

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES, AND
INTERNATIONAL INTERGROUP RELATIONS

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September 20, 2016
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HELD AT: Committee Room - City Hall

B E F O R E:

JAMES G. VAN BRAMER
Chairperson

COUNCIL MEMBERS:

ANDY L. KING
COSTA G. CONSTANTINIDES
ELIZABETH S. CROWLEY
HELEN K. ROSENTHAL
JULISSA FERRERAS-COPELAND
LAURIE A. CUMBO
PETER A. KOO
STEPHEN T. LEVIN

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

Justin Moore
Executive Director
New York City Public Design Commission

Keri Butler
Deputy Director
Public Design Commission

Simeon Bankoff
Executive Director
Historic Districts Council

Phyllis Cohen
Director
Adopt-a-Monument

Benjamin Prosky
Executive Director
American Institute of Architects

Jeff Byles
Fine Arts Federation

Elena Brescia
Fine Arts Federation

Robert Katz
Interium President
Executive Sounding Board Associates LLC

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INTERNATIONAL INTERGROUP RELATIONS

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[gavel]

CHAIRPERSON VAN BRAMER: Thank you very much. Good afternoon everyone. And thank you for joining us for the committee on Cultural Affairs, Libraries, and International Intergroup Relations oversight hearing on the New York City Art Commission sometimes known as the public design commission. And with this gavel we are in session. So a lot of people have heard of the New York City Art Commission or the Public Design Commission but few people know a lot about how it operates and, and who in fact are the New York City Art Commission. We are thrilled to have this hearing. And today we're going to learn a little bit more about the Commission. And also here proposed Intro number 12-76A, a local law to amend the New York City Charter in relation to requiring the art commission to conduct an annual report. As everybody knows New York City is a global art and cultural capital. In addition to our museums and galleries the city is home to numerous examples of art and design on public property. Public art and design is a large part of what makes New York City the cultural capital that it is. The city often

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2 collaborates with a diverse group of arts
3 organizations and artists to beautify and
4 contextualize public spaces. From the traditional
5 to the experimental public art and design
6 encourages new ideas, conversation, and changes
7 perception of our city. The New York City art
8 commission is New York City's design review agency.
9 The commission comprised of an 11 member board
10 which includes an architect, landscape architect,
11 painter, sculptor, and three lay members as well as
12 representatives of the Brooklyn museum, the
13 metropolitan museum of art, the New York Public
14 Library and the mayor meets once a month to review
15 projects submitted by city agencies and include the
16 construction, renovation, or restoration of
17 buildings, the creation or rehabilitation of parks,
18 playgrounds, and plazas, installation of lighting
19 and other streetscape elements, signage, and the
20 installation and conservation of artwork and
21 memorials. Additionally, the commission also acts
22 as a caretaker and curator of the city's public art
23 collection. Today we want to hear more about the
24 work and the workings of the New York City art
25 commission and its relationship with the department

1 of cultural affairs. We'll also hear testimony on
2 proposed intro 12-76A which I've introduced with
3 Council Member Donovan Richards requiring an annual
4 report and I have in my hand and in possession a
5 condensed report of the art commission of the city
6 of New York for the years 1930 to 1937. And this
7 wonderful, beautiful, and stunningly produced book
8 charts seven years of the commission. The
9 commission used to produce these. And in fact I
10 introduced the piece of legislation when I went to
11 visit Justin at his office and these were out on
12 the reception desk and we were allowed to take one,
13 I didn't steal it just for the record. And this
14 produced in fact the legislation that I've
15 introduced. Because we should still be producing
16 these. They are beautifully produced with lots of
17 facts and information about the projects that are
18 being funded and approved to the commission and
19 clearly we want to do this not on a seven-year
20 basis but on an annual basis. And that report
21 should come back to the mayor, the speaker, the
22 city council for everyone to review. So everyone
23 can look at this beautiful archived book but we
24 need to in some way shape or form reproduce this
25

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1 report. So with that I want to recognize Council
2 Members Peter Koo from Queens and Helen Rosenthal
3 from Manhattan who are with us here today. And I
4 will have our counsel to the committee swear in the
5 representatives from the art commission?
6

7 COMMITTEE COUNSEL: Will you both please
8 raise your right hands? Do you affirm to tell the
9 truth, the whole truth, and nothing but the truth
10 in your testimony before the committee and to
11 respond honestly to council member questions? Thank
12 you.

13 CHAIRPERSON VAN BRAMER: And we are
14 thrilled to be joined by Justin Moore and Keri
15 Butler so if you would begin your testimony.

16 JUSTIN MOORE: Okay thank you. Sorry.
17 Good afternoon Majority Leader and Chair Van Bramer
18 and the members of the Committee on Cultural
19 Affairs, Libraries, International Intergroup
20 Relations of the New York City Council. My name is
21 Justin Garrett Moore and I'm the Executive Director
22 of the New York City Art Commission now known as
23 the Public Design Commission and I'm honored to be
24 here, appear before you today. As you just heard
25 the public design commission was established as the

2 municipal art commission by the New York City
3 Charter in 1898. The commission was tasked with the
4 oversight of all public artworks and monuments but
5 its purview quickly expanded to include structures
6 and open spaces on or over city owned property. In
7 2008 the agency was renamed the public design
8 commission to better reflect its mission. The
9 commission is an advocate for excellence and
10 innovation in the public realm ensuring the
11 viability and quality of public programs and
12 services throughout the city and for years to come.
13 The commission also acts as a caretaker and curator
14 of the city's public art collection which is
15 located throughout the city's public buildings and
16 open spaces. The commission holds monthly public
17 meetings to review architecture, landscape
18 architecture, new art installations, the
19 conservation and relocation of existing artworks,
20 infrastructure, street furniture, lighting signage,
21 and other permanent structure on public property.
22 The commission members are volunteers and are
23 supported by a small staff and an executive
24 director who are responsible for managing the
25 review and approval of any interagency and city

2 hall coordination. So I was appointed executive
3 director in April replacing Faith Rose. My
4 background is in architecture and urban design. And
5 prior to coming into this role I was the senior
6 urban designer at the New York City Department of
7 City Planning for 11 years. At the planning
8 Department I had the fortune to work on public
9 projects across the city such as the Bam Brooklyn
10 Cultural District, Coney Island, and Hunters Point
11 South in Queens. As a designer and public servant I
12 have worked to promote quality and diversity in the
13 city's varied contacts and communities. My late
14 mentor Mojie Bart Lou [phonetic] once stated that
15 once people know how important their environment is
16 they can make it better. Design is an important
17 tool that we collectively as a city and government
18 have to make our environment better for all New
19 Yorkers. By promoting quality design we can improve
20 our city's long term resilience and sustainability,
21 enhance access mobility in public services and
22 continue, and contribute to the unique character
23 and rich culture that makes New York special. In
24 other words public design is not only about
25 aesthetics. In the architecture field we talk about

2 design accomplishing utility, commodity, and
3 delight. Good design is functional and lasting. The
4 design is conscious of the use of resources
5 including natural resources and money. The design
6 makes us feel better and more comfortable in our
7 environment and in our communities. New York City
8 is fortunate to have had since 1898 a public entity
9 responsible for the design of our collective public
10 realm across all five boroughs. If you have some
11 spare time one day I invite you to visit our
12 commission's archive at 253 Broadway to explore the
13 richness, diversity, and legacy that is in the
14 design of our city's built environment. Under the
15 de Blasio administration and under the one at NYC
16 initiative the PDC is working to build on this
17 legacy and bring public design to the service of a
18 larger vision to address growth, equity,
19 sustainability and resiliency in our city. Greater
20 equity and access in particular is something that
21 we are focused on, that it is our responsibility to
22 promote and provide for quality of design and
23 public infrastructure for all of our communities
24 including communities in populations that have not
25 seen considerable investments in their public realm

2 in decades. Our commissioners come from a variety
3 of backgrounds including architecture, landscape
4 architecture, community planning, design,
5 transportation, fine arts, real estate development
6 law and cultural and public institutions. I can say
7 with confidence that our current board members
8 including those appointed to the PDC during the De
9 Blasio administration are both qualified and
10 diverse and they are engaged and take seriously
11 their responsibility to serve the public's interest
12 in how the public realm is designed and built. They
13 provide a range of high level professional
14 expertise and experience with public projects and
15 an understanding of the big picture for why the
16 design of the city matters. For example, the
17 commission's landscape architect member Sydney
18 Nielson's experience with public projects including
19 city capital projects with multiple agencies and
20 her esteemed background in part open space,
21 streetscape design are a valuable asset to the
22 commission and to the city. The member's knowledge,
23 an eye for technical and design details helps the
24 PD serve PDC to serve as a type of quality control,
25 peer review or even expert consulting on public

2 projects large and small. Responses to comments may
3 take one or more cycles of review to address the
4 concerns but it can result in a project that will
5 look better, last longer, and/or provide the
6 greatest public benefit possible for the resources
7 available. One of our lay member commissioners
8 Shin... brings her background in transportation,
9 planning, and community design to help inform the
10 review of Vision Zero, Greenway, and Plaza Projects
11 that come through the PDC to meet the best
12 practices for national and global street planning
13 and design. Overall each of our commissioner's
14 insights and involvement in the city's capital
15 project and design review process add much needed
16 perspectives, value, and oversight to these
17 important and lasting changes to our city. The PDC
18 provides an independent review of agency projects
19 and works to ensure quality and consistency for the
20 city's public realm. This is an important injective
21 is not only necessary, is not necessarily the scope
22 of a given project or city agency. The public
23 design commission is the only place where the
24 city's public capital projects are reviewed and
25 understood on a citywide and comprehensive level

2 for their design and construction. The commission
3 operates as a city agency and our small staff of
4 six is formerly a part of this Mayor's Office.
5 Multiple capital agencies submit their projects to
6 the PDC for review. We have reviewed between 18,
7 between 800 to over a thousand projects annually in
8 recent years. This is somewhere between 50 and 100
9 projects in a given monthly review cycle. The P,
10 the PDC staff reviews its submissions to ensure
11 that they are completely clear, works with city
12 agencies to address any questions or concerns,
13 ensures that commission members have all the
14 information they need for, that they need to review
15 each project efficiently. Many of these projects
16 are simple renovations, repairs, or replacements,
17 and these projects move quickly through the review
18 process. Some projects, particularly larger or new
19 construction projects can involve multiple cycles
20 of review as projects develop through various
21 stages of design and construction. Our review
22 process is based on the general development process
23 found in any design project. It begins with
24 conceptual review, forward to schematic or what we
25 call preliminary level of review and then to a

2 final approval at construction and of project's
3 completion. Depending on complexity and project
4 type. Certain projects may have a more limited
5 number of review cycles while others may involve
6 multiple iterations. This allows the design review
7 process to be constructive as projects are
8 developed and suited to the scope of a given
9 project. The monthly commission meetings are open
10 to the public and videos of our meetings are
11 available online. The individual agencies are
12 responsible for bringing the projects to the
13 community boards for public input and the community
14 board recommendations are provided to our
15 commission for their consideration. In addition,
16 subcommittees of the commission meet between
17 meetings to provide feedback on projects. This can
18 help to accelerate reviews and to provide early
19 input on design proposals. The commission also
20 explicitly seeks to promote excellent and
21 innovation in the design of the city in its public
22 spaces, infrastructure, and art. We work with
23 agencies to align larger visions and goals for the
24 design and construction of the city and through
25 events, discussions, and our annual excellence in

2 design awards. We seek to raise the bar for the
3 quality of our city from the battery to
4 Brownsville. We are partners with agencies around
5 some of the city's most transformative initiatives
6 from Vision Zero and Great Streets to Parks Without
7 Boarders and the Community Parks Initiative to the
8 Citywide Ferry Service and promoting quality mixed-
9 use and affordable housing development on city
10 owned land. The commission and our staff are proud
11 of the important work that we do and the value that
12 we bring to the city and its future. Now we
13 acknowledge that at times the PDC's review process
14 has been misunderstood or even being mysterious or
15 opaque. It seems like more than a few people have a
16 not-so-nice art commission or PDC story. The
17 perception is that projects can get stuck at the
18 PDC thereby causing a butterfly effect of
19 unanticipated delays and costs. There have been
20 some cases where this criticism is warranted and
21 these are issues that can often be attributed to an
22 lack of early interagency coordination. My
23 predecessor and I take this seriously and we, and
24 we have made changes and we will continue to work
25 to improve the city's multiple design review

2 processes and help to bring more understanding and
3 predictability to the PDC's review process. But I
4 also do want to be clear that the large majority of
5 the hundreds of projects submissions that come
6 through the PDC each year are approved within one
7 or two meeting cycles. It is also important to note
8 that the PDC does not have the ability to have
9 staff review of its projects. My staff and I assist
10 our commissioners with the review of projects but
11 the projects do need to go to the full commission
12 for approval. They throws and initiated the PDC's
13 pre-submission services that allow capital agencies
14 to work with the PDC staff and committees to review
15 projects earlier in the process. This provides for
16 early feedback on projects so that all major issues
17 can be flagged early and can provide greater
18 transparency, communication, and certainty on the
19 review of projects. We have continued with this
20 program and we'll be making budget request to
21 provide for additional staffing to expand these
22 services. I'm confident is that, as we build
23 capacity for greater interagency coordination on
24 projects earlier in the process there will be fewer
25 surprises in resulting added delays or potential

2 costs associated with feedback from the
3 commission's review. The public design commission
4 has also established general design guidelines for
5 pedestrian bridges, artificial turf, distinctive
6 sidewalks, planters, distinctive lighting,
7 newsstands, and commemorative markers. These
8 guidelines are intended to provide a general sense
9 for what the commission supports, clarify
10 requirements, provide guidance to applicants,
11 streamline the review process and ensure
12 consistency in rulings. We hope to expand upon the
13 guidelines for other types of projects and to
14 continue improving our coordination with agencies
15 and our review process. Now with respect to the
16 proposed reporting legislation we are committed to
17 transparency and openness about our operations. We
18 like to, a little more time to review the
19 legislation further. In following this hearing, we
20 look forward to sitting down with you to discuss
21 the bill in greater detail. From our initial review
22 we are not opposed to the idea of a report though
23 we would like to evaluate further how intensive
24 gathering some of the information would be for some
25 of our staff. The legislation also includes some

1 information that is beyond the purview of the PDC.
2 However, I, we do think it is valuable to report
3 our, on our reviews and that this can help us to
4 better understand how we can improve and streamline
5 our process with the various city agencies. For
6 example, we compile 2015 data for the PDC's review
7 of projects, submitted and found that 83 percent of
8 projects were approved in one cycle, 15 percent of
9 projects were approved in two cycles. And only two
10 percent of projects were approved in three cycles.
11 Our preliminary estimates for 2016 to date indicate
12 that we are seeing a similar distribution of
13 project approvals relative to the number of review
14 cycles. We look forward to working with you on the
15 details on how we can use annual reporting and
16 greater transparency to improve outcomes for the
17 important work in ensuring quality public projects
18 for our city. So thank you again for the
19 opportunity to testify and I'm excited to continue
20 working with the various agencies, the council, and
21 other stakeholders to find ways to improve the way
22 our city works, looks, and feels. I'm joined today
23 by the PDC's deputy director Kerry Butler and we
24

2 are happy to continue the dialogue and to respond
3 to your questions and concerns.

4 CHAIRPERSON VAN BRAMER: Thank you very
5 much Justin. And as you alluded to in your
6 testimony in the past obviously there have been
7 some folks who failed, that there was some mystery
8 surrounding the PDC and its decision making
9 process. And it seems to me that this hearing our
10 legislation is all about removing the whatever
11 shrouds of secrecy some folks may have believe
12 existed. And, and actually better explaining what
13 it is you do because there's no question in my mind
14 that it's incredibly important. I certainly believe
15 in the importance of design and, and, and public
16 art and the value of really significantly beautiful
17 architectural gems for our city. And, and the only
18 way to... move any, any doubt about that is to
19 actually demonstrate for the world what you do. So
20 speaking of that do you know the total value of, of
21 the capital projects that you reviewed last year or
22 in any given year. What's the scope of, of the
23 work? My sense is that it's probably the value of
24 those 800 to 1,000 projects, the number you had in
25 your testimony, it's probably quite significant.

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1
2 JUSTIN MOORE: So we do get some very
3 rough estimates, numbers from the, the capital
4 agencies but we do not track and, and have that
5 information as, as a comprehensive number that, so
6 that's something that we would really need to work
7 with those agencies that control the budgets and,
8 and the capital, our agency does not so I, I don't
9 have that information.

10 CHAIRPERSON VAN BRAMER: It certainly
11 seems like it'd be good to know if only for your
12 own sake. Because if you're looking for more staff
13 which it seems like you are and you, you deserve
14 being able to say that, that your six-member staff
15 and your 11-member board are, are looking at
16 potentially hundreds of millions of dollars, if not
17 into the billions perhaps worth of projects. If we
18 have a six-member team doing that work, that's
19 incredible value to the city of New York right?
20 That you're responsible for, for in some way,
21 shape, or form seeing through hundreds of millions
22 of dollars of, of projects. And as we'll get into
23 you have the ability to although rarely utilized
24 apparently to, to kick things back for further
25 review. So to speak to that you oftent talked about

2 cycles. One cycle, two cycles, three cycles in very
3 few cases. But what is the duration of a cycle.

4 What does that mean for, for us?

5 JUSTIN MOORE: So the, the way it works
6 is the agencies submit their projects. We review
7 for whether or not their submission is complete so
8 our review happens in a one-month review cycle
9 approximately four weeks. Projects come in early in
10 the month. We do a review with staff and committee
11 members to make sure the projects are complete, if
12 they are deemed to be complete and then they are,
13 move forward onto that month's PDC commission
14 meeting to be reviewed by the commission. So that's
15 a one-month cycle. Now projects that are not
16 complete, maybe they don't have the required
17 information. They don't have the drawings. Those we
18 tell the agencies that those projects don't have
19 the complete set of information to be reviewed by
20 the commission. So a project that isn't complete
21 does not enter into that cycle. So I'd say a
22 project moves forward to be reviewed at the
23 commission. There could be feedback. But if the
24 commission approves it that's what we would say
25 that the project has been approved within one

2 cycle. So it... submitted at the beginning of the
3 month, commission reviews and approves at the end
4 of the month complete in one cycle. If there were
5 feedback from the commission for changes or
6 clarifications needed at the meeting that did not
7 result in an approval, a certificate for that
8 project to move forward that feedback would go back
9 to the agency and they would need to develop the
10 work and submit for another commission review. So
11 that would be a second cycle.

12 CHAIRPERSON VAN BRAMER: How often did
13 the commissioners meet?

14 JUSTIN MOORE: Once a month.

15 CHAIRPERSON VAN BRAMER: Once a month?
16 Even during the summer?

17 JUSTIN MOORE: Even during the summer,
18 yes.

19 CHAIRPERSON VAN BRAMER: Now you, you
20 mentioned that at this point there's no staff level
21 approvals.

22 JUSTIN MOORE: Right.

23 CHAIRPERSON VAN BRAMER: Right?

24 Everything has to go to the, the board. Should
25 there be approvals for, for example some of the

2 more minor projects that you're looking at or some
3 of the projects whether they be lamp posts or, or
4 park restrooms that, that are essentially templates
5 or, or in your opinion should there be a staff
6 level review?

7 JUSTIN MOORE: So... position has been
8 that the, the scope of what the commission looks at
9 and does is, is very different from some of the
10 agencies that have staff level review that you know
11 look at like you said sort of technical details,
12 things that don't seem to rise to the level of, of
13 a full board or commission to review. But we've
14 really found that in our work and, and especially
15 the issues that come up in design of public
16 projects that things that may seem minor on paper
17 or in a conversation could actually have a pretty
18 large impact when taken in context. Again the
19 commission is, is really looking at the full
20 spectrum of public realm and so the variety of
21 expertise and, and the weight of the commission's
22 review is really important. The, I do want to say
23 as a staff we do obviously work on what we call
24 kind of the sundry projects, the smaller projects
25 in HVAC repair, installing solar panels. We do

2 really work with the agencies and with our
3 commission to expedite those reviews. We have
4 limited submission requirements for those projects
5 to make sure that it's not an onerous process. And
6 many of those projects do make it...

7 CHAIRPERSON VAN BRAMER: Right.

8 JUSTIN MOORE: ...in one review cycle. So
9 we don't think that staff level review is really
10 necessary.

11 CHAIRPERSON VAN BRAMER: Interesting.
12 Just to note we've been joined by Council Member
13 Andy King from the Bronx and Council Member Mark
14 Levine from Manhattan. So you, you do think you
15 need more staff clearly.

16 JUSTIN MOORE: Right So the, the need
17 for more staff, and I was getting to this somewhat
18 in our, our statement the biggest issue that we see
19 in the difficult projects, complex projects or
20 projects that tend to cause time and delays is
21 really more about our interagency coordination.
22 Important distinction is we're a review agency.
23 We're not the agency developing and doing the
24 project that happens with the various capital
25 agencies. So our interaction and, and coordination

2 with those agencies is really where we can be the
3 most effective to improving our review process and
4 providing for greater certainty and transparency.
5 So when I mentioned looking for additional staff
6 and resources it's really focused on additional
7 people to help with the interagency coordination to
8 help handle projects in growing what was really a
9 start as our pre-submission services. That today
10 happens very frankly on serving ad hoc basis, as
11 needed basis with different agencies but with
12 additional staffing we could expand that program
13 and have it to be more consistent across agencies
14 on the more difficult projects.

15 CHAIRPERSON VAN BRAMER: So if only two
16 percent of your projects are three cycles, 15
17 percent two cycles where do you think some of these
18 nightmare stories that even you referenced in your
19 testimony come from? I mean do you still see some,
20 some really complex cases where significant
21 projects are delayed for significant periods of
22 time because of these review kickbacks.

23 JUSTIN MOORE: So they're... I mean each
24 project is different review projects on a case by
25 case basis and the contexts often are unique. This

2 can vary agency to agency, can vary based on
3 community concerns and issues of you know what
4 happens in our review cycle. There may be a comment
5 at our commission meeting sometimes, often times
6 that can be resolved in a couple weeks, designers,
7 consultants working on the project can address the
8 changes and it can come back within one month.
9 There are other times where there could be longer
10 delays and that is, that could be something that
11 has nothing to do with the design commission. That
12 could be a site issue that arises or a community
13 sort of concern or consideration. So you know very
14 often it can be that design issues can sort of
15 trigger a response or are we looking at a project
16 but you know it's not always necessarily only the,
17 the scope of the commission's comments that are
18 generating some of those delays. But again we don't
19 have the full knowledge or understanding of, of, of
20 what some of those timelines may be and it really
21 rests with, with the capital agencies.

22 CHAIRPERSON VAN BRAMER: So you've been
23 the director for all of five months inheriting this
24 incredibly important body. What, what changes have
25 you already seen that are needed and that you might

2 like to implement. Obviously you've requested more
3 staff to be able to do some things a little bit
4 differently.

5 JUSTIN MOORE: Right.

6 CHAIRPERSON VAN BRAMER: What else could
7 be done to further improve the commission and how
8 it does its work? And before you answer that
9 question I want to acknowledge we've been joined by
10 Council Member Costa Constantinides from Queens and
11 Council Member Elizabeth Crowley from Queens.

12 JUSTIN MOORE: Thank you. Something that
13 we've been working on is obviously improving our
14 kind of interagency work. And that's something
15 that, that we're continuing to do. You know my
16 predecessor put in place quarterly meetings with
17 the agencies. So that's a place where we really
18 have the opportunity to flag projects early. So
19 really formalizing that and improving it is
20 something that, that we're working on doing. The
21 other thing and, and again this goes to kind of
22 what we would do for, moving forward with
23 additional staff and support would be to expand our
24 guidelines. So I've listed sort of a number of, of
25 design guidelines that the commission has

2 everything from distinctive sidewalks to AstroTurf.
3 Expanding that is something that is something that
4 we would, it involves a lot of studying time in
5 coordination with agencies to develop new
6 guidelines and, and embedding those with our
7 commission. So that's something that we would like
8 to continue working on and, and improving our
9 guidelines and visiting some of them to make our
10 process better and, and more predictable for
11 projects coming before the commission.

12 CHAIRPERSON VAN BRAMER: So I have some
13 more questions but before I, I turn to my
14 colleagues I want to ask you a, just a couple of
15 questions on the legislation right which we're
16 hearing on introductory basis. And for my
17 colleagues who just come in the commission used to
18 produce this beautiful booklet detailing their
19 work. This is from the years 1930 to 1937. And I
20 encourage all of you to look through it. The
21 legislation we're hearing was influenced by me
22 finding this in the lobby of the art commission
23 when I went there with council member Levine and
24 Council Member Lander. And it seems to me the
25 commission should be producing something like this

2 again and reporting to the mayor, the speaker, and
3 the council. So I know you said that you haven't
4 had a lot of time to look at the legislation but
5 you're open to it in concept and I'll pass that
6 down to, to my colleagues who haven't seen it. But
7 would you agree with me that, that particularly
8 with an agency or commission that has had some
9 issues in the past with folks maybe not
10 understanding what exactly you do and how you do it
11 that sharing this kind of information would be
12 helpful.

13 JUSTIN MOORE: Yes, absolutely. I, I
14 think you know transparency is something that we've
15 really think is important for the commission. We're
16 kind of known for being up in the attic of city
17 hall. People don't know what we're doing and what
18 goes on there and so you know we've already made
19 some improvements with our meetings and videos
20 being posted online, meeting minutes all available
21 online and having an opportunity on an annual basis
22 to report on how many projects we're seeing, what
23 scope and type of projects are being reviewed is
24 something that we agree is, is important and, and
25 should be done. You know getting into some of the,

2 the greater details we really need to continue the
3 conversation for... what we have the ability to
4 honestly and truthfully report and things that may
5 not be within our purview and so that's where some
6 of the concerns lie on our end.

7 CHAIRPERSON VAN BRAMER: Sure. I'm sure
8 we can work that out. What I would, would say is
9 that you probably in one way or another collating
10 this information anyway and have it probably in
11 various formats and then various reports even
12 within the agency probably, within the commission
13 and so therefore putting it together, sharing it,
14 quite frankly allows you to trumpet your own
15 accomplishments and demonstrate the value of the
16 commission but also demystify the work that you do
17 and in fact share information on projects and
18 timelines of that nature. So I'm glad to hear that
19 you agree in principal on the value of the
20 legislation and we can certainly discuss some of
21 the logistics of it to make sure that it's not
22 burdensome on the agency from a staff level but I
23 truly believe that producing something like this on
24 an annual basis is needed, necessary, and should

1 happen. So with that I will throw it over to
2 council member Levine to begin his questions.

3
4 COUNCIL MEMBER LEVINE: Thank you Mr.
5 Chair. Great to see both of you; Mr. Moore and Ms.
6 Butler. As you know I'm very interested in how the
7 PDC plays into the park's capital process. There's
8 been a lot of angst in the city council about just
9 how long it takes to complete parks renovations and
10 construction. Often a period of three or four years
11 even for wealthily modest projects. Even a dog run
12 can take sometimes five years. But that's due to
13 many, many different factors. But one step in the
14 process for any parks capital project is review and
15 approval by the PDC. And I know that you all have
16 thought a lot in the last year, began under your
17 predecessor about how to streamline the parks
18 approval process in front of the PDC. Can you tell
19 us a little bit about what kind of changes you've
20 undertaken and, and just what the status is today?

21 JUSTIN MOORE: Right so I mean number
22 one is that there's been a lot of open and good
23 conversations with the parks department on
24 improving the review process and PDC's process. You
25 probably know the community parks initiative, parks

2 without borders. There are a lot of kind of larger
3 initiatives that they're undertaking that
4 significantly increases our pipeline of projects
5 coming to the PDC. Parks is sort of the lion's
6 share of projects that we're reviewing. So some of
7 the things that we've done proactively is to have
8 members from the parks department come to present
9 to the commission and give sort of a context for
10 these types of projects and, and for the review so
11 that there is a, sort of a common grounding and
12 understanding for, for these projects which really
13 helps the commission you know be grounded on a
14 earth when they're reviewing some of these
15 projects. Another important thing is that for the
16 community parks initiative we've really set up a, a
17 template for how those projects move through our
18 process. So we have committee reviews that happen
19 between the commission meetings. So it essentially
20 allows one more kind of half cycle of review to
21 allow us to expedite getting feedback to Parks
22 Department and the, or their consultant designers
23 on these projects. So it is helping to instead of
24 waiting an entire month you can get informal
25 feedback mid-through a cycle and...

2 COUNCIL MEMBER LEVINE: That's
3 wonderful. Why not do that for every park project?

4 JUSTIN MOORE: For every parks project?

5 COUNCIL MEMBER LEVINE: What would be
6 the constraint there? In other words is it, is it a
7 staffing limitation? What, what would prevent that?

8 JUSTIN MOORE: So the, I think I
9 mentioned a number of projects that we're reviewing
10 is, can be a significant number and so our, our
11 commission, we, want to be clear about what happens
12 in a review. We get an incredible amount of
13 information in detail for something as simple as a
14 dog run. They are construction documents. They are
15 details. There's background on the project and
16 community issues. There is an incredible amount of
17 information that has to be processed to effectively
18 and intelligently review a project. So expediting
19 things sounds nice but in order for us to really do
20 our job which is to ensure the quality of these
21 projects and to ensure the, the level of
22 coordination that's needed. There is a significant
23 volume of review. So this is happening at a staff
24 level review. We're looking at it. But then also
25 again we don't have staff approval and review of

2 projects formally so everything does need to go to
3 either a committee of the commission so these are
4 getting the projects before the commissioners to
5 review and, and you know look at that level of
6 detail and understand the project. So it, it simply
7 takes time. We're already doing it within 30 days.
8 So with certain projects and key initiatives that
9 we're expediting. We, we've sort of engineered a
10 way to sort of get some projects through faster but
11 there's, there's really real constraints on what
12 our commission of 11 people are staffed to review
13 but also for the agencies to turn around and, and
14 deliver comments.

15 COUNCIL MEMBER LEVINE: So the, the CPI
16 projects are, are known for moving more quickly
17 through the capital process and we're, we're really
18 happy about that. Projects are very, very near and
19 dear to the heart of Commissioner Silver [sp?]. But
20 our goal would be to see that kind of expeditious
21 process for every project. It sounds like the
22 biggest combination you're making for CPI projects
23 is if needed an additional meeting of your board,
24 is that right?

COMMITTEE ON CULTURAL AFFAIRS, LIBRARIES, AND
INTERNATIONAL INTERGROUP RELATIONS

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JUSTIN MOORE: It's sort of a, a committee, what we call a committee review. So it's a meeting kind of halfway through our, our review cycle where projects can, can get reviewed as needed. So that's something that you know it's, it's a significant commitment that, that happens there. And you know to expand that beyond is, is something that would really you know need to look at.

COUNCIL MEMBER LEVINE: So the full board meets once a month, is that right?

JUSTIN MOORE: Board meets once a month.

COUNCIL MEMBER LEVINE: And then how... this committee is comprised of, of smaller number of members of the board, is that right? How big is the board and how big is the committee?

JUSTIN MOORE: The full board is 11 members. The committees it, it varies the, the number of projects, of projects so we have different professional expertise on the committee, architect, landscape architect designer. What we do is we review the, the project and its scope to understand who needs to review those projects. So

2 we sort of convened them and, and allow them to
3 meet.

4 COUNCIL MEMBER LEVINE: Right. And at
5 this point because of the number of CPI projects I
6 believe at this point we have funded 65 or
7 somewhere in that range. There must be very
8 frequent need for these interim committee meetings,
9 is that right? How often does that happen, is it
10 every month that the committee's meeting at this
11 point?

12 KERI BUTLER: Yes. The committee.. I mean
13 we generally have committee meetings it's, it's
14 more that the number of projects reviewed by a
15 committee has increased. And with the community
16 parks initiative we've been able to come up with
17 some standardized kind of methods and procedures.
18 For example, there are a number of Robert Moses Era
19 comfort stations that they're rehabilitating as
20 part of these projects. And so we kind of came up
21 with like the standard you know proposed work for
22 that. So it doesn't have to be reinventing the
23 wheel every time. And that's something that makes
24 the process go faster. Also the prototypical new
25 comfort stations we approved a general design for

2 that and so they can put those in different comfort
3 stations with like minor tweaks in like the color
4 of the tile or the color of the, perforation of the
5 roof pattern. And those are actually going to be
6 used in not just CPI projects but other projects.
7 So that's something that we worked with the parks
8 department very closely to kind of help expedite
9 the, all parks projects.

10 COUNCIL MEMBER LEVINE: Right. So
11 perhaps some of the techniques that you have
12 developed for CPI are now...

13 KERI BUTLER: Be expanded...

14 JUSTIN MOORE: Right...

15 KERI BUTLER: Mm-hmm.

16 JUSTIN MOORE: Yes, yes. And, and as
17 alluded to before things like having more
18 guidelines and, and things like that are, are
19 things that we can work on to, to have that sort of
20 frame of reference so that when things go before
21 the commission it, like Kerry mentioned it's not
22 reinventing the wheel every time. But that said we
23 do always look at projects in context and, and you
24 know they're always the outliers. And I don't want

2 to present as, as though we're, we're ignoring
3 those and they're always going to be projects that...

4 COUNCIL MEMBER LEVINE: And I, I don't
5 want to monopolize further the committee's time.
6 Thank you Mr. Chair for your flexibility here but
7 Justin... could you give me a sense of how long the
8 average time between a parks project submission and
9 approval is? Are we talking three weeks at this
10 point? Has, can you discuss how that's been reduced
11 relative to a year or two ago?

12 KERI BUTLER: Well it does depend on the
13 size of the project. So a really small CPI project
14 could take one cycle. We've gotten it pretty good
15 and, and I mean all level... we have different levels
16 of review so some larger projects come in for
17 conceptual. Then we have preliminary and final. So
18 we've, we've even had a lot of CPI projects coming
19 through for combined preliminary and final in one
20 cycle. So that's been really great. But it, you
21 know larger projects may require a little more time
22 or like two cycles. But you know it also as Justin
23 mentioned they are sort of outlying things that
24 need to be developed or you know so we may give a
25 project a preliminary approval but then the parks

2 department has to develop the drawings further and
3 then they come back when they've done that. So
4 there could be sometime between the levels of
5 review.

6 COUNCIL MEMBER LEVIN: Right. Well just
7 in, in closing I'll just say like when it comes to
8 the, the task of speeding up parks projects there's
9 no one silver bullet. We're going to have to find
10 many, many, many small incremental improvements.
11 And even to shave a week or two off is significant.
12 We add up enough of those and well... we'll be doing
13 our projects in two years instead of four. So I
14 look forward to continuing to work with you all to
15 make sure that the PDC component is as streamlined
16 as possible and, and do appreciate all the thought
17 and effort that you've been putting into this.
18 Thank you very much Mr. Chair.

19 CHAIRPERSON VAN BRAMER: Thank you very
20 much Council Member Levine. Before I go to Council
21 Member King I wanted to make two statements.
22 Because I mentioned this to you before the hearing
23 but I want to say it for the record as well that
24 the commission's board is made up of a
25 representative of several institutions including

2 the Brooklyn Museum, the Metropolitan Museum of
3 Art, and the New York Public Library. Those things
4 were decided over a hundred years ago. But there
5 are some glaring omissions there and I would, I
6 would certainly argue that if the New York Public
7 Library has a seat maybe the Brooklyn Public
8 Library and the Queens Library should as well. And
9 so there are things to look at there. It is also
10 interesting to note that the speaker and the city
11 council don't have a representative on the board as
12 well. Those are both things that we intend to
13 pursue certainly in my office and we've also
14 introduced LS requests to, to that end. With that I
15 will ask Council Member King.

16 COUNCIL MEMBER KING: Thank you Mr.
17 Chair, how are you today? Good, good. It's good to
18 be back. Kicking it all off again. Then have a lot
19 of fun with this year's conversations. Welcome to
20 the position. Five months. I think after seven
21 months you're no longer green so you still got a
22 couple of more months. So we're, we're, we're going
23 to be real respectful and figure out how that we
24 get the job done together. But I want to say thank
25 you first because I was looking at your response to

2 the Intro 12-76 saying your response I thought was
3 respectful and responsible. You know some people
4 have come and testified and say yeah we'll support
5 a piece of legislation and then knowing that
6 they're not going to follow through or can't follow
7 through and then you know, then everyone looks bad,
8 you look bad. Then we're arguing with one another
9 because you signed on from the start. But to say
10 hey just sat here, just trying to figure out where
11 we go next, see if it's feasible, can we do it, how
12 do we make it work together. So I thought that was
13 a responsible statement back to this piece of
14 legislation. But I want to know just have couple of
15 questions for you. First one is I'd like to know
16 personally from you since you've taken on the seat
17 here, one what is your vision now that you're
18 sitting at the head of the table for arts and
19 design and how do you plan on moving forward? In
20 spite of what's in your testimony what is your
21 vision to inspire, motivate, and deliver? And
22 secondly what is your plan to engage council
23 members in their offices to be a part of the
24 process to help with some of the questions,
25 challenges, or even some suggestions of being able

2 to help improve. And how do you connect more or
3 less remembers on the local level of things that
4 are happening in their district or suggestions that
5 can help a project in the district or even create a
6 project in the district? I'll stop there.

7 JUSTIN MOORE: Yeah, so I'll start at
8 the second point first in that you know we do want
9 to have more of a open relationship and dialogue
10 with members of, of the council and you know we've
11 had some kind of conversations when I first came on
12 board with other members, including Council Member
13 Levine, on parks projects and other things. But I,
14 I think especially because the council members do
15 have that local knowledge and local kind of
16 understanding of, of what's important in their
17 communities that that's something that we on the,
18 kind of the staff side of, of a design commission.
19 I'd like to have those conversations and so that we
20 can do our job better to communicate with the
21 commission about priorities of, of what's happening
22 in, in the changes in these communities. So that's
23 number one. And you know this call, have a meeting,
24 open door, happy to do that with the council
25 members. In terms of my vision and, and coming into

2 this role I think my background in urban design and
3 architecture has from a very young age really been
4 about improving the city. I always say very simply
5 we need to make the city better. I'm personally
6 from kind of a you know lower income, all black,
7 not-so-great neighborhood and I know the difference
8 that design makes, that the public space makes to
9 how people experience their city and the lives that
10 they have. So that's something that design has a
11 huge role in the city. And through my professional
12 work when I was at the planning department and, and
13 some of the work we, we got to do there that when
14 cities change they can change for the better but
15 it's important that it relate to the people. All
16 the different layers of design are, are really key.
17 Everything from sustainability and resiliency to
18 what I call access to beauty. Why can't my park be
19 beautiful too? So that's explicitly the scope of
20 what the design commission does. We're responsible
21 for that quality of life that gets done very
22 visibly in our, in our public shared spaces of the
23 city. So really been looking to promote that and,
24 and work to make sure that all of the city's
25 communities get the look and get the concerned care

2 for, for what happens and what gets built in their
3 communities. So our commission, you know the
4 commission is very diverse and they're very engaged
5 in this kind of charge. And this is something that
6 obviously the de Blasio administration kind of
7 promotes through the equity lens. And you know
8 you'll see in conversations that happen at the
9 commission. If you're really bored one day you can
10 watch the videos, see what's in, in the commission
11 meetings. But these conversations are happening and
12 it's an increment that, that we think and can
13 change the city going forward.

14 COUNCIL MEMBER KING: Okay. I thank you
15 for that. I thank you for your vision. I'm looking
16 forward to building a dialogue and a relationship
17 with you, not just a member of this committee but
18 just a member of the city of New York being able to
19 have access to a conversation that helps improve
20 our neighborhoods. My final question would be you
21 know we've had challenges when it comes to project
22 and time. What is, what suggestions, what is your
23 strategy to try to speed up the calendar? What are
24 you thinking about how do we deal with the fact
25 that a number of our you know projects take, you

2 know before we legislate it because we could
3 possibly legislate just say you have a park project
4 you need done in 90 days or it hasn't gone through
5 the commission in six months. You know we take
6 action or we shut down or funding gets pulled or
7 whatever. But before we ever get to that point what
8 can be your strategy to move projects through the
9 pipeline that much more quickly.

10 JUSTIN MOORE: So I was, I was speaking
11 to this earlier. I, I think... and I'm a designer by
12 training and background so I know how in general a
13 design process works. You start with a blank piece
14 of paper and at some point you've got a building.
15 There's a lot of stuff in between right? It's very
16 complicated. But the, the most important aspect
17 really is a, sort of a coordination and
18 communication very early on in a project when
19 certain decisions are made about you know what
20 time, how much, how long is it going to take to do
21 this project. How much is this project going to
22 cost. There are a lot of things that really do need
23 to work, be worked out earlier on in the process.
24 And so my plan and scope for, for the commission
25 and what we're looking to do is to really focus on

2 that end. That's where we can be the most effective
3 to improve outcomes and, and to address some of the
4 concerns about timing, budget, etcetera. So the,
5 the pre-submission services that we talked about
6 earlier in the, in the hearing here expanding that,
7 getting it to be more consistent across agencies
8 and across projects is something that, that we're
9 going to be focused on doing and, and advocating
10 for changes that we need to make, changes that
11 agencies will need to do, that we, we interact with
12 to have a much better and more transparent process
13 there. That's the, the real focus.

14 COUNCIL MEMBER KING: Thank you. I
15 thought I had a last question but I have one more
16 question after what you just said. I have more of a
17 statement. When you do, because you will, and
18 hopefully it'll be at a minimum, that you run into
19 these issues that the bureaucracy slows you down I
20 want to ask that you come to us immediately because
21 at the end of the day we need those agencies who
22 are supposed to be working in concert to deliver on
23 a project to actually do that, not string it along.
24 Because we put a lot of money in certain projects
25 for them not to ever come to fruition during our

2 reign. It doesn't make sense. So I'm asking you
3 since this is day 5, you know if you run into those
4 issues we need to make sure that those agencies who
5 can't deliver, maybe we should get new heads at the
6 table for them as well just so we can make sure we
7 move New York quickly and forwardly. Thank you.
8 Thank you Mr. Chair.

9 KERI BUTLER: Thank you.

10 CHAIRPERSON VAN BRAMER: Thank you very
11 much Council Member King. We have been joined by
12 Council Member Laurie Cumbo from Brooklyn on the
13 committee. And Justin I just want to say there is,
14 there is no doubt about the importance of the, the
15 commission. I believe in the work. And I believe in
16 a, a beautifully designed city. And you have an
17 important role to play in that. And since I first
18 met you and, and we had a meeting with a few
19 council members and your offices I've been
20 impressed. I also think it's clear that you're
21 understaffed and probably under resourced to do the
22 full scale of what it is you're charged to do. But
23 hopefully this hearing and some of the work that
24 we're doing will amplify both the work that you do
25 and the need that you have. I also think that the

2 introductory to discussion that we've had in terms
3 of the legislation is good. And I'm, I'm pleased
4 that you are open to the legislation and to
5 transparency and to sharing with everyone what
6 you're doing and how you're doing it and what kind
7 of timelines we're looking at to see the completion
8 of, of projects. And I think it's been 15 or so
9 years since the public design commission has had an
10 oversight hearing. So this is a, a good start of a
11 discussion that's long overdue and one that I, I
12 believe that we'll be having more regularly and,
13 and that is entirely appropriate so unless any
14 other committee members have questions for Justin
15 and the commission we will close this portion of
16 the testimony and take our next guest. But thank
17 you both for being here and for the collaboration.
18 We look forward to working much more closely with
19 the commission going forward and, and if there is a
20 need and I believe there is to, to make some slight
21 alterations to the commission's outlook. We will I
22 believe do so but the work is incredibly valuable
23 and important for the city of New York. With that,
24 thank you both and we will call next Simeon Bankoff
25 from the Historic District's Council. It looks like

2 Phyllis Cohen from the Municipal Art Society and
3 Benjamin Prosky from the American Institute of
4 Architects. If the three of you would come to the
5 front and prepare to testify. And if Phyllis looks
6 most prepared to kick us off so why don't we start
7 there.

8 PHYLLIS COHEN: ...Phyllis... Cohen. I'm the
9 Director of the Adopt-a-Monument and Mural and
10 Public Art Program at the Municipal Art Society and
11 have been there since its inception in 1987. This
12 program... The Municipal Art Society has been one of
13 the watchful guardians over New York City,
14 architecture and public art since 1883. It was in
15 this process of watching which brought to our
16 attention the deteriorating state of many of the
17 city's remarkable public sculptures throughout the
18 five boroughs. In 1987 in partnership with the then
19 art commission the MAS launched the Adopt-a-
20 Monument program to restore 20 of the most
21 threatened, damaged works, of public art damaged by
22 pollution, vandalism, and neglect. The program
23 captured the imagination of civic minded New
24 Yorkers beyond our wildest expectations. The MAS
25 found corporations, foundations, and private

2 funders to underwrite the cost of conservation. And
3 the art commission established the conservation
4 advisory group called CAG, a adjunct advisory
5 committee composed of professionals in conservation
6 and art history to review and advise on the
7 conservation of each adopt project. The success of,
8 the success of this led to the second partnership
9 with the art commission which was the Adopt a Mural
10 program in 1991. To date 51 works of public art
11 have been rescued and restored and importantly
12 maintained through this program. They are far
13 ranging in style, in material treatment, location,
14 and they represent an investment of three and a
15 half million dollars which we have contributed to
16 the city with this. Included among these by the way
17 are the magnificent Bozarth ceiling mural in the
18 room next door in your city council mural. We
19 initiated that with the art commission. That was
20 painted in 1903 by Tabar Sears [phonetic]. But
21 there are iconic pieces of sculpture in all of your
22 neighborhoods. Some of these are the Lincoln and
23 Lafayette monuments in prospect park, Brooklyn, the
24 rocket thrower in queens which was, which was
25 commissioned for the 1964 World's Fair. The

2 Henrick, the Beautiful Henrick... marble fountain
3 from 1898 in Joyce Kilmer Park in the Bronx and the
4 Neptune Fountain in Snug Harbor Staten Island. We
5 are now in collaboration with the art commission
6 restoring the Henry Ward Beecher Monument in Cadman
7 Plasa in Brooklyn. Our 29-year collaboration with
8 the design commission has made the conservation of
9 these projects possible and successful through the
10 vigilant oversight of the design commission staff
11 working closely with the MAS. Each monument and
12 mural treatment proposal is carefully and
13 technically evaluated by CAG, by CAG members. The
14 commission gives them final approval. Every project
15 has been on time and in budget. Meticulous high
16 standards are the hallmark of the design
17 commission. Through their leadership they have
18 sought to maintain the stability and dignity of
19 urban space that is the source of pride for all of
20 us New Yorkers.

21 CHAIRPERSON VAN BRAMER: Thank you very
22 much. Simeon.

23 SIMEON BANKOFF: Good afternoon Council
24 Members. Pleasure to be here. Thank you so much for
25 holding this hearing. I'm Simeon Bankoff. Executive

2 Director of the Historic District's Council. While
3 HDC tends to focus our energies on the Landmarks
4 Preservation Commission we're huge fans of the
5 public design commission as well. And we're very
6 pleased to hear the positive things that were going
7 on and were being discussed. As a matter of record
8 I have not had an opportunity fully absorb the
9 proposed legislation but on, on face value it seems
10 like a reasonable and sensible thing that will both
11 create government accountability, transparency, and
12 I believe aid the commission in communicating
13 better it's important job of creating design
14 excellence and equity among New York. The
15 commission, the, I, we'll call it the Art
16 Commission until you get a charter change. The
17 Public Design Commission is incredibly important.
18 We actually think they should be doing more work
19 and looking at more things but it cannot do so
20 unless it gets properly resourced. As Justin said
21 it is, they got six employees which I believe is
22 actually an all-time high. Frankly they need twice
23 or three times that many at least. So thank you for
24 all your support. Thank you for holding this
25 hearing and that's about it. Thank you very much.

2 And as you probably gathered this hearing is about
3 amplifying and demystifying in helping Justin and
4 the commission along as well as answering some of
5 the concerns that council members have experienced.
6 And so this is a good start. And Justin is new. So
7 he does not have all of that history necessarily to
8 own but instead the ability to change which is very
9 powerful.

10 BENJAMIN PROSKY: Good afternoon Chair
11 Van Bramer, members of the City Council Committee
12 on Cultural Affairs, Libraries, and International
13 Intergroup relations and members of the City
14 Council. My name is Benjamin Prosky. I am also
15 relatively new as the executive director of the
16 American Institute of Architects New York and the
17 Center for Architecture. I'm pleased to offer
18 testimony in regard to the public design commission
19 and proposed bill. The American Institute of
20 Architects New York represents over 52 hundred
21 architects and design professionals and is
22 committed to positively impacting the physical and
23 social qualities of our city while promoting
24 policies beneficial to the welfare of our members.
25 Through their review of the design, construction,

2 renovation, and restoration of our public buildings
3 as well as the buildings and rehabilitation of our
4 city's parks, the public design commission has
5 unquestionably helped shape New York's built
6 environment for the better. The AINY fully supports
7 the public design commission's role in city capital
8 projects review and approval, and approval process
9 which ensures the quality and consistency for the
10 design of the city's public realm. The public
11 design commission has continually exhibited an even
12 handed approach when balancing the necessary values
13 required in any design review process including
14 aesthetics, the quality of materials functional
15 needs, the preservation of cultural resources,
16 environmental stewardship, and the impact on our
17 communities. Furthermore, the Public Design
18 Commission's range of interdisciplinary expertise
19 and the scope of its purview which extends into the
20 details of design materials, maintenance and
21 longevity, contextual appropriateness is essential
22 to achieving high quality public spaces and
23 facilities at a citywide level. At AAA, AIANY we
24 believe high quality design not only adds value but
25 helps make our community safer, healthier, and more

2 livable. The Public Design Commission has
3 championed these values and recognizes the lasting
4 impacts high quality design can have on the
5 vibrancy of an entire community, helping buildings
6 work better for society and enabling society to
7 perform better as a result. This is what drives
8 architects and design professionals in any project
9 small or large, large or small. In regards to the
10 proposed bill requiring annual reporting at PDC the
11 AINY supports legislation that provides greater
12 transparency, an approachable open public design
13 commission would be positioned and better, to
14 better promote and expand upon the values mentioned
15 and I, I would like to commend actually just in
16 addition the website which actually does have quite
17 an accessible listing and I think that the idea of
18 these, these books are fantastic. But most people
19 will be able to see on, on the website what the
20 projects are and I think that the devotion to that
21 taking any resources away from that would be, would
22 be a mistake. So in short we do support the public
23 design commission and look forward to working
24 collaboratively in the future. Thank you.

2 CHAIRPERSON VAN BRAMER: Thank you very
3 much. Congratulations on your new appointment.
4 Justin, isn't it great to hear you have so many
5 friends? Isn't that great. And I appreciate all of
6 you coming to testify. I would say that you know
7 in, in the bill, and the intent of it is not
8 necessarily to, to recreate a, a book from 1937
9 although I coming from the library world am kind of
10 partial to, to the printed matter but an annual
11 report can take lots of different forms and, and
12 obviously we want to in this day and age make sure
13 that the, the vast majority of people see it and
14 that it doesn't simply sit on a shelf. It's
15 actually got to be seen and used in order for it to
16 actually have an impact. So we'll figure out
17 exactly what form it takes and maybe I will get a
18 hard copy because I love books. But thank you all
19 so much for being here and for sharing your views
20 and I particularly appreciate the sport for the
21 legislation. So thank you all for everything you do
22 for the city of New York. Our last panel is Jeff
23 Byles from the Fine Arts Federation of New York,
24 Elena Brescia from the Fine Arts Federation, and I
25 believe Robert Katz. Jeff and Elena you can figure

1 out who, who goes first. Is Robert Katz here? Why
2 don't you take a seat there? You're going to
3 testify with this panel. I know you're not with
4 them but you can be on the same panel with them.
5 We're one city. It's all, it's all one city. Yeah.
6 Even if you disagree with them it's okay to sit
7 with them. Why don't you figure out who from the
8 Fine Arts is going to speak first?

10 JEFF BYLES: Thank you. Good afternoon
11 Chair Van Bramer and members of the committee. My
12 name is Jeff Byles. I'm President of the Fine Arts
13 Federation of New York. With me is Elena Brescia
14 the federation's president from 2009 to 2014. Thank
15 you for this opportunity to testify about the
16 public design commission. The Fine Arts Federation
17 was established in 1895. Since our inception we
18 have been comprised of at least a dozen member
19 organizations of diverse constituencies with
20 professional expertise in public art, architecture,
21 and landscape architecture, planning, urban design,
22 and open space in New York City. Today we are the
23 only alliance acting on behalf of the city's art
24 and design professions in support of a well-
25 designed public realm. Pursuant to the New York

2 City Charter the Federation nominates seven of the
3 design commission's 11 members. Those are the
4 professional members which include an architect,
5 landscape architect, painter, sculptor, and three
6 lay members. For constituents and their thousands
7 of individual members know that commissioners play
8 a critical role as peer reviewers in the public
9 design process. In making nominations for these
10 positions we strive to reflect the diversity of
11 voices that constitute New York City. We see
12 candidates whose depth of expertise can add
13 constructive insights to the many interlocking
14 layers of public realm design. Above all we seek
15 individuals with a deep regard for the public
16 interest. Our nominees must understand the
17 constraints of the design process and the need to
18 balance all considerations while moving complex
19 projects forward. From prior hearings and as we've
20 heard today we know council members have concerns
21 about the commission's review process. Let us
22 reiterate that we strongly support the commission's
23 role as a citywide advocate for quality public
24 design. No other agency has a mandate to promote
25 public design excellence to the benefit of all New

1
2 Yorkers. At the same time, we agree that
3 improvements could be made to the review process.
4 We believe that better interagency coordination
5 earlier in the design process would help make
6 reviews more efficient and make the commission a
7 true partner with capital agencies, elected
8 officials, and communities in creating public
9 spaces that all New Yorkers can be proud of. We
10 have reviewed the proposed legislation requiring
11 the commission to report annually on this
12 activities. We support this legislation as we
13 support transparency and accountability in all
14 public affairs. We recognize however that reporting
15 possess a significant responsibility for commission
16 staff. We support the allocation of resources to
17 fulfill these new requirements and to assist the
18 commission in serving the people of New York as an
19 advocate for high quality and inspiring public
20 spaces. Thank you.

21 CHAIRPERSON VAN BRAMER: Thank you very
22 much. Elena.

23 ELENA BRESCIA: [off mic] Actually it
24 was a joint statement. So I'm, I'm not going to add
25

2 anything, any... to the statement in particular. I,
3 after listening to the...

4 CHAIRPERSON VAN BRAMER: Do you want to
5 take the mic though?

6 ELENA BRESCIA: [off mic] Oh, sorry.

7 CHAIRPERSON VAN BRAMER: Sure.

8 ELENA BRESCIA: After listening to the
9 queries I wanted to mention that in the past few
10 years the commission has instituted guidelines for
11 solutions that allow the process to be much more
12 streamlined than it was previously so that they
13 can... they, they had their specific things that they
14 need to see and they made that more public. So that
15 has helped the process in the past few years.

16 CHAIRPERSON VAN BRAMER: Yes, I, I think
17 we, we agree that there have been improvements and
18 I, myself was, and, and remain a big fan of faith.
19 We'd work together in her prior, in both of our
20 prior lives before we had those positions. And I've
21 been very impressed with Justin. And of course I
22 know several members of, of the commission's board
23 as well who I greatly respect. The question is, and
24 I, I suppose we would all probably agree we, we can
25 never be too good and we can always improve even

1 more. And I think that's the question. I know
2 there's some valid concerns in Council Member
3 Levine particularly as Chair of Parks has always
4 voiced those. But we agree that there's... at least
5 we agree that there's no doubt about the importance
6 of the work. And as someone who cares a great deal
7 about art and architecture and history design as
8 the Chair of Cultural Affairs. Hey, you know we,
9 we, we want the commission to be the best that it
10 can be, as well funded as it can be. So we
11 certainly support more funding for, for Justin to
12 have more staff. That is not only within the
13 council's purview. And, and so we, we have already
14 and, and will continue to advocate for more funding
15 for the commission. And I know we've sent a letter
16 to the mayor about that. So with that why don't we
17 conclude with you Mr. Katz if you'd like to
18 testify.

20 ROBERT KATZ: Well I'd like to speak
21 about museum staffing. That, is it okay to speak
22 about that? Okay I worked at the New York
23 historical society in their communications
24 department part time from 2007 to 2013. And I have
25 not been able to secure employment in the

2 communications department of another cultural
3 institution or museum. And I have all kinds of
4 references from the New York Historical Society. I
5 have positive performance evaluations from then VP
6 of communications and from Jen Shants [sp?] who was
7 then the Chief Administrative Officer dated as of a
8 month before my time ended at the New York
9 Historical Society. So I have all kinds of positive
10 references from the New York Historical Society but
11 the inside and outside and I made a lot of money
12 and brought a lot of business. And I'm going to
13 bring up one example and this example has been
14 repeated. Last year there is a communications
15 department position at the museum of the city of
16 New York. At the time they had a art exhibit,
17 either a current exhibit or a... exhibit, art
18 exhibit, photography exhibit, and the folk music
19 exhibit. I publicize art exhibits at the museum, at
20 the New York Historical Site. I publicized
21 photography exhibits and I was responsible for the
22 Grateful Dead Exhibit. And I'm also an expert in
23 the Folk Music scene in New York City. The museum
24 of city of New York did not call me in for an
25 interview for a deposition last year and they hired

2 Jacob... This person has no museum experience what
3 so ever. And this pattern has been repeated across
4 multiple museums of them hiring people with little
5 overall experience and no museum experience. Now I
6 want to know what's going on. Why, are there some
7 type of collusion or what have you preventing me
8 from getting a job in the communications department
9 of another museum. Because there is clearly
10 something going on. I want to know who's
11 responsible. I want to know what this committee is
12 going to do about it because I take discrimination,
13 on the level of this is almost... Crow, Nazi Germany
14 like. There's clearly some type of discrimination
15 going on. I want to know what this committee's
16 going to do about it.

17 CHAIRPERSON VAN BRAMER: Well we are
18 always happy to look into it some more. Obviously
19 you've made some fairly serious allegations and
20 those institutions, and I might add those
21 individuals are not, not here to answer those. But
22 given that this committee and this hearing is, is
23 about the public design commission and, and its
24 work and, and a piece of introduction, a piece of
25 legislation that I've introduced that is really the

2 testimony that we are prepared to hear today but
3 we've given you a, a couple of minutes. You've
4 shared your concerns. I've heard them and, and
5 after the hearing we're happy to take some of the
6 information from you and look into that but this is
7 really not the place or the time to hear all of
8 what you're saying. And, but, but we can follow up
9 and, and...

10 ROBERT KATZ: Will I be speaking with
11 you after this hearing?

12 CHAIRPERSON VAN BRAMER: What's that?

13 ROBERT KATZ: Who are they speaking with
14 after the hearing...

15 CHAIRPERSON VAN BRAMER: I will have
16 staff be in touch with you. We'd like to give us
17 your contact information. Alright.

18 ROBERT KATZ: That's fine.

19 CHAIRPERSON VAN BRAMER: Thank you very
20 much Mr. Katz.

21 ROBERT KATZ: Thank you.

22 CHAIRPERSON VAN BRAMER: Thank you both.
23 And with that we are going to conclude our hearing
24 today. And look forward to working together more to
25 make sure that the public design commission and the

2 art commission, one in the same, continue to do
3 great work for the city of New York. Thank you all
4 very much.

5 [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 September 30, 2016