

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE

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June 7, 2016  
Start: 10:15 a.m.  
Recess: 12:00 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: DAVID G. GREENFIELD  
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile  
Annabel Palma  
Inez E. Dickens  
Daniel R. Garodnick  
Darlene Mealy  
Rosie Mendez  
Ydanis A. Rodriguez  
Peter A. Koo  
Brad S. Lander  
Stephen T. Levin  
Jumaane D. Williams  
Ruben Wills  
Deborah L. Rose  
Donovan J. Richards  
Inez D. Barron  
Andrew Cohen  
Ben Kallos  
Antonio Reynoso  
Ritchie J. Torres  
Mark Treyger

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

John Kaufman, Chief Operating Officer  
Department of City Planning

Anita Laremont, General Counsel  
Department of City Planning

Nino DePaola, Associate Director  
Policy Management  
Mayor's Office of Operations

Ward Dennis, Board Member and Past Chair  
Neighbors Allied for Good Growth, NAG  
Member, Friends of Bushwick Inlet Park

Lina Lee, Staff Attorney  
Brooklyn Services Corporation A

Jonathan Furlong  
Zoning and Technical Assistance Coordinator  
Assoc. for Neighborhood & Housing Development, ANHD

Adam Friedman, Director  
Pratt Center for Community Development

Adrian Wiegand, Staff attorney  
Community Development Project  
Urban Justice Center

Julia Watt-Rosenfeld  
Coalition for Community Advancement  
Progress for Cypress Hills East New York

Dennis Osorio  
Community Voices Heard Member  
East New York Resident



2 CHAIRPERSON GREENFIELD: Good morning.

3 My name is David Greenfield. I'm the Council Member

4 from the 44th Council District in Brooklyn. I'm

5 privileged to serve as the Chair of the Land Use

6 Committee. I want to welcome my esteemed colleagues

7 who are members of the committee, and have joined us

8 today, Council Member Gentile and Council Member

9 Dickens who gets the gold star for coming early.

10 Thank you Council Member. Council Member Garodnick,

11 Council Member Mendez, Council Member, Council Member

12 Rodriguez, Council Member Koo, Council Member Lander,

13 Council Member Williams, Council Member Richards,

14 Council Member Barron, Council Member Cohen, Council

15 Member Kallos, Council Member Reynoso, Council Member

16 Torres and Council Member Treyger. I want to thank

17 Chair Dickens for her work with the Planning

18 Subcommittee on Monday, Chair Richards for conducting

19 the public hearing earlier this morning in the Zoning

20 Subcommittee and Chair Koo for his works on the

21 Landmarks Subcommittee. We have a very full calendar

22 today. We will be voting on the legislative items on

23 the calendar. The committee will first be voting on

24 the resolutions before you that reflect the

25 recommendations of the subcommittee presentations and

2 vote by the full Council, and we will be voting on  
3 one legislative item, and then we will move on to a  
4 hearing. LU No. 362, a sidewalk cafe in Brooklyn.  
5 This application was submitted by the Greenpoint Fish  
6 and Lobster Company to establish an unenclosed  
7 sidewalk cafe located at 114 Nassau Street in  
8 Greenpoint, Brooklyn. This cafe would be located in  
9 Council Member Levin's district, and he supports the  
10 application after the applicant agreed to reduce the  
11 size of the cafe to five tables and ten chairs.

12 LU No. 384 Van Buren Green. This  
13 application was submitted by the Department of  
14 Housing Preservation and Development for an amendment  
15 to a previously approved urban development actionary  
16 project, and new tax exemption to facilitate of ten  
17 two-family homes located in Council Member Cornegy's  
18 district in Brooklyn. These new homes will be  
19 available for sale through the new Infill  
20 Homeownership Opportunities Program for families  
21 making to 80 to 130% of the Area Median Income.  
22 Council Member Cornegy supports this application has  
23 committee recommended approval.

24 LU No. 385, New Visions Community. This  
25 application was submitted by the Department of

2 Housing Preservation and Development for a real  
3 property tax exemption. Pursuant to Section 577 of  
4 the Private Housing Finance Law for two properties  
5 located in Council Member Salamanca and the Speaker's  
6 district, this new tax exemption would allow the two  
7 buildings to continue to offer low-income housing for  
8 our senior population, and Council Member Salamanca  
9 and the Speaker both support this application.

10 LU No. 386 East Tremont Apartment. This  
11 application was submitted by the Department of  
12 Housing Preservation and Development for an amendment  
13 to a previously approved urban development  
14 actionarial project. The amendment would permit  
15 community facility use in a portion of the project  
16 instead of exclusively commercial use. This  
17 application is Council Member Torres' district.

18 LU No. 387, Newport Gardens. This  
19 application was submitted by the Department of  
20 Housing Preservation and Development for a real  
21 property tax exemption. Termination of prior tax  
22 exemption and a conveyance from the previous owner to  
23 a new owners for property located in Council Member  
24 Barron's district. This new tax exemption will  
25 facilitate the continued affordability and

2 rehabilitation of the 240-unit Newport Gardens  
3 Development. This preconsidered LU would--would  
4 request (sic) the Department's Sharon House and  
5 Legget Apartments. This application was submitted by  
6 the Department of Housing Preservation and  
7 Development for a real property tax exemption  
8 pursuant to Section of the Private Housing Finance  
9 Law for several properties located in Council Member  
10 Salamanca's and the Speaker's district. This new tax  
11 exemption would allow the continued affordability of  
12 five multiple dwellings, and Council Member Salamanca  
13 and the Speaker both support this application.

14 Preconsidered LU Christopher Park. This  
15 application was submitted by the Mayor for approval  
16 of the transfer of city-owned park land down by  
17 Christopher Street, Gove Street and West Fourth  
18 Street to the federal government pursuant to Section  
19 728-H of the general Municipal Law. This transfer  
20 will facilitate the establishment of a national park  
21 on this property known as Christopher Park. This  
22 property is located in Council Member Johnson's  
23 district, and he supports approval of this transfer.

24 Finally, today, Intro 775-A. I want to  
25 just spend a couple moments on this particular

2 introduction. The legislation that we're voting on  
3 today, Intro 775-A is a long overdue measure that  
4 will establish timelines for the Landmarks  
5 Preservation Commission to consider buildings and  
6 neighborhoods proposed for landmark protection.  
7 Community boards, borough presidents, the City  
8 Planning Commission and the Council all have  
9 deadlines for considering changes to our built  
10 environment. It's sensible good government reform to  
11 also provide timelines for consideration to the  
12 Landmarks Preservation Commission. This bill has  
13 been the subject of much discussion to date, and  
14 adjustments since it was first introduced last year.  
15 This legislation as it exists today represents the  
16 very modest reforms of the 50-year landmarking  
17 process that has often moved properties in districts  
18 too slowly through a process that was too opaque and  
19 to unpredictable. Intro 775-A is a remedy to those  
20 problems. Specifically, in some cases it could take  
21 as long as 50 years to get a hearing and/or a vote on  
22 a landmark. The timelines imposed by our bill are  
23 both simple and sensible. It will cap the amount of  
24 time that the Commission could keep a proposal on its  
25 calendar for consideration. At one year for

2 individual buildings with the possibility of a one-  
3 year extensions and two years for whole blocks or  
4 neighborhoods. The bill in no way limits the  
5 Commission's ability to reconsider buildings or  
6 neighborhoods previously considered, but not  
7 landmarked and in no way weakens the district's  
8 protections for any properties or districts under  
9 consideration for landmark status. Put simply, Intro  
10 775-A is a sensible good government reform that will  
11 help New York City run better. That's why it has won  
12 the support of the New York Times, the New York Daily  
13 News, the New York Post and Cranes. That's why it  
14 also won the support of the New York Landmarks  
15 Conservancy, and that's why more than 30 council  
16 members have signed on to the bill as co-sponsors.  
17 Unfortunately, some have spread misinformation about  
18 the revised bill in hopes of undermining supports for  
19 its passage, and so let's just get a few things  
20 straight. The bill will not weaken protections for a  
21 single property under consideration for landmark  
22 status in New York City. It will not lead to the  
23 destruction or harm of the single historic property  
24 or district. The Bill gives LPC plenty of time to  
25 review each and every property or district that comes

2 under consideration. The deadlines we seek to impose  
3 with this bill offer the LPC nearly twice as much  
4 time as they typically need according to our own  
5 study of the matter. There is no risk that  
6 developers or anyone else will run out the clock and  
7 destroy historic properties. The bill simply  
8 provides a needed dose of predictability and  
9 transparency to the landmarking process, a/k/a good  
10 government. Furthermore, this legislation empowers  
11 council members. In the past, we have seen cases  
12 where the LPC would calendar council member's request  
13 for landmarking, but then would never get around to  
14 holding a hearing on the item. Effectively the  
15 commission could run out the clock on a council  
16 member's priorities with the passage of this bill  
17 that would not longer be possible. Intro 775-A is a  
18 common sense good government piece of legislation  
19 that will save homeowners, non-profits and community  
20 organizations from what in some cases has been  
21 decades of so-called landmarks limbo. It's a  
22 progressive piece of legislation that will continue  
23 to advance this Council's priorities with a more  
24 affordable and welcoming city, one that accommodates  
25 new immigrants, communities of color, one people,

2 artists and entrepreneurs seeking to make their way  
3 in their way in the same wonderful city that has  
4 afforded such great opportunities to our own  
5 immigrant families and so many others for  
6 generations. It's a sensible piece of legislation  
7 that will bring greater transparency and  
8 predictability to our government. I urge my  
9 colleagues to vote yes on Intro 775-A, and I'll turn  
10 it over to Chair Koo for remarks on the legislation  
11 that he is the prime co-sponsor of

12 COUNCIL MEMBER KOO: Thank you Chair  
13 David Greenfield, and good morning everyone. Last  
14 year we celebrated the 50th Anniversary of the New  
15 York City Landmark Law, but this celebration was  
16 tempered with the knowledge that nearly 100  
17 properties had had been stuck in perpetual limbo on  
18 the LPC Calendar. Many of us have been here for as  
19 long as the Landmark Law has existed. That's older  
20 than most of the Council Members. In the a city that  
21 most--that takes such enormous pride in its history,  
22 architecture and neighborhood character, this kind of  
23 reaction is undesirable. Clearly, the Land Marks Law  
24 is a predictable time table that provides reasonable  
25 expectations for both the community and property

2 owners. With this goal in mind, Intro 775-A is a  
3 bill proposed with Council Member Greenfield and many  
4 others to bring both their eyes on the amount of time  
5 it takes the LPC to decide on the landmark or a  
6 historic district. There has been much debate about  
7 how long these timelines should be, and whether or  
8 not there should be an ability to extend them if LPC  
9 is unable to come to a decision. I want to assure my  
10 colleagues that these timelines were not arbitrarily  
11 picked out of a hat. We carefully examine the  
12 average and median times for individual landmarks and  
13 historic districts in order to come up with a fair  
14 timeline. And we have listened to the critics of  
15 this bill. We understand that landmarking is a  
16 timely process that requires research, consultation  
17 and consensus. That's why we decided to change the  
18 original version of this bill to do the following:  
19 In recognizing of the debate of the timelines, we  
20 have completely removed through our timeline (sic)  
21 allowing for items to be re-calendared. In  
22 recognition of the need for more possibilities in  
23 timelines for all landowners needed to complete work  
24 highlighted (sic) with destination, we have also  
25 included an extension for individual landmarks. In

2 recognition of the many challenges that exist when  
3 holding public hearings, we have amended the bill to  
4 allow for more possibilities with public hearing  
5 timelines providing one year for individual landmarks  
6 and two years for historic districts. At the end of  
7 the day, this bill follows the precedent set by the  
8 federal government, state government and many other  
9 major metropolitan cities across the country that  
10 also follow timelines on historic preservation. I  
11 hope you join with me in making sure our city  
12 employers a predictable, transparent and accountable  
13 process to our Landmarks--to our Landmarks Law.  
14 Thank you.

15 CHAIRPERSON GREENFIELD: Thank you, Mr.  
16 Chairman, and thank you as well for those changes  
17 that you made in the legislation at the request of  
18 many in the preservation community, and are there any  
19 questions on this bill? We're going to give members  
20 the opportunity to make remarks on the bill before  
21 the vote. We're going to ask members to limit their  
22 remarks to two minutes per member. Are there any  
23 members that would like to make remarks on the  
24 legislation? [pause] Council Member Mendez.

2 COUNCIL MEMBER MENDEZ: Thank you Chair  
3 Greenfield. I will be voting no when the vote is  
4 called. Two reasons. One is based on process. For  
5 me, this hearing on this bill was held in September,  
6 and we have not had an opportunity for public comment  
7 since. I am very grateful that the five-year ban was  
8 removed from this bill, but I still think this could  
9 have been a better bill. I know we need timelines.  
10 Twenty years is too long, but for me one year is just  
11 not enough even with the option to extend it for  
12 another year. I would have appreciated having more  
13 time to have discussions with my colleagues, and with  
14 the chair about this bill. This bill was noticed on  
15 Thursday for a hearing today. We have not had the  
16 benefit as a body to discuss this bill in democratic  
17 conference. So for me, the more transparent way is  
18 for the members to have had that opportunity, and for  
19 the public to also have had an opportunity to comment  
20 on this bill as written now. So, for that, I will be  
21 voting no. I do want to thank Chair Greenfield for  
22 taking the time over the last couple of days on  
23 Friday, part of Thursday, Friday, and yesterday to  
24 talk about potential changes to the bill. But for me  
25 that's not the preferred way of doing this. We

2 should have had a little bit more time and this bill  
3 can be taken off the calendar so that we all could  
4 have gotten to a better place and vote on it later  
5 this month, or some time this year. So I think you  
6 for the opportunity to make comments.

7 CHAIRPERSON GREENFIELD: Thank you,  
8 Council Member Mendez. Council Member Kallos.

9 COUNCIL MEMBER KALLOS: Thank you to  
10 Council Member Mendez for being a leader on these  
11 issues for so very long before it even got to the  
12 Council. Last year soon after we celebrated the 50th  
13 anniversary of the Landmarks Law legislation was  
14 introduced to eviscerate it with a five-year  
15 moratorium as a safe harbor for developers to build  
16 luxury housing as they raise rent regulated  
17 affordable housing throughout the city. Later that  
18 year we heard from 70 groups throughout New York  
19 City, more than 50 of whom testified against the  
20 legislation, but we also heard from the Real Estate  
21 Board of New York in favor. I don't recall a single  
22 landlord showing up in support of the legislation.  
23 With so much opposition, communities throughout New  
24 York City signed in relief of legislation they though  
25 was defeated in committee. Late last Thursday,

2 Introduction 775 was posted to the Council website  
3 and calendared for this morning at 9:30 a.m. That  
4 was the Council's notice that the voice of opposition  
5 of more than 70 groups representing communities in  
6 all five boroughs who are outweighed by a single  
7 vote--voice of the Real Estate Board of New York. I  
8 and the Preservation Committee are grateful that the  
9 moratorium has been removed from the bill, but  
10 disappointed that it's been replaced with further  
11 curtailment of the Landmarks Preservation Commission  
12 by taking their power and the Council's power and  
13 giving it to landlords who will have consent to  
14 extensions of time on their properties. I support  
15 timelines for landmarks and historic districts. I am  
16 concerned about what happens when the Landmarks  
17 Preservation Commission is unable to meet one or two-  
18 year timelines with properties falling of the  
19 calendar and into demolition the day of. By the  
20 Council Land Use Division's won report, nearly one-  
21 fifth of all landmarks in historic districts would  
22 not make the cut. Can you imagine passing another  
23 law that would harm one in every five New Yorkers.  
24 Who are the one in five New Yorkers who will be  
25 harmed. Where do they live? Historic districts that

2 would not have made the clock, our lone communities  
3 of color like Bedford-Stuyvesant, Hamilton Heights  
4 [bell] Jackson Heights amongst dozens of others. I  
5 have about one or two more paragraphs if I might  
6 conclude. For 50 years, the Landmarks Law has  
7 protected and preserved the history of our city and  
8 our affordable housing. I and the Preservation group  
9 support timelines and have requested an amendment to  
10 require the that the Landmarks Preservation  
11 Commission gives us certainty with a vote to  
12 designate, remove from the calendar, or extend  
13 consideration for a date certain. This would prevent  
14 what happened in my district where a developer laid  
15 in wait with bulldozers for their property to come  
16 off the calendar and they did destroy the edifice of  
17 a landmarked building before the LPC Commission could  
18 vote. A vote of yes is a vote in favor of  
19 development and raising our communities. I urge my  
20 colleagues to please vote no in favor of preserving  
21 our communities and our affordable house.

22 CHAIRPERSON GREENFIELD: Thank you  
23 Council Member. Council Member Lander to speak on  
24 the bill.

2 COUNCIL MEMBER LANDER: Thank you, Mr.  
3 Chair. Like my colleagues, many of my colleagues I'm  
4 a very strong advocate of landmarking and landmarks  
5 protection. I was honored to chair the Landmarks  
6 Subcommittee now chaired by Council Member Koo last  
7 term, and in that time fought some pretty fierce  
8 battles against real estate interests, most notably  
9 the Downtown Brooklyn Skyscraper District that that  
10 the Real Estate Board opposed and that we were told  
11 would undermine--anyway--and we stood up. We stood  
12 up together. We defended it. We voted to desig--  
13 designate that district, but I will say as a strong  
14 advocate of landmarks and landmarking, I support  
15 Intro 775-A. I could not have with the moratorium.  
16 So I appreciate that the moratorium was removed. I  
17 actually think that this will improve and accelerate  
18 and strengthen our landmarks process. I do better  
19 work with a deadline, my kids do their homework with  
20 a deadline. We get stuff done on time and  
21 expeditiously when there's a clear process and we  
22 have to move forward and get it done. I am confident  
23 that this will accelerate the process of getting fair  
24 consideration. I think without the moratorium, with  
25 the other things that have been put in place this

2 bill will help us move forward to landmark the city  
3 where appropriate. But I just would like to add I  
4 hope people got to review in addition to this  
5 legislation the new report that the Council put out,  
6 a very strong Landmarks Report. This is only step  
7 one. Step one a seven-step process that the Council  
8 and the Speaker put out last week is create a  
9 timeline, but there are six more, and I'm not taking  
10 this at the end of the process to look forward to  
11 working with both chairs, with the committee, with  
12 the staff and with the Speaker. I'll just quickly  
13 say 237(sic) are codify the community board role,  
14 provide formal protection for calendared properties,  
15 something important that I hope we will be able to  
16 move forward, and not just be informal, but formal  
17 and legal. Study support for landmark assistance  
18 because we need more resources to get this done.  
19 Create new mechanisms for protecting buildings. Plan  
20 and preserve together, something especially important  
21 in the neighborhoods where we're doing land use  
22 planning, and community planning, [bell] and make  
23 more information public so we all can see and benefit  
24 from that information. This is just step one making  
25 this something that genuinely improves and

2 strengthens our landmark process. It's going to  
3 require that we move forward together down the list.  
4 Thank you, Mr. Chair.

5 CHAIRPERSON GREENFIELD: Thank you,  
6 Council Member Lander. Any other council members who  
7 would like to make remarks before the vote. I just  
8 want to clarify two points that were addressed. The  
9 first is regarding the one-year extension with the  
10 consent of the property owners. That was actually at  
11 the request of the Landmarks Preservation Commission,  
12 and so having conversations with the Landmarks  
13 Preservation Commission we wanted them to be  
14 comfortable and supportive of the bill, and that was  
15 a request that they made of us and so, therefore, we  
16 amended the bill at their request. And as Chair Koo  
17 pointed out, which I think is critically important,  
18 and Council Member Lander pointed out as well, they--  
19 at the request of the preservationist groups, in  
20 fact, we do have a full day of hearings, and the  
21 number one request that the preservationist groups  
22 asked us for was to delete the moratorium and, in  
23 fact, we did that. And so, I--I know that was a  
24 significant concession, and the final point I want to  
25 make because I just think it's an important point,

2 which can get a little bit confusing is when folks  
3 say that one-fifth of the landmarks would not have  
4 happened, the answer is that's because there were no  
5 deadlines. And so think about it. If you have to do  
6 a report and there's no deadline on the report, then  
7 it may take you, in fact, a year or two years or five  
8 years to do the report. If there is a 60-day or 100-  
9 day or a one-year deadline on the report, magically  
10 that report will get done on time because there is a  
11 deadline. So, it's just quite frankly dishonest for  
12 people to say that Landmarks would not have happened.  
13 The--you cannot work backwards. The Landmarks  
14 Preservation Commission tells us that they can work  
15 within these new deadlines, and that going forward,  
16 in fact, the landmarking will, in fact, occur. And  
17 so I just think it's an important point to clarify  
18 the only reason it wouldn't have happened is because  
19 we're trying to apply a rule retroactively and, of  
20 course, if there were no deadlines, no one is going  
21 to stick to a deadline. But now that there will be a  
22 deadline, as in everything else and just as how this  
23 Land Use Committee, in fact, sticks to every single  
24 deadline that we get, I'm confident that the  
25 Landmarks Preservation Commission and the Land Use

2 Committee can stick to their mind (sic) as they always  
3 have done. And with that, seeing no other questions  
4 or remarks. No, Council Member you were offered the  
5 opportunity to debate last night on New York One and  
6 you declined, and we're certainly to use this as a  
7 forum to go back and forth on debate. And so we're  
8 going to move on and ask the Clerk to call the roll,  
9 unless there are other council members who would like  
10 to make remarks.

11 CLERK: William Martin, Committee Clerk,  
12 roll call vote Committee on Land Use. All items are  
13 coupled. Chair Greenfield.

14 CHAIRPERSON GREENFIELD: Aye on all.

15 CLERK: Gentile.

16 COUNCIL MEMBER GENTILE: [pause] Mr.  
17 Chairman, may I explain my vote?

18 CHAIRPERSON GREENFIELD: Council Member  
19 Gentile to explain his vote.

20 COUNCIL MEMBER GENTILE: Thank you. Ever  
21 since coming to the Council and I began working on  
22 landmarking issues in my district, but I've always  
23 found unfair to all parties involved that an item  
24 could be held on the LPC calendar ad infinitum. That  
25 prohibits the community and the site location from

2 the definitive answer and moreover shuts out the  
3 local elected council member, who has but a few years  
4 office, the ability often to see a landmarking all  
5 the way through from beginning to end. And while  
6 this bill is no panacea, and doesn't confer absolute  
7 right of a vote within one year or two, it is at  
8 least a step in the right direction. And hopefully  
9 with this time table imposed on LPC, and the  
10 attendant community and council member advocacy on  
11 these matters LPC will work diligently to comply with  
12 the vote keeping to the time table set forth in this  
13 intro. It may need to be tweaked by future  
14 legislation, but this bill attempts to address one of  
15 the major frustrations we've had in the communities  
16 and on the elected level for a long time.  
17 Accordingly, to take that first step in the right  
18 direction, I vote aye.

19 CLERK: Dickens.

20 COUNCIL MEMBER DICKENS: [off mic] Aye.

21 CLERK: Garodnick.

22 COUNCIL MEMBER GARODNICK: Permission to  
23 explain my vote?

24 CHAIRPERSON GREENFIELD: Council Member  
25 Garodnick to explain his vote.

2 COUNCIL MEMBER GARODNICK: Thank you, Mr.  
3 Chairman and I wanted to start by thanking you and  
4 also Chair Koo for your hard work on Intro 775, and  
5 for making crucial changes to the bill in response to  
6 feedback from numerous stakeholders particularly the  
7 moratorium, which was included in the earlier draft.  
8 Over the past 50 years, the Landmarks Preservation  
9 Commission has worked to determine what historic  
10 resources across our city deserve to be protected.  
11 The LPC's work has preserved many of our city's  
12 finest jewels. In my own area, I represent well over  
13 100 individual landmarks, and seven historic  
14 districts, and we've worked to expand existing  
15 districts and designate where the landmarks over the  
16 past decades. Yet, the process is flawed. As you  
17 have pointed out, Mr. Chairman, decisions can be  
18 shrouded in mystery and they can drag on for  
19 countless years. The bill attempts to bring some  
20 sensible reform. To that process to give more  
21 certainty to preservationists and property owners  
22 alike, it prescribes time frames and much more  
23 predictability to the process. But the bill while  
24 good, does not allow for an escape valve in a  
25 situation where LPC is close, ready by simply runs

2 out of time. In that case, I believe that they  
3 should able to have a one-time limited extension  
4 without the permission of the property owner in that  
5 situation. I believe that that would have really  
6 brought it home. Unfortunately that--that change is--  
7 -is not in the bill, but I do thank you for leading  
8 this effort. I do think that the bill is--is quite  
9 close, and--but for the reason that I stated I'm  
10 going to be voting no. Thank you.

11 CLERK: Mendez.

12 COUNCIL MEMBER MENDEZ: Permission to  
13 explain my vote?

14 CHAIRPERSON GREENFIELD: Council Member  
15 Mendez to explain her vote.

16 COUNCIL MEMBER MENDEZ: Okay. I just  
17 want to comment something that Council Member Lander  
18 said about a report. So, I was told about this  
19 report. I asked my staff when the council members  
20 were given this report, and we go this report  
21 Thursday at 7:30. It was mailed--emailed to council  
22 members. That's to me is after this hearing had been  
23 set, and that to me is not the best way of doing  
24 things. Council Member Gentile, you say that we're  
25 going to have to probably tweak this in the future.

2 I don't know. Maybe there's something wrong with me.  
3 I feel like we should be getting this right the first  
4 time. If we're going to make law, we should take the  
5 little extra time it's going to take so that we can  
6 get more people on board. You know, no one is going  
7 to be happy at the end of the day on--on both sides,  
8 but if we can get more people to a better place, I  
9 think that is our role as legislators. It's about  
10 balancing and we have not done that here today, and  
11 the process part of this is lacking in so many years.  
12 Not transparent. Not inclusive by not having another  
13 public testimony. For all those reasons, I vote no.  
14 [pause] I vote no on 775. I'm going to think about  
15 the rest.

16 CLERK: Rodriguez.

17 COUNCIL MEMBER RODRIGUEZ: Permission to  
18 explain my vote?

19 CHAIRPERSON GREENFIELD: Council Member  
20 Rodriguez to explain his vote.

21 COUNCIL MEMBER RODRIGUEZ: Look, I will  
22 vote--I will be voting yes, but my vote is on the  
23 line of what Council Member Lander explained. You  
24 know, as a former social studies--studies teacher  
25 that I was for 13 years, I really value the

2 importance of keep--of keeping up the landmarks of  
3 our city. Not only for us but for the future  
4 generation. One of the best classes that I took at  
5 City College before Chancellor Levine, who lead us at  
6 that site at 123rd Street and her class that was end  
7 (sic) in her department. It's about learning about  
8 the community. It was with that class that I learned  
9 that Broadway and 138th where we have a MacDonald's  
10 it used to be the Gotham Theater used to be there.  
11 It used to be like a beautiful hotel when the train  
12 the last stop was at 137th. I do believe together  
13 with Council Member Lander and the rest of my  
14 colleagues that the Landmark Commission they have to  
15 be more active that they need to work with a deadline  
16 where they have to come back and make decisions.  
17 That it doesn't make sense that we have buildings  
18 waiting for years without any limit on when they have  
19 to make decisions. We need to be sure that we put  
20 our resources from the Council from the Mayor to  
21 increase the number of staff for the landmarks who  
22 may revise the project to engage the community so  
23 that we can make the best decision to protect as many  
24 landmarked buildings as we have in the city. They  
25 are in my district. I have two buildings. The

2 Coliseum Theater at 181st and Broadway built at the  
3 beginning of the 20th Century. I have been trying to  
4 persuade the Landmarks Commission that there's a  
5 memory (sic) to landmark the building. I have a  
6 Baptist church at 184 and Wadsworth, a building at  
7 the beginning of the--of the 20th Century also.  
8 Supposedly, there's not any merit to landmark those  
9 buildings. So I believe that as it is important to  
10 have a time period for the Landmarks to make  
11 decision. Also, we need to work at the Council to be  
12 sure that we do as much--as many re--as much reforms  
13 as possible so that we also look at different  
14 criteria on and--and what merit do we use to landmark  
15 buildings in our--in our city. So again, I respect  
16 all the men and women that have taken the time, that  
17 advocate to preserve the landmarks of our city.  
18 [bell] All the advocate groups, and my vote is about  
19 trying to give a period of time for the Landmarks  
20 Commission. They should come back knowing that they--  
21 --with a decision on a project that we have  
22 identified. With that, I vote aye.

23 CLERK: Koo.

24 COUNCIL MEMBER KOO: Aye on all.

25 CLERK: Lander.

2 COUNCIL MEMBER LANDER: Request  
3 Permission to explain my vote?

4 CHAIRPERSON GREENFIELD: Council Member  
5 Lander to explain his vote.

6 COUNCIL MEMBER LANDER: Thank you, Chair,  
7 and I--this is not really a--a response to answer to  
8 answer. Council Member Mendez, I--I hear you. I  
9 will say I--when I chaired the subcommittee I tried  
10 to open up this conversation. We had a--a dialogue  
11 about it, out of which we were not able to move  
12 forward because we didn't feel that there was a  
13 consensus. And a thing that I've just noticed is  
14 even though I believe the vast majority of us care  
15 about preserving and strengthening our neighborhoods  
16 and getting the balance right at preservation and  
17 allowing room for growth and development it's, of  
18 course, a very often polarized and challenging  
19 conversation to have, and that was true when we did  
20 it last term. That was true this term, and I think  
21 that will continue to be true. What I'm--so, you  
22 know, what I guess I'm just committing to, I think  
23 those of us who count ourselves strong  
24 preservationists and who are voting yes today, are  
25 taking on an obligation to work through the rest of

2 the items on this list to be in dialogue with the  
3 people who vote no, and with the preservationists in  
4 the room. Just personally, with my vote, I'm--I'm  
5 committing myself to do that. I want to see those  
6 formal protections for calendared properties, which I  
7 know is something you have been the leader on in this  
8 body for a long time. And we've got to get there as  
9 well as on the range of other things that will help  
10 us do a better job of recognizing what's worth  
11 preserving and working hard to find ways to do it  
12 together, and getting through what can be a loud,  
13 important but sometimes polarized conversation to do  
14 better on it. So, I, you know, I--I take what you're  
15 saying, and my vote is a--is responsibility to  
16 continue moving forward. So thank you for--for  
17 pushing and I vote aye on all.

18 CLERK: Rose.

19 COUNCIL MEMBER ROSE: I vote aye on all.

20 CLERK: Williams.

21 COUNCIL MEMBER WILLIAMS: Permission to  
22 explain my vote?

23 CHAIRPERSON GREENFIELD: Council Member  
24 Williams to explain his vote.

2 COUNCIL MEMBER WILLIAMS: Thank you very  
3 much. First, I want to acknowledge and support  
4 Landmarking. I have a building in a couple of  
5 districts I'm trying to landmark, and I hope my vote  
6 doesn't slow that down in any case--in any way shape  
7 or form. I also consider many of federations in the  
8 room friends and allies, but I also come with having  
9 spent four years on the Landmarks Committee last  
10 term, and what I found there was a process that was  
11 arcane. I often felt that some of the decisions were  
12 arbitrary. I felt that there wasn't space for anyone  
13 else to actually oppose anything that was going on,  
14 and there was no system that allowed that whether it  
15 was the members, whether it was the owners. It was  
16 all left up to a small group of people, and the fact  
17 that there were no timelines to have to make those--  
18 that decision was terrifying for me. So, I think  
19 this bill is actually pretty good. I think I've  
20 gotten some emails, but I feel like they were  
21 disingenuous to say that certain things would be  
22 landmarked if this bill wasn't in place. They would  
23 not have been landmarked if LPC hadn't acted, and we  
24 have still given the LPC the power to act and act  
25 again and act again. All it does it provide a

2 timeframe, and a framework. I'm glad that the  
3 moratorium was taken out even though my--I'm proud my  
4 name is on the bill third, but I probably wouldn't  
5 have supported it the moratorium remained in. I  
6 think that was a huge problem. I'm glad it's taken  
7 out. I am actually nervous because the opposition to  
8 this bill shows me how bad it--it actually in this  
9 landmarking process. There is not even a time frame  
10 is something that people would support, but I'm going  
11 to vote aye on all. I would support any other bills  
12 that would help tweak this a little better. Council  
13 Member Garodnick, it's something near what you  
14 discussed. That seems to make some sense, but I  
15 think this bill is--is a bill that only moves a  
16 little bit forward. The LPC still has their power.  
17 The rest--the preservationists still have their power  
18 [bell] and if it's not landmarked in there, you still  
19 can come back. All two years you still can come  
20 back. So I think the opposition is a little much  
21 just for this small change, and hopefully we can  
22 continue the discussion. LPC, I still support you so  
23 please help me out. Thank you. I vote aye on all.

24 CLERK: Richards.

2 COUNCIL MEMBER RICHARDS: Permission to  
3 explain my vote?

4 CHAIRPERSON GREENFIELD: Council Member  
5 Richards to explain his vote.

6 COUNCIL MEMBER RICHARDS: Thank you.  
7 Thank you to both chairs and congratulations Council  
8 Member Koo on a good bill. You know, I--I sort of  
9 think back to my college days, and sort of wonder if  
10 my professors didn't give me a deadline on papers  
11 would I have completed them. So I think today we're  
12 at a place where we are setting a deadline, and we're  
13 ending the party hypothetically that LPC has had for  
14 a long time. We obviously would not be here today if  
15 the LPC was moving in a fashion that was conducive to  
16 our communities. You know, we're not here to put  
17 legislation and introduce legislation for no reason.  
18 Normally something triggers us to introduce  
19 legislation in--in most cases. So while this bill is  
20 not perfect, you know, in the future we will come  
21 back just as we've come back with many other bills.  
22 I don't recall any perfect bills that have been  
23 passed in the Council over time, but we always come  
24 back to look to amend and strengthen bills where they  
25 need be strengthened in particular. So, I look

2 forward to working with the LPC as we move forward  
3 and in particular I think there also needs to be a  
4 focus on ensuring that communities of color also have  
5 the doors opened up in terms of the process of  
6 landmarking as well, and there needs to be more of a  
7 focus put into our communities as well. So with that  
8 being said, I--I vote aye and I say congratulations  
9 to Council Member Koo.

10 CLERK: Barron.

11 COUNCIL MEMBER BARRON: [pause] Request  
12 Permission to explain my vote?

13 CHAIRPERSON GREENFIELD: Council Member  
14 Barron to explain her vote.

15 COUNCIL MEMBER BARRON: Thank you. First,  
16 regarding Land Use 387, I'm in support of the renewal  
17 of the project base, our development, which will be  
18 transferred to a new owner. There will be 235  
19 apartments at 60% of the AMI, and five apartments at  
20 60 to 80% of the AMI. So I'm very much in favor of  
21 that with the understanding that the owner who also  
22 operates other developments in my community will  
23 have ongoing regular meetings with the tenants, will  
24 work with DEP to address a smell that is very strong  
25 and needs to be addressed and correcting, and will

2 provide recreation facilities to the tenants that are  
3 there. Regarding 77-A--775-A, I want to associate  
4 myself with the comments of my colleagues Rosie  
5 Mendez, Garodnick and Kallos as it addresses the lack  
6 of process or the problems with process, and the fact  
7 that there are--we're targeted by developers who are  
8 looking to come in and really extend their  
9 opportunity to expand the degree that they are  
10 governed by. And notwithstanding my colleagues, this  
11 case for opposition, I'm voting no on 775-A, and aye  
12 on all the rest.

13 CLERK: Cohen.

14 COUNCIL MEMBER COHEN: [pause] Permission  
15 to explain my vote?

16 CHAIRPERSON GREENFIELD: Council Member  
17 Cohen to explain his vote.

18 COUNCIL MEMBER COHEN: Thank you. I  
19 really just wanted to thank Chairs Greenfield and Koo  
20 for really truly being collaborative on this bill.  
21 As you both know, I did not support an earlier  
22 version of this bill, but I feel like my concerns  
23 were listened to. Many of the concerns of my  
24 colleagues and the concerns of my constituents. So  
25 wit that, I vote aye on all. Thank you.

2 CLERK: Reynoso.

3 COUNCIL MEMBER REYNOSO: Permission to  
4 explain my vote?

5 CHAIRPERSON GREENFIELD: Council Member  
6 Reynoso to explain his vote.

7 COUNCIL MEMBER REYNOSO: Right. In North  
8 Brooklyn we've had sites calendared for longer than  
9 I've been on this great and almost bag-free city, and  
10 while my biggest issue is the time it takes for the  
11 potential item to get calendared in my district, the  
12 fact that anything can last more than 40 years on a  
13 calendar is an extreme--is a--it's a problem and I  
14 would like to say that had I had the infrastructure  
15 that many of these other neighborhoods have when it  
16 comes to landmarking, that maybe it wouldn't have  
17 lasted 40 years. So now instead of allowing for  
18 resources to kind of be the driver of landmarking,  
19 this timeline would possibly do it. What I--what I  
20 would like to--to ask is that we move forward with  
21 figuring out a way to get things on the calendar more  
22 often in neighborhoods of color because that is  
23 absolutely not happening in LPC, and resources  
24 aren't-- You know, resources shouldn't be the driving  
25 force behind whether or not something gets

2 landmarked. I do have a--a small concern or a  
3 concern that was brought up by Council Member  
4 Garodnick in regards to the extension having to be I  
5 guess initiated or confirmed by a landlord as well in  
6 order for it to get the extension. That's a huge  
7 concern. Because should there be some issue that  
8 needs to be resolved thereafter and the landlord that  
9 wants to develop especially neighborhood like  
10 Williamsburg and Bushwick, I really see that being a  
11 problem. And I really feel like that's also  
12 something we could have taken care of this round.  
13 So, I'm extremely torn, and would like to abstain on  
14 775-A and vote aye on all the rest.

15 CLERK: Torres.

16 COUNCIL MEMBER TORRES: [pause]

17 Permission to explain my vote?

18 CHAIRPERSON GREENFIELD: Council member  
19 Torres to explain his vote.

20 COUNCIL MEMBER TORRES: Thank you, Mr.  
21 Chairman. I--I think we all agree--I hope all agree  
22 that our Landmarks Law is a watershed achievement and  
23 the preservationist community is correct to be  
24 protective of it. Having--have said that, I've--I've  
25 observed that any discussion of an amendment to the

2 Landmarks Law no matter how carefully crafted, no  
3 matter how intensively negotiated generates more heat  
4 than light. And I do believe it's possible to impose  
5 reasonable deadlines without thwarting the purpose of  
6 Landmarks Law. The deadline that the law prescribes  
7 is consistent with the current practice of LPC. LPC  
8 has affirmed to us that it has the capacity to meet  
9 those deadlines, and so I see no reason to vote  
10 against this legislation. I think as a matter of  
11 good governance, every land use process including  
12 landmarking should have the predictability that  
13 deadlines provide. So for those reasons, I vote aye.

14 CLERK: Treyger.

15 COUNCIL MEMBER TREYGER: Permission to  
16 briefly explain my vote.

17 CHAIRPERSON GREENFIELD: Council Member  
18 Treyger to explain his vote.

19 COUNCIL MEMBER TREYGER: So I--I hear my  
20 colleagues, and I just want to say that my district  
21 has an issue with this particular landlord named the  
22 Parks Department, and I'm hoping to be alive to see  
23 the day that the Coney Island Boardwalk will be  
24 landmarked [laughter], and with that, I vote aye on  
25 all.

2 CLERK: Kallos.

3 COUNCIL MEMBER KALLOS: Permission to  
4 explain my vote?

5 CHAIRPERSON GREENFIELD: Council Member  
6 Kallos to explain his vote.

7 COUNCIL MEMBER KALLOS: I'm disappointed  
8 that the Chair of the Land Use Committee feels that  
9 the place for debate is not in the City Council  
10 itself but on New York One instead. For the record,  
11 we accepted on the terms that we include Council  
12 Member Rosie Mendez. We hoped you would include  
13 Council Member Peter Koo, the sponsor of this bill.  
14 I'm not sure why you excluded Council Member Koo or  
15 why you won't debate with Council Member Mendez, but  
16 I'm disappointed that you declined the debate. I got  
17 to spend my night supporting Homeless Services and  
18 public safety in my community instead. The  
19 legislation offers no opportunities for extensions,  
20 for historic districts. So I'm just curious. Can  
21 folks raise their hands if you ever needed an  
22 extension on a deadline, maybe on the legislation you  
23 submitted or an exam once upon a time? Anybody here?

24 COUNCIL MEMBER: [off mic] Taxes.

2 COUNCIL MEMBER KALLOS: Taxes, anything.  
3 I--I think having extensions would be helpful, and  
4 that's all that we've been asking for, not  
5 unreasonable but we would--been seeking an amendment  
6 to allow the LPC to vote to designate, take it off  
7 the calendar or give an extension of a determined  
8 amount of time. I'm concerned with the number of yes  
9 votes that are admitting that the legislation needs  
10 work and instead of just passing it through today,  
11 we're a legislative body. We can amend things. We  
12 can engage the legislative process. We can have  
13 debate, and I urge folks to reconsider their votes.  
14 You can still do so until this closes and say, you  
15 know, what a motion to table or something like that  
16 or vote no and we'll come back and a B version that  
17 actually provides a chance to extend and protect our  
18 landmarks. I'm also concerned about curtailment to  
19 the power of the Council and the Landmarks  
20 Preservation Commission as we take our power and we  
21 hand it to landlords. For those reasons, I vote no  
22 on Introduction 775 and yes on all other items.

23 CLERK: All Land Use item in today's Land  
24 Use Committee have been adopted by a vote of 17 in  
25 the affirmative, 0 in the negative and no abstentions

2 with the exception of Introduction 775-A, which has  
3 been adopted by a vote of 15 in the affirmative--  
4 excuse me--12 in the affirmative, 4 in the negative  
5 and 1 abstention.

6 CHAIRPERSON GREENFIELD: Thank you.

7 Before we move on, I just want to respond to two  
8 points that were raised. There were many points that  
9 were raised. I want to respond to two points that  
10 were raised as the Chair of the committee. The first  
11 point is on imperfections in legislation. The  
12 reality is that just about every single piece of  
13 legislation that we pass in this body is the result  
14 of compromise, and ladies and gentlemen, compromise  
15 is never perfect. That's why it's call compromise  
16 because every side is a little bit. Eventually, you  
17 end up with something that's imperfect, but that most  
18 people are comfortable with, and quite frankly, we do  
19 that every single day. The legislation that you see  
20 here today is slightly imperfect just as how every  
21 legislation is slightly imperfect because, in fact,  
22 the Chair of the subcommittee agreed to make  
23 compromises and in those compromises changes were  
24 made that make many people happy, but not everyone  
25 happy, and that is, in fact, a good function of the

2 legislative process. I would not be happy with a  
3 body that simply ran the legislation down other  
4 members' throats just because it was prefect  
5 legislation, but rather I'm encouraged that we fit in  
6 the body that, in fact, does deliberate and ends up  
7 with legislation that is negotiated, and therefore  
8 imperfect on all sides. And so I'm actually very  
9 proud of that. The other thing I just want to speak  
10 to is--is, in fact, process. The process that was  
11 followed here is the same exact process that we  
12 followed in every other piece of legislation that  
13 this Council has passed. The reality is that this  
14 conversation was brought up at the Democratic  
15 Conference, at the Democratic Conference we did  
16 discuss, albeit it was a few weeks back, we did  
17 discuss that this was legislation that we were, in  
18 fact, negotiating. We made the negotiations. We  
19 made the changes. We already had the hearing, and  
20 the reality is that we do not re-litigate the issues  
21 that have been raised again and again and again at  
22 future committee hearing because there is no end to  
23 the re-litigation. And, therefore, we had a process  
24 that we followed scrupulously, and that process, in  
25 fact, worked and this is the same exact process that

2 was followed all along. So, if folks have objection  
3 to the fact that the Council passes imperfect  
4 legislation, which is what we do every single day and  
5 every legislative body does, fair enough. If folks  
6 have legislation to the fact that we followed the  
7 same process that every single legislation passes in  
8 the City Council, fair enough. However, what we are  
9 doing today is standard. It is correct and it is the  
10 right thing to do, and I will reiterate that I would  
11 not want to serve in a body where there are no voices  
12 heard, and the original bill is always done as  
13 proposed, and there is not the ability to negotiate.  
14 And so, with that, I will thank everyone and we will  
15 keep the vote open for another 15 minutes or so.  
16 We're going to move onto public hearing Intro No.  
17 1132, which is a Local Law to establish a public  
18 accessible tracking database of all commitments made  
19 by the city as part of any city-sponsored application  
20 subject to the uniform land use review procedure.  
21 This proposed legislation was introduced by the  
22 Public Advocate and the Speaker, as a much needed  
23 reform to help improve the public dialogue and trust  
24 during the public review process for neighborhood  
25 rezonings. This reform is also part of the pledged

2 made by the Deputy Mayor during the Council's review  
3 of the Mandatory Inclusionary Housing Program. This  
4 legislation would establish a tracking system to keep  
5 track of the commitments made during the public  
6 review process for zoning changes proposed by the  
7 City. These commitments have always been a vital  
8 part of the public discussion and consideration  
9 during large zoning changes that are not formally  
10 part of the rezoning actions. The claimants are  
11 often only written down in a letter between the  
12 Administration and the Council. It is often  
13 difficult to track and verify. The commitments are  
14 being filled years after the actual approval. It  
15 limits themselves from an age when investments in  
16 infrastructure, parks, new schools, local hiring  
17 programs or any number of other commitments that are  
18 designed to benefit the local community and help  
19 accommodate any increased development. These  
20 commitments are extremely important to the local  
21 communities that feel the greatest effects of zoning  
22 change, and it is time for the city to provide a tool  
23 to help ensure that they are fulfilled. I support  
24 this proposed legislation, and look forward to

2 hearing the testimony today. Is the Public Advocate  
3 in attendance? [background comments, pause]

4 COUNCIL MEMBER MENDEZ: Council Member  
5 Greenfield.

6 CHAIRPERSON GREENFIELD: Yes.

7 COUNCIL MEMBER MEALY: I--I need to vote  
8 on all the other items. So I get another opportunity  
9 to vote no on 775-A and yes on all the other items.

10 CHAIRPERSON GREENFIELD: Okay, thank you  
11 Council Member. Council Member Mealy, would you like  
12 to vote?

13 COUNCIL MEMBER MEALY: May I explain my  
14 vote?

15 CHAIRPERSON GREENFIELD: Yes, Council  
16 Member Mealy is going to explain her vote.

17 COUNCIL MEMBER MEALY: I just hope that  
18 with homeowners and churches they have the  
19 opportunity to lease if they want to postpone it for  
20 a year, they have that opportunity in this bill.  
21 That is in this bill, right?

22 CHAIRPERSON GREENFIELD: Yes.

23 COUNCIL MEMBER MEALY: Okay, and I vote--  
24 I vote aye.

2 CHAIRPERSON GREENFIELD: Thank you,  
3 Council Member. [pause] Would anyone like to testify  
4 on Intro 1132? Council Member Espinal, did you want  
5 to speak on Intro 1132?

6 COUNCIL MEMBER ESPINAL: I would love to  
7 speak on 1132.

8 CHAIRPERSON GREENFIELD: [interposing]  
9 Council Member Espinal.

10 COUNCIL MEMBER ESPINAL: Thank you.  
11 Thank you, Mr. Chair. I am also a--one of the prime  
12 sponsors of this bill. I would like to thank first  
13 and foremost Raju Mann for helping me put this  
14 together alongside the Speaker and the Public  
15 Advocate for taking--also taking the lead on this  
16 very important Capital Commitment's Tracking Bill.  
17 Intro 1132 would bring much needed transparency and  
18 accountability to a process that is often confusing  
19 and vague to the average person. When ULURP was  
20 implemented in 1976, it took into account two very  
21 important factors that had been influencing  
22 governments back then. The increasing involvement of  
23 the city's community boards in the development of the  
24 city and its substantial increase in the community  
25 participation, and many aspects of government. While

2 this enhanced, the management review process has  
3 greatly increased civic expectation and transparency,  
4 it has also left communities wondering about the  
5 status of the capital commitments that were made as a  
6 result of an application being approved. For  
7 example, if we look at Williamsburg, which was  
8 rezoned ten years ago, they're still waiting on their  
9 park, which was--and their park. Intro No. 1132  
10 seeks to rectify that shortcoming by creating a  
11 comprehensive and public accessible online database  
12 that will keep track of the capital commitments made  
13 by the Mayor or any of the mayoral agencies as part  
14 of ULURP. As a the Council Member representing an  
15 area that was recently--that recently underwent one  
16 of the largest rezonings in history, \$267 million in  
17 capital improvements, I want my constituents to be  
18 able to know and track all of the capital commitments  
19 that were made by the city as part of the East New  
20 York rezoning. Only then can we hold this and future  
21 mayoral administrations accountable for their  
22 commitments, and assure that promises made are  
23 promised kept. So we hope that we can track every  
24 single school that was promised, every single park  
25 renovation that was promised, and every single dollar

2 to create new jobs in the community. And that's--at  
3 the end of the day, that's the goal of this bill, and  
4 I'm hoping to hear the Administration give their  
5 input and also the public to weigh in and say what  
6 works and what doesn't work, and what they believe  
7 would be best for this tracking database. So again,  
8 thank you, Mr. Chair, and thank you, Donovan, as well  
9 for all the work you guys are doing in this  
10 committee.

11 CHAIRPERSON GREENFIELD: Thank you,  
12 Council Member Espinal. I want to call up John  
13 Kaufman, Anita Laremont and Nino DePaola from the  
14 Administration, and while they're coming up, I would  
15 like to ask Chair Richards to make some remarks  
16 followed by Council Member Lander.

17 COUNCIL MEMBER RICHARDS: Thank you, Mr.  
18 Chair, and thank you Council Member Espinal for your  
19 leadership, and I remember having this discussion in  
20 particular around Mandatory Inclusionary Housing. We  
21 were having this discussion with the Administration  
22 during negotiations and--and one of the reasons we  
23 arrived here obviously was because in the past,  
24 commitments were not kept with prior administrations.  
25 So I think we're turning a new leaf today by offering

2 a lot more transparency and accessibility, not only  
3 for members but in particular the public. It is my  
4 hope and I look forward to obviously reviewing the  
5 Administration's testimony and hearing from you today  
6 because we did something called the Sandy Tracker  
7 when I first got here, which tracks all the Sandy  
8 funding. And just as we were having a discussion on  
9 the LPC, the Landmarks Preservation Commission, it is  
10 my hope that deadlines and update, all this  
11 information in real time is accessible and available  
12 to the public on a regular basis. Not every three  
13 months, not every five months, but that in real time  
14 tracking, the public go online and have access to  
15 seeing. And--and one, it helps us out. It also  
16 helps the admin, right, because you are able to show  
17 you actually are delivering, but in particularly,  
18 mores importantly ensuring that the public has access  
19 to this information in real time is--is going to be  
20 important. And also in the long term protect  
21 commitments that were promised in the long term and  
22 both short term. So, I want to thank the  
23 Administration. Hope to hear good things, and thank  
24 Chair Greenfield, and obviously Council Member

2 Espinal for helping us to arrive to this day and the  
3 Speaker and the Public Advocate.

4 CHAIRPERSON GREENFIELD: Thank you, Chair  
5 Richards, and I will reiterate the point that the  
6 chair made and Council Member Espinal made, which is  
7 this is exactly one of the issues that came up while  
8 the chair was chairing the Zoning Subcommittee and,  
9 in fact, we moved very swiftly to address this issue,  
10 and I want to congratulate the Chair and Council  
11 Member Espinal for their leadership on this, and I  
12 want to thank the Speaker for her support and Council  
13 Member Lander for his support as well, and ask him to  
14 make some remarks.

15 COUNCIL MEMBER LANDER: Thank you very  
16 much, Mr. Chair, and I'll stick around and ask some  
17 questions of HPD, but before Council Member Espinal  
18 leaves want to--I'm enthusiastic about this  
19 legislation. I support it. I do hope--I'd love us  
20 to look at it because in addition to the publicly  
21 accessible online database, which we surely need for  
22 tracking purposes, I was very--one thing that I was  
23 very encouraged about in the East New York process  
24 was the--the document at the end of the process  
25 itself, which articulated the commitments. It was

2 really a planning document. It took all of the extra  
3 zoning, extra land use investments, infrastructure  
4 investments, planning and commitment that had gone  
5 through that whole process, and codified it in a  
6 document, which I think we kind of colloquially kind  
7 of called the Neighborhood Commitment Plan. It  
8 included the East New York Housing Plan commitments,  
9 and then a series of other commitments. To me, that  
10 document itself and making it official is an  
11 important thing for us to think about how to do. So  
12 that it's not only an online tracking database so we  
13 make sure we follow up, but we formalize what has  
14 sort of been napkin notes from the Deputy Mayor to a  
15 council member. And it's not just a matter of making  
16 sure those are an online try to--tracking, but  
17 establishing some framework for a neighborhood  
18 commitment plan of that type to be created, to be  
19 filed with Council for people in the community to  
20 see. And then, of course, to be followed up. So I  
21 just want to I think give credit to the Council  
22 Member and the Administration for sort of pointing a  
23 better way forward in East New York, and say that I  
24 hope we can use this legislation perhaps with some

2 amendments to make that process that we'll use going  
3 forward. Thank you, Mr. Chair.

4 CHAIRPERSON GREENFIELD: Thank you. Any  
5 other council members who would like to make remarks?  
6 Hearing none, I'm going to turn to the Administration  
7 to begin their testimony. We have a tradition in the  
8 Council that we ask folks to either swear--affirm or  
9 swear to say the truth in their testimony. So if you  
10 don't mind, please raise your right hand. Do you  
11 swear or affirm to say the truth and nothing but the  
12 truth in your testimony to the Council today?

13 PANEL MEMBERS: [off mic] I do.

14 CHAIRPERSON GREENFIELD: Thank you very  
15 much. You may begin and please identify yourself  
16 before you begin for the record.

17 JOHN KAUFMAN: Good afternoon-morning  
18 Chair Greenfield and distinguished members of the  
19 Land Use Committee. Let me introduce myself. My  
20 name is John Kaufman. I'm the Chief Operating  
21 Officer for the Department of City Planning. I'm  
22 here today to speak on behalf of the department. I'm  
23 joined by my colleagues also from City Planning, our  
24 General Counsel Anita Laremont on my right, and Nino  
25 DePaloa from the Mayor's Office of Operations on my

2 left. I thank you for the opportunity to be here  
3 today to testify regarding Intro 1132. This proposed  
4 legislation would make it easier for the public to  
5 track the commitments made by the city as part of any  
6 city-sponsored application subject to ULURP. We are  
7 wholeheartedly supportive of this idea of creating a  
8 commitment tracker. I'm pleased to be here today to  
9 discuss this legislation with the Council. We agree  
10 that tracking commitments promotes transparency in  
11 addition to elucidating the detailed planning work  
12 done across all agencies. The Administration  
13 recognizes that with City-sponsored rezoning actions  
14 in particular disseminating information about  
15 specific zoning related commitments is important to  
16 maintain public trust and confidence, and plans for  
17 these outcomes may be realized over the course of  
18 years. Having a public process for tracking our  
19 rezoning planning work will also serve to enhance  
20 accountability and help ensure the administration's  
21 commitments around important projects and programs  
22 are fulfilled. We are very interested in talking  
23 more with this committee about how to best realize  
24 these goals. Consistent with the Mayor's Housing  
25 Plan the department's focus on housing creation has

2 been coupled with a deep commitment to ground up  
3 integrated network neighborhood planning. By ground  
4 up, we mean we are more robustly and proactively  
5 engaging neighborhood residents, community groups,  
6 local represent--representatives and other  
7 institutions for regular broad input that bring about  
8 healthier, more inclusive and more vibrant  
9 neighborhoods. By integrated we mean our department  
10 staff works in close collaboration with all relevant  
11 agencies to ensure the overall neighborhood plans  
12 have been orchestrated sensibly and they have aligned  
13 our collective strategic planning priorities with  
14 that individual's community--that individual  
15 community's needs. Planning in this more integrated  
16 fashion with key agencies and partners such as  
17 Department of Housing Preservation and Development,  
18 the Department of Small Business Services, Economic  
19 Development Corporation, Department of  
20 Transportation, the School Construction Authority,  
21 Department of Parks and Recreation, Office of  
22 Management and Budget and the Mayor's Office working  
23 with all these partners results in more effective  
24 regulatory and land use changes as well as  
25 neighborhood plans that are more thorough and better

2 able to address the most pressing needs of a given  
3 neighborhood. Historically, we are aware that plans  
4 that increase new housing capacity have sometimes  
5 been approved without fully securing the investment  
6 and corresponding infrastructure. We're doing a few  
7 things differently to try to address this. The Mayor  
8 established a Billion Collar Capital Fund to help  
9 ensure that infrastructure such as parks, streets and  
10 public amenities keep pace with increases in housing  
11 and population as neighborhoods go through zoning  
12 changes. In addition to the Billion Dollar Fund,  
13 we're also contributing to the MCA Capital Fund to  
14 help ensure that its five-year capital plans align  
15 with the need to accommodate growth in these  
16 neighborhoods. Another example of more integrated  
17 planning across the city is our department's more  
18 substantial involvement in co-crafting the 10-year  
19 capital strategy with our partners at OMB. We  
20 believe that all of these changes will result in a  
21 capital budget more aligned with our land use  
22 strategy, which many of you might remember as how the  
23 city used to operate during the hay day of city  
24 building. We're trying to get back to that  
25 tradition, which will ensure sufficient focus on the

2 types of investments that create vibrant sustainable  
3 neighborhoods. This spring the Council adopted a  
4 Modified Zoning Proposal for the first DCP sponsored  
5 neighborhood rezoning in this Administration.  
6 Department staff together with the community and our  
7 colleagues in many other agencies developed a ground-  
8 up integrated plan to facilitate expanded programs  
9 and services, and capital investments related to this  
10 rezoning . These strategies were not specifically  
11 part of the proposed land use actions, that the  
12 Council is considering, are essential for achieving  
13 this comprehensive vision of a thriving and  
14 sustainable neighborhood. Our goal from the  
15 beginning of our neighborhood planning process is to  
16 ensure that we create a clear set of commitments that  
17 can be tracked by stakeholders. For the benefit of  
18 neighborhood residents we believe it's important to  
19 ensure that these commitments are delivered upon in a  
20 clear and transparent way. To this end, our aim to  
21 assemble commitments with clear timelines and  
22 measurable outcomes in one place easily viewed by the  
23 public. To this end, tracking commitments is  
24 something we've already started thinking about with  
25 Deputy Mayor Glenn's Office and the Mayor's Office of

1 Operations. We are working collaboratively with the  
2 relevant agencies to develop a tool that will track  
3 the progress made on each commitment and make this  
4 information available online for the public. Our  
5 intent is that following City Council approval of any  
6 DCP initiative neighborhood rezoning , a list  
7 outlining the city commitments will be posted on the  
8 City website for easy public access. The Mayor's  
9 Office of Operation would post an annual progress  
10 report on line reflecting how the Administration is  
11 following through on those commitments. The annual  
12 report would contain brief commentary for each  
13 commitment noting current status and major milestones  
14 achieved. The tracker would not only serve as a  
15 critical tool to maintaining transparency but also by  
16 means which we monitor our own progress. This is our  
17 vision, and we welcome the opportunity to discuss how  
18 we can contribute--how we can contribute to the  
19 legislation. We do very much appreciate the Council  
20 taking up this issue of tracking commitments. It's  
21 one we are deeply committed to. We look forward to  
22 further developing an approach that will achieve our  
23 shared goal of greater transparency and  
24 accountability.  
25

2 CHAIRPERSON GREENFIELD: Thank you. Any  
3 other testimony from the--

4 JOHN KAUFMAN: [interposing] Chief  
5 Operating Officer John Kaufman. No other testimony.

6 CHAIRPERSON GREENFIELD: Okay, thank you.  
7 I'm just asking because you have three people up  
8 here. So I wanted to make sure there's no other  
9 testimony. I will turn it over to Chair Richards for  
10 the first questions.

11 COUNCIL MEMBER RICHARDS: Thank you, Mr.  
12 Chairman. Should I take this mic? I don't want to  
13 take this. [pause] How are you?

14 JOHN KAUFMAN: Very good, thank you.

15 COUNCIL MEMBER RICHARDS: Thank you and  
16 we're very optimistic and happy to hear that the  
17 admin has got the support of--of--of this effort. A  
18 few questions. So, who--which agency will oversee  
19 this particular--?

20 JOHN KAUFMAN: It hasn't been discussed  
21 yet so far. The Mayor's Office of Operations will be  
22 responsible--will be responsible for tracking. As  
23 you know, the commitments cut--cut across dozens of  
24 agencies. And so they seem like a--a sensible  
25 central point to do that.

2 COUNCIL MEMBER RICHARDS: And how much  
3 staffing do we know will be dedicated to this?

4 JOHN KAUFMAN: I think it--it--it's a  
5 little premature to say that we have a great--it  
6 depends on the nature of the tracker itself, but  
7 we've--in the early discussions they feel like this  
8 is something they can do, and they understand why  
9 that would be a sensible place for that--for it to be  
10 done.

11 COUNCIL MEMBER RICHARDS: Okay, and when  
12 do we anticipate this tracker being that--being that  
13 we obviously are going to be going through a lot more  
14 rezoning s soon.

15 JOHN KAUFMAN: [interposing] Yeah, I  
16 think so.

17 COUNCIL MEMBER RICHARDS: So East New  
18 York is done. So when do--do we have a timeframe of  
19 when that we think that it will be ready?

20 JOHN KAUFMAN: I think as soon as the  
21 legislation sort of settles and it's agreed upon, we  
22 can, you know, post the commitments made and start  
23 tracking immediately.

24

25

2 COUNCIL MEMBER RICHARDS: So I would hope  
3 we don't wait for legislation because we know it's  
4 coming. So we--are we getting out again?

5 JOHN KAUFMAN: As the Council Member  
6 already said there's been actually a--a full a bigger  
7 plan published on it. So it talks about commitments  
8 in an integrated way--

9 COUNCIL MEMBER RICHARDS: [interposing]  
10 Okay,

11 JOHN KAUFMAN: --and we're I think  
12 prepared to do that as--as again we want what we--  
13 we're waiting a little bit to understand the full  
14 nature of the tracker so we don't come out with  
15 something that we'd instantly need to change.

16 COUNCIL MEMBER RICHARDS: So I know it's  
17 very early on, but I'm--I'm just saying that--saying--  
18 -saying this to say that we're here. The time is  
19 upon us. I know Debbie Rose is not here, but we have  
20 several rezoning s, you know, coming up, and it will  
21 be great if we can have this tool up and running at  
22 least by the next major rezoning.

23 JOHN KAUFMAN: I think without a doubt it  
24 can be up and running by then.

2 COUNCIL MEMBER RICHARDS: All right. So  
3 it seems like we're in a very preliminary stage. So  
4 I look forward to continuing the conversation, and  
5 being updated on this as we move forward, and I know  
6 we've been joined by our Public Advocate who  
7 ferociously and I know certainly will want to know  
8 when this is going to be up and running as well. I  
9 thank you, Mr. Chair. [laughs]

10 CHAIRPERSON GREENFIELD: Thank you.  
11 Council Member Lander has some questions.

12 COUNCIL MEMBER LANDER: Thank you, Mr.  
13 Chair. Thank you for being here. I--I just want to  
14 sort of follow up on the opening comment that I made.  
15 I--I--I agree that it is important and promising that  
16 there is good framework for establishing the tracking  
17 of commitments. I--I just want to explore a little  
18 how you view this as a planning tool essentially for  
19 relating to community organizations and advocates and  
20 community boards as the planning process moves  
21 forward and think about--I'm guessing we'll hear some  
22 testimony about this as well--how we can do better to  
23 make sure this really captures that. I guess for  
24 starters, you know, right now one thing that I've  
25 always found challenging is when things are moving

2 through the planning, and then especially through the  
3 ULURP process those things that are zoning that are  
4 in the zoning text have a place to go, be said, be  
5 read, you know, be read and be commented on. But  
6 those things, which are not zoning, which are all  
7 these other things we're talking about. Commitments  
8 about affordable housing subsidies and school seats,  
9 and park commitments and programming and local  
10 hiring. What's the legal status of those things as  
11 they move through the planning and ULURP process?

12 JOHN KAUFMAN: I think you--for the  
13 question I think it is an interesting topic. I guess  
14 I'd start without trying to--to deflect just as they  
15 were, TCP is here on representing our sister agencies  
16 who we partner a lot with and it's a--we were  
17 representing that, but we are not, you know,  
18 controlling those efforts so to speak and--and we  
19 respect that there's an orchestrated engagement  
20 process. We're trying to lead without sort of being  
21 too directive with our sister agencies as to what is  
22 the right engagement process for this along every  
23 step of the way, and--and I--if you follow that--that  
24 line of thought that then turns into a--through the  
25 course of the planning process, which does include

2 land use and all of these other things, increasingly  
3 as we think about an integrated plan, it takes time  
4 for those plans to mature and to understand what the  
5 community needs are, and those would be on different  
6 time lines depending on what type of agency your  
7 program is being considered. And so again we're--  
8 we're--it wouldn't be in a position to understand  
9 exactly where those are at any given point in time.  
10 What we do know is by the end of the period where  
11 we're evaluating land changes, we would try to bring  
12 it all together to have a package that is an  
13 integrated neighborhood plan that reflects it. At  
14 that point, things get very firm, and the point where  
15 things are being committed to, you know, in  
16 conjunction with the--the rezoning and the land use  
17 actions typically.

18 COUNCIL MEMBER LANDER: So I guess what I  
19 have found, and this is as much, and if not more from  
20 my experience as a community organizer and--and  
21 planner supporting community organizers is in the  
22 Council is that there's something of a black hole on  
23 the status of these issues. Everyone know they're  
24 important that they are work communities want to be  
25 talking about in the nature of a plan and, of course,

2 you could go the route of doing a 197-A plan in which  
3 these kinds of things can belong, but that's got a  
4 lot challenges in making work. So from the Council's  
5 point of view, of course, at the end of the day, you  
6 know, often there is a MOU or a letter, you know,  
7 which--which, you know, we know sort of what that  
8 looks and again I think as a result of a lot of good  
9 organizing and a lot of good work by the Council  
10 member the East New York one is much more robust than  
11 the ones we have seen in the past, but I--do you  
12 share my concern that there is a little bit of--maybe  
13 black hole is too strong--but a lack of clarity about  
14 what that integrated plan looks like. So if you're a  
15 neighborhood advocate or a community board members,  
16 and what you want to say is in order to be  
17 comfortable with this process, here are the things we  
18 need in our neighborhood, and that's not necessarily  
19 about the difference between R-7A and R-7B or which  
20 of the four MIH options we're taking. But are those  
21 commitments. You can put them in your community  
22 board resolution, but they don't have any place to.  
23 Is that a--is that a fair--is that a fair  
24 characterization?

2           JOHN KAUFMAN: Having not been I guess on  
3 the community organizing side of the fence, I can  
4 imagine what you're describing is a source of  
5 frustration if there's a sense of a black hole where  
6 things aren't even discussed where you don't really  
7 know where they stand, I think the-- As of--the thing  
8 about our Integrated Planning process the challenge  
9 that exists as you'd appreciate is there are tons of  
10 moving parts, and different constituencies that want  
11 different things, and are very passionate about  
12 certain needs, and that's the one they care about.  
13 And there's another one over there. It's a little  
14 bit different, and so I think every agency is trying  
15 to navigate that through the process, which is, you  
16 know, rarely shorter than a year, and--and over  
17 courses of workshops there are different times.  
18 There are just all these different sources of input,  
19 but I think the--the variability of that engagement  
20 model makes it hard to say there is sort of firm  
21 landing, to say this is a recommit of things short  
22 of, you know, when it sort of comes together towards  
23 the end.

24           COUNCIL MEMBER LANDER: So here's my  
25 rough suggestion and I think I'm making this. Now

2 the lead sponsor is now here, Public Advocate, it's--  
3 it's good see you. I think my--my rough proposal,  
4 and then I think we'll hear testimony and hopefully  
5 get a chance to talk, and think about it more. It  
6 seems to me if in addition to the tracking database  
7 there was framework for something like a--I'm just  
8 going to here colloquially call it a neighborhood  
9 commitment plan. I don't think the words are as  
10 important. That folks have the expectation would get  
11 it, you know, finalized at the end of the process.  
12 It's not process wise unlike what happened in East  
13 New York. Some elements of that exist at the  
14 beginning, and developed through the planning  
15 process. Perhaps a draft of it might be available  
16 when certification took place as these New York  
17 housing plans existed from HPD. That would provide  
18 residents and community organizations an opportunity  
19 to advocate for the things that they expected to get  
20 in that plan over the time of community planning and  
21 ULURP, and then at the end of the process perhaps a  
22 framework could exist for the Administration to file  
23 that document in some way with the Council or through  
24 some process. So in some ways it's no more than  
25 codifying what things would be in the commitment

2 tracking database, but in other ways I believe it  
3 could help make this much more useful as a planning  
4 and engagement tool in addition to what I think it  
5 already is set to be, which is an over time  
6 commitment tracking tool.

7 JOHN KAUFMAN: I'm sorry and so, you  
8 know, if I understand correctly, your--your goal  
9 would be to sort of provide more transparency along  
10 the way. So what are the elements of the plan that  
11 might be firming, and it would be more distinct on  
12 that rather than there's a bunch of stuff we can  
13 about at the end. We're committed to things.

14 COUNCIL MEMBER LANDER: A--a formal  
15 appropriate transparent space for the administration,  
16 community boards, borough presidents, the Planning  
17 Commission, the Council and community stakeholders to  
18 have an appropriate and--space to talk about the  
19 kinds of things that matter to communities that don't  
20 wind up in the zoning piece--

21 JOHN KAUFMAN: [interposing] Right

22 COUNCIL MEMBER LANDER: --of the ULURP  
23 action.

24 JOHN KAUFMAN: And--and more--

2 COUNCIL MEMBER LANDER: [interposing]  
3 Yeah, and then, of course, those are exactly the  
4 things that we'll be tracking in the tracking  
5 database, and I agree with everything in here in  
6 terms of making sure there is that commitment in  
7 tracking overtime.

8 JOHN KAUFMAN: Okay. Let--let us--it's  
9 something definitely beyond the scope of the  
10 legislation as we interpret, but I--I hear your need  
11 and my community's need for more transparency is a  
12 helpful way to feel and encourage--heighten the trust  
13 of government.

14 COUNCIL MEMBER LANDER: Thank you vey  
15 much for considering it, and I--I look forward to  
16 having those conversations with the--the Public  
17 Advocate and her team, and like the rest of them, the  
18 Chair and other colleagues as well. Thank you, Mr.  
19 Chair.

20 CHAIRPERSON GREENFIELD: Thank you,  
21 Council Member Lander. We're going to just take a  
22 30-second break here because as we said before, it is  
23 the Land Use Committee's practice to allow for late  
24 comers, 15 minutes to vote. That 15 minutes has  
25 passed and, therefore, we're going to ask the Clerk

2 to give us the final vote on all items in today's  
3 calendar, and then we will continue with this  
4 hearing.

5 CLERK: The final vote in today's Land  
6 Use Applications have been adopted by a vote of 18 in  
7 the affirmative, 0 in the negative and no  
8 abstentions. With Introduction 775-A being adopted  
9 by a vote of 13 in the affirmative, 4 in the negative  
10 and 1 abstention. Thank you.

11 CHAIRPERSON GREENFIELD: Thank you. The  
12 vote is now closed, and we will continue. I will now  
13 ask the Public Advocate a prime co-sponsor of this  
14 legislation, Public Advocate James to please make  
15 some remarks, and if she has any questions as well.

16 PUBLIC ADVOCATE JAMES: Thank you. Thank  
17 you, Chair Greenfield for allowing me to say a few  
18 words and for holding this hearing this morning. As  
19 most of you know, I'm the prime sponsor of Intro  
20 1132, a bill that would--would require the  
21 Administration to establish an update annually, a  
22 publicly accessible database of all commitments made  
23 by the city in connection with city sponsored land  
24 use applications. I want to thank the Speaker  
25 Melissa Mark-Viverito and Council Member Espinal who

2 joined me co-prime sponsors. Most of us in this room  
3 are familiar with the promises that accompany  
4 significant developments that require ULURP approval.  
5 As a former council member, although the Atlantic  
6 Yards Project was not subject to ULURP, I do know the  
7 role that, you know, community-based CBAs played in  
8 the development of the Atlantic Yards project. And I  
9 also know the deficiencies of CBAs as a result of the  
10 Atlantic Yards project. So, in light of Mayor de  
11 Blasio's ambitious plan to rezone 15 different  
12 neighborhoods as part of his affordable housing  
13 program, we must be sure that the commitments made to  
14 communities as part of these rezonings are realized.  
15 This legislation aims to do just that, but we must be  
16 clear that this bill provides only commitments made  
17 by the city and not by private individuals and  
18 private organizations. The East New York rezoning,  
19 which passed the City Council earlier this year was  
20 paired with a long list of committee--commitments  
21 including a school and Workforce 1 Center and other  
22 commitments. And while most of us in this room have  
23 faith in the Mayor to follow through on these  
24 commitments, the question is what about the next  
25 mayor or the following mayor, and we do not need--we

2 do not need to lose sight of those commitments when  
3 this Administration moves on, and/or ends the City  
4 Council as well. An additional benefit of this bill  
5 is that it requires the Administration to update the  
6 status of each commit--commitment annually. So  
7 members of the community can have a better sense of  
8 how each commitment is progressing. This bill is  
9 common sense legislation that provides transparency  
10 and accountability, and let me close by asking two  
11 questions to the panel. First, you indicated in your  
12 testimony you proposed tracking. How long do you  
13 propose the tracking? How long do you proposed the  
14 tracking should take place? And so when the project,  
15 one the ULURP is completed until it is finalized? At  
16 what point in time will tracking end?

17 JOHN KAUFMAN: Thank you, Chair. Thank  
18 you, firstly, for putting this bill forward. We do  
19 think it's a great idea, and very important for more  
20 accountability for not just his administration but  
21 administrations to come from promises made by  
22 government at a specific point in time. And so  
23 we're--again we've--we've, of course, have said  
24 already we're very supportive of this, and we feel  
25 like this is a great idea for everybody. On the

2 particular question of what the timeline is for, you  
3 know, our--again, our early deliberations and again,  
4 part of it is subject to what is discussed here  
5 today, is that we would begin tracking it. As soon  
6 as it's been--gone through ULURP and approved by the  
7 City Council it enters the register of things that  
8 will be tracked, and it will be tracked until--after  
9 everything is completed of those commitments at the  
10 very last capital project that was promised is--is  
11 completed. And so it is that it's--it's not--it's  
12 sort of an evergreen until the entire range of  
13 commitments is--is made. Every, you know, year it  
14 would be reported as to what the status is of each  
15 commitment.

16 PUBLIC ADVOCATE JAMES: And what would  
17 tracking consist of? Would it include--how much  
18 money is allocated for a particular project? Who--  
19 what agency is responsible for the project? Who is  
20 the project manager, a timeframe? I mean how--what--  
21 or is it just a check we--

22 JOHN KAUFMAN: [interposing] Yeah, it's a  
23 another good question I think a lot of people will be  
24 interested in, and we've generally discussed it, and  
25 we've--you know, we've discussed it a little

2 internally with the Mayor's Office of Operations who  
3 would responsible for tracking these things? What is  
4 reasonable? And I think our first principle in this  
5 has been what we really think is important to measure  
6 is outcomes. So had this thing been built? Has the  
7 park improvement been made? You know, is--is the  
8 program being executed as described? So for us the  
9 overwhelming feature of the--the tracker is to say  
10 what is the outcome to give the public comments on  
11 this that would also include things like what are the  
12 major milestones? What agency is responsible for it?  
13 What obstacles have come up? And so the idea is that  
14 there's a narrative that a lay person can understand  
15 to say hey, this commitment was made for me--made to  
16 our--our neighborhood. What are the facts of that  
17 commitment, and not--definitely not just a tick, but  
18 sort of a narrative that would say this is what's  
19 been happening. This is when you can expect it to be  
20 completed, and any other, you know, qualitative  
21 issues that would come up. We think that's in the  
22 end what the--the public would care about, and  
23 certainly what I think government needs to hold  
24 itself accountable for is that we're talking--we're

2 getting the outcomes or made to whatever neighborhood  
3 has been involved.

4 PUBLIC ADVOCATE JAMES: Council Member  
5 Levin and I were responsible for the rezoning of part  
6 of I guess it's the Dumbo area. The developer in  
7 question--the land was owned by the Jehovah Witnesses  
8 who ultimately sold all of their property. But the  
9 property was upzoned, and there were a number of  
10 commitments that were made. Commitments to improve  
11 parks, et cetera, and none of those commitments were  
12 ever made. In a case like that where a developer  
13 receives the benefits of an upzoning, and ultimately  
14 sells the property, but--and there are commitments  
15 and has made commitments, what, if anything, can this  
16 legislative body do and/or the Administration?

17 JOHN KAUFMAN: I've given my comments so  
18 I might ask our Counsel to sort of see if there's  
19 additional things she'd like add to it. I think as  
20 we've envisioned so far and, again, part of this is  
21 getting your input. We feel like we would limit in  
22 the tracker to what things we can enforce and hold  
23 accountable, which is where the actions of the  
24 government and all the agencies involved in it. And,

2 for places like East New York or the rezonings that  
3 we're--

4 PUBLIC ADVOCATE JAMES: [interposing]  
5 Right.

6 JOHN KAUFMAN: --examining, we think  
7 that's actually going to be dozens of commitments  
8 across dozens of agencies. That will be a lot to  
9 track, and a lot to hold ourselves accountable for  
10 as--as we should, and so we've--our thinking today  
11 has been a focus--rotating around doing that right,  
12 and doing that well in a robust way, and not veering  
13 into sort of other things, which would be--I think  
14 people would like to see completed, but are harder  
15 for us to enforce or control.

16 PUBLIC ADVOCATE JAMES: And--and what  
17 recourse would the Council have if it does not agree  
18 with the Administration's list of commitments?

19 JOHN KAUFMAN: I--I think it--on that  
20 note, it would be important to get those commitments  
21 right from the beginning, and I think that part of  
22 that really working with Deputy Glen's office to  
23 understand what are the firm commitments that are  
24 trackable, and that should be tracked as part of this  
25 effort. We have, again, focused on things that are--

2 that can be tracked that are enforceable that are  
3 outcomes and not--I would say business as usual.  
4 But these are things that we are doing for this  
5 neighborhood that have been part of this overall  
6 integrated neighborhood plan, which deals with the  
7 broad right of concerns that residents have. Some of  
8 which are directly related to population growth and  
9 rezoning. Some of which may have been pre-standing.  
10 But again, things that we have said as part of our--  
11 the long negotiation and--and engagement with the  
12 community. These are things that this committee  
13 needs that we want to build into this plan. So very  
14 specific to that local neighborhood.

15 PUBLIC ADVOCATE JAMES: So as I close, my  
16 point--question is so would it be fair to say that  
17 the Administration's position is that we should move  
18 the bill?

19 JOHN KAUFMAN: As is?

20 PUBLIC ADVOCATE JAMES: As is.

21 JOHN KAUFMAN: I think there's a--a few  
22 minor edits. I know we've been working with your  
23 office and others to sort of make sure the wording is  
24 clear enough that future--

2 PUBLIC ADVOCATE JAMES: [interposing]  
3 Okay.

4 JOHN KAUFMAN: --administrations cannot  
5 twist it a different way, and make sure that it  
6 covers the right type of rezonings, which are also  
7 these broad neighborhood wide transformations that  
8 we're trying to encourage for the betterment of all  
9 the citizens in that--in that neighborhood.

10 PUBLIC ADVOCATE JAMES: Thank you. Thank  
11 you, Mr. Chair.

12 CHAIRPERSON GREENFIELD: Thank you. Any  
13 more questions by members of the committee. Hearing  
14 none, we'll thank you for your testimony and we're  
15 certainly grateful for the fact that the  
16 Administration kept its commitment and kept it so  
17 quickly and, in fact, this was one of the items that  
18 was in the letter that the Mayor sent to the Speaker  
19 after we concluded the MIH and ZQA negotiations, and  
20 once we passed that. And so, we're certainly  
21 grateful to the Department of City Planning and the  
22 Office of Operations for moving so expeditiously to  
23 get this done, and with that, we'll dismiss our first  
24 panel, and we will welcome up our next panel. Adam  
25 Friedman from Pratt Center; John Furlong from ANHD,

2 and Ward Dennis from NAGIFBIP, and Lina Lee from  
3 Brooklyn Legal Service Corporations A is our first  
4 panel. [pause] If you have written testimony, feel  
5 free to give to the clerk, and the clerk will give it  
6 to council members. You can begin whenever you are  
7 ready. Please note that we have a three-minute time  
8 limit on the clock for testimony. [pause] It  
9 appears that I'm missing someone. So why don't ask  
10 folks just raise your hand. Lena Lee are you here?

11 LINA LEE: Hi.

12 CHAIRPERSON GREENFIELD: Okay, Ward  
13 Dennis.

14 WARD DENNIS: [off mic] Present.

15 CHAIRPERSON GREENFIELD: Okay, very good.  
16 John Furlong.

17 JOHN FURLONG: Yes.

18 CHAIRPERSON GREENFIELD: Okay. Adam  
19 Friedman.

20 ADAM FRIEDMAN: [off mic] Yes.

21 CHAIRPERSON GREENFIELD: Thank you, Adam.  
22 Please join us. [pause] Dennis, let me start with  
23 you.

24 WARD DENNIS: [off mic] Okay.

2 CHAIRPERSON GREENFIELD: Thank you. You  
3 seem to be prepared.

4 WARD DENNIS: Good morning Mr. Chair.  
5 Good morning, Council Members. My name is Ward  
6 Dennis. I'm a Board Member and Past Chair of  
7 Neighbors Allied for Good Growth, North Brooklyn's  
8 leading advocate for sensible planning and access to  
9 the waterfront and open space. I'm also a member of  
10 Friends of Bushwick Inlet Park and a past member of  
11 Community Board 1. My testimony today is on behalf  
12 of both of NAG and Friends of Bushwick Inlet Park.  
13 I'd like to start by thanking Speaker Mark-Viverito  
14 and Public Advocate James for proposing this  
15 important piece of legislation, as well as the  
16 Council for taking it up in this hearing. Our  
17 neighborhoods, as Council Member Espinal pointed out,  
18 are the reason Williamsburg and Greenpoint  
19 Waterfronts are sadly Exhibit A for why this  
20 legislation is necessary. In the early 2000s, the  
21 Department of City Planning began the process of  
22 rezoning 185 blocks for formerly industrial and  
23 mixed-use waterfront. That rezoning was approved by  
24 the Council in May of 2005. The city's 2005 rezoning  
25 came with many promises. These promises were made as

2 part of the environmental review, as part of the  
3 zoning documents, and as part of the community  
4 benefits package that was negotiated between the  
5 Mayor's Office and the City Council. Eleven years  
6 later our community has seen massive change. Based  
7 on our analysis, over 17,000 new housing units have  
8 been created in Community Board 1 in the past ten  
9 years. Many new units are planned for the waterfront  
10 in the next ten years. By the time the development  
11 is complete, our community will have added something  
12 on the order of 75,000 new residents. When the  
13 zoning was enacted, promises were made for new parks,  
14 open space, affordable housing, tenant protections  
15 and so on. We have 40,000 new residents, but most of  
16 those promises are unfulfilled. Of the 50 acres of  
17 open space, there were promised, only eight or less  
18 than 15% have been built. At Bushwick Inlet Park  
19 almost a third of the proposed park has yet to even  
20 be acquired by the city. As part of their points of  
21 agreement between the Mayor and the Council over  
22 1,300 units of affordable housing were promised on  
23 city-owned sites or partner land. As of the end of  
24 2015, 19 units have been built. Whether there was  
25 mitigation required under the EIS or a negotiated

2 concession, the planning elements from 2005 have been  
3 slow to materialize, but the zoning of it is in full  
4 swing. As it stands, there's no publicly accessible  
5 information about the promises that the city made in  
6 2005. Promises and commitments are scattered  
7 throughout EIS--EISs, CBAs, and who knows what else.  
8 Knowing what promises have been made, and the status  
9 of these promises is a very important step. But we  
10 think it is only a first step. I would echo some of  
11 Council Member Lander's points, but I would also  
12 strongly encourage the Council to go further and take  
13 measures to ensure that when promises are made, they  
14 are fulfilled, not just tracked. The best way to  
15 that is to tie a new development to the fulfillment  
16 of promised mitigation and benefits. If development  
17 [bell] gets too far ahead of planning, there should  
18 be a time out, a moratorium on new development until  
19 the city can catch up with the private market. Thank  
20 you.

21 CHAIRPERSON GREENFIELD: Thank you, Ward.  
22 Lina.

23 LINA LEE: Good morning. My name is Lina  
24 Lee, staff attorney at Brooklyn Services Corporation  
25 A, a community based legal services organization that

2 has been serving our tenants and families of North  
3 and East Brooklyn for over 40 years. I testify today  
4 in strong support of the proposed local law to  
5 establish a database holding publicly accountable all  
6 the commitments and promises made to communities by  
7 the city. Mayor de Blasio's rezoning plan aims to  
8 address the housing crises by promising to build and  
9 preserve affordable housing while supporting local  
10 residents and their communities. As the communities  
11 watch the development of this plan and new buildings  
12 arise in their neighborhoods, there continues to be a  
13 healthy skepticism of whether the increases in market  
14 place housing will lead to more affordable housing  
15 for all, preserve existing communities, protect the  
16 most vulnerable households, and prevent displacement.  
17 One recent city by the Institute of Government  
18 Studies suggests that to effectively increase and  
19 preserve affordable housing on all income levels  
20 there has to be two times more subsidized housing  
21 built than market rate, along with the implementation  
22 of an aggressive preservation strategy. Despite  
23 whether the current rezoning plan will improve  
24 housing affordability on all income levels, this bill  
25 is essential in ensuring that at least during the

2 process, the community in which rezonings occur are  
3 treated as key participants and commitments made are  
4 upheld and implemented by the city and developers.  
5 The purpose of ULURP when established was to give  
6 community boards a seat at the table, and a say in  
7 local zoning changes. And remain today the only  
8 legitimate link that concerns and needs of the  
9 neighborhood can be meaningfully addressed The  
10 essence of the process is community input, and yes  
11 this has been violated repeatedly. As one example,  
12 during a 2005 Williamsburg Report on Waterfront  
13 Rezoning, the city anticipated 10,000 residential  
14 units be built, and promised 20% to be affordable  
15 housing. However, according to research by former  
16 organizer Philip Zerboski (sp?) ten years later only  
17 7,218 units were built, and only 13% were affordable  
18 to low income. And on the city-owned land, 1,345 of  
19 affordable housing was promised, but only 16 units,  
20 and not percentage, were actually crated. The key to  
21 these promises and commitments made us part of the  
22 Rezoning Proposal is their enforceability. This bill  
23 is a strong step in that direction, as it holds the  
24 city government publicly accountable for its  
25 promises, and perhaps ULURP will then become more

2 than just a facade participation and empty promises  
3 for the community. Thank you for your time.

4 CHAIRPERSON GREENFIELD: John.

5 JOHN FURLONG: Good morning. Thank you  
6 for the opportunity to testify today. My name is  
7 Jonathan Furlong. I'm the Zoning and Technical  
8 Assistance Coordinator for the Association for  
9 Neighborhood and Housing Development, ANHD. We are a  
10 membership organization of New York City neighborhood  
11 based housing and economic development groups. We'd  
12 like to voice our support for Intro 1132. We applaud  
13 the Speaker's Office, the Public Advocate and members  
14 of the Council for taking a practice step towards  
15 ensuring communities are able to their commitments  
16 during the rezoning process. However, we do have  
17 some critical questions about the legislation that  
18 we'd like to raise specifically about the process and  
19 the role of the Council in providing the agency  
20 overseeing the online database with the initial  
21 content. Currently, there's little detail that  
22 guides this process and it's unclear, for example,  
23 how soon after a rezoning is voted on the Council  
24 would submit comment--content. Thought I think CCP  
25 did initially answer that. Are there other agencies

2 or entities besides the council members that can  
3 decide what makes up a commitment or agreement that  
4 must tracked in the database? And will the council  
5 member of a rezoned neighborhood coordinate with  
6 neighborhood organizations to decide this to ensure  
7 that the content with the database is comprehensive.  
8 There is significant details to develop, and we hope  
9 that we can be sort of a partner in shaping the  
10 legislation, and--and really make a collaborative  
11 process. We look forward to working with the Public  
12 Advocate, the Speaker's Office and members of the  
13 Council. Though this bill is an important first step  
14 in terms of establishing transparency and ensuring  
15 that commitments and agreements are tracked and  
16 monitored, we urge the--we urge the Council to build  
17 on this legislation with additional measures to  
18 ensure accountability for an enforcement of the  
19 city's commitments to local communities. There's a  
20 long history in the city of unfilled agreements, and  
21 promises made to local communities in the context of  
22 land use actions we've just heard about in previous  
23 testimony. Given this, in addition to this  
24 application of Intro 1132, ANHD would like to take  
25 this opportunity to advocate for the creation or

2 designation of a special mayoral office that could  
3 provide coordination between and oversight of the  
4 various agencies responsible for implement  
5 neighborhood commitments made during the rezoning.  
6 This office could be a new entity established via  
7 citywide legislation or could be housed within an  
8 existing office with the resources, staff and  
9 flexibility to take on the following roles: Create  
10 goals and benchmarks for each rezoned neighborhood  
11 based on the community's state of priorities.  
12 Conduct and ongoing assessment for each rezoned  
13 neighborhood and compile an annual progress report to  
14 track goals and benchmarks. The office should  
15 regularly update key metrics related to  
16 implementation of a rezoning plan, and this  
17 information could be relative--readily available on  
18 the office's website, and also be regularly shared  
19 with the community. The office should convene  
20 regular meetings both on the citywide neighborhood  
21 level with agency reps to ensure interagency  
22 coordination and coordination in implementing  
23 commitments. And the office should also coordinate  
24 communication between agencies and respective  
25 neighborhood monitoring committees. Lastly, ANHD

2 would like to recommend an oversight agency be  
3 designated to track and monitor the capital spending  
4 as part of a fund set aside within the Executive  
5 Budget for rezoned neighborhoods. We encourage the  
6 City to do everything in its power to ensure that  
7 funds are not misused [bell] or misspent, and  
8 actually benefit the neighborhoods they were intended  
9 to serve. Thank you.

10 CHAIRPERSON GREENFIELD: Thank you.

11 Adam, please.

12 ADAM FRIEDMAN: Thank you. Good morning,  
13 I'm Adam Friedman. I'm the Director of the Pratt  
14 Center for Community Development. I've given you a  
15 long detailed verbose handout. I'm not going to  
16 there. Let me just do my best to summarize it.

17 CHAIRPERSON GREENFIELD: We--we will  
18 gladly read it, but you still have two minutes to 46  
19 seconds on the clock.

20 ADAM FRIEDMAN: [laughs] Right. Thank  
21 you. First of all, this is a tremendous step  
22 forward. You know, for 50 odd year the Pratt Center  
23 has been providing research and technical assistance  
24 and organizing an advocacy for community groups to  
25 help them through the land use planning process, and

2 it's all focused on that vote at the end, and this  
3 has always been the weak link, you know, the tracking  
4 and the enforcement that comes after that. So to  
5 echo some of the things that have just--just been  
6 said, though, with regard to 1132 and--and the  
7 accompanying proposals, there needs to be--we need to  
8 clearly define what's a commitment. You know, they  
9 are both quantitative and qualitative. Second, we  
10 know that commitments are going to change over time,  
11 and there's a need for ongoing community engagement  
12 and Councilman Lander's comments about the--a  
13 neighborhood preservation plan in which there's a  
14 community involvement in the evaluation of what's  
15 happening subsequent to the rezoning is essential.  
16 And finally, you know, we really don't see a valid  
17 distinction between private and public commitments.  
18 You know, from the perspective of the community,  
19 whoever builds the park there's a commitment to build  
20 that park, and there's a increasing blurring of the  
21 lines whether something is public. So we think  
22 private commitments have to be embodied in this as  
23 well. Let me offer up a cautionary tale that I think  
24 speaks to the planning issues that were raised  
25 earlier on. Years and years and years ago, I was an

2 intern in the office of Council--of Council  
3 Presidents Carol Bauman. One day, Jay Mazur, the head  
4 of the ILGWU--

5 CHAIRPERSON GREENFIELD: [interposing]  
6 You weren't joking when you said years and years and  
7 years ago.

8 ADAM FRIEDMAN: Decades. [laughs]  
9 Really, it's all right. Thanks for pointing that  
10 out. Jay Mazur, the President of the ILGWU, one of  
11 the most historic and impactful unions in the history  
12 of the city, walks in with this idea for a special  
13 district in the Garmin Center. Particularly the, you  
14 know, in light of the redevelopment going on in Times  
15 Square, and he's working with City Planning and Ed  
16 Kochda (sp?) to implement this, and they come up with  
17 this proposal to preserve space in the Garment  
18 center, and to provide training through FIT and to  
19 provide inspectors through the Department of  
20 Buildings and--and Fire, and it's a really  
21 comprehensive strategy. All embodied or implemented  
22 through the Mayor's Office of Midtown Enforcement.  
23 The budget crashes. Everything is eliminated. I'm  
24 sure it's a difficult decision. It's interesting to  
25 note that the head of the Mayor's Office of Midtown

2 Enforcement at that period in time was Carl Weisbrod.  
3 So he is intimately familiar with the details or the  
4 challenges of syncing up zoning and land use, and  
5 your--your services, your budget, which is approved  
6 every year. Fast forward ten years, we did a study  
7 of the Garmin Center, and we found that two--two land  
8 owners had done [bell] a plot--had converted space  
9 legally. Two hundred had done it illegally, and what  
10 I think this begins to get at is what evolved in the  
11 absence of tracking and enforcement--

12 CHAIRPERSON GREENFIELD: [interposing]  
13 Adam, I apologize, but we have to get at not where it  
14 begins to set up, but where it ends to get out.  
15 Because we're running out of time.

16 ADAM FRIEDMAN: I'm--I'm almost there.

17 CHAIRPERSON GREENFIELD: Okay, thank you.

18 ADAM FRIEDMAN: It was almost a callous  
19 disregard for zoning, and that--once that door was  
20 opened, once we didn't track--track and enforce, you  
21 know, everything sort of fell apart. And second,  
22 there was real anger on the part of the owners and on  
23 the part of the tenants because they had conflicting  
24 expectations, and they had conflicting expectations  
25 because nobody voted all this down. And then

2 finally, what it means is we can learn from our  
3 successes or our mistakes. So there's a lot in  
4 engines of opportunity that I think builds on this  
5 prior work, and you're going to get pushback of. We  
6 tried this in the Garmin Center. It didn't work.  
7 Well, the truth is wasn't tried before, and we can't  
8 document that now, though, because we didn't track  
9 and enforce. So I think it goes to Council Member  
10 Lander's point about how do we engage and sort of  
11 lift the community into this process. Thank you.

12 CHAIRPERSON GREENFIELD: Thank you, and  
13 we certainly agree, and we appreciate all of your  
14 testimony. I did just want the record to reflect  
15 that as part of that side letter we have between the  
16 Mayor and the Speaker, and our agreement in passing  
17 MIH and ZQA there is, in fact, a commitment by the  
18 Department of City Planning to create a division that  
19 would, in fact, track these commitments that will  
20 complement the work that we're doing today in our  
21 discussions regarding Intro 1132. Any council  
22 members have any questions?

23 COUNCIL MEMBER LANDER: Mr. Chair, do the  
24 commitments made in that letter between the Mayor and  
25 the Speaker be lined up in the commitment tracking

2 database, or are we going to have to do that on our  
3 own?

4 CHAIRPERSON GREENFIELD: That's an  
5 excellent observation. Thank you. The-the letter is  
6 publicly available, and it is in writing. So Adam  
7 will be happy. It's not a verbal commitment. It is  
8 a written commitment. I want to thank all of you for  
9 your testimony today, and really for your years long  
10 advocacy. It--it really takes a village to makes  
11 these kinds of changes. We've been cognizant of that  
12 since I've become Chair of the Land Use Committee.  
13 We know that this--these are items that you've  
14 supported and advocated. We're happy to partner  
15 with you in getting this done. So thank you very  
16 much. I want to call--

17 COUNCIL MEMBER LANDER: Can I just--

18 CHAIRPERSON GREENFIELD: Yes.

19 COUNCIL MEMBER LANDER: I'd be remiss if  
20 I didn't affiliate myself with--with those remarks  
21 with this panel as well. I think the work--

22 CHAIRPERSON GREENFIELD: [interposing]  
23 Sure.

24 COUNCIL MEMBER LANDER: --that, you know,  
25 a full crew of community organizations and advocates

2 and advocacy planners have done in pushing the city  
3 forward on this for a long time is--has been awfully  
4 important. I just want to thank you all for--for  
5 doing it, and we know you won't stop. Thank you.

6 CHAIRPERSON GREENFIELD: Thank you,  
7 Council Member Lander. We're going to call up the  
8 next and final committee, Dennis Osorio, Adrian  
9 Wiegand, Julia Watt-Rosenfeld. Is there anyone else  
10 who wanted to testify that has not been called upon  
11 yet? If so, speak now or forever hold your peace.  
12 [pause] Julia. Who is Julia. You're Julia. Okay.  
13 Adrian, why don't we start with you, Adrian. Thank  
14 you.

15 ADRIAN WIEGAND: Thank you for the  
16 opportunity to testify. My name is Adrian Wiegand  
17 and I'm staff attorney at the Urban Justice Center,  
18 Community Development Project, which works to  
19 strengthen the impact of grassroots organizations in  
20 New York City and is working with many of the  
21 rezoning coalitions in the local neighborhoods. As a  
22 lawyer, it's my job to think of worse case scenarios,  
23 all of the ways that promises made today could be  
24 broken tomorrow. Within that context, I'm glad and  
25 excited that the Council has taken this important

2 step to help ensure that the community--the  
3 commitments made to communities during the rezoning  
4 are kept long into the future. This bill will help  
5 to ensure that community members can track the  
6 progress made and hold the city to its promises,  
7 involvement that's critical to the success of  
8 neighborhood rezonings. The bill is also an  
9 important step toward building community trust in the  
10 rezoning areas, trust that is understandably lacking  
11 in many of these neighborhoods, all of which are low-  
12 income black and brown communities after years of  
13 divestment and neglect by the city. This bill is an  
14 important first step, but the city can and must do  
15 more. As several people have pointed out, oversight  
16 while important and necessary, is not sufficient to  
17 ensure that promises are kept. For example, many  
18 people in Williamsburg know exactly what they were  
19 promised in the 2005 rezoning. The issue is not only  
20 a lack of transparency, but the city's failure to  
21 create at the front end structures that required  
22 these community benefits. Although Mandatory  
23 Inclusionary Housing represents an important step  
24 forward in terms of enforceability as does this bill,  
25 the City must continue to think creatively about

2 zoning text provisions, policy tools and other ways  
3 to ensure the commitments are enforceable over time.  
4 For example, the city should use public land over  
5 which it has significant control to ensure permanent  
6 and deep affordability, which neither MIH nor  
7 subsidies can achieve. Second, the city should  
8 expand what it tracks to include not only progress  
9 towards its own commitments, but indicators of equity  
10 and neighborhood change over time. These metrics  
11 could be used to track information such as median  
12 rent, members rent stabilized units, share of rent-  
13 burdened households, local employment rates, and  
14 demographic changes including racial shifts, local  
15 incomes and the share of non-English speakers. Track  
16 such indicators is critical to ensure the success of  
17 the rezonings over time. So far, all the rezoned  
18 areas were low-income communities of color where  
19 residents face significant housing, health,  
20 employment and other challenges. The result of  
21 generations of structural exclusion, exploitation and  
22 neglect. If the rezonings and related city  
23 commitments are to have any hope of addressing these  
24 challenges, the city and the public must have  
25 detailed information about where communities are

2 today, where they are going, and who is benefitting.  
3 Detailed data is needed to assess whether the city's  
4 actions have been sufficient to address the problems  
5 the city has set out to solve. And if the data  
6 revealed that serious issues remain, the city will  
7 have what it needs to work with communities to, of  
8 course, correct and craft solutions to better advance  
9 equity goals. The Urban Justice Center has been  
10 working with coalitions in East New York, East Harlem  
11 and the Southwest Bronx to create a comprehensive  
12 proposal for oversight and accountability, and we  
13 look forward to continuing that conversation with you  
14 after this hearing. Thank you.

15 CHAIRPERSON GREENFIELD: Thank you very  
16 much. Julia.

17 JULIA WATT-ROSENFELD: Hi. My name is  
18 Julia Watt-Rosenfeld, and I'm here to represent the  
19 Coalition for Community Advancement, Progress for  
20 Cypress Hills East New York. We think that Intro  
21 1132 is a good start at calling for transparency for  
22 commitments made through the neighborhood rezoning.  
23 We believe that there are ways to make it a more  
24 powerful tool for monitoring and enforcing  
25 commitments to East New York and future rezoned

neighborhoods. Based on our experience in--with the East New York Rezone so far, we urge the Council and the Public Advocate to consider these four additional mechanisms. The first. DPC issued zoning changes that are enforceable. The Deputy Mayor's Office issues a separate side letter of commitments to the neighborhood including \$267 million in capital and expense funding, and these are not legally enforceable in this form. In the best case scenario, according to the letter, HPD, SBS, EDC, DOE, SBA, DCC, DOT and Parks will roll out funding and activities in East New York in the next two years bringing unprecedented neighborhood improvements. In the worst case scenario, none of these commitments will be coordinated or implemented. For this reason, we continue to recommend that the city create a new Mayor's office to coordinate the rezoned activities of all of the city agencies involved to create and publicize project benchmarks and progress toward them, and ensure the timely implementation of the rezoned plans. community members want to see detailed plans from each city agency regarding their time tables for implementing projects, the status of budgets, progress towards benchmark goals, and

2 activities of their staff working in the  
3 neighborhood. An office of the Mayor could do this.  
4 The second recommendation. In East New York we  
5 expect that the new housing that will be built won't  
6 be affordable to a third of residents who have  
7 incomes below 30% of AMI. Community members call on  
8 the city to track the demographic changes, and to  
9 collect data about residential and commercial  
10 displacement. We ask the city to use the indicators  
11 spelled out in the Mayor's One New York Plan, Equity,  
12 Health and Wellbeing and Sustainability to measure  
13 the short, intermediate and long-term impact of the  
14 East New York Rezone. We want the city to hold  
15 itself accountable to making sure that in 15 years  
16 East New York is a more equitable, sustainable,  
17 health and economically strong community than it was  
18 before the rezone. This data should have the courage  
19 to measure what happens and to report on it.

20 Thirdly, we ask that Intro 1132 include a stronger  
21 mechanism for community participation, and the  
22 oversight of rezoned activities and impacts. We ask  
23 that community stakeholder working groups serve as  
24 empowered advisory boards to collaborate with city  
25 agencies on neighborhood initiatives. To this end,

2 we ask that Intro 1132 include funding to staff and  
3 support the creation and effective functioning of  
4 these community stakeholder groups. We ask that  
5 these groups be the direct recipients of annual  
6 progress reports on the rezone commitments. And we  
7 ask that this group receive data on neighborhood  
8 specific changes such as [bell]--I'll complete--I'll  
9 finish here--the total number of affordable  
10 residential units, median rent, employment rates,  
11 school enrollment and demographics that include race,  
12 income, rent-burdened and over-burdened households.  
13 And my last sentence is just we hope that although  
14 the likely passage of Intro 1132 will happen after  
15 the East New York Rezone Plan has been approved, that  
16 it will be grandfathered in, and that--that we'll be  
17 tracking to include East New York activity. Thank  
18 you.

19 CHAIRPERSON GREENFIELD: Dennis.

20 DENNIS OSORIO: [coughs] Yes, my name is  
21 Dennis Osorio, and I've been a resident of East  
22 Harlem now for about six years. I'm a member of  
23 Community Voices Heard. Thank you to Council Member  
24 Greenfield and the rest of the Land Use Committee,  
25 and our Public Advocate for letting me give testimony

2 today. Community Voices Heard is a member led,  
3 multi-racial organization principally made up of  
4 women of color and low-income families in New York  
5 state that build power to secure social, economic and  
6 racial justice for all. We accomplish this through  
7 grassroots organizing, leadership development, policy  
8 changes and creating new models of direct--democracy.  
9 Right now, 56% of New York City renters are rent-  
10 burdened. These households are paying more than a  
11 third of their incomes on rent and utilities. In New  
12 York City the median household income of renters was  
13 \$41,500. In East Harlem we see a shortage of  
14 affordable housing for a much lower income community.  
15 As for myself, between the preferential rent loophole  
16 and a possible rezoning of East Harlem, my housing  
17 situation is very insecure indeed. I'm encouraged to  
18 see the City Council taking on the important issue of  
19 monitoring and enforcing--and enforcement of  
20 committees--commitments made during the rezoning  
21 process. We need this in East Harlem especially when  
22 it comes to low-income housing and job commitments.  
23 The consolidation and centralization of information  
24 related to rezoning commitments and the data our  
25 neighborhood are a great improvement over the city's

2 current status quo of inaccessible information.  
3 However, I do have some questions and concerns about  
4 the current proposed bill. 1132 represents a good  
5 start for oversight and participation of  
6 neighborhoods that are set to be rezoned, and all of  
7 the commitments made by city to ensure existing and  
8 new residents have quality of life. However, this  
9 bill lacks a clearly defined definition of what a  
10 commitment is. Without this definition, how do we--  
11 how can we possibly track or enforce it--this  
12 effectively? We are tired of empty promises, and  
13 need a law that truly enforces promises politicians  
14 make. We believe that when documenting a commitment,  
15 the city should also track the following:

16           The action the city is planning to take  
17           The approximate timeline and  
18 implementation of the commitment, how long it will  
19 take

20           The above it--the budget for the  
21 commitment and the budget--and funding source.

22           The needs that given commitment is  
23 seeking to meet; which agencies will be involved in  
24 carrying out the commitment and which has primary  
25 responsibility

2           The steps that need to take place in  
3 order to achieve the commitment especially involving  
4 parties that are external to the city

5           In addition, this bill does not go far  
6 enough to indicate how we improve the quality of  
7 commitments that are made, what the mechanisms for  
8 enforcement of these commitments, what oversight from  
9 the city looks like, or there is space for oversight  
10 and participation for these communities that are to  
11 be rezoned. Community stakeholders should be able to  
12 continue participating in monitoring and decision  
13 making [bell] related to changes in our community.

14 I'm going to sum up. In East Harlem over 1,500  
15 residents and stakeholder participated in the a  
16 series of listening (sic) sessions of the course of  
17 eight months. Together we developed recommendations  
18 and prioritized objectives in a document called East  
19 Harlem Neighborhood Plan.

20           CHAIRPERSON GREENFIELD: Dennis.

21           DENNIS OSORIO: Yes.

22           CHAIRPERSON GREENFIELD: I need you to  
23 wrap up.

24           DENNIS OSORIO: Thank you. So, community  
25 stakeholders bring local expertise, passion,

2 creativity and determination. They're all important  
3 assets for any government seeking to fulfill the  
4 commitments in the face of unforeseen obstacles.  
5 Neighborhood monitoring communities are a mechanism  
6 for tapping into, supporting community stakeholders.  
7 Thank you very much for the extra time.

8 CHAIRPERSON GREENFIELD: Thank you,  
9 Dennis. I want to thank the entire panel for your  
10 advocacy and for your testimony today. Any other  
11 questions? I and members of the committee or super  
12 members like the Public Advocate. Council Member  
13 Lander.

14 COUNCIL MEMBER LANDER: My praise of  
15 advocates from the prior plan, and I would like  
16 permission from the Chair to extend to this panel as  
17 well.

18 CHAIRPERSON GREENFIELD: Permission  
19 granted.

20 COUNCIL MEMBER LANDER: Thank you very  
21 much.

22 CHAIRPERSON GREENFIELD: And we certainly  
23 appreciate all--all of the advocates coming out to  
24 here today. We going to now close the public hearing  
25 on Intro 1132. We're going to lay over this

2 legislation for consideration at a future meeting.

3 We're going to take into account the feedback that

4 we've gotten from the Administration, from advocates

5 and council members and the Public Advocate, and we

6 are going to take up this legislation at a future

7 meeting. The Land Use Committee for today is hereby

8 adjourned. [gavel]

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C E R T I F I C A T E

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



Date July 4, 2016