compliance with it
15 very seriously, and we will certainly seek
16 additional guidance as we need for any of
17 potential conflicts that may arise. My
18 understanding of the guidance that I've
19 received thus far is that I am personally
20 prohibited from communication with all of the
21 agency, the four agencies that you mentioned in
22 addition to any office of the Mayor, Deputy
23 Mayors, Borough Presidents and Council Member's
24 offices, and that the unnamed city agencies
25 are--that I am--that it would not present a

2 conflict of interest for me or my staff to
3 interact with the unnamed agencies such as
4 NYCHCA, HPD, you know, DHS, you know, the other
5 agencies that Enterprise would normally be
6 working on programmatic initiatives with.

7 However, you know, again, because our work does
8 encompass a very broad portfolio, we have put
9 in place some safeguards. So for example, to
10 the extent that there are requests for
11 technical assistance or participation on
12 advisory committees or such that are coming
13 from the city. You know, we, Enterprise is a
14 national organization and so depending on the,
15 you know, what the originating agency of those
16 requests, those requests will flow through
17 either a different manager at Enterprise or
18 through a different department within
19 Enterprise, and the views that any Enterprise
20 staff person expresses will be the views of the
21 agency that, you know, as Enterprise, not my
22 personal views, or they will not be relaying
23 comments that are my comments in many of those
24 communications.

2 COUNCIL MEMBER GARODNICK: How--and
3 I appreciate that and I appreciate the answer.
4 It's a delicate balance, obviously, to be able
5 to strike especially if your staff is
6 communicating with agencies that you are not
7 allowed to be communicating with. How would
8 you ensure that your staff doesn't communicate
9 your views and opinions to these prohibited
10 agencies? Are there protocols that you would
11 set in place or are there thoughts that you
12 have as to how to deal with that?

13 BOME E JUNG: So, I also want to just
14 be clear about our work that as far as touching
15 on the prohibited agencies. The work that we've
16 done, for example, with DOB is very specific.
17 So, I'm sorry, let me take a step back. First
18 of all, the stuff that I manage in the New York
19 office is a portion of the Enterprise staff who
20 are physically based in the New York office, of
21 course. The folks who work for me work on
22 programmatic initiatives on sustainability, on
23 resiliency and Sandy response and on connecting
24 homeless families with permanent housing. So
25 these are the folks who report to me are not

1 the folks who are working on real estate
2 projects. They're not the folks who are
3 working on loans. So they're, you know,
4 that's--the particular piece of the Enterprise
5 work that I supervise is very focused on
6 programmatic initiatives. So within that
7 context, that work that we've done with these
8 particular agencies tends to be very infrequent
9 and very specific. So for example, with the
10 Department of Buildings are the only project
11 that we've worked on with the Department of
12 Buildings that in recent memory is that we,
13 Enterprise had an initiative called the Sandy
14 Help Desk, and this was a collaboration with a
15 number of community based organizations as well
16 as the New York Chapter of the American
17 Institute of Architects and LISC, and the
18 program was designed to provide sort of a one-
19 stop help desk for residents who are impacted
20 by Sandy who wanted to rebuild and had
21 questions that, you know, were, you know,
22 varied questions, so engineering questions,
23 architectural questions including buildings
24 zoning--I'm sorry, zoning and permitting
25

2 questions. And so the interaction that we had
3 with Department of Building for example was to
4 set up a communication system so that as the
5 residents are coming in, if any of the
6 questions that they had related to permits and
7 Department of Building work, then we had a call
8 at the end of each day to make sure that all of
9 those questions were answered by the DOB staff
10 and then we were able to relay those answers
11 back to the residents and that. So it's a very
12 narrow interaction. It's a programmatic
13 interaction and I would say that's sort of
14 typical of the kinds interaction that we have
15 of prohibitive agencies. Similarly with DCP we
16 had a request to review certain documents that
17 are related to guidance for multifamily
18 buildings to the extent that work continues in
19 that--in the future that work would shift from
20 the New York office to our national
21 sustainability team.

22 COUNCIL MEMBER GARODNICK: Thank you
23 very much. And I have related questions for
24 Ms. Ortiz. First, I wanted to see if you could
25 share with us a little more about your firm and

2 the sort of the work that it does and really
3 the same questions. Obviously there are
4 certain agencies that you too will be
5 prohibited from engaging with. Would you make
6 a similar sort of bar for your staff? How big
7 a team is it? I don't really have any sense of
8 that. Is that even practical? How would you
9 avoid your views being shared in that
10 circumstance if you were to not prohibit it?
11 You know the question, if you could just--

12 LARISA ORTIZ: [interposing] Sure.

13 COUNCIL MEMBER GARODNICK: give us a-
14 -

15 LARISA ORTIZ: [interposing] Sure,
16 absolutely. So we're a staff of up to three,
17 including myself. We work on projects. I would
18 say the majority of our projects at any given
19 time are outside of New York, so they do not
20 pose a conflict of interest. And our expertise
21 is focused on retail environments. Once issues
22 of Land Use and Zoning have already been
23 decided, someone might engage my firm to help
24 them make decisions about what kind of retail
25 makes the most sense, what kind of retail can

2 the market support in those communities, and
3 you know, how can we best attract businesses
4 and help existing businesses succeed, how can
5 we improve the business environments there. So
6 for the most part, you know, what I described
7 has not come before the City Planning
8 Commission at all, so in those cases I do not
9 envision conflict of interest. As I mentioned
10 to Council Member Dickens, in some cases
11 business improvement districts are looking to
12 expand for instance and BID expansion does come
13 before the City Planning Commission and in
14 those cases I would absolutely recuse myself. I
15 do have the independence because I am a small
16 business owner and I can decide who my clients
17 are, to turn down work should it be necessary
18 to avoid conflict of interest.

19 COUNCIL MEMBER GARODNICK: Thank
20 you. And my last question is for all of you
21 and it goes to the point that I think all of
22 you have already made about the need consider
23 infrastructure improvements at the outset. Ms.
24 Effron, you noted it's not all about sewers and
25 water and things like that, it's also about

2 schools and other dynamics we need to be
3 thinking about. How do you think that the City
4 Planning Commission should be thinking about
5 those issues particularly when, you know, in
6 many cases you're dealing with private
7 applicants who are coming to you with a very
8 specific application, which may in fact have
9 impact on infrastructure, but it is not a city
10 initiated rezoning, city initiated project
11 where those questions may still be hanging out
12 there, delineated environmental impact
13 statement, but with no actual demand that
14 something happened?

15 CHERYL COHEN EFFRON: It's a great
16 question, and absent a specific case, it's a
17 little hard for me to give an opinion other
18 than to say context is really, really
19 important, and understanding the infrastructure
20 needs and disadvantages of any community should
21 be an integral part of the conversation about
22 the appropriateness of an application.

23 BOME E JUNG: I would add to that
24 that, you know, I think that developers are to
25 some extent responsive to the tone that's being

1 set by the Administration, by the city and by
2 the Commission, and I think that, you know,
3 the--as you know, the Commission's work moves
4 forward, it's important that we always make
5 sure that we are having those conversations
6 about context and about the impact that these
7 developments will have in the neighborhoods.
8 And hopefully, you know, if those issues are
9 not being raised as part of the presentation
10 itself, then it's certainly incumbent on the
11 Commission and its members to make sure that
12 we're making, we're creating the opportunities
13 to have that discussion.
14

15 LARISA ORTIZ: You know, and I think
16 each individual case presents its own
17 challenges, and I think, you know, when we
18 think about infrastructure sometimes we make
19 certain assumptions about demands on
20 infrastructure that may not in fact be
21 accurate. I'll give you an example of a
22 project. This is in Washington D.C. that
23 required a significant amount and there was a
24 demand for a significant amount of parking on
25 site. That parking is a quarter empty at any

2 given time, and so you know, now we have more
3 information that we can begin to use to make
4 more accurate determinations about the
5 infrastructure that's necessary in some of
6 these cases. You know, and the same goes with
7 you know, education and the number of students.
8 It's been shown that, you know, in many cases
9 there's a wild over estimate of the number of
10 new seats in schools that are necessary because
11 of new development. You know, if we can make
12 informed decisions about infrastructure based
13 on fact, I think you know, we can make better
14 decisions about where we should be putting new
15 development that can be supported by
16 infrastructure.

17 COUNCIL MEMBER GARODNICK: That
18 sounds right to me, and I appreciate it from
19 all of you and thank you for your time today
20 and for your interest. Thank you, Mr. Chairman
21 for the opportunity.

22 CHAIRPERSON LANDER: Thank you,
23 Council Member Garodnick. Council Member
24 Rodriguez followed by Chair Greenfield.

2 COUNCIL MEMBER RODRIGUEZ: Thank
3 you. Well, first of all, congratulations on
4 your nomination. And as a father of two
5 daughters, for me it is important to see more
6 women having important leadership role in our
7 society. In looking at your profile, no doubt
8 that you can contribute a lot. And from my
9 experience that I have with Enterprise in my
10 community that I know that your mission of
11 developing affordable housing is important. I
12 hope that also you can carry out those values
13 and see how we can work with the developer and
14 get the best balance to see more affordable
15 housing created in our city. I have two
16 questions. One is, when I read the testimony
17 of Ms. Cohen, you said something important
18 which is that quote, "one of the best lesson
19 for me was a new understanding of how economy
20 development projects involved in retaining and
21 creating jobs in manufacturing needed to be
22 integrated into residential fabric in adjacent
23 [sic] neighborhood." I see this as a challenge
24 that we have as a city, because what I have
25 seen as elected official, as a resident, that

2 the city has been going through important
3 development, but that development has been
4 limited to a specific area. We don't see the
5 same number of job creating in our borough
6 area, and my question to you three is that,
7 how--what is your vision when it comes to work,
8 to be sure that developers that they come and
9 they are looking to get any measure rezoning,
10 but also to look at how can they expand? How
11 do you see a opportunity to expand the way of
12 how rezoning should be connected also to
13 creating local jobs citywide?

14 CHERYL COHEN EFFRON: We can't
15 remember which order we're speaking in, so I
16 apologize. I'm going to seize on that for a
17 moment. And thank you for referencing that
18 section. It's probably the most important thing
19 I said in my opinion. I think the housing plan
20 showed some really interesting opportunities on
21 how to do that. There was a discussion put
22 forth about, or at least a recommendation that
23 Brownfields be considered for development and
24 there be a way to leverage federal money and
25 private money to build upon Brownfield. That to

2 me is a great example of how a community both a
3 residential and a business community can build
4 upon a single neighborhood, because if it is a
5 place that is once again open for business, the
6 likelihood of businesses relocating near what
7 was a Brownfield's site is more likely. Again,
8 I don't think it's incompatible to think about
9 new density with business opportunities because
10 density can often be a very good thing. In the
11 case of retail, there is also within the
12 housing plan a rethinking of the tower in the
13 park, the old form of development in many
14 neighborhoods that was a tower set back without
15 any street life. If there is a reshaping and a
16 reconfiguring with some of our best New York
17 architects on how that can work, that provides
18 a great retail business and small business
19 opportunity for street life to be rejuvenated
20 once again. So I think even just within the
21 housing plan as it's been presented there's a
22 myriad way for communities to attract
23 development and for developers to actually do
24 some innovative and very New York type of asset
25 building in New York that benefits the existing

2 neighborhoods and businesses as well as new
3 comers.

4 BOME E JUNG: So, you know, as I said
5 in my opening statement, I do think that the
6 focus on delivering affordable housing at this
7 particular time in the city's history is very
8 important, and I think the role that City
9 Planning and the Commission has to play in that
10 process is also very important. However, you
11 know, as Cheryl has said and as Larisa has
12 said, you know, the charge of the Commission is
13 for comprehensive planning and for, you know,
14 looking after the long term, you know, growth
15 and opportunity in the city and so, you know,
16 in that task is balancing opportunities for job
17 creation along with creation of housing. And
18 certainly, I think that, you know, as a trained
19 planner, you know, there's a recognition that,
20 you know, we're not trying to get to a point
21 where people are sleeping in one borough and
22 everybody's are in the outer boroughs and
23 everybody has, you know, a hour and a half
24 commutes into their places of work. I mean,
25 what we're looking for is a balance of job

2 opportunities throughout the city. And I think
3 that, you know, from a housers perspective, you
4 know, the creation of housing does create jobs
5 not only in the construction sector, but also
6 sort of, you know, we often forget that those
7 either the--that the maintenance of the
8 buildings, the operations of the buildings, all
9 of the services that are delivered to those
10 residents, those are all also local jobs. You
11 know, we're not at the point where we're
12 remotely managing the vast majority of
13 affordable housing buildings from some central
14 location out in, you know, some, you know, in
15 mid-town Manhattan. Those service jobs and
16 those porter jobs and those super jobs are all,
17 you know, typically drawn from the communities
18 where the housing is located, and so housing
19 can act as a very good magnet and a sort of a,
20 you know, create some stickiness in employment
21 opportunities around the housing, both in terms
22 of the retail and the services that serve the
23 residents as well as in terms of the operations
24 of those portfolios of housing.

2 LARISA ORTIZ: In my industry, we
3 say retail follows households. You know the
4 opportunities to open small businesses are
5 predicated on a market and demand that occurs
6 because more people live there. And so I see
7 this as actually a wonderful opportunity. I
8 mean, the industry of retail of small
9 businesses in a lot of these outer borough
10 neighborhoods, these are small businesses.
11 These aren't chains. These are folks that are
12 starting out. These are immigrants. I live in
13 Jackson Heights Queens. You'd be hard pressed
14 to walk into any of those stores and not find
15 someone who has started their own business in
16 Queens, and you know, these are wonderfully
17 dense communities that thrive because of the
18 businesses and vice versa. So, you know, I'm
19 excited to bring that perspective to the City
20 Planning Commission and ensure that when we do
21 make decisions about Land Use and Zoning that
22 they're done in a way that create healthy
23 business environments as well.

24 COUNCIL MEMBER RODRIGUEZ: My second
25 and last question is about your vision related

2 to should developer be also request to be part
3 of the investment that we have to do to improve
4 transportation in the surrounding area that
5 they are looking to rezone. Things you know,
6 like by 2025 we're going to be adding 500,000
7 new New Yorkers that they will need
8 transportation to go to work. And when a new
9 project, a new site is rezoned that's a
10 challenging when it comes to transportation,
11 and you know, like with the study that has been
12 done, there's a lot of challenge when it comes
13 to for the city to make major improvement to
14 the infrastructure related to transportation.
15 So sometime we are bidding high, but we are now
16 taking care of this around the area, and
17 specifically related to transportation. So,
18 what is your vision when it comes to get also a
19 new investors or developer who is looking to do
20 a major rezoning to get that individual more
21 responsible on improving the transportation in
22 the surrounding project?

23 LARISA ORTIZ: I think that's a
24 really good question and there are many
25 examples of projects in the city of New York

2 where developers have made investments to
3 support infrastructure, you know, the inclusion
4 of subway stops, you know, at the base of their
5 building for instance, or even monetary
6 investments to improve, you know, nearby subway
7 stations. And of course, it's a case by case
8 basis. Can the project afford that? You know,
9 is that--is the impact commensurate with you
10 know, the investment that they need to make to
11 improve transportation. I think we have to look
12 at it case by case, but I absolutely agree that
13 there's precedent for this and there should be
14 an expectation when the impact is significant
15 of a particular project that, you know, an
16 investment in transportation infrastructure be
17 considered.

18 BOME E JUNG: So clearly, these
19 investments need to go hand in hand. You know,
20 you--in order for people to be well housed they
21 need that housing needs to be well connected to
22 services and its transportation. You know, I
23 agree with Larisa that, you know, obviously on
24 a case by case basis you'd want to look very
25 closely at the specifics of the project, but in

2 general, I do think that it's again, you know,
3 the responsibility of the city and the
4 responsibility of the Commission to make sure
5 that we're having a very honest conversation
6 about that and that we're, you know, making
7 sure that, you know, that we're negotiating on
8 behalf of the greater good in representing the
9 best interest of best common shared interest in
10 having those conversations with any project
11 that will come before the Commission.

12 CHERYL COHEN EFFRON: I agree it
13 needs to be looked on a case by case basis, but
14 your question about transportation reminds me
15 that in the housing plan there is a discussion
16 about water born transportation and ferries,
17 and that is another area where one could hope
18 and imagine that there is an integration of a
19 large scale development and a really high
20 functioning ferry system. I hope that will be
21 in our life time.

22 COUNCIL MEMBER RODRIGUEZ: Now, I
23 just would like to remind you that in case that
24 when you're going to be voting you will vote it
25 by the council that one particular local

2 project that in my district, I know that it
3 will be very important is the rezoning of 36
4 acres where MTA, they own--they have a grave
5 yard. So as we did in all the district, we're
6 looking to and we've been having conversation
7 with the Mayor and other developers to see how
8 we can put it back and build above those 36
9 acres. Thank you.

10 CHAIRPERSON LANDER: Thank you very
11 much, Council Member Rodriguez. As I've
12 mentioned earlier we've been joined by the
13 Chair of the Council's Land Use Committee.
14 Obviously that's the main structural
15 relationship between City Planning and the
16 Council, and Chair Greenfield has some
17 questions.

18 COUNCIL MEMBER GREENFIELD: Thank
19 you. Thank you all. Good afternoon, and
20 congratulations on your nomination. I want to
21 just speak about some general questions, an
22 area of concern that I have as the Chair of the
23 Land Use Committee and just sort of get your
24 feedback. So, I'll just pose the questions,
25 and if you don't mind in any order that you'd

2 like you can just answer them. I'd appreciate
3 that. My first question is that, you know, we
4 of course have a very large focus on affordable
5 housing which is very important in terms of
6 City Planning. At the same time we're
7 currently working on our Sandy recovery, and
8 obviously City Planning is going to play a very
9 large role in terms of figuring out the next
10 stage of how we recover and how we rebuild. Do
11 you have any thoughts on that in general post
12 Sandy recovery and your role as Commissioners
13 on City Planning? I guess we'll start from the
14 right, Ms. Effron, if that's okay with you?

15 CHERYL COHEN EFFRON: Sure you can.

16 COUNCIL MEMBER GREENFIELD: Thank
17 you.

18 CHERYL COHEN EFFRON: This is a case
19 where the word integrative really does matter.
20 I think it's really important that the federal,
21 state, local level, and by that I mean not just
22 the Mayor's agencies, but also the City Council
23 need to work together to make sure that we are
24 in fact resilient for the next storms because
25 we know they're coming, but also that we

2 leverage whatever infrastructure investment is
3 available to us and to leverage it really
4 wisely.

5 COUNCIL MEMBER GREENFIELD: Thank
6 you.

7 BOMEJ JUNG: I have a lot of
8 thoughts about Sandy recovery and resiliency.
9 I guess I'll start by saying that first of all
10 I've learned about, you know, what it would
11 take for New York to become a resilient place.
12 My work at Enterprise around resiliency has
13 been focused primarily on multifamily housing
14 and even within that relatively narrow space
15 there's a lot of work to be done, and I think
16 that the primary lesson that I have learned in
17 the work that we've done and in speaking with
18 my colleagues who are still rebuilding in the
19 gulf is that this is not a temporary situation,
20 that this is just an uncovering of an
21 underlying condition that we now have to
22 consider as a city and that we have to consider
23 as residents in the city. We are a coastal
24 city. We're exposed to these sorts of coastal
25 hazards, and you know, we're also a historic

2 city where much of our infrastructure as well
3 as our housing and just build environment in
4 general is, you know, attached, you know,
5 they're attached buildings. They're already in
6 the ground. You know, our sewers are what they
7 are, and so it's a big challenge that we'll be
8 grappling with going forward. I think that the
9 measures and the guidance that have been
10 offered by City Planning thus far in helping to
11 make sure that future investments and future
12 developments are taking these risks in
13 consideration have been very forward looking.
14 I think they've also been developed and their
15 very inclusive in transparent ways. I applaud
16 the work that's been done there. And you know,
17 to me the real sort of the most difficult
18 problem in all of this is, you know, how we
19 make decisions about areas that are currently
20 built up and already occupied, that are really
21 going to be the most difficult cases.

22 COUNCIL MEMBER GREENFIELD: Thank
23 you.

24 LARISA ORTIZ: Thank you. I want to
25 recognize my Councilman Danny Dromm. Thank you

2 for joining us. So my background is actually
3 not in areas of resiliency and I would leave
4 those questions to Bomme actually. But I really
5 do look forward to learning more about that
6 because I absolutely know these are important
7 issues facing the city. So, you know, if I'm
8 confirmed I look forward to learning more and
9 forming an opinion on those issues.

10 COUNCIL MEMBER GREENFIELD: Okay,
11 fair enough. Let's talk about the plan, the
12 Administration's plan to designate 15
13 neighborhoods where these would be targeted for
14 rezoning specifically mandatory inclusionary
15 rezoning to build more housing and of course
16 more affordable housing as well. Can you share
17 with us your thoughts on how you would go about
18 selecting what sort of criteria would you use
19 when trying to decide which would be these 15
20 neighborhoods in New York City?

21 LARISA ORTIZ: Sure, I'll take that.
22 And I responded to some of those issues in my
23 Q&A. you know, I think as we consider and
24 we've mentioned this before, additional areas
25 of density, I think it's important to make an

2 early determination. You know, where do we have
3 the infrastructure and where is there
4 opportunity right now, you know, within the
5 city to accommodate that density? You know, I
6 think we need to be looking at nodes, not
7 neighborhoods. You know, and it's almost like
8 a scalpel approach at this point. There have
9 been a number of rezonings throughout the city
10 already, and it's a big job to make those
11 decisions again at this point in time. So I
12 think that's definitely the work of the
13 Commission, but you know, in my conversations
14 and thinking about this, you know, it now is
15 coming down to, you know, where can we
16 accommodate that and where should investment be
17 made so that we can accommodate density in the
18 future.

19 COUNCIL MEMBER GREENFIELD: Thank
20 you. Ms. Jung?

21 BOME E JUNG: I really like that
22 nodes not neighborhoods phrase. I'll probably
23 steal it somewhere in the future. You know, and
24 again I echo that sentiment that I think that,
25 you know, certainly in the short run before we

2 can--in absent expansions and infrastructure
3 and transportation and what have you, I think
4 that it's absolutely important that we take
5 advantage of every opportunity that's created
6 by existing infrastructure. I would, however,
7 add that, you know, one of the things that
8 actually that I was really brought home in a
9 palpable kind of way when we were working on
10 the Sandy program is that people are very tied
11 to their neighborhoods and the areas in which
12 they've created a life, and so you know, it's
13 not just a matter of sort of taking like Lego
14 blocks and distributing around the city
15 obviously. Like, you know, there are areas
16 that have--that are--that have specific high
17 needs for particular, you know, at particular
18 income bands and so I think that in selecting
19 areas that are responsive to those high needs
20 would be really important. There's--you know,
21 that doesn't--I think that that doesn't mean
22 that you, you know, necessarily prioritize, you
23 know, the lowest income neighborhoods that
24 generate the most number of households of
25 entries into shelters. I mean, there are

2 obviously many, many factors that would go into
3 that, but certainly sort of measureable needs
4 would have to be on that list.

5 COUNCIL MEMBER GREENFIELD: Thank
6 you. Ms. Effron?

7 CHERYL COHEN EFFRON: I agree with so
8 much of what was said before and I will not
9 bore you by trying to reiterate it. I would say
10 that this is just a great opportunity for two
11 things. One is to have more council input from
12 the ground on what neighborhoods need and how
13 they need it and when they need it. and the
14 other is to work with communities through their
15 own intermediaries, nonprofits and others to
16 find out what they perceive as their
17 infrastructure other than the infrastructure
18 noted before and the values in those
19 communities and build upon them, rather than
20 try to supplant them with some pie in the sky
21 ideas.

22 BOME E JUNG: May I add one other
23 thought?

24 COUNCIL MEMBER GREENFIELD: Sure.

2 BOME E JUNG: So, the other thing I
3 wanted to add there is that, you know, the
4 housing plan, you know, contemplates both new
5 development and preservation of affordable
6 housing. We've already made tremendous
7 investments in affordable housing through our
8 history in the city, and it's I think
9 particularly important that we focus on, you
10 know, preserving those buildings that have
11 already received public investments, that have
12 already served as community anchors.

13 COUNCIL MEMBER GREENFIELD: Thank
14 you. So, Ms. Efron, I want to talk to you and
15 the rest of the panel as well about land
16 marking. Obviously, that within City Planning
17 it does--the proposed landmarks come to City
18 Planning for review and approval just as how
19 they do with the City Council. I wondering two
20 things. One is in general, your past views on
21 the how the Landmark and Preservation
22 Commission has been run. There has been some
23 concern expressed by myself and others and
24 members of the Administration that too much and
25 wonton [sic] landmarking creates a situation

2 where you're shutting out other folks,
3 specifically other ethnicities and you're
4 preventing affordable housing from getting
5 built. And so that's sort of my--it's a two
6 part question, but that's part one. I'm
7 wondering sort of what your thoughts are on
8 that.

9 CHERYL COHEN EFFRON: Sure. I don't
10 really feel qualified to talk about what
11 previous Landmarks Commissions have done. It
12 doesn't seem appropriate and I tend to be a
13 forward thinking person and I'd rather just
14 observe and learn as new issues are brought
15 before Landmarks, but I can say categorically
16 that I think it's really important to
17 understand the opportunities in the community
18 and hear from as many people as possible.
19 Landmarks has a particular jurisdiction that's
20 not that of the City Planning, Department of
21 City Planning or the City Planning Commission,
22 but I think it's important as what I hope to be
23 lucky enough to serve on the City Bank [sic]
24 Commission. It's very important for the
25 Commissioners to have an understanding of all

2 aspects of the neighborhood including potential
3 landmarks.

4 LARISA ORTIZ: I also don't have an
5 opinion on the previous Administration. You
6 know, but I would say as with anything, you
7 need to look at these things on a case by case
8 basis and sometimes, you know, in some cases
9 landmarking has been used, as you say, to
10 maintain a status quo for sure. In other cases,
11 it's absolutely appropriate. So I think, you
12 know, we should be considering, and I say that
13 coming from a background somewhat of historic
14 preservation, you know, an interest in those
15 issues and balancing the needs of growth, which
16 is really important with the maintenance of our
17 historic past.

18 BOMEI JUNG: I don't have a
19 background in preservation to the sense of
20 landmarks preservation per say, so I feel
21 somewhat unqualified to--an offer sort of a
22 blanket opinon on this, but I do think that
23 again, you know, the feedback that we have from
24 the communities that are directly affected by
25 the decisions is very important. And so I, you

2 know, should these sorts of cases come before
3 the Commission, I would certainly listen with
4 very open ears.

5 COUNCIL MEMBER GREENFIELD: Thank
6 you. The second part of the landmarking
7 question deals with the landmarking and the air
8 rights. I don't know if you're familiar with
9 these issues, but there are significant issues
10 regarding the air rights that for most
11 landmarks are nontransferable. There have been
12 conversations and proposals in the city about
13 things like land banks. Aside from that, we're
14 looking at the possibility in mid-town east of
15 allowing those landmark sites to transfer
16 within that zone. What are your thoughts in
17 general on those issues surrounding the locked
18 air rights in terms of landmarks in New York
19 City?

20 LARISA ORTIZ: As I mentioned, I do
21 have some background in historic preservation
22 and redevelopment and have actually, you know,
23 run the numbers on these projects in the past
24 and recognize that the cost in what it takes to
25 maintain these buildings and rehab them in some

2 cases far exceeds the revenue that can be, you
3 know, developed as a result of the uses in the
4 building. So we have to find gap financing
5 somewhere. I think on a case by case basis you
6 look at that, but that is absolutely and
7 opportunity for revenue and it should be
8 considered for these buildings.

9 COUNCIL MEMBER GREENFIELD: Ms.
10 Jung?

11 BOME E JUNG: Again, I would add to
12 that that I think context is obviously very
13 important. I think that, you know, no one would
14 want a situation where, you know, that sort of
15 transfer of development rights would result in
16 a development that's out of context and
17 unwelcome.

18 COUNCIL MEMBER GREENFIELD: Thank
19 you. Ms. Efron?

20 CHERYL COHEN EFFRON: This is a case
21 where community good and understanding in
22 particular question and individual project
23 really does make the most sense, but I'm eager
24 to hear more about it and eager to hear the
25

2 conversation about it, both in community and in
3 city agencies.

4 COUNCIL MEMBER GREENFIELD: Okay.
5 So you're not that familiar with this proposal
6 is that what you're saying? That's okay. I'm
7 just trying to understand the answer.

8 CHERYL COHEN EFFRON: I have read
9 about the proposal.

10 COUNCIL MEMBER GREENFIELD: Yeah.

11 CHERYL COHEN EFFRON: But I have--
12 I'm not as familiar as I'd like to be to offer
13 an opinion.

14 COUNCIL MEMBER GREENFIELD: Fair
15 enough.

16 CHERYL COHEN EFFRON: Does that
17 sound fair?

18 COUNCIL MEMBER GREENFIELD: Good
19 enough. Final question, and I'll start with
20 you, Ms. Efron, which is of course the City
21 Charter lays out the process for Land Use, and
22 two critical pieces in terms of mandatory
23 approvals comes from the City Planning
24 Commission and then after goes through a
25 process or goes to the New York City Council.

2 There's a naturally tension that exists
3 obviously between City Planning and the City
4 Council of which the committee that I happen to
5 Chair. What is your view on the appropriate
6 role of the City Council visa vi the role of
7 the City Planning Commission in relation to
8 zoning and other Land Use items?

9 CHERYL COHEN EFFRON: Well there's a
10 process in place and I understand that is the
11 one that prevails. I think it's very important
12 that the City Council and both the Department
13 of City Planning and the City Planning
14 Commission maintain as positive a level of
15 communication as possible so that the end
16 result of whatever finally does come before the
17 City Council and what comes before the City
18 Planning Commission before that is the best
19 possible project with the best and most forward
20 thinking outcome for the entire city.

21 COUNCIL MEMBER GREENFIELD: Ms.
22 Jung?

23 BOME E JUNG: yeah, I would echo that
24 sentiment that I think that the process that we
25 go through in making these decisions is very

1 important and I would hope that the process
2 that exists between the Land Use Committee and
3 City Planning is a positive and collaborative
4 one. I think, you know, to be honest, you
5 know, from the outside it certainly seems like
6 there's a process that seems to work, and based
7 on the questions that I've seen in the prep--
8 the prehearing questionnaire and the
9 conversations that we're having right now, it
10 seems clear that there are ongoing tweaks to
11 that relationship. I would hope that, you know,
12 that the agency and the Land Use Planning
13 Committee remain online in their goals and in
14 their commitment to having open communication
15 transparency and collaboration.

17 COUNCIL MEMBER GREENFIELD: Thank
18 you. Ms. Ortiz?

19 LARISA ORTIZ: I think, you know,
20 ultimately and I mention this in the response
21 to the Q&A that being aligned and thinking and
22 engaging in dialogue is important. Inevitably
23 you're going to have difference of opinion. I
24 think how you address those and talk through
25 them is really quite important and there is a

2 process in place to do that. I think it's--in
3 some ways, perhaps I--I don't know if I should
4 say this. I think it's wonderful that there are
5 a checks and balances in a way that these, you
6 know, agencies and government officials--

7 COUNCIL MEMBER GREENFIELD:

8 [interposing] You should say it. We would agree
9 with you.

10 LARISA ORTIZ: You know, if the--

11 COUNCIL MEMBER GREENFIELD:

12 [interposing] I don't know if the Mayor would,
13 but he already nominated you. So, you know,
14 don't worry about it.

15 LARISA ORTIZ: But, you know, we all
16 play different roles in this process. We all
17 offer different perspectives, and that's our
18 job, you know, to bring those perspectives and
19 try to work through these difference of opinion
20 so that at the end of the day there is some
21 sort of compromise. But you know, I don't
22 necessarily think tension is a horrible thing.
23 I think sometimes you need that to come to a
24 solution that's the right one.

2 COUNCIL MEMBER GREENFIELD: I

3 appreciate that, and I would just add just to
4 encourage you that God willing if you in fact
5 are approved which we expect that you will be
6 by the City Council, that you consider that in
7 terms of your deliberations, because part of
8 the challenge, which I think many folks don't
9 realize is that these applications don't come
10 to us until you've already signed off on them,
11 right? So basically we're at a state of play
12 where then we're doing our entire review and
13 we're looking at things with a fresh set of
14 eyes, but there needs to be some movement
15 allowed from once that process starts. It's
16 not that we don't want to communicate. We're
17 happy to communicate and have tea at your
18 convenience. The issue is that the process
19 starts anew with us once it comes out of City
20 Planning, and so just keep in mind that there
21 does need to be flexibility there to allow the
22 council to make the appropriate changes, and
23 the final thing that I would just add just so
24 that you're aware in terms of the perspective,
25 which is that this council places a big premium

2 on the happiness of the individual members, and
3 we want our members to be pleased. And the
4 members, obviously have issues that City
5 Planning may not have considered because they
6 are sort of more localized as opposed to the
7 bigger picture issues that City Planning keeps
8 in mind, and I would encourage you to leave
9 room for that as well. And we've seen that in
10 recent projects, for example, that have come in
11 front of the committee where different members
12 and different communities have different
13 concerns. Some are worried about affordable
14 housing. Some are worried about lower AMI. Some
15 are worried about higher AMI. Some want space
16 for cultural institutions. Some want space for
17 childcare. And those are the kinds of things
18 where we need some space so that we can do our
19 task while you do your task, and I just ask
20 that you please keep that in mind as you go
21 forward with your new roles. So thank you very
22 much and best of luck to you.

23 CHAIRPERSON LANDER: Thank you very
24 much, Chair Greenfield. I know you hoping for
25 Danielle's answer to those questions as well,

2 but--thank you. Let's see. We have also been
3 joined by Council Member Dromm and we were
4 joined briefly by the minority leader, Vinnie
5 Ignizio, and we have questions from the three
6 members still here, and I appreciate your
7 patience from Council Member Espinal, followed
8 by Council Member Chin, followed by Council
9 Member Dromm and then we'll close out. Thank
10 you.

11 COUNCIL MEMBER ESPINAL: Thank you,
12 Mr. Chairman. Pretty much all my questions
13 have been answered throughout the hearing. But
14 I just want to talk about East New York. I did
15 see a plan in the DBC brought to my attention
16 and the Mayor did come out and say that the
17 first part of the affordable housing plan will
18 be in East New York, and after looking at the
19 plan, about 90 to 100 percent of the plan is in
20 my district. And there's excitement and
21 there's concern, because we're worried about
22 density and you know, how the plan will be
23 implemented and the amount of years it's going
24 to take, and I just hope that during the
25 process that we can work together, that we can

2 be able to provide feedback to you and the
3 Commission. I know local nonprofits and the
4 Pratt Institute have created a kind of a survey
5 and a study of what the neighborhood needs and
6 what it should look like, and I'm hoping that
7 we can use that as a template in the future.
8 Thank you.

9 CHAIRPERSON LANDER: Thank you,
10 Council Member. Council Member Chin?

11 COUNCIL MEMBER CHIN: Thank you,
12 Chair. Good afternoon. I also have the honor
13 of knowing two of the nominees. I served with
14 Ms. Effron on the Governor's Island Trust and I
15 also know Ms. Jung through the Asian-American
16 Community Asian-Americans for Equality. So
17 welcome, and I really appreciate the Mayor
18 nominating strong women to be on the City
19 Planning. I have a couple of question. The
20 first one is as of right development. I mean,
21 what I see happening in my district a lot of
22 time is developer comes in as-of-right. They
23 don't even need to talk to us, but their
24 building creates great impact, you know, in our
25 community and there's not much we can do at

2 all. SO how do you see in terms of City
3 Planning having some ways of really changing
4 that or making sure that whatever development
5 happened in the city even if it's as-of-right,
6 but they do have to sort of come in and discuss
7 and see how they fit into the city and the
8 neighborhood and the impact that they are
9 causing.

10 CHERYL COHEN EFFRON: All of the
11 projects I ever did were as-of-right, and it
12 was actually conversations with the then Mayor
13 Koch and then Dinkins and then ultimately
14 Giuliani, not with the Mayor himself, but with
15 the mayoral agencies and learning about
16 incentives that existed that were also as-of-
17 right that would help tenants that enabled us
18 to be better at doing that sort of development
19 even though it was technically as of right. So
20 there are incentives within the housing plan if
21 we're talking about housing development that's
22 as-of-right that should and are to the benefit
23 of the developer to participate in and I think,
24 again, clear communication and making sure that
25 developers coming into neighborhoods know about

2 these incentives is the surest way to create
3 better developments.

4 LARISA ORTIZ: I think you need to
5 strike a balance. The role of the City
6 Planning Commission is to set the rules and
7 regulations and the expectations that
8 developers need to move forward with their
9 projects. I--my work is national, so I have
10 the opportunity to see other cities. You know,
11 I work in a number of cities where every
12 project needs to go through some sort of review
13 and it is actually--it can be somewhat
14 cumbersome. So you have to balance that with
15 the need and the absolute expectation to
16 provide input. I think good developers are
17 interested in what's happening nearby. The
18 success of the neighborhood is the success of
19 that project, and so you will find that they
20 are interested in outreach. You know, I think
21 it's incumbent on the City Planning Commission
22 to set a series of rules and expectations that
23 they know they can follow when as-of-right is
24 needed and if those need to be revisited, then
25 so be it. But I think that, you know, we need

2 to be looking at balancing those issues. It's
3 a delicate balance, it is.

4 BOMEET JUNG: So we do, obviously, at
5 Enterprise work with many, many developers,
6 many of them community-based developers, and
7 you know, one of the benefits of the type of
8 planning system that we have in place is the
9 fact that once those rules and regulations are
10 made clear, then the developers can move
11 forward and with certain am--with certainty in
12 their ability to execute a project. And that's
13 certainly part of what makes development cost-
14 effective and easier in a city like New York.
15 So, you know, I echo Larisa's sentiment that
16 there needs to be a balance, but I do think
17 that there's also the role that community-based
18 organizations and even somewhat city-wide
19 organizations like, you know, Pratt Center
20 that's been mentioned, they do play an
21 important role in helping to set a community's
22 vision for how development might occur in that
23 neighborhood or in that place, and I think that
24 having, you know, those kind of exercises where
25 you both essentially given an opportunity for

2 residents to, you know, express their vision
3 for what they want and also provided a
4 vocabulary with which to do it, or you know,
5 all of these opportunities are very important
6 in being able to, you know, set the stage so
7 that as-of-right developments can be in lined
8 with the community vision.

9 COUNCIL MEMBER CHIN: I think to
10 follow up on that is that, yeah, there--when a
11 developer is good, you know, when they're more
12 conscious about the community, they do that.
13 But there are developers who just do their own
14 thing. So I guess the second part of that
15 question is that how does City Planning looking
16 at some of the rules, and maybe there need to
17 be some rules changed, and also working
18 together with other agencies so that you know
19 what developments are happening that are as-of-
20 right, and so that at least in terms of even
21 planning, the city sort of know what is
22 happening. Because in some neighborhoods in my
23 district all the sudden you see so many
24 commercial hotels happening and it's as-of-
25 right. They don't need to come in and talk to

2 City Council members, or but do we need that
3 many commercial hotels? Maybe not, but there's
4 no way of having input because it's an as-of-
5 right development. So I really urge you to
6 take a look at that and to see how working
7 together with other city agency to really have
8 more of a planning approach and see how
9 different project, you know. Because there are
10 times where there's more things that we might
11 not need. So I think that's what I would hope
12 for.

13 CHERYL COHEN EFFRON: I think you've
14 answered your own very important question, and
15 luckily structurally the Department of City
16 Planning and the Chair of the Commission report
17 to the Deputy Mayor for economic development
18 and housing, and I think structurally that's a
19 very good thing for integrative opportunities
20 to really look for granularly at neighborhoods.

21 COUNCIL MEMBER CHIN: I think so. I
22 think in this Administration I've heard from
23 Commissioners and it was from Commissioner and
24 like even public housing. The Chairwoman of
25 Public Housing was telling me that they

2 actually meet on a regular basis which is
3 great. So I think that that's something to
4 really look forward to. My other question is
5 really on resources for community, to help a
6 community do planning, because right now it's
7 that unless we have nonprofit organization that
8 can step in, but the whole process is very time
9 consuming and you need a lot of technical
10 assistance, and even just looking at the
11 experience that three of you, it's sort of like
12 that's what a community can really use because
13 of affordable housings, small businesses,
14 manufacturing, and this goes back to one of the
15 neighborhoods in my district, Chinatown. For
16 the longest time it had all those ingredients
17 and then during the 80's things changed. A lot
18 of the Galman [sic] factories, so it's
19 manufacturing jobs that was really supporting a
20 lot of the local businesses had to close
21 because a lot of those factories were converted
22 into office space and then into luxury condos.
23 So we lost a huge job base in a community and
24 at the same time, because of the 9/11 and the
25 closure of Park Row [sic], it just really

2 restricted a community in terms of development,
3 and I think that from some of the questions
4 that you were answering before, you know, in
5 terms of stakeholder, how to get people
6 involved, how do you see City Planning really
7 coming up with the resources and technical
8 assistance that can help a community sort of
9 move forward and see how they can transform so
10 that they can continue to grow and thrive?

11 BOME E JUNG: I don't know what
12 direct role as Commissioners we would have in
13 these conversations about resources for the
14 city planning Department's ability to support
15 community based planning, specifically, but I
16 think that, you know, we--a couple things.
17 First of all, you know, obviously, you know,
18 there are community based organizations like
19 AFE [sic] that have established track record
20 and history of engaging in community based
21 planning and community based outreach and I
22 think that we depend on those. As a city, we
23 depend on those organizations to help us
24 modulate the pace of change and to create new
25 opportunities and to direct people who may have

2 may be displaced from one industry into a
3 productive economic life in a different
4 industry. So I think that, you know, we--the
5 infrastructure that we have in New York city of
6 community based organizations is very rich and
7 very powerful and as part of a, you know, in my
8 day job as having a role in capacity building
9 for those organizations, I think that we are
10 relative to many places in the country. I'm
11 very blessed with that capacity. I think
12 there--I think there are many opportunities to
13 engage people in planning. I think that there
14 are sort of newer not more--less traditional
15 ways of engaging people in planning related
16 activities that are enabled by other technology
17 and social media and all of these things that
18 we haven't yet come to full understanding of,
19 and I think that when we think of community
20 based planning as, you know, producing 197A
21 plans or you know, doing, you know, studios and
22 those sorts of things I think that, you know,
23 as we move into a time when we have the ability
24 and the technology to have more input from
25 residents and you in different ways, I think

2 that, you know, it's--we'll have opportunities
3 also to sort of in some ways lower the
4 participation cost for folks who want to have a
5 say particularly where, you know, the
6 participation in that kind of planning process
7 can be made easier and more asynchronous and
8 easier to work with, you know, shift schedules
9 and working schedules and that sort of thing.
10 So, I guess, you know, what I would say is I
11 hope that, you know, there's a continuing
12 attention on part of the city in many, many
13 ways to community based participation in all of
14 these planning decisions whether they're about
15 housing or whether they're about economic
16 development or about zoning or whatever else
17 that effects these communities.

18 LARISA ORTIZ: In addition, I think
19 we should recognize in challenges, resource
20 challenges are--we're going to face those, and
21 to some degree and you know, I recently
22 committed a--I recently researched and wrote a
23 policy paper on some of these issues for an
24 organization here in New York, ANHD [sic]. You
25 know, what we found is that federal funds have

1 historically been used for issues related to
2 economic development planning and planning
3 particular and those funds are being cut. So
4 some of this unfortunately is outside of our
5 control. I think looking to nonprofits and the
6 private sector to support some of those
7 efforts, I'm familiar because of my work with
8 the local initiative support corporation, the
9 national level, I see examples of this all
10 across the country where community based
11 planning is happening at the grassroots level
12 and its supported by these organizations and I
13 think it's very inspirational and potentially a
14 model for how we could do more of that here in
15 New York.

17 CHERYL COHEN EFFRON: I agree. I
18 think that a necessary condition of foundation
19 support for organizations, whether they're
20 local or national to support community based
21 planning is a city government, and by that I
22 mean mayoral and City Council that's really
23 clear, consistent and certain about its land
24 use priorities and its procedures. I think we
25 have a great opportunity to make all of those

2 three conditions possible, and serving on a
3 foundation board that does a lot of work in New
4 York City, I feel confident that its interest
5 in New York would increase dramatically with
6 those three conditions, and if I am in fact
7 able to serve with these great women, we would
8 like to make those conditions possible.

9 COUNCIL MEMBER CHIN: I think that
10 would be really helpful, the whole ideal of
11 community planning. I guess my last point, last
12 question is that lot of time it's kind of very
13 big when you look at a community and I guess to
14 really look at smaller scale planning that can
15 really address, you know, certain critical
16 issues whether building more affordable housing
17 or creating affordable commercial space, that
18 you don't have to resolve, you know, a whole
19 community, but really looking at maybe ways of
20 doing a smaller are where you can sort of move
21 faster and quicker, because it probably more
22 difficult to get consensus in the larger area.
23 So that's my last question in terms of really
24 looking more creative way of really encouraging

2 community based planning on a more smaller
3 scale level.

4 CHERYL COHEN EFFRON: I think I can
5 speak for everybody that community based
6 planning really does seem like a great
7 opportunity for New York going forward. I don't
8 think it always has to result in a rezoning.

9 COUNCIL MEMBER CHIN: Thank you very
10 much. Thank you, Chair.

11 CHAIRPERSON LANDER: No, thank you
12 very much, Council Member Chin. As you know,
13 these goals of community based planning and I'm
14 sort of navigating the challenges about the
15 city's big picture infrastructure growth, but
16 then managing not just to get granular in
17 neighborhoods, but to involve communities is
18 something that a lot of us have been working on
19 a long time and it's great to see people who
20 have that track record and really get it.
21 Council Member Dromm? So, alright, we're to
22 our final Council Member. I appreciate your
23 patience. It's been I think a very fruitful and
24 interesting hearing and we recognize Council
25 Member Dromm.

2 COUNCIL MEMBER DROMM: Well, thank
3 you very much, and I want to acknowledge that
4 Senator Peralta is here with us today as well,
5 and he is the State Senator for Ms. Ortiz who
6 is before us today for approval. So just a
7 couple of technical questions to start of and
8 then some other things in a little bit more
9 detail. I noticed that in the background
10 investigation it says that you own a
11 condominium apartment. I think technically it
12 should be a cooperative apartment if I'm not
13 mistaken because we happen to live in the same
14 building.

15 CHERYL COHEN EFFRON: Since you are
16 my neighbor, yes.

17 COUNCIL MEMBER DROMM: But that--so
18 there is a difference, though. It's not real
19 estate versus shares in a cooperative, which I
20 think should probably be reflected in the
21 record as well.

22 CHAIRPERSON LANDER: We know you're
23 not just showing off your local knowledge about
24 your--

25 COUNCIL MEMBER DROMM: Yes.

2 CHAIRPERSON LANDER: Council Member
3 Dromm, we'll adjust the record to reflect.

4 COUNCIL MEMBER DROMM: Thank you very
5 much. And I also read in your--in the
6 background investigation as well that you're a
7 member of the 82nd Street Business Improvement
8 District. Now, that's not in my district.
9 That's technically in Council Member Ferreras's
10 district, but I wasn't fully aware of that. How
11 long have you been on that bid?

12 LARISA ORTIZ: I'm a non-voting
13 member of the board. As I--

14 COUNCIL MEMBER DROMM: [interposing]
15 As am I.

16 LARISA ORTIZ: I was asked to
17 participate about two years ago and to be quite
18 honest, my travel schedule makes it extremely
19 difficult for me to attend meetings, so perhaps
20 that's why we haven't seen each other. But I,
21 you know what I do, because it's my technical
22 area of expertise. I very frequently sit down
23 with the executive director and I talk to him
24 about strategies and approaches and you know,
25 in some ways, you know, I work on educational

2 issues for business improvement district
3 directors, so in some ways I see myself as a
4 little bit of a coach. So that's how I've been
5 involved.

6 COUNCIL MEMBER DROMM: So that leads
7 me to my other questions. There's been some
8 controversy around the expansion of the 82nd
9 Street bid, and I'm wondering what is your
10 feeling in general regarding bids and
11 gentrification? How do bids impact or not
12 impact gentrification? What's your viewpoint
13 on that? And I'd just like to get feel for
14 what your opinion is on that.

15 LARISA ORTIZ: Sure. I have a lot of
16 thoughts on that. That's the work that I do.
17 I think ultimately business improvement
18 districts are one tool that can be used to
19 support and improve the local business
20 environment. The--what occurs during
21 gentrification is very complicated process. You
22 know, these are organizations often times with
23 very few resources, you know, and I think to
24 suggest that they are why gentrification is
25 happening probably is an overstatement. There

2 has been research done here in New York on the
3 impact of bids on property values, which you
4 might think is, you know, might suggest, you
5 know, there's a correlation to gentrification.
6 In fact, smaller bids do not lead to increases
7 in property value according to the firm and
8 study that was completed a few years ago, and
9 so you know, I think the debate is still open.
10 And you know, for me, you know, I think it's
11 obviously case by case, but business
12 improvement districts are not, you know, are
13 probably not the driving force in neighborhood
14 change.

15 COUNCIL MEMBER DROMM: How can we
16 ensure that mom and pop shops are not run out
17 of neighborhoods, in particularly when we
18 introduce bids into communities like ours,
19 mostly immigrant entrepreneurs who have start
20 up businesses, which in fact they probably
21 learned the trade, whatever it is that they're
22 doing in their small business by virtue of
23 having worked in maybe like a hotel, pastry
24 chef, and then make their own little pastry

2 shop. How do we ensure their continued success
3 in communities like ours?

4 LARISA ORTIZ: I think, and this is
5 outside of the purview of the Commission, but
6 you know, if I speak to my professional
7 expertise, business improvement districts,
8 their role is to create a positive and
9 supportive business environment, keeping
10 streets clean, you know, maintaining the safety
11 and sanitation. I think local businesses
12 benefit from that whether they are local or
13 not. I think the issues related to why
14 businesses fail and succeed is often unrelated
15 to what a business improvement does or doesn't
16 do. To that, you know--but speaking to those
17 issues, business improvement districts can
18 absolutely provide things like technical
19 assistance to small businesses and expose them
20 to the resources so that they can remain
21 competitive as the community changes, and so
22 that they can stay there.

23 COUNCIL MEMBER DROMM: What about
24 protecting historic districts, which is not
25 the--you're not the landmarks preservation

2 Commission, but let me give you an example of
3 something that's happening, and I see in other
4 communities as well, not just in Jackson
5 Heights, but I'll use Jackson Heights as the
6 example. While landmark preservations does
7 preserve landmark districts, often time there
8 are certain buildings that are owned by
9 individuals where they can still go up, you
10 know, according to the FAR [sic], but in fact,
11 impact the look and the context of communities,
12 and then I think Council Member Chin referred a
13 little bit to the question earlier about, you
14 know, working with those who can construct or
15 develop things by right. But in Jackson
16 Heights, for example, we've had three fires
17 along 37th Avenue, and in each of those cases
18 the buildings went up seven, eight stories or
19 more in some instances. What can the landma--
20 what can the City Planning Commission do to
21 protect communities from that type of
22 development?

23 LARISA ORTIZ: Is that for me? Is
24 that question for me? I feel like I'm taking
25 over this. But I actually would like to commend

2 you for being part of conversations that have
3 created contextual development. I think there's
4 a real concern about those new buildings going
5 up and how they would impact what is an amazing
6 community. I think we can agree as neighbors.
7 And that, you know, I would have to defer and I
8 can't answer the question, you know, to what
9 degree city planning plays a role in those. I
10 know that those--many of those issues fall
11 under a landmarks and not City Planning, so I
12 would have to look and see, you know, to what
13 degree we can play a role in helping ensure
14 that new development is in fact contextual.

15 COUNCIL MEMBER DROMM: So in the
16 past when I did go to Commissioner Berden
17 [sp?], I had a meeting with her about two years
18 ago to try to protect the nature of that
19 district, specifically along 37th Avenue. She
20 was of the opinion that the area is prime for
21 development and I believe that's almost
22 verbatim. Do you or would you view part of
23 your decision making process as a member of the
24 City Planning Commission to be--to take into

2 consideration the density of communities that
3 would be effected by development?

4 LARISA ORTIZ: Yes, absolutely. I
5 mean, I think everything is a case by case
6 basis. I can't speak. Even though I live in
7 Jackson Heights, I can't speak to, you know,
8 the particular issues and I don't know if that
9 will be one of the communities under
10 consideration, but as I've said before, and I
11 think one of the most important things for me
12 to look at when we start making these decisions
13 is the question of infrastructure and whether
14 you know, density can be supported. You don't
15 want to put density in a place that, you know,
16 doesn't have the transit, doesn't have access
17 to jobs, doesn't have you know, the schools and
18 the libraries that are needed to make a great
19 neighborhood.

20 COUNCIL MEMBER DROMM: And just on
21 that note, Ms. Ortiz, the prior Commission or
22 members of the Commission claimed that an area
23 like mine did have the subway system and the
24 transportation necessary for that development,
25 but as you're probably aware many, many people

2 in the community do not believe that to be the
3 case, and in fact, where we see a lot of
4 development occurring in Flushing and along the
5 number seven line for example, that train
6 cannot handle any more development. And so I
7 would hope that not just looking at what
8 transportation services might be available, but
9 actually the impact on those services would be
10 part of the consideration if and when we do in
11 fact approve you for the Commission. Would
12 that be something that you would see in your
13 role as a Commissioner?

14 LARISA ORTIZ: Absolutely.

15 COUNCIL MEMBER DROMM: Also, in the
16 Queens office of the City Planning, I was very
17 shocked to find out that they held a public
18 hearing on upzoning the northern half of my
19 district without every notifying me. What
20 would you do to correct those types of
21 situations where we have the City Planning
22 Commission holding hearings without notifying
23 Council Members?

24 LARISA ORTIZ: I would certainly be
25 open to any suggestions that you have. I'm not

2 familiar enough with how City Planning
3 communicates and engages with the local City
4 Council person to be able to comment on that.

5 COUNCIL MEMBER DROMM: So in
6 general, would you--do you believe that Council
7 Members should be notified of perspective
8 zoning changes?

9 LARISA ORTIZ: In general,
10 absolutely.

11 COUNCIL MEMBER DROMM: Particularly
12 before holding a public hearing on those
13 proposed zoning changes?

14 LARISA ORTIZ: I think process and
15 engagement and open dialogue is really an
16 important part of this, yes.

17 COUNCIL MEMBER DROMM: Okay. That
18 also did occur in my district, you know, with
19 Commission Berden. Just a couple of other
20 questions that I have here. In your response to
21 question number two, you put down that you're
22 excited about improving the quality of life of
23 New York City residents by supporting
24 thoughtful planning, growth, development and
25 investment in an equitable manner throughout

2 every borough. Can you elaborate a little
3 further on that and what do you mean by
4 equitability?

5 LARISA ORTIZ: You know, I think
6 when I thought about why I wanted to play a
7 role and serve, you know, I've seen previously
8 a lot of investment that was occurring in
9 communities and wealthier communities in New
10 York, and you know, I saw this as an
11 opportunity to perhaps encourage and create
12 opportunities for investment and other places
13 that need it. you know, I've--we have
14 Councilman Espinal who previously spoke to East
15 New York. I'm familiar with East New York
16 because I've done retail analysis along Pitkin
17 [sp?] and recognizing that a community like
18 that could benefit from development and that
19 the businesses there, many of whom are local
20 businesses could benefit from development as
21 well. So that was what I was thinking along
22 those lines. There are opportunities to create
23 those opportunities in places right now are not
24 seeing them.

2 COUNCIL MEMBER DROMM: And your
3 opinion on public/private partnerships? I know
4 that's something that you've talked a lot about
5 in the past, can you just explain that to us?

6 LARISA ORTIZ: Sure, I'm a supporter
7 of public/private partnerships. I think we
8 can't go it alone either side. You know, the
9 public sector and the private sector can't go
10 it alone and there needs to be an opportunity
11 for dialogue and so the public/private
12 partnership is a tool to create a space where
13 dialogue can happen.

14 COUNCIL MEMBER DROMM: So if we're
15 building a huge development in one community,
16 asking the developer to put a school into that
17 plan would not be something out of the ordinary
18 for you?

19 LARISA ORTIZ: There are examples in
20 New York of development that has incorporated
21 schools, for example, Long Island City is one
22 that I'm familiar with. So, yes, I know that
23 those precedents exist.

24 COUNCIL MEMBER DROMM: Okay. And
25 then with Larisa Ortiz Associates, is it? I'm

2 sorry. Obviously, in your explanation before
3 the investigation you said that you would not
4 use your position for any influence with that
5 company, but how would you instruct your
6 employees to deal with city agencies, and
7 specifically what would you do in that regard?

8 LARISA ORTIZ: Sure, I have
9 requested and received guidance from the
10 Conflicts of Interest Board with respect
11 potential areas of conflict. You know, as I've
12 mentioned before, most of my clients are not
13 here in New York, so they do not pose a
14 conflict of interest. And the balance of my
15 work does not have me dealing with land use and
16 zoning issues. So those do not provide a
17 conflict of interest, either. With my staff,
18 you know, we've instructed them not to engage
19 or discuss issues or my opinion on any issues
20 with the agencies that have been mentioned, but
21 as I've mentioned, historically I've been
22 running my business for about six, seven years
23 now. I've never engaged with any of the
24 agencies that are listed here. So, you know, if

2 necessary, I will ask for additional guidance
3 from Conflicts of Interest.

4 COUNCIL MEMBER DROMM: Could you--
5 can you elaborate a little bit on what
6 decisions your staff would make independently
7 versus ones that they would come to you on?

8 LARISA ORTIZ: We provide guidance
9 and advising on retail attraction and retention
10 issues. You know, we're very collaborative. In
11 fact, we've got a small office. We're in the
12 same space, so it's hard to actually tell you
13 where, you know, my role begins and their role
14 ends. You know, we very much work in parallel.
15 So I'm intimately aware of every move that my
16 staff makes, and the other way around as well.
17 So I anticipate knowing in advance if there are
18 potential conflict of interest, but as I said,
19 most of my work actually doesn't suggest that
20 there will be in it, but I'd be happy to ask
21 for additional guidance when necessary.

22 COUNCIL MEMBER DROMM: So do you at
23 this time have any clients that have anything
24 to do with land use or zoning issues?

25 LARISA ORTIZ: I do not.

2 COUNCIL MEMBER DROMM: Okay. And
3 just one last one, if I may?

4 CHAIRPERSON LANDER: Great, last one.

5 COUNCIL MEMBER DROMM: Okay, just
6 put it in my--here. No, that's it actually. I
7 want to thank you and I hope that I wasn't too
8 hard on you and I just wanted to make sure that
9 I know exactly where you stand. So thank you
10 very much.

11 CHAIRPERSON LANDER: Glad that
12 Queens was well represented here. We don't
13 have a--that's full of Queens compliment on the
14 Rules Committee. So we had a lot of Manhattan
15 and Brooklyn questions earlier. Let me just ask
16 one final question and then thank you for your
17 patience and we can conclude this hearing. You
18 spoke a lot, I think very thoughtfully, about
19 the need to pay attention to the specific
20 issues of neighborhoods, and I think you've all
21 three demonstrated that that's both your
22 personal inclination and you understand that
23 Council Members obviously are approaching their
24 neighborhoods, you know, and the Administration
25 has reflected that in the idea of these 15

2 planning studies. At the same time I think
3 because you've all engaged in development you
4 know developers are looking to understand the
5 rules and the ground rules and what the
6 expectations are. I've seen in the Gwanis [sic]
7 the prices getting bid up in ways that, you
8 know, we need to have some expectations, what
9 mandatory inclusionary zoning is actually going
10 to be what the manufacturing preservation rules
11 are going to be, and I just, you know having
12 said a lot to something I care a lot about, and
13 I appreciate your response to Council Member
14 Chin of the role of community and the kind of
15 fine grayness [sic]. I wonder if you could
16 just give a little reflection on the importance
17 and value of predictable policy that helps
18 people know, you know, how to make
19 transactions.

20 CHERYL COHEN EFFRON: I'll go first.
21 I think what I said, I think there were three
22 C's, though I didn't mean to be so concise.
23 Certainly, clarity and I can't remember what
24 the third one was, but basically
25 predictability. There must be a C for that.

2 Are really important and I think from what I
3 can tell even before I was honored to be
4 recommended for appointment to the City
5 Planning Commission, the Department of City
6 Planning has worked very hard to do those
7 things already and I can tell by some of the
8 information coming out of City Council, that is
9 the same intent there. So I think as these two
10 groups move forward together, there really is
11 an opportunity to help communities by making it
12 clear what the expectations are for any
13 developer that wants to come into those
14 communities and I think that's the best we can
15 do.

16 BOMEET JUNG: I think having that kind
17 of clarity also is helpful not only for the
18 developers but also for those community
19 advocates and the community voices. You know,
20 it's not nice to be surprised, right? And so
21 to the extent that those, you know, where the
22 particular building envelopes are and where the
23 density will go and having all of that
24 information out for public discussion, you
25 know, whether it's directly with the developer

2 or whether it's conversations in the community
3 at large and developing a community based
4 consensus on that I think is also very
5 important.

6 LARISA ORTIZ: Go ahead, no.

7 CHAIRPERSON LANDER: No, super. I
8 think that's very helpful and I just want to
9 make sure we kind of have that on the record.
10 We all care passionately about our
11 neighborhoods. We need to be able to zealously
12 organize for and bring their interest together,
13 but there is that shared need to, you know,
14 have good predictable understanding as well,
15 and again I think we're--I'm feeling it very
16 much these days in Gawanis [sic] where if
17 people purchase property with a certain amount
18 of uncertainty then the conflicts are only
19 going to be more. So we're trying to do as
20 much as we can to get our community consensus
21 articulated, but then we want rules that help
22 us have a good dialogue and really achieve good
23 planning. So I want to say thank you to the
24 Council Members who have stuck it out to the
25 end, to the Chair and the Council Members Chin

2 and Dromm, again, to the staff, but especially
3 to the three of you for your patience. This
4 has been a long hearing, but I think a very
5 fruitful and productive one. These issues
6 matter a lot to the council. We'll have a lot
7 of dialogue between the agency and the
8 Commission and the council and these are
9 important issues to get right for the future of
10 this city at both large and small levels. So
11 thank you very much. As I mentioned we will
12 not be voting today. We like to let people
13 listen, go back and review testimony, ask any
14 follow-up questions that they have. So we
15 will have a hearing on Thursday that hasn't yet
16 been calendared, but it'll be calendared
17 before. We don't have anyone who signed up to
18 testify. This is a public hearing as well and
19 had members of the public showed up to ask to
20 testify they could, but seeing no further
21 questions or comments, we thank you for your
22 appearance at the hearing. We expect to vote on
23 the appointment this Thursday morning and the
24 Committee on Rules, Privileges and Elections
25 now stands in recess. Thank you. [gavel]

1 COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS

124

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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 there is no relation to any of the parties to this action by blood or marriage, and that there is no interest in the outcome of this matter.



Date 07/30/2014