

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC HOUSING

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March 11, 2019
Start: 10:06 a.m.
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HELD AT: Committee Room - City Hall

B E F O R E: ALICKA AMPRY-SAMUEL
Chairperson

COUNCIL MEMBERS: Diana Ayala
Laurie A. Cumbo
Ruben Diaz, Sr.
Mark Gjonaj
Carlos Menchaca
Donovan J. Richards
Rafael Salamanca, Jr.
Ritchie J. Torres
Mark Treyger
James G. Van Bramer

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

Katherine Garcia, Interim Chair and CEO
New York City Housing Authority, NYCHA

David Preston, Executive Vice President for
External Affairs, New York City Housing
Authority, NYCHA

John Derek Norvell, Resident of Abraham Lincoln
Houses, and Member of African-American Teamsters
Committee of New York

Mrs. Brown, Member of NYCHA's CCOP RAD, Member of
Community Board 8 Upper East Side

Lakisha Taylor, Resident of Holmes Towers

Lucy Newman, Legal Aid Society

Victor Bach, Community Service Society

Anna Luft, Neighborhood Defender Service of
Harlem

2 [sound check] [pause] [gavel]

3 CHAIRPERSON AMPRY-SAMUEL: The hearing is
4 coming to order. Good morning and thank you all for
5 being here today. I am Council Member Alicka Ampry-
6 Samuel and I chair the Committee on Public Housing.
7 I am joined this morning by Council Member Ruben
8 Diaz. Sr., Council Member Ritchie Torres, and I just
9 saw Council Member Van Bramer. He just walked out.
10 We are here today to discuss the new Federal
11 Agreement to overhaul public housing in New York
12 City. On January 31st the United States Department
13 of Housing and Urban Development or HUD, entered into
14 an agreement with NYCHA and the city. The Housing
15 Secretary Ben Carson categorized the Agreement as
16 offering both new solutions for decades old problems.
17 Now, as someone who grew up in public housing and
18 that has the honor of serving as the Chair of this
19 committee, I am deeply familiar with the problems
20 that have plagued NYCHA. Decades of mismanagement
21 and under-funding has left too many buildings in
22 woeful states of disrepair, and too many residents
23 overcome with distrust. We need to examine and probe
24 what the new Federal Agreement actually does to
25 address those concerns, and whether it truly serves

2 residents' best interests. According to a New York
3 Times article the former interim Chair of NYCHA
4 believes that it does not, and for this reason he
5 refused to sign the agreement. He stated, The city
6 and NYCHA have all the responsibility, limited
7 authority and all of the financial burden. That in a
8 nutshell is why I'm against it. Given that he was
9 brought for his expertise, and he did not approve of
10 the deal, I would like to hear why NYCHA and the city
11 agreed to it, and how it will function to meet
12 residents' needs. Again, the chief concern in the
13 city-the chief concern is that the city will be taken
14 on all of the financial burden, and responsibility
15 even though it and NYCHA would have little authority.
16 Indeed, despite NYCHA being home to one in four New
17 York City's residents, it historically has not
18 received the commitment and funding it needs from the
19 local, state and federal government. As of today, we
20 don't know how the city determined the appropriate
21 amount of funding to agree to. We don't know what
22 the city's plan is to make up the difference between
23 the \$2.9 billion in capital funds through FY 2027
24 they agreed to and the \$31.8 billion capital NYCHA
25 needs. We don't know how the deadlines in the

2 agreement were established, and whether they took
3 into consideration costs and residencies or whether
4 they were simply picked out of the hat. And since we
5 don't know these things, we don't know whether NYCHA
6 can meet the goals laid out in the actual agreement,
7 and we don't know if this will help the residents, as
8 these are things we should know, and definitely need
9 to know. We need to know that there is a real plan
10 in place, a plan with specific and achievable goals
11 that reflect the realities of NYCHA, a plan that
12 brings new leadership with actual experience in
13 housing, and a plan that incorporates and prioritizes
14 its residents since they know what's best and what's
15 really needed. I look forward to the testimony from
16 the Administration and NYCHA today, and about making
17 that plan a reality, and we have just been joined by
18 Councilwoman Diana Ayala. So, with that being said,
19 and we do not have any residents panel before the
20 Administration this morning. So, we'll have
21 testimony from the Administration and NYCHA.

22 LEGAL COUNSEL: Do you affirm to tell,
23 the truth the whole truth, and nothing but the truth
24 in your testimony before this committee, and to
25 respond honestly to Council Member questions?

2 KATHERINE GARCIA: I do.

3 CHAIRPERSON AMPRY-SAMUEL: Okay. So, if
4 you could state name and begin.

5 KATHERINE GARCIA: and members of the
6 committee on Public Housing and other member of the
7 City Council, good morning. I am Katherine Garcia,
8 NYCHA's Interim Chair and CEO. I am pleased to be
9 joined by David Preston, Executive Vice President for
10 External Affairs. Thank you for this opportunity to
11 discuss how we're moving forward with our partners to
12 transform the Authority, become a better landlord and
13 improve the quality of life for hundreds of thousands
14 of New Yorkers we serve. My first official day as
15 NYCHA's Interim Chair and CEO was February 19th of
16 2019. This was a few weeks after the January 31st
17 signing of the Administrative Agreement between
18 NYCHA, the U.S. Department of Housing and Urban
19 Development, the U.S. Attorney for the Southern
20 District of New York and the city of New York. Mayor
21 de Blasio asked—asked me to join General Manager Vito
22 Mustaciuolo, and lead the agency through this
23 critical transition period. While in this position,
24 my primary responsibilities are to prepare the
25 Authority for the arrival of the Monitor, and ensure

2 the authority meets the early requirements of the
3 agreement. The agreement's overarching goal is to
4 remedy the deficient physical conditions in NYCHA
5 properties to benefit our residents across the city.
6 NYCHA is under the supervision of a Monitor selected
7 by HUD and the U.S. Attorney's office in consultation
8 with the city and NYCHA. As you know, Bart Schwartz
9 started his position as Monitor on March 1st. We
10 have met with Mr. Schwartz a number of times already
11 and look forward to working with him and his team.
12 Based on our initial discussions his focus is on
13 engagement with residents, and holding the Authority
14 accountable for meeting our commitments to improve
15 the lives of residents. As part of the agreement the
16 city will provide \$1 billion for capital expenses
17 over the next four years and \$200 million per year in
18 capital funding for at the six years following for a
19 total at least \$2.2 Billion in capital funding. This
20 is in addition to Mayor de Blasio's unprecedented
21 financial support to NYCHA, which includes \$4.3
22 billion in capital and operating funds to replace
23 roofs and boilers, fix facades and upgrade heating
24 systems and more. The agreement requires NYCHA to
25 remediate living conditions at NYCHA properties by

2 specific deadlines and to meet strict objective
3 compliance standards regarding lead paint hazards,
4 mold growth, pest infestation and inadequate heating
5 and elevator service. We are in the process of
6 setting up systems and have established a dedicated
7 unit to track the authority's progress on all the
8 deadlines outlined in the agreement. I would like to
9 update this body on some of the immediate work that
10 has been done over the last few weeks in advance of
11 pending deadlines. With respect to lead paint
12 hazards, the agreement required NYCHA to address any
13 lead paint hazards in apartments that are occupied by
14 a child under six within 30 days of the Agreement's
15 effective date. NYCHA reported to the Southern
16 District and a Monitor that as of March 2nd, NYCHA
17 had inspected 2,854 child under-six apartments, and
18 corrected identified deficiencies in 2,122. As of
19 March 2nd, there were 171 apartments in which NYCHA
20 attempted access for inspections in 344 apartments to
21 which NYCHA attempted access to eliminate the lead
22 hazards. NYCHA is working with these residents to
23 obtain access and remediate these units as quickly as
24 possible. Accomplishing this goal would not have been
25 possible if NYCHA had not been working on achieving

1 compliance ahead of signing the agreement, and these
2 numbers my shift slightly and we continue to validate
3 the data. To improve our performance in heat and hot
4 water delivery and in accordance with the Agreement's
5 requirements, starting immediately residents will
6 receive notification of heat outages via robocalls
7 and the Monitor will be notified of any heat outages.
8 These notifications to residents are currently in
9 effect and we are working with a Monitor to provide
10 the notifications in his preferred format. Beginning
11 October 1, 2019, we will be required to resolve
12 heating outages within an average of 12 hours with
13 85% of heating outages having to be resolved within
14 24 hours. Currently, heating outages on average are
15 being resolved within 10 hours. The Agreement also
16 requires NYCHA to create a 24x7 Heat Desk to Monitor
17 heating metrics and dispatch staff to resolve issues
18 during heating—the heating season by March 31, 2019.
19 The Heat Desk is already in place, and operational.
20 By the end of the year NYCHA will introduce Indoor
21 Temperature Centers at 44 developments that have the
22 ability to track temperatures through a computerized
23 building management system. By 2026, NYCHA is
24 required to replace or address approximately 400
25

2 boilers, 297 through the Capital Program and 200
3 through work done in connection with our past Section
4 8 conversions. As we announced last week, this work
5 is already underway with the selection of contractors
6 to replace nine boiler plants serving 11 developments
7 and 24,000 residents. Construction on these projects
8 will begin this spring and will be completed by 2022.
9 Earlier this year, NYCHA launched the Mold Busters
10 Program to combat mold at developments citywide.
11 Mold Busters involves and updated mold inspection
12 protocol, a new and comprehensive standard
13 remediation procedure, new hands-on training for
14 including on root causes of mold and new tools for
15 staff to effectively and efficiently identify and
16 remediate mold. The program requires staff to
17 document their response to mold work orders,
18 promoting accountability. It incorporates a faster
19 time line for repairs and remediation as well as
20 follow-up inspections after work is completed to
21 ensure there has been no reoccurrence. By 2024,
22 there may not be a single mold complaint in a 12-
23 month period, no more than 15% of mold complaints
24 shall cover more than 10 square feet and mold may not
25 reappear more than three times in a single year.

2 Critical to the success in elimination mold will be
3 NYCHA's roof replacements, and repairs of plumbing
4 leaks. NYCHA is in the process of hiring additional
5 elevator mechanics to meet the repair needs. By 2024
6 we will replace or address 425 elevators, 275 through
7 the Capital Program, and 150 through the PACT
8 Program, and lastly, NYCHA will hire an expert in
9 pest control and 20 additional exterminators and will
10 install concrete basement floors and 8,000 door
11 sweeps to reduce the rat, roach and mouse
12 populations. In support of our work, and as part of
13 the Agreement, NYCHA will establish new departments
14 and units including an Environmental Health and
15 Safety Department and a Quality Assurance Unit within
16 45 days of the Monitor's appointment. For me the
17 Agreement NYCHA and the City reach with HUD is vital
18 because it allows us to do the real work of turning
19 public housing around. We can proceed with the XRF
20 testing of all 135,000 apartments where lead paint
21 has not been rolled out, and get to work eliminating
22 any hazards. We can proceed with improving
23 operations that have reduced heating outages and
24 reduced response time. We can proceed with
25 implementing landmark labor contract that provides

2 residents with 7-day service and better building
3 maintenance. We can proceed with NYCHA 2.0 our plan
4 to fully renovate more than 60,000 apartments across
5 NYCHA and make \$24 billion worth of badly needed
6 repairs. We have a lot of work to do, and at the end
7 of the day while we all need to fight for more state
8 and federal support, and we will—while we look close—
9 we look forward to working closely with our monitor.
10 We believe it's going to be the city of New York and
11 New Yorkers like this Council, the workers and the
12 residents of NYCHA who are going to turn NYCHA
13 around. The agreement gives us the tools and the
14 ability to continue that work. Thank you for the
15 opportunity to testify, and I am now happy to answer
16 any questions you may have.

17 CHAIRPERSON AMPRY-SAMUEL: Thank you so
18 much. So, the purpose of the hearing and the purpose
19 of all of our hearings as it relates to public
20 housing and NYCHA is just to really make sure that we
21 are having an open conversation, an open dialogue,
22 and being able to educate and inform the Council as
23 to what's happening as well as the residents, and so,
24 the purpose of this hearing is to really dive deep
25 into the HUD Agreement itself—

2 KATHERINE GARCIA: Uh-hm.

3 CHAIRPERSON AMPRY-SAMUEL: This is
4 something that has been discussed for the past eight
5 months or so, and it's been playing out in the media,
6 and that it has been signed, agreed to this an
7 opportunity to inform the residents as to what does
8 it really say, and why it was signed. What was the
9 conversation to pull all of the goals and what it
10 entails together, and how does it have a direct
11 impact on the residents? What does it mean and at the
12 end of the day for the families that live in NYCHA?
13 What does it mean during the heating season, the cold
14 winter months? Like will they continue to-to-to need
15 heat and hot water? I mean will they--will they
16 freeze during the winter months, and there's ongoing
17 complaint with mold and, you know, you mentioned it
18 in the testimony and it's highlighted in the
19 agreement, but you know, what does it mean to the
20 residents? Will they continue to have to put in the
21 tickets and complaints, and they come out and plaster
22 and paint, and then they have to call back again. So,
23 this is an opportunity to have that conversation and
24 be transparent so could all know what's happening,
25 what does it mean and how are you moving forward? So

2 that's the—I guess it's kind of give an overall. So,
3 to put into context so we can move forward. So, my
4 first question is: Who negotiated the terms of the
5 NYCHA and HUD Agreement?

6 KATHERINE GARCIA: So, obviously the
7 folks who were doing the negotiation was the Southern
8 District HUD, and then there were members of the
9 NYCHA team as well as the city.

10 CHAIRPERSON AMPRY-SAMUEL: How long did
11 the city, SDNY and HUD negotiate this actual
12 agreement?

13 KATHERINE GARCIA: So, I mean I think
14 conversations had been ongoing from the prior summer.
15 Obviously, they got more intense in January, though
16 there were some moments when it as a little
17 challenging due to the fact that federal government
18 was shut down for a period of time. So, they were
19 very much condensed towards the end of the month, but
20 there had been back and forth for a long time about
21 the bones of what the agreement was, and I think the
22 city had been pretty clear about what they wanted to
23 see as part of the agreement that they anticipated
24 that there would be sections related to presumed lead
25 paint hazards. There would be sections around mold.

2 There would sections around the boilers and heating
3 and elevators that that was sort of anticipated going
4 into those negotiations.

5 CHAIRPERSON AMPRY-SAMUEL: So can you
6 speak to the difference between the actual consent
7 decrees that was signed, and was before the judge
8 himself, and the agreement that we see today, and in
9 particular, how will the removal of judicial
10 oversights have or what kind of impact will that have
11 residents' engagement or input?

12 KATHERINE GARCIA: So, when I think about
13 it, I think that this really gives us the opportunity
14 to stay closer to the residents with local control
15 through the agreement so that NYCHA is really the one
16 driving the ship on the operations, and can be held
17 accountable for that, but there's nothing to point to
18 if the, you know, the court or something else if
19 something hold up—held up, and it's really very
20 specific. I mean I think that the—and—and we'll get
21 even more specific as it gets into place because
22 where there are the large goals of exactly how many
23 boilers have to get done, we have develop action
24 plans with the monitor to make sure that they are
25 viewed as being achievable plans that can get done in

2 the timeframes that were agreed to. So, in some ways
3 I view this as even more accountability than what was
4 in the Judicial Consent Order particularly for NYCHA
5 and for the city and so, there will be ongoing
6 conversations, which I know that the monitor has
7 already reached out to residents to make sure that he
8 is setting up a committee to provide him with
9 feedback from the residents, and ensure that their
10 voices are heard as part of moving forward with this.

11 CHAIRPERSON AMPRY-SAMUEL: Well, let me—
12 let me stop you there, and that's a—that's one of the
13 questions. Was there any at all feedback or input
14 from the residents with the language of the agreement
15 itself?

16 KATHERINE GARCIA: I don't know. I am
17 not aware that there was best in that seat.

18 CHAIRPERSON AMPRY-SAMUEL: [interposing]
19 Because I'm talking about like the negotiate, like
20 who negotiated the agreement?

21 KATHERINE GARCIA: So, that—that specific
22 language I think there had been a lot of listening
23 going on to residents. I know that the former
24 Interim Chair and General Manager went to the
25 hearings where residents spoke. I do believe that

2 there were other conversations ongoing about what was
3 important to residents going forward. I don't think
4 any of them were incorporated in language, but I
5 think--

6 CHAIRPERSON AMPRY-SAMUEL: [interposing]
7 What about like meetings at all? Like were the
8 residents at the table when SDNY and the City and
9 NYCHA and HUD were together negotiating and
10 discussing.

11 KATHERINE GARCIA: So, I mean no and I
12 wouldn't even have thought. I think that their goals
13 were incorporated, but they were not sitting at the
14 table at the time that the signatures were about to
15 get done.

16 CHAIRPERSON AMPRY-SAMUEL: Okay, and you--
17 just discussed or mentioning like the Action Plan.
18 How did the City, SDNY and HUD come up with the
19 deadlines that were stated in the Agreement?

20 KATHERINE GARCIA: So, I mean certainly
21 from--with everything that I've heard, NYCHA was
22 pushed very, very hard on the deadlines to tighten
23 them and--and to be extremely aggressive, but that
24 being said, they were all predicated on the concept
25 that they were going to be difficult, but achievable,

2 and that a lot of them are where are we now in terms
3 of designs on boilers. How many do we think we can
4 get done? How many units are going into the PACT
5 Programs and the conversion to Section 8, which is a
6 big piece of this, and so it was about where we were
7 in looking at the priorities on particularly on the
8 capital side, and how long it would take us to
9 achieve those different pieces, but there had been a
10 lot of planning work already done in trying to figure
11 out how quickly we could go through things, and we
12 are still going to continue to work and tighten up
13 all of those title lines to make sure that we are
14 moving as quickly as possible.

15 CHAIRPERSON AMPRY-SAMUEL: Does NYCHA
16 have the funds and resources to meet the proposed
17 deadlines.

18 KATHERINE GARCIA: We have a lot of funds
19 available to us right at the moment, but we do—we are
20 continuing to advocate for additional funds. So, we
21 are definitely going to be heavily dependent on
22 moving into the PACT Program and those conversions,
23 but we—we do still need to make sure that we are
24 advocating for additional federal resources and
25 additional state resources. I was in Albany two

2 weeks ago maybe three weeks ago, and I had extremely
3 good conversations with the Legislatures in Albany to
4 advocate for additional funding for NYCHA from the
5 State, and I think we also saw that Senator Schumer
6 and the Congressional Delegation from New York have
7 been huge advocates to NYCHA and are trying to put
8 more money and funding into NYCHA going forward.

9 CHAIRPERSON AMPRY-SAMUEL: So, going back
10 to the deadlines, most of the deadlines that are
11 outlined within the Agreement occur with the next
12 administration when the current Mayor is no longer in
13 office. Why is the responsibility to get NYCHA into
14 good repair being pushed off into just future Mayors?
15 Is it—can you talk to us a little bit about what can
16 be accomplished within this Administration. So, I
17 mean like realists, like can we have a conversation
18 about that?

19 KATHERINE GARCIA: Absolutely and I—and I
20 appreciate your question because this Mayor, you
21 know, has been very dedicated to providing resources
22 to NYCHA, and certainly we are moving on things so
23 while there are out years where we have to finish 500
24 boilers or, you know, those are all starting now so
25 that residents can start to see the impact of that

2 now, and we will be providing additional action plans
3 that will show when these things are happening for
4 some of the PACT conversions. There's construction
5 that is ongoing now. So, I think the final deadlines
6 were really driven by what was the capital capacity
7 to move those projects, and actually meet the final
8 deadlines of completing all of that work, but that
9 work is starting now. Contracts are out on the
10 street, and we are moving aggressively to make sure
11 that really that the residents are seeing change
12 happen not in five years, but they are seeing change
13 happen now.

14 CHAIRPERSON AMPRY-SAMUEL: So, can you
15 just explain to me what that means when you mention
16 the PACT and the RED and making that those deal are
17 happening now, is-is it an issue where in order to
18 really be able to do the repairs that are needed, you
19 have to finalize a lot of the private-public/private
20 partnerships and get those Section 9 units offline
21 like get those into Section 8 so that you can
22 concentrate on that?

23 KATHERINE GARCIA: So, the-the
24 presumption within the Agreement is that there are a
25 lot of different modes of delivery of Capital

2 Projects. So, some will be done directly by NYCHA's
3 staff, but some would be done by private developers
4 through the PACT Programs, and in the agreement it
5 specifically separates about some of the work being
6 done on either of those pathways. So, it—it does
7 presume that those deals move forward and, you know,
8 getting to the 500. We don't get to the 500 without
9 doing the portion of the PACT deal.

10 CHAIRPERSON AMPRY-SAMUEL: So, can you—
11 Okay, so, I know there'll be a lot of questions from
12 our colleagues, and I know that they are just like
13 the different categories between the mold and the
14 elevators and the pest and the—the heat and hot water
15 system, the boilers and the lead. So, since we are
16 kind of focusing right now on that boilers and it
17 mentioned the 500. Have you prioritized the
18 developments because when I think about a development
19 that is in need of a boiler, but they're on a list
20 for a RAD or PACT conversion, that RAD or PACT
21 conversion is not going to happen right away. It
22 will take a few years, but there's a need for the
23 boilers to be repaired. So, can you speak to what
24 will happen in that time like in the interval with
25 that need for a boiler just to provide heat and hot

2 water to the residents that may be in the process of
3 going through one of the PACT or RAD conversions?

4 KATHERINE GARCIA: Certainly and I—I want
5 to be very clear. Like we have made huge progress in
6 terms of changing the staffing for this heating
7 season, and really giving ourselves a lot more
8 coverage, but we are dealing with a lot of very, very
9 old systems. And so, while there have been fewer
10 outages, and the outages have been shorter, we still
11 are having outages, and that is going to be true
12 until we get new boiler plants in place, and until we
13 get some of RAD Impact Programs done. And so, we are
14 looking at every boiler all the time in terms of
15 where do they fall on the list of most critical? How
16 often are we out there? And for some of them, they
17 are putting, being put into the PACT/RAD program in
18 an earlier point if that is—if that is the direction
19 we think we think they're going, or they're getting
20 put into the NYCHA's Capital Program to make sure
21 that we are dealing with the ones that are having the
22 most problems. And that is a constantly evolving
23 list, but as you know were—there were some that we
24 waiting that we had prioritized for State money with
25 the \$450 million from the state. That just got to a

2 point where we're like no we're moving those ahead.
3 We're not going to wait for that funding any longer.
4 We're going to move that because it's really at a
5 point where it needs to—it needs to be in the process
6 of a permanent solution.

7 CHAIRPERSON AMPRY-SAMUEL: So, with the
8 new monitor that's coming in—well, that's here now,
9 and having to pull together an action plan--

10 KATHERINE GARCIA: Uh-hm.

11 CHAIRPERSON AMPRY-SAMUEL: --almost
12 immediately, you would have to know all of this
13 already. Like you have—like you have to know which
14 unit—which developments are in need of these repairs
15 now, and which ones should go into these conversions,
16 and what's available? Like what do you have readily
17 available financially? So, you—I would think that
18 that like all of that information—it could be like a
19 moving target, but at the same time, it should be
20 kind of packaged into a plan because this is
21 something that's been going on for some time now. I
22 think that the need is there, and you know the
23 developments, and you know here they stand.

24 KATHERINE GARCIA: So, no—no, I—I
25 understand your questions. So, no, we're not

2 starting from scratch with the actions plans. They
3 are going to be based on enormous amount of work that
4 has already been underway to sort of grade where were
5 are in each of the developments, and look at, you
6 know, where is—where are our top priority needs in
7 terms of both how many residents has an impact? What
8 is its reliability rating? So, all of those are
9 factors that we are looking for the next chunk of the
10 RAD/PACT. We are finalizing that this month so that
11 we have a real cohesive dataset of how the choices or
12 recommendations are made, and so we are putting
13 together what we think would like an action plan to—
14 in a draft form to talk through with monitor to see
15 if he has specifics that he thinks were mission, but,
16 you know, there—there has been a lot of capital
17 planning being done at that development level, and
18 obviously we're looking at the P&A and how that
19 factors in to how we move forward.

20 CHAIRPERSON AMPRY-SAMUEL: So, out of the
21 325 developments that currently exist that are part
22 of this Section 9, is there—can we look at every
23 single development and say: Development A is going to
24 be going through this conversion. Development B is
25 going—is on the list for a new boiler by October

2 2019. Development C is kind of okay. We can fold
3 them into our city's Capital Plan, and Development D,
4 we are looking to—to be able to fix whatever needs
5 are in this development by funding this by the \$450
6 million from the state that's coming in. Is there
7 like a realistic list of--

8 KATHERINE GARCIA: [interposing] We are--
9 we are--

10 CHAIRPERSON AMPRY-SAMUEL:--every single
11 development and where they fit within this matrix?

12 KATHERINE GARCIA: We-we are close to
13 finalizing how that list works, and I-we will be
14 happy to share that with you when we're complete. But
15 yes, we-that is exactly our intention. We have a lot
16 of those building blocks we are just finalizing what
17 goes in what goes in what bucket, what are we trying?
18 Which strategy are we using to move forward and deal
19 with each of these so that we are maximizing and
20 leveraging everything to make it so that the
21 residents are having a better experience so that
22 we're a better landlord on the day-to-day.

23 CHAIRPERSON AMPRY-SAMUEL: Okay. We have
24 also been joined by Council Member Salamanca and
25 Council Member Carlos Menchaca. I am going to stop

2 there. I have a ton of other questions, but I've try
3 to ask questions for 30 minutes, and then open it and
4 then come back. [background comments] The first
5 question will come from Council Member Ritchie
6 Torres.

7 COUNCIL MEMBER TORRES: Thank you, Madam
8 Chairwoman. I'm going to start with--well I'll ask
9 questions for as long as the Chair allows. I can go
10 on for two hours, but before I do, actually, I do--
11 the--the--the NYCHA, the Public Housing Chair just
12 asked you earlier whether you have the resources to
13 do your job and--and I thought you gave them a more
14 complicated answer than you should have. You know,
15 the answer is no you don't. You have enough
16 resources to manage the decline of public housing,
17 but you don't have the resources of the level of
18 federal funding that you would need to genuinely
19 preserve public housing. I think we should be clear
20 about federal government is the enemy of public
21 housing. The government has neglected and continues
22 to neglect public housing this agreement
23 notwithstanding. Now the agreement requires NYCHA to
24 visually inspect and remediate lead in all non-exempt

2 pre-1978 units with children under the age of six.
3 How many units fall within that category?

4 KATHERINE GARCIA: So, there were 277
5 developments that were pre-1978 and not exempt. Of
6 those, we identified 46,372 units in total.

7 COUNCIL MEMBER TORRES: I'm sorry,
8 43,000?

9 KATHERINE GARCIA: 46, 372. Of those,
10 3,028 were identified as having a child under six as
11 of the January 1st Family Composition data. Of those
12 200-2,854 were inspected. We identified 2,487
13 deficiencies. So this is pretty--

14 COUNCIL MEMBER TORRES: [interposing] How
15 many deficiencies?

16 KATHERINE GARCIA: 2,487 and let me be
17 clear that the deficiencies does not mean that there
18 was lead paint in the unit. It means that we will
19 presume that it is lead because we do not have data
20 saying it's not lead.

21 COUNCIL MEMBER TORRES: So-so my-my
22 understanding is you-your-the Agreement requires you
23 to visually inspect, and if necessary remediate lead
24 in those 3,028 apartments within 30 days?

2 KATHERINE GARCIA: Well, in-in the ones
3 that were found to have-after the visual inspection
4 were found to have a paint deficiency.

5 COUNCIL MEMBER TORRES: But visually
6 inspect them. If necessary remediate?

7 KATHERINE GARCIA: Yes.

8 COUNCIL MEMBER TORRES: And-and you have
9 not done that within 30 days? Is that--?

10 KATHERINE GARCIA: We have-we have-so, of
11 the inspections we also had 171 where we had no
12 access, where we had attempted multiple times to get
13 in, but sometimes it's challenging to get into
14 apartments because tenants aren't home, tenants are
15 working, and then we had three that were move outs,
16 which means that the go into another bucket-

17 COUNCIL MEMBER TORRES: [interposing]
18 And-and I understand they're extended, but I just
19 want to be clear that NYCHA is out of compliance with
20 the early requirements of the agreement, and an
21 effort was made to inspect and remediate lead in
22 those apartments, but you're not in compliance with
23 the 30-day deadline. Is that-is that fair
24 characterization?

2 KATHERINE GARCIA: So, I'm not going to
3 characterize it. I'm going to wait for the monitor to
4 characterize it. We provided the information as
5 required.

6 COUNCIL MEMBER TORRES: You're not going
7 to characterize whether you're in compliance with the
8 governing document over everything?

9 KATHERINE GARCIA: [interposing] Well, I-I
10 believe that we are in compliance with what our
11 requirements were in terms to reporting to the
12 Southern District and to the monitor for our 30-day
13 requirements because of the attempted inspections,
14 and attempted repairs of paint.

15 COUNCIL MEMBER TORRES: Yeah, again the-I
16 mean I could read the Agreement requires NYCHA to
17 take action within 30 days to visually all non-exempt
18 units built before 1978 where NYCHA believes a child
19 under the age of six resides or routine visits and
20 remediate deteriorated lead-based paint in the
21 apartment. It makes no exceptions for-but there's no
22 A for effort. It makes no exceptions for attempts.
23 There are 3,028 units that fall within that category
24 and you haven't done that in full and NYCHA has the
25 ability to gain access to these apartments. Where

2 you are the landlord, you could enter these
3 apartments even without the permission of the
4 tenants.

5 KATHERINE GARCIA: Absolutely. We were
6 trying not to have a confrontational relation with
7 our tenants. We are taking all legal action to make
8 sure they are in compliance with the-with the lease,
9 but that is a series of notices in terms of making
10 sure that they are aware that we have to get into the
11 apartment. We want to make sure we're taking care of
12 the kids. We are trying to provide them with that
13 information. We are also trying to work with
14 community-based organizations and religious
15 organizations to help folks understand why it's
16 important that we get in. So you are right we can-we
17 could take a more somewhat aggressive stance and just
18 go in while people aren't home, but we are trying to
19 make it so that we're having a more cooperative
20 relationship with the residents, and we are actually
21 seeing pretty good response on people providing us
22 with timeframes for when we can do the paint jobs.

23 COUNCIL MEMBER TORRES: Now, tomorrow,
24 I'm going to be 31, and by the-according to this
25 Agreement, by the time NYCHA is done abating lead I

2 will be 51, and I'm curious to know how HUD, SDNY,
3 and NYCHA as well as the city came to settle on a 20-
4 year time table for abating lead. If-if 30 days for
5 inspections is too ambitious, the opposite seems to
6 be true for a 20-year time table for lead abatement.

7 KATHERINE GARCIA: So, I want to separate
8 out the-the difference between abatement and lead-
9 free and lead-safe. So what the first two
10 requirements call for, and-and what Local Law 1 and
11 for all private landlords calls for is that you have
12 to maintain lead paint in a safe condition, which
13 means it cannot be peeling. It cannot be on binding
14 surfaces. It cannot be creating lead dust. That is
15 how children get elevated blood lead levels. And so
16 we are going a step further than what is required in
17 the private sector to identify where there is lead
18 paint and eliminated it. And some of those will
19 require extremely extensive gut renovations, but, you
20 know, we are committed to making it so that at the
21 end of the day, NYCHA is lead-free, which is a
22 different standard than what the private sector is
23 held to.

24

25

2 COUNCIL MEMBER TORRES: But-but-but my
3 question is how did you come to settle on a 20-year
4 time table for lead abatement?

5 KATHERINE GARCIA: So, a lot of it was
6 about the extensive--the extensive work that it's
7 going to need on the capital construction side, but
8 if we go in and find out that there is a huge amount
9 of lead paint in an apartment, we basically have to
10 get down to the bones of it, that's going to take us
11 a long time. And so there are varied parameters
12 about how soon we do which pieces of work, but we are
13 not--

14 COUNCIL MEMBER TORRES: [interposing] Do
15 you know what it--

16 KATHERINE GARCIA: --we are not letting
17 people wait 20 years in apartments where there is a
18 lead hazard. We are still kept in--

19 COUNCIL MEMBER TORRES: [interposing] I
20 understand but the--for--for me and for many the
21 ultimate form or lead safety is lead abatement--

22 KATHERINE GARCIA: Yes.

23 COUNCIL MEMBER TORRES: --which is better
24 than lead remediation or--or--

25 KATHERINE GARCIA: [interposing] Yes.

2 COUNCIL MEMBER TORRES: --or-- short-
3 term addressing of lead hazards. What--how much would
4 it cost to abate all the lead in public housing?

5 KATHERINE GARCIA: So, I think that this
6 is where is it is very challenging to give you a
7 number and I'll explain why because I know it's
8 confusing. We don't' know where their lead is. I
9 mean we know in certain developments. We have a
10 history that would suggest that there was a lot of
11 lead paint used specifically at the Harlem River
12 Houses and at the Williamsburg House. At many of the
13 other houses we don't know if there was lead paint
14 used extensively or whether or not particularly
15 between 1960 and 1978 when lead paint was banned in
16 New York City but still available nationwide whether
17 or not we ended up with things that were pre-primed
18 with lead paint. For example baseboards, and so if
19 we go into that apartment and all we need to do is
20 get rid of the baseboards, that's not a big job, and
21 that we can do very quickly, but we don't--we just
22 don't know, which is really why we are going to start
23 the XRF testing next month, which will literally look
24 at surfaces throughout every apartment.

2 COUNCIL MEMBER TORRES: [interposing] But
3 I just want to interject. If—if you don't know what
4 it's going to cost, then you don't even know whether
5 you're going to have the resources to abate lead in
6 all the public housing over the next 20 years.

7 KATHERINE GARCIA: We've put in a lot of
8 money to make sure that we can get it done, but
9 you're right. We will not know. We will not know for
10 absolute sure what that dollar figure is until we've
11 a better handle on where the lead is, and this has
12 been something that I think we have really struggled
13 with as an authority.

14 COUNCIL MEMBER TORRES: But that's one of
15 the criticisms of the agreement is that it seems to
16 me we're setting arbitrary benchmarks and goals that
17 have no basis in the actual reality of the living
18 conditions in public housing, but these goals were
19 set based on incomplete information about the true
20 nature and extent of the problem. I'll have more to
21 say about the agreement, but I do want to—there was a
22 New York Post article about Bronx River Houses.

23 KATHERINE GARCIA: Uh-hm.

24 COUNCIL MEMBER TORRES: They reported
25 that 98% of the tests for lead in units of Bronx

2 River Houses came back positive. The 2018 SDNY
3 lawsuit identified three developments with notably
4 high levels of lead: Harlem River Houses,
5 Williamsburg, and Bronx River Houses. The agreement
6 sets a five-year timetable for abatement for Harlem
7 River and Williamsburg, but a 20-year time table for
8 Bronx River. Why the discrepancy?

9 KATHERINE GARCIA: So, my understanding
10 is that we have specific historical data about
11 Williamsburg and Harlem River that we don't have for
12 Bronx River, and I will go back and double check
13 that, but that is my understanding of why those two
14 are specifically called out in the agreement, and
15 given a specific timeline for abatement. But the
16 thing about Bronx River Houses is again, we do not
17 intend to allow there to be lead hazards within that
18 facility, and we are going to go in and make sure
19 that we are identifying where the lead paint is in
20 that facility, and I think that it is up to--

21 COUNCIL MEMBER TORRES: [interposing]
22 But--but if--but if you have more data about
23 Williamsburg and Harlem River Houses, why was Bronx
24 River specified in the SDNY lawsuit? There must have

2 been something—something about Bronx River that made
3 it an outlier when it came to lead hazards.

4 KATHERINE GARCIA: I don't know the
5 answer to why it was in the Southern District's
6 particular complaint about that because my
7 understanding is that it's really the two that had
8 the historical information.

9 COUNCIL MEMBER TORRES: Like 80% of the
10 units that were tested, tested positive. That
11 strikes me as an extraordinarily high number. So, is
12 NYCHA willing to commit to expediting the time table
13 for abatement in Bronx River Houses?

14 KATHERINE GARCIA: I think that we want
15 to look at the whole portfolio after the XRF testing
16 because there may be other houses that have more or
17 less lead in them, and we want to make sure that we
18 are focused on where the hazards are the worst and
19 ensuring that we are getting that work done. So, I'm
20 not going to specifically talk to a housing
21 development until I really understand the whole
22 universe of what could be required. But I—I just
23 wanted reiterate again we do not intend to leave
24 children in a place where we haven't corrected even
25 presumed lead paint to ensure that there isn't a

2 hazard while they're living there. You know, this is
3 really about keeping the children safe moving
4 forward, and we are—we are committed to making sure
5 that happens even as we go long term for—to getting
6 to lead-free.

7 COUNCIL MEMBER TORRES: But, you know, as
8 you know, and I don't want to dwell on this,
9 remediation has limitations, right? Obviously, you
10 could remove peeling paint in the short term, but if
11 the roof leaks whenever it rains, and causes the
12 paint to peel, the children in that apartment,
13 everyone in the apartment is at risk of exposure to
14 lead. So, ultimately, there's no substitute for
15 abatement, and—and NYCHA is committed to abating lead
16 over a 20-year period. I have questions about the
17 powers of the monitor. There have been conflicting
18 interpretations of the agreement from officials
19 connected to HUD and the Administration. For
20 example, Lynn Patton the Regional Director HUD has if
21 the monitor had the power to remove leadership,
22 transfer anyone, abrogate labor contracts, a
23 spokesperson for the Mayor says, the following in
24 response: "Contrary to what some are saying, the new
25 Chair, the new monitor can hire, restructure, break

2 contracts that will—that would impinge on local
3 control, which the city insisted on. If you read
4 page 6 of the agreement, which delineates the general
5 powers of the monitor, it notes that the monitor has
6 the power to access all information in NYCHA's
7 possession. It notes that the monitor can
8 communicate with officials in and outside NYCHA, but
9 it also notes that the Monitor has no responsibility
10 for the day-to-day operation of the agency. There's
11 no mention of restructuring leadership or abrogating
12 contracts. What's your understanding of the actual
13 powers of the monitor?

14 KATHERINE GARCIA: Absolutely. I mean I
15 think that there's been a lot of confusion in the
16 media around this point, and one of the biggest
17 things that I think that the Mayor felt very strongly
18 about is that—that there be local control, and that
19 he is—he is the one that picks the chair of the
20 Authority.

21 COUNCIL MEMBER TORRES: Well, in
22 partnership with SDNY and HUD.

23 KATHERINE GARCIA: They provide—they
24 provide the list of candidates.

2 COUNCIL MEMBER TORRES: And they have
3 veto power.

4 KATHERINE GARCIA: Once they've approved
5 the list--

6 COUNCIL MEMBER TORRES: Yeah.

7 KATHERINE GARCIA: --they don't have veto
8 power.

9 COUNCIL MEMBER TORRES: Fair enough. Yes.

10 KATHERINE GARCIA: And so, they--and--and
11 my understanding is that it's been a very collegial
12 conversation--

13 COUNCIL MEMBER TORRES: Yes.

14 KATHERINE GARCIA: --going forward. I
15 think that everyone, right, sort of will pass the
16 point where we're all antagonistic to one another,
17 and people really want to succeed, and they really
18 want somebody in the Chair's position who will be the
19 who will be a strong chair moving forward, but the
20 day-to-day is run by the Chair and the General
21 Manager, and that the Monitor can provide a lot of
22 information, and he has access to everything, which
23 is unlike most monitors, and it's only in the extent
24 that we really fail. We don't need any of the
25 accountability in this Agreement that we're supposed

2 to that he would exercise that right, which is really
3 a right that can more or less move it.

4 COUNCIL MEMBER TORRES: [interposing]

5 Well, let-let me be more-more specific, and the
6 Monitor will move you from your position?

7 KATHERINE GARCIA: No, the Monitor cannot
8 remove me from my position.

9 COUNCIL MEMBER TORRES: Can the Monitor
10 remove any of your executives from the positions?

11 KATHERINE GARCIA: No.

12 COUNCIL MEMBER TORRES: Can the Monitor
13 abrogate labor contracts?

14 KATHERINE GARCIA: Not unless the
15 agreement fails.

16 COUNCIL MEMBER TORRES: Okay. The HUD
17 Secretary did not place NYCHA under receivership, but
18 it-he did clear-he did declare a substantial default.
19 My question is what is the significance of a
20 substantial default?

21 KATHERINE GARCIA: So, it is really a
22 legal mechanism for how they are moving forward, and-
23 and so far one of the biggest challenges that makes
24 us ineligible for certain grant funding, and we are
25 working through that with--

2 COUNCIL MEMBER TORRES: [interposing]
3 What kind of funding?

4 KATHERINE GARCIA: Well, fund-like
5 funding-grant funding for remediating lead for
6 example, and so we are working with them to make sure
7 that we can still move forward with those
8 applications and continue to even bring those
9 resources into the Authority, but it is primarily a
10 legal term in terms of how that you get to a point
11 where you're going into agreement.

12 COUNCIL MEMBER TORRES: And we know, and
13 I'm going to wrap it up here. We know the Monitor
14 cannot remove you or abrogate contracts. I have two
15 questions. One is does substantial default empower
16 the HUD Secretary to remove leadership and abrogate
17 contracts in the absence of receivership, and (2)
18 there's mention of the Organization Plan, and it
19 makes a vague reference work rules. Could the—you
20 know, there's the Monitor, there's the HUD Secretary
21 and then there's the Organization Plan. Can the
22 Organization Plan result in the restructuring of
23 leadership or the abrogation of contracts? So those
24 are my two questions, and I'll end it here.

2 KATHERINE GARCIA: Let see if I can
3 answer you. So, on the Organizational Plan, I think
4 that that that is what—it's our focus on that and
5 our conversations with the Monitor has not been
6 around we need to change leadership, but it's been is
7 the organization in a streamline fashion so there's
8 chain of command and accountability, and you feel
9 like you can really execute. So, bringing in an
10 expert to take a look at do we have the right
11 processes in place I think is—is always actually in
12 some ways, you know, continuous change and continuous
13 improvement are important, but it's no specifically
14 designed for oh, we need to get rid of a specific
15 person or not. So, I mean that—that is not my
16 understanding of what the Organizational Plan is for
17 or intended. It is like do you have the strongest
18 organization to execute on all of these different
19 pieces.

20 COUNCIL MEMBER TORRES: And what about
21 the contractors? What--

22 KATHERINE GARCIA: And so that the
23 Organizational Plan is not I believe designed to
24 change the contracts. Our conversations so far
25 particularly with the Teamsters has been very

2 positive, and I think that the Monitor they'd have
3 check with indirectly, views it as like okay that was
4 a really important deal to make it so that we have
5 more coverage across all the different timeframes,
6 and so I don't think his first thought is we need to
7 throw everything out? He's getting to know the
8 organization. He has been meeting I believe with
9 Labor and he has been meeting with residents to make
10 sure that he has a feel for what is required and—and
11 that we're delivering. I mean I think the
12 Organizational Plan is really about is the
13 organization really set up to deliver on all of this?

14 COUNCIL MEMBER TORRES: I'll ask future
15 questions in the second round. Thank you so much.

16 KATHERINE GARCIA: Absolutely.

17 CHAIRPERSON AMPRY-SAMUEL: Just for point
18 of clarification can you—you mentioned that the
19 Monitor cannot fire, right? So, can you just clarify
20 what the language within the Agreement that speaks to
21 the Monitor if there's non-compliance can allocate or
22 reallocate personnel? Can you just clarify that?

23 KATHERINE GARCIA: So—so certainly. So
24 if there is non-compliance yes absolutely the Monitor
25 will be able to take action. That is what I meant in

2 the Agreement that's failing. We're not meeting our
3 obligations. He is calling us to account, but
4 there's also process before that, which is if we are
5 failing and he thinks we need to have a corrective
6 action plan, there's the back and forth about how to
7 do a corrective action plan, and what the
8 recommendations. I mean if we disagree with the
9 Monitor there is a dispute resolution piece as well
10 in this. So, I mean it's—it's very complicated, but
11 our perspective is that he is there to hold us to
12 account and to make sure that we are really driving
13 toward the meeting needs of the residents, which is
14 about their day-to-day life, which is about, you
15 know, have we remediated the lead paint? Have we
16 done the elevators? Have we done the mold? Have we
17 dealt with the pests, and have and have we dealt with
18 the boilers? I mean those are really what have been
19 the focus of this agreement is—is about the lives of
20 the residents and those real pieces of it.

21 CHAIRPERSON AMPRY-SAMUEL: But if you
22 cannot pull together an actual plan—if you're not in
23 compliance, if you're not within a certain amount of
24 days of what the agreement says then the Monitor can

2 step in remove personnel on the Executive level or
3 any level.

4 KATHERINE GARCIA: They--really it's very
5 specific on the executive level that the Mayor is the
6 one who choose the Chair, and that the Chair is the
7 one empowered on the day-to-day to make sure that
8 NYCHA is--is moving forward.

9 CHAIRPERSON AMPRY-SAMUEL: And his
10 Executive Vice Presidents and--

11 KATHERINE GARCIA: [interposing] Well,
12 they--they--they report to the Chair. So, it's not as
13 if they choose who the executive staff is. No.

14 CHAIRPERSON AMPRY-SAMUEL: Okay. Council
15 Member Diaz, and we've also been joined by Council
16 Member Mark Gjonaj. Council Member Diaz.

17 COUNCIL MEMBER DIAZ: Thank you, Madam
18 Chairman. [coughs] Good morning--

19 KATHERINE GARCIA: Good morning

20 COUNCIL MEMBER DIAZ: --Ms. Garcia. You
21 are an Interim Chair and CEO of Housing. How long
22 have you been serving you are already in the--in the
23 job?

24 KATHERINE GARCIA: How long have I been
25 in the job? Since February 19th.

2 COUNCIL MEMBER DIAZ: And you are
3 accompanied by Mr. David Preston, Executive Vice
4 President of External Affairs.

5 KATHERINE GARCIA: Yes.

6 COUNCIL MEMBER DIAZ: Could I ask him how
7 long have you been in the job?

8 DAVID PRESTON: [coughs] I've-I've been
9 with the Authority for 4-1/2 years.

10 COUNCIL MEMBER DIAZ Four and a half
11 years, and-and what exactly was your job? What
12 exactly what you do?

13 DAVID PRESTON: In my-my job I oversee
14 Intergovernmental Affairs. I also oversee Department
15 of Communities. I do External Affairs so that's
16 communicating with all of our external partners and
17 stakeholders.

18 COUNCIL MEMBER DIAZ: So, any-anything
19 that happens in any of development-in the
20 developments you are aware of?

21 DAVID PRESTON: I-I communicate regularly
22 with all of our different government partners.

23 COUNCIL MEMBER DIAZ: And you will inform
24 the Chair of anything that happens?

25 DAVID PRESTON: Yes.

2 COUNCIL MEMBER DIAZ: Okay. I-I
3 represent the 18th Councilmanic District. That
4 covers Castle Hills Houses and Bronx River Houses.

5 KATHERINE GARCIA: Uh-hm.

6 COUNCIL MEMBER DIAZ: Today, we have
7 failed, you know, me since I came here I have been
8 imploring the problem in Castle Hill with the senior
9 citizens, and called hearings and letters and phone
10 calls, but the seniors in Castle Hill they're
11 suffering. Did you know about that?

12 KATHERINE GARCIA: Am I aware that-that
13 there's are real challenges in Castle Hill?

14 COUNCIL MEMBER DIAZ: [interposing] Are
15 you aware—are you aware —are you aware of—of the
16 problem in Castle Hill?

17 KATHERINE GARCIA: I'm not specifically
18 aware of a problem in Castle Hill--

19 KATHERINE GARCIA: [interposing] Well
20 you-

21 COUNCIL MEMBER DIAZ: --today right this
22 second.

23 KATHERINE GARCIA: [interposing] Well,
24 you are—you are the Deputy Executive Vice President

2 of External Affairs. They're supposed to be informing
3 you of that.

4 DAVID PRESTON: I mean look, we—our
5 office communicates with your office regularly. We
6 are aware of a number of issues at Castle Hill and--

7 COUNCIL MEMBER DIAZ: [interposing] It's
8 taking—it's taking—it's taking about two years with
9 every—every week that the—the—the seniors are
10 suffering. Who's in charge?

11 COUNCIL MEMBER DIAZ: We—we—I mean the
12 General Manager has visited. We are, you know, we—
13 we—we tracked the problems across all of our
14 buildings very closely and unfortunately Castle Hill
15 is one of the buildings—one of the developments that
16 has a number of, you know, long-term capital issues
17 that we—that are part of the work that we're doing,
18 you know, as part of—as part of Next Generation
19 NYCHA, and as part of our, you know, as part of—as
20 part of our overall Capital Plan.

21 COUNCIL MEMBER DIAZ: Today, we are
22 reading about Bronx River. Your post is going to
23 boom with Bronx River story and the 98% of apartments
24 being tested—

25 KATHERINE GARCIA: Uh-hm.

2 COUNCIL MEMBER DIAZ: --have been found
3 with lead--with positive, and we have another story
4 about 20 years being given to the city to solve the
5 problem. If we-if we allow--so Mayor-Mayor--Mayor de
6 Blasio has two years. The next mayor assume that it
7 takes eight years, it will be ten years. The mayor
8 after that mayor assuming he serves eight years will
9 be 18 years. There's still two more years for the
10 mayor after the mayor after the mayor to serve and to
11 take care of the problem. So, that means that that
12 children, the Black and Hispanic children on-on Bronx
13 River Houses would have one to-to take care of it.
14 You came here. You are new. I believe they put you
15 there so you--so they can shoot at you until the mayor
16 runs for president of all the states so we could be
17 shooting at you with that stuff. But I don't want to
18 shoot at you. I want you-I want to ask you for a
19 favor. Can I?

20 KATHERINE GARCIA: You may.

21 COUNCIL MEMBER DIAZ: Could you promise
22 me today in front of the camera, in front of my
23 colleagues that you would take a look in Castle Hill
24 and that you will institute an emergency with repair
25 services on Bronx River?

2 KATHERINE GARCIA: So, so I want to
3 address two of-of your issues. So, in all honesty, I
4 can't promise anything in terms of more emergencies
5 for any housing development than any other right now.
6 We are doing NYCHA Cares, which just brings a lot,
7 deals with a lot of our open maintenance issues. We
8 are—we are doing. We can blitz this to close our
9 maintenance, but there is an enormous amount to do,
10 but I will go back and I will look at what is the
11 most efficient way to deal with Castle Hill and the
12 challenges that you're—that the residents and the
13 seniors are—are confronting there. But we—this is
14 the beginning of a lot of work that needs to happen,
15 and it—it won't all happen overnight, and then on
16 Bronx River, I really just want to be clear that we
17 are not going to wait 20 years to make sure are
18 keeping the children safe. That is the work that is
19 ongoing now for remediation, and Council Member
20 Torres is completely correct. When you do
21 remediation you have to go back and check
22 consistently that it's holding, and that it is still
23 being protective, but that is our intention until we
24 can get everything to a designation of lead free and
25 full abatement, but that is why that will take a long

2 time, but let me go back, and really look at Castle
3 Hill, and all of the different challenges that they
4 have been having. It is—it is true in my limited time
5 here that many of the developments have a lot of
6 deterioration that really needs to be taken care of
7 but it's—it is not work that will all happen
8 overnight. I mean it's just—I'm trying to be
9 straight forward. From what I've seen there is just
10 an enormous amount that it will not happen overnight.

11 COUNCIL MEMBER DIAZ: Well, I—I am not—I
12 appreciate you as to your honesty with this and
13 commitment to—to take a look at it.

14 KATHERINE GARCIA: Uh-hm.

15 COUNCIL MEMBER DIAZ: I am not a lawyer.
16 I am not an engineer. I am not a commissioner, but
17 really in your post, I would go today—we have three
18 developments that have been found with problems, but
19 of all of them are Bronx River is the—the most
20 serious one. So, if I were in charge of the—the New
21 York City Housing, I would say that that's not
22 maintenance. I would say that that is critical,
23 critical and maintenance, and I would say we have to
24 give it top priority to this, and should be. They
25 could die. People's lives, children's lives are in

2 danger. So, even though it might not be on your-your
3 agenda, but this report our agendas, our agenda is I
4 don't know. This is a critical--this for the mayor.
5 This is something that--that--that says 98% of the--of
6 the--of the apartments if possibly for that person.
7 So, we do not want the children to do. Are we going
8 to allow it because they could. I don't want to go
9 into the how and the race thing, but you are getting
10 Hispanic children. So, can we say stop everything--
11 everything, we're going to have to concentrate on--on
12 serving and--and be sure that that these children are
13 safe.

14 KATHERINE GARCIA: So, so let me be very
15 clear. I think that our objective here is not
16 different than your objective. Our objective is to
17 make sure that children are safe, and the Mayor has
18 been very clear about that in terms of moving towards
19 a lead-free New York City where we--

20 COUNCIL MEMBER DIAZ: [interposing] But
21 the--

22 KATHERINE GARCIA: --no longer--where we no
23 longer see children with elevated blood lead levels.
24 That does not necessarily translate in full abatement
25 right off the bat, but that does not mean we won't be

2 protecting children in the interim time period to
3 make sure they do not get elevate blood lead levels
4 because nobody—nobody wants to see that, but we are—
5 when we are doing all of the testimony, we will be
6 putting together plans to make sure that we know
7 which one should move first, which ones should move
8 second to get them into categories to ensure that we
9 are getting towards the abatement as quickly as
10 possible. But we're also trying to be realistic and
11 not say we can do every single thing out of the gate
12 because that—that we can't—we can't do, but we are
13 certainly going to be trying to make a very clear
14 plan coming out of the XRF data, and what is
15 happening starting in April to ensure we are
16 appropriately prioritizing where we are going after
17 long-term abatement, where we are going after, you
18 know, shorter term easier abatement, as I said where
19 we might have bought, you know, pre-primed baseboards
20 or pre-primed shelving between 1960 and 1978, and
21 installed them into apartments and those will be
22 easy. You know, those will be easy for us to take
23 care of. So, we—everyone in the Administration is
24 completely committed to making sure that we are
25 protecting children. I mean that is across the

2 board. Really, we're absolutely--absolutely across
3 the board.

4 COUNCIL MEMBER DIAZ: [interposing] But
5 my last question and I'm done.

6 KATHERINE GARCIA: Yes.

7 COUNCIL MEMBER DIAZ: Because I'm going
8 to ask you. I don't--I don't want to shoot at you.
9 I'm telling you.

10 KATHERINE GARCIA: Yeah, yeah, yeah.

11 COUNCIL MEMBER DIAZ: You're telling me--

12 KATHERINE GARCIA: I'm happy to take your
13 question.

14 COUNCIL MEMBER DIAZ: No, no, you are
15 telling me--

16 KATHERINE GARCIA: Yes.

17 COUNCIL MEMBER DIAZ: --that when we come
18 back here for our next meeting in the future in our
19 next meeting that we sit in this committee, you are
20 telling me that I don't have to come back and tell
21 you what happened?

22 KATHERINE GARCIA: That--that is my
23 objective is that we are going through a process that
24 should be protective of children, and we are working
25 very closely with the Department of Health and Mental

2 Hygiene to make sure that we have all the data that
3 we need on where we are seeing children with elevated
4 blood lead levels because nobody wants to see that,
5 and I—I want—I don't—I don't want to come back here
6 and say, Council Member, you were right, and we
7 allowed this happen. We are really trying to make
8 sure that that doesn't happen.

9 COUNCIL MEMBER DIAZ: No, I just don't
10 want to come back and ask David Preston did you know
11 about it? Oh, I don't know it. So, you know about
12 it now.

13 KATHERINE GARCIA: Yes. No, I'm—you—it
14 is on my radar.

15 COUNCIL MEMBER DIAZ: Thank you.

16 CHAIRPERSON AMPRY-SAMUEL: Thank you,
17 Council Member Diaz. So, is there a way we can get a
18 list of where residents in the—in the developments in
19 the units stand in this process? Because I feel like
20 we ask the same questions over and over and over, and
21 I feel like we're always told that, you know, we're
22 working on this, and we're going to put this together
23 and we're going to send the Council Members a list
24 of, you know, what's happening in their district, and
25 then a month later we have another hearing and then

2 we say the same thing over and over and over, and so
3 I think that it-it would just be so helpful, and like
4 I mentioned earlier like looking at the 325
5 developments that we do have, and being able to
6 categorize where each development falls within this
7 matrix of a plan would be helpful to the Council,
8 would be helpful to the residents so that we can just
9 have something in writing and something we can
10 towards or chart out because I mean I know I'm a
11 visual learner, and I need white boards in all of my
12 offices and my house I have white boards, and it's-
13 it's helpful and I don't and I don't know if that's
14 something that you just don't feel the Council needs
15 to see or residents need to see. Maybe you feel like
16 it's-it's-it's getting too much in the weeds, but at
17 this point because NYCHA is so much in the spotlight
18 in the forefront, and the residents have so much
19 distress and so many questions, it would just be
20 helpful.

21 KATHERINE GARCIA: So, no I-I-I
22 absolutely want to make sure that you have the
23 information that you need, and that residents have
24 the information that they need. I am happy to put-I

2 can't put a list together of individual units usually
3 just because of privacy issues.

4 CHAIRPERSON AMPRY-SAMUEL: We're not
5 doing something in development?

6 KATHERINE GARCIA: But-but developments
7 like what are the developments that we provided to
8 the U.S. Attorney's Office about their pre-1978 and
9 they are non-exempt. You know, we can definitely
10 provide that level of information. We can provide
11 the number of units in those particular developments
12 where we had knowledge of a child under six living.
13 You know, that is certainly information available.
14 We intend on the XRF to provide that information
15 publicly through the website because we want people
16 to be able to track our progress, but even beyond
17 that also just to understand where not only the
18 capital funding that's going to occur under the
19 Agreement, but capital funding more broadly because
20 there are things in-that aren't covered in the
21 agreement: Who's getting the CCTVs? Who's getting
22 lighting, you know, to make sure that you understand
23 in what year, when those are starting. So, we're
24 trying to figure out the best possible way to put
25 that together not only for you, but also for resident

2 leaders so that they can see and hold us accountable
3 because we shouldn't be--this is our data, you know,
4 this is what--what we are and, you know what we want
5 we see is that that's trending in the right direction
6 that things are happening and--and moving forward. We
7 haven't finished designing what that will look like,
8 but on at least the first piece in terms of here are
9 the number of developments. Here are the--here are
10 then numbers in the matrix of--by development of under
11 six, not under six. We can get that for you.

12 CHAIRPERSON AMPRY-SAMUEL: And even on
13 the level of the mold and the roof repairs because I
14 think it was Council Member Torres who--who spoke to
15 that as well. Like I know when I did a tour with
16 Vito of Howard Houses in my district the had a new
17 roof, and it cost, you know, whatever amount of
18 hundreds of thousands of dollars, and when we got
19 there, there was ponding on the roof, and this was a
20 new roof, and there were problems with it because the
21 contractor came out and did a shabby job, and cost
22 the city a lot of money, and had to go back and make
23 repairs. And so where we a new roof in a--in a
24 building that was supposed to be address the leaks
25 and the molds, the residents were complaining about

2 the leaks, but—and so, you have to—it's like throwing
3 good money, you know, against the bad, and it just—it
4 doesn't make sense. But you would just think that
5 if—in order to work on the Action Plan, in order to
6 really get at the issues that are currently
7 happening, you would already have that matrix
8 together even if it's a development listed with
9 nothing next to it like there's--

10 KATHERINE GARCIA: [interposing] Right,
11 and we--

12 CHAIRPERSON AMPRY-SAMUEL: To say that we
13 don't know how we're going to fix developments' heat.

14 KATHERINE GARCIA: [interposing] We do
15 have a list of—of priorities. What I meant to say is
16 we don't necessarily know which—which ones are going
17 into which bucket right this second, but you—when you
18 talk to—this is something that we have to have
19 tighter controls on in terms of ensuring that those
20 contractors that we are providing funding for are
21 effectively implementing their projects, and that we
22 are holding them to account, and that we are holding
23 them accountable for their warranty, and so that is
24 just like first step, and then we're also doing the
25 maintenance we have to do. You know, we have to get

2 up there. We have to clear the drains. You know,
3 that is—otherwise we violate our warranty, and so
4 holding—those are all things that we know needs to
5 happen, and part of the agreement talks to quality
6 assurance to ensure that those are pieces occurring
7 not only on the maintenance side but on the capital
8 side as well because we certainly don't want to—we-we
9 need to stretch these dollars as far as possible. I
10 will say two things: Once—well one thing. Once we
11 get the roofs in place, which were a huge issue, I
12 mean if it's raining inside, it—we're never going to
13 get a handle on the mold. We also need to be looking
14 at how we're dealing with the plumbing situation
15 because some of these issues are—and the—and the
16 ventilation, and mold grows in places where you can't
17 ventilate well, and so those are—are things—we're
18 going down a list of—we've got to get to root causes,
19 and the first piece was sort of making the building
20 tight, putting a roof and putting—making sure the
21 façade was tight, but we now need to go and go to the
22 next level. Otherwise, we won't get through and
23 really, you know, checking the box is fine on a new
24 roof. If the new roof doesn't actually accomplish
25 everything we needed to accomplish in terms of mold

2 remediation. We need to go back and adapt to what we
3 need--what more we need to do to make sure that
4 happens because we certainly don't want to throw good
5 money after bad.

6 CHAIRPERSON AMPRY-SAMUEL: Council Member
7 Menchaca

8 COUNCIL MEMBER MENCHACA: Thank you,
9 Chair, and I'll--I'll start just by underscoring the
10 importance of the Chair's request, and really a
11 demand that I think we're all demanding, which is a
12 sense of, not a sense, a real commitment to
13 transparency, and that's really what the--the kind of
14 basic tenet of the both democracy, but really of our
15 relationship with you, and with that, I want to say
16 thank you for taking this on. This is public service
17 at its finest and--and so I hope that we can continue
18 from the work in your previous position. This is not
19 going to be easy in--in any way, but transparency is
20 going to help us build upon the work that we're doing
21 already in our neighborhoods. I want to use some of
22 the relationship and work that we're doing in Red
23 Hook--

24 KATHERINE GARCIA: Uh-hm.

2 COUNCIL MEMBER MENCHACA: --to offer some
3 opportunities to talk about the Agreement--

4 KATHERINE GARCIA: Uh-hm.

5 COUNCIL MEMBER MENCHACA: --and the first
6 thing I want to talk a little bit about is
7 conversations that we were having earlier with the
8 Chair and Torres about abatement versus remediation.

9 KATHERINE GARCIA: Uh-hm.

10 COUNCIL MEMBER MENCHACA: Can you just
11 define it in its simplest forms what remediation is
12 and what abatement is?

13 KATHERINE GARCIA: Certainly. So, lead
14 paint is hazardous when it's not intact. So that
15 means when it's peeling and chipping and a child
16 could eat it.

17 COUNCIL MEMBER MENCHACA: Actually, I'm
18 going to ask you to walk back a little bit.

19 KATHERINE GARCIA: Amend it. (sic) Okay

20 COUNCIL MEMBER MENCHACA: Only--not just
21 talking about lead, but like in concept what
22 abatement versus remediation is about mold. We're
23 talking about lead. So, don't talk about
24 specifically what it is. I just need you to
25 articulate for the record what abatement and

2 remediation is to anything that you're going to do at
3 NYCHA.

4 KATHERINE GARCIA: Well, for lead it's
5 very specific, and it's actually codified in law.

6 COUNCIL MEMBER MENCHACA: Okay, that's
7 fair.

8 KATHERINE GARCIA: So, so both in Local
9 Law as well as in Federal Law, and requires a lot of
10 other activities around any time you are doing
11 anything related to presumed lead paint. So, the
12 premise is that lead paint is if it's just on the
13 wall as the blue paint is here, that's not a hazard.
14 Like that blue paint could be lead, but that is not a
15 hazard. It is not peeling. It is not on a binding
16 surface, which would be a door frame or a window, and
17 it's not on chewable surface, which is usually a
18 windowsill. Because those are all ways for a child
19 to either ingest it or for dust to be created and get
20 on the child's toys or crawl in, and so you, the way
21 that you more or less remediate is that you make it
22 so that the paint is back in a preserved state. So,
23 lead paint could be still in the room, but there's no
24 more chipping. It's not on a binding surface and
25 you—so you have made it so that the lead paint is

2 stable and, therefore, not a hazard to a child.

3 Abatement is you go in and you remove that or you
4 encapsulate it, or you put up like new sheetrock over
5 it--

6 COUNCIL MEMBER MENCHACA: Okay.

7 KATHERINE GARCIA: --so that there really
8 can be no opportunity for it to fail. So, the
9 difference is with remediation you're going to have
10 to go back every two years even if you did
11 remediation and check on it, and make sure that it is
12 in good shape still because if-if you have another
13 leak it could fail again, and create a new hazard,
14 and so that's why while in the shorter term we will
15 make sure that we come into compliance with all of
16 all of--and we're not there yet but we will come into
17 compliance with all of what we need to do in the
18 short term, and also why we want to get to a lead-
19 free NYCHA.

20 COUNCIL MEMBER MENCHACA: Yes, I hear
21 that.

22 KATHERINE GARCIA: But that is just a
23 question of--of timeframes in terms of being able to
24 do sort of those bigger jobs moving forward.

25 COUNCIL MEMBER MENCHACA: And money.

2 KATHERINE GARCIA: And-and-and if-if ends
3 up being that there is lead paint everywhere, it will
4 be more expensive. I think that there is a certain
5 amount of assumptions that--

6 COUNCIL MEMBER MENCHACA: [interposing]
7 But there is a real cost defense between a
8 remediation plan and an abatement plan and that's
9 the-the core of the question, and I want to go to
10 some more-more questions, but just kind of answer and
11 respond to that, this concept of [coughs] essentially
12 abatement to remove mold or lead codified by the law
13 or other things. Abatement is going to be costly,
14 more costly than a remediation plan that-that kind of
15 does a--

16 KATHERINE GARCIA: [interposing] So, I
17 would actually just say that I actually think that in
18 the long run, the constant chasing of remediation is
19 more expensive than actually abating, but I don't
20 know that for sure, but I think that, you know,
21 we're-we're sort of chasing after a problem
22 constantly to make sure that we keeping children
23 safe, but it's sort of like are you going to make the
24 investment to go big, and I think the Mayor has been
25 very committed to saying we want to get NYCHA to

2 lead-free so that we don't have to sort of be
3 constantly doing a paint job for, you know, and—and
4 treating also units equally, right, when you don't
5 know which one might have lead, you're treating both
6 equally rather than being able to prioritize where
7 the lead paint is.

8 COUNCIL MEMBER MENCHACA: I don't think
9 anybody will argue with that, and so I'm really
10 thank-thankful that it came from you rather than my
11 conclusion. So thank you so much for—for jumping
12 right into that. I think that's exactly right. In
13 the world of lead, though, in Red Hook specifically
14 we are trying to buy ballfields. That doesn't just
15 end at the park space. The grounds what we're
16 calling the campus grass areas in Red Hook also are
17 experiencing potential detection of lead. We're
18 talking about paint right now on walls—

19 KATHERINE GARCIA: Uh-hm.

20 COUNCIL MEMBER MENCHACA: And so, I'm
21 wondering about the campus grounds, which are going
22 to be going through a lot of remediation. Well,
23 sorry—mitigation of Sandy money coming in--

24 KATHERINE GARCIA: Uh-hm.

2 COUNCIL MEMBER MENCHACA: --at the tune
3 of almost half a billion dollars in Red Hook.

4 KATHERINE GARCIA: Uh-hm.

5 COUNCIL MEMBER MENCHACA: We are blessed
6 with that, and so we're in process. So, can you talk
7 a little bit about how the Monitor is thinking about
8 those areas in terms of--of abatement?

9 KATHERINE GARCIA: So, I actually will
10 put into context. I don't know what the Monitor is
11 thinking in terms of soil, but let me talk a little
12 bit about what the Administration has been thinking
13 about this. The Mayor committed to having all
14 playground areas looked at and mitigated. So, the
15 approach--

16 COUNCIL MEMBER MENCHACA: [interposing]
17 And you said playground areas?

18 KATHERINE GARCIA: Playground areas.

19 COUNCIL MEMBER MENCHACA: Okay.

20 KATHERINE GARCIA: So, looking at it,
21 there bare soil in playgrounds, which could therefore
22 or so really as you look and see if there's bare
23 soil, you don't usually test. It's not what the HUD
24 regulations require, and then you can mitigate and
25 remediate it through the addition of mats or wood

2 chips or other things because for a lot of places
3 where this soil, putting additional barriers over it,
4 is considered safe. It is-it is considered making it
5 safe and in some ways removal could be more
6 disturbing to the lead than actually making it safe,
7 so there's a lot of--there are farms on the NYCHA like
8 talking about what are best practices? How are you
9 protective if you want to do gardening or farming on
10 property and make sure that we are following all
11 those, you know, raised beds, knowing where your soil
12 came from. And so we--we are working with some of our
13 city partners to make sure that is occurring.

14 COUNCIL MEMBER MENCHACA: Would you
15 commit to coming to NYCHA residents and talking about
16 the plan?

17 KATHERINE GARCIA: Certainly and--and I
18 think that I'm committed to go to Red Hook sometime
19 soon.

20 COUNCIL MEMBER MENCHACA: Yes. Well that
21 was going to be later down--okay thank you so much for
22 saying yes to the Congresswoman who is actually
23 leading that, and I'll really be--I want to be happy
24 when you deal with Velazquez and her team.

2 KATHERINE GARCIA: Yeah. No, I-I-I think
3 I had personal emergency and had to cancel, which
4 sorry today.

5 COUNCIL MEMBER MENCHACA: We're looking
6 forward to the meeting. The--

7 KATHERINE GARCIA: I was out there during
8 Sandy.

9 COUNCIL MEMBER MENCHACA: Say that again.

10 KATHERINE GARCIA: I was out there during
11 Sandy.

12 COUNCIL MEMBER MENCHACA: Yes, you were I
13 mean in your previous role, and-

14 KATHERINE GARCIA: Uh-hm.

15 COUNCIL MEMBER MENCHACA: --and so thank
16 you. Again, the service important to-to thank and
17 appreciate. The incentive--so back to Red Hook. So
18 Red Hook is having some really good things that I
19 want to offer in this new light. The incinerators
20 have not essentially incinerated since the 1970s, and
21 so this has been an area of mold creation as they're
22 generating a lot of mold, and so we're hoping that
23 you can kind of take that on in terms of a larger
24 project across the entire portfolio. That's
25 something that Red Hook I think is offering as a--as a

2 thought to think about where—where is mold getting
3 crated and distributed throughout the buildings.
4 Next is the heat and hot water notification that I
5 saw that is connecting to the monitor and you're
6 still kind of figuring how you're going to do that.
7 We had a—a recent 10 days—10 days heat issue. It
8 just got clarified, but there was communication.
9 Well, actually, my question to you is can we—how—how
10 do we verify that you have sent a robocall from the
11 elected official's position, and can we be
12 incorporated in those robocalls as an elected
13 official rather than waiting for the tenant to tell
14 us there's not heat, and maybe they got a robocall
15 and maybe they didn't, and I just feel like that's a
16 really just inefficient system back to transparency
17 the we can actually support you in getting good
18 information out? And can you commit to—to sending
19 robocalls to the elected officials as you're
20 communicating to the Monitor as well?

21 KATHERINE GARCIA: Yes. So, I think that
22 we can. I don't know from a—like if there's an IT
23 challenge or--

24 COUNCIL MEMBER MENCHACA: [interposing]
25 I'll take that.

2 KATHERINE GARCIA: I think that we can,
3 but we also—we don't do robocalls in the middle of
4 the night. Just we wait until the morning. So if we
5 did a robocall, but if it's after a certain hour, we
6 really want to—we don't want to wake someone up at
7 1:00 in the morning to tell them oh, is the heat back
8 on now? Because they may be working in the morning,
9 but we're trying to make sure that during the
10 robocall also that they respond back to us meaning we
11 think it's better. We think it's fixed. Are you
12 warm, and if you're not warm, we send you back and
13 open a new work order so that we want to make sure
14 that there's that feedback group so, well maybe we
15 got the boiler plant running, but now you have an
16 issues that's related to your specific radiator, and
17 we don't want to lose that information, and so we
18 take it back to the Customer Care Center.

19 COUNCIL MEMBER MENCHACA: And essentially
20 that's what's been happening in some of the Red Hook
21 Houses this last issue where heat was on, but they
22 were experiencing a lot colder temperatures in the—in
23 the apartments, and that's critical information.
24 That's—but again, we're—we're still working on
25 temporary boilers 2.0 by the way in Red Hook, but

2 that's on its way. We're—we're getting there. Next,
3 I want to talk a little about my heat issue. No heat,
4 no water, no hot water list. Who updates that? None
5 of that was reflected in the list. Again, that's on
6 transparency. So, we—we go to that list. Our
7 apartments that we're dealing with are not on those
8 lists. That's transparency breakdown, and we're
9 spending 13 times more time just communicating with
10 each other.

11 KATHERINE GARCIA: So, the—the
12 not/heat/no hot water are outages that are related to
13 the plant, are related to the boiler of the hot
14 water system, and those are—those are updated 15—
15 every 15 minutes out of the Heat Desk, and I think
16 have been pretty helpful for many people to see where
17 we are. If the problem is related not t the system,
18 it is not considered an outage per se because it
19 could be any--

20 COUNCIL MEMBER MENCHACA: [interposing]
21 An individual radiator won't trigger--

22 KATHERINE GARCIA: Pull trigger an
23 outage.

24

25

2 COUNCIL MEMBER MENCHACA: Yeah. Okay.

3 So that's-that's a finesse that I'd love to work—we'd
4 love to work with you on.

5 KATHERINE GARCIA: Certainly.

6 COUNCIL MEMBER MENCHACA: Do the heating
7 plant texts go specifically—to specific apartments
8 after 10:00 p.m. at all, the heat text? [background
9 comments/pause]

10 KATHERINE GARCIA: I—I don't know the
11 answer, but we'll see if we can—we can get that.

12 COUNCIL MEMBER MENCHACA: [interposing]
13 Two more questions. Some of the Council Members are-
14 are wanting to ask some questions as well. The Solar
15 Panels, a program across the portfolio, can you give
16 us an update about Red Hook specifically and the
17 solar panels. They just are—they're about to redo
18 all the roofs, and this is more of a-of a kind of—I
19 don't know if the Monitor is going to be connected to
20 anything related to this, but tell me a little about
21 solar panels in Red Hook and the warranty. Who is
22 going to hold the warranty on those? Is it NYCHA?
23 Is that something you can share with us today?

24 KATHERINE GARCIA: I don't know. So, I—I
25 can not share with it, but I can certainly follow up

2 and get you an update on where we are on solar panels
3 and on NYCHA and, of course, we need to make sure
4 that the roof is—and the warranty on the roof isn't
5 invalidated by solar. You know, that's been try on
6 other projects I've worked on--

7 COUNCIL MEMBER MENCHACA: [interposing]
8 Yeah.

9 KATHERINE GARCIA: --and you really have
10 to be careful going forward and making sure that you
11 don't jeopardize sort of the whole point of a roof--

12 COUNCIL MEMBER MENCHACA: [interposing]
13 Yeah.

14 KATHERINE GARCIA: --which is to keep
15 things dry.

16 COUNCIL MEMBER MENCHACA: You know,
17 that's the conundrum, and we'll talk about that
18 later. The elevator inspector was he—that was
19 suspended in February, is he back? That's my last
20 question.

21 KATHERINE GARCIA: Not to my knowledge.

22 COUNCIL MEMBER MENCHACA: Okay, thank
23 you.

24

25

2 CHAIRPERSON AMPRY-SAMUEL: Thank you.
3 Council Member Salamanca, and we've been joined by
4 Council Member Treyger.

5 COUNCIL MEMBER SALAMANCA: Thank you.
6 Thank you, Chair. Good morning, Commissioner. I
7 just have two brief questions. So, you're serving as
8 the Interim Chair--

9 KATHERINE GARCIA: [interposing] Uh-hm.

10 COUNCIL MEMBER SALAMANCA: --for NYCHA--

11 KATHERINE GARCIA: Uh-hm.

12 COUNCIL MEMBER SALAMANCA: --but you're
13 still the Commissioner for Sanitation? Are you still
14 overseeing the operation of Sanitation?

15 KATHERINE GARCIA: No, I'm not overseeing
16 the operation of Sanitation.

17 COUNCIL MEMBER SALAMANCA: Okay. So,
18 you're just focused on NYCHA?

19 KATHERINE GARCIA: Right. I am--I am
20 full-time on NYCHA.

21 COUNCIL MEMBER SALAMANCA: Alright, and
22 so is the City currently interviewing? But you're
23 serving as the Interim Chair--

24 KATHERINE GARCIA: Uh-hm.

2 COUNCIL MEMBER SALAMANCA: --correct? Is
3 the city currently interviewing for a new Chair a
4 replacement Chair, a permanent Chair?

5 KATHERINE GARCIA: My-my understanding is
6 they are working closely with the Southern District
7 and HUD to develop a list of candidates for the Mayor
8 to choose from.

9 COUNCIL MEMBER SALAMANCA: Alright. Any
10 idea of timeframe?

11 KATHERINE GARCIA: I'm not included in
12 what those timeframes are looking like.

13 COUNCIL MEMBER SALAMANCA: Alright.
14 Should-should they choose when they do make that
15 decision and they hire a permanent Chair, would you
16 resume your responsibilities as Commissioner of
17 Sanitation?

18 KATHERINE GARCIA: Yes.

19 COUNCIL MEMBER SALAMANCA: Good. Alright.
20 Then my final quest here is in the terms of the
21 funding here I see that with this Agreement the city
22 has to pay a certain amount of money over, and but it
23 says here that-this is my concern. The city of New
24 York has \$31.8 billion in repair backlogs. I-I have
25 the third largest NYCHA portfolio after my colleagues

2 Council Member Diana Ayala and Chair Alicka-Samuel.

3 I have over \$800 million in capital needs to address
4 my NYCHA developments. We're talking about roofs,
5 boilers, elevators, you know, the replacement of
6 windows so that the heat can remain in, piping. How-
7 what is NYCHA's plan to actually address these
8 capital needs if you're have-if you have to pay back
9 a certain amount of dollars to HUD?

10 KATHERINE GARCIA: Well, we're not-we're
11 not paying them--

12 COUNCIL MEMBER SALAMANCA: [interposing]
13 Well, I'm sorry. Not pay back a certain amount of
14 dollars, but there is a sense here that the city
15 agrees to pay \$1.9 Billion in capital funds through
16 2027 as well as \$1 billion in capital funds over the
17 four fiscal years following the effective date of
18 NYCHA and HUD Agreement. Maybe my question is: Does
19 this Agreement-does-as part of this agreement, is
20 there a commitment that HUD would allocate extra
21 capital dollars to address out capital needs?

22 KATHERINE GARCIA: So, in this Agreement
23 no there is not-there is not a federal commitment for
24 capital dollars, and I honestly think that we still
25 have a lot of advocating to do both at the state and

2 federal level, and I have to say that I think our
3 federal delegation has been very aggressive on this
4 front, and we would be in worse shape if they had not
5 been working so hard to make sure we were getting for
6 federal capital money, but that job is not over, and
7 we are going to still have to be out there advocating
8 and pushing to make sure that we are getting our fair
9 share of federal dollars, but—and we intend to
10 continue to do that. I mean that is about making
11 sure that we—we get enough to make things better for
12 NYCHA residents. But I do want to just say that, you
13 know, part of this will be—will be done through—the—
14 the PACT Section 8 transitions. I mean that is some
15 of the federal—that is some of the—the capital money
16 that's been identified beyond what the city has put
17 in as well as—as what sort of the usual component of
18 the Section 9 capital money is, but there is still
19 more that is needed

20 COUNCIL MEMBER SALAMANCA: Yeah. Alright.
21 Thank you very much. Thank you, Madam Chair.

22 CHAIRPERSON AMPRY-SAMUEL: Council Member
23 Ayala.

24 COUNCIL MEMBER AYALA: I let Council
25 Member Salamanca go before me, and he asked my HUD

2 questions. [laughter] No good deed, but following
3 up on that, has the State indicated whether or not
4 they plan to release the funding that they promised
5 that they would be releasing?

6 KATHERINE GARCIA: They—they actually did
7 call last week, maybe the end of the previous—I'm a
8 little—I can't remember exactly—recently, and—and
9 said that they wanted the process in place because
10 obviously we gave them a list of boilers some of
11 which we've had to move forward and start already.
12 So we're updating that we can make sure that that
13 money is getting released and—and we've been very
14 clear that, you know, these are—these are important
15 projects. We need to get them started. So, we think
16 that we are beginning to have some positive traction,
17 but I'm always cautious about having my heart broken
18 by Albany.

19 COUNCIL MEMBER AYALA: And that's about
20 it. I—I believe then if I'm not mistaken, they
21 committed to—it was \$500 million, right.

22 KATHERINE GARCIA: \$450 million.

23 COUNCIL MEMBER AYALA: But it's \$450
24 million--

25 KATHERINE GARCIA: [interposing] Right.

2 COUNCIL MEMBER AYALA: --because \$100 of
3 those was allocated to a couple of fiscal years back
4 and--and --

5 KATHERINE GARCIA: Yes, it's and--and that
6 was dedicated. I think that it was allowed to be
7 used by--the Legislative--

8 COUNCIL MEMBER AYALA: [interposing] Yes.

9 KATHERINE GARCIA: --folks identified
10 whether or not they wanted refrigerators or whatever
11 and that was what that money got used for.

12 COUNCIL MEMBER AYALA: Okay. Now, in
13 regards to--the contractors, because I have a similar
14 concern as Chair Samuel. I've had developments in my
15 district where we've had roof work done, and a year
16 later we're seeing leaking in--in the development, and
17 I wonder what is the consequence for those
18 contractors? And I mean are we removing them from
19 the general list of--of potential contractors that we
20 use in the city because it happens so--so often that
21 I--I just--I don't understand why we're not a little
22 bit--being a little bit more aggressive in terms of
23 who we're hiring.

24 KATHERINE GARCIA: And so we--I think I
25 agree with you. I think that we need to be very

2 aggressive about who we're hiring, but, of course, we
3 have contractual mechanisms to ensure that they come
4 back and fix if it has been unsuccessful. We have
5 warranties on all of our-our roof systems, but we
6 also evaluate contractors, and I will go back and
7 check whether or not-what our evaluation was of the
8 con-the contractor in your particular-at your
9 particular developments because as I said, to the
10 Chair's question, I said we certainly don't want to
11 be throwing good money after bad. We need good
12 contractors. We need to make sure that we are
13 holding them accountable going forward. We have a
14 lot of work to do. I need good people for doing this
15 work. Otherwise, it will be pointless.

16 COUNCIL MEMBER AYALA: Yeah, that's
17 right. We don't have enough money to go around to
18 just squander it. So, thank you for that. Now, in
19 regards to the Heating Desk. If it is always. There
20 always seems to be a disconnect in what-we know our
21 250 and what we're hearing from the -the resident
22 leaders. That happens with the robocalls that happen
23 with the notifications. You know, in the building
24 sometimes I will call, you know, David. I will, you
25 know, I will call Brian even Vito, and I'm getting,

2 you know, information that is not consistent with
3 what the residents are sharing with me, and so I like
4 Carlos' idea of including residents as part of the
5 robocalls because that—that way we, you know, can
6 vouch for the fact that the call actually was made
7 because often times what I'm hearing is robocalls are
8 made, and then I ask the residents and they're like I
9 never got a call.

10 COUNCIL MEMBER AYALA: Okay. Right, and
11 if there was one or two residents then I, you know,
12 we would—could argue that maybe they missed the call.
13 There was a wrong number, but when there are enough
14 of them and you have that there is a disconnect
15 somewhere and that that residents are, in fact, not
16 receiving the calls. So, I'm concerned about, you
17 know, about that, but I wonder in regards to the
18 Heating Desk how is that—how is that going to be
19 different? Who monitor this Heating Desk? How many
20 staffers? Is it 24-hour heating desk?

21 KATHERINE GARCIA: So, it absolutely is
22 24 hours, and they are literally checking to see what
23 is happening across all of the developments and also
24 managing sort of the clustered teams on the—on the
25 overnight. So, we have staffing at all of the

2 developments through 10:00 at night, and then we have
3 teams from 10:00 to 5:00 a.m. and those teams are
4 managed centrally by the desk, but they're also
5 managing all of that staff during the day. I mean we
6 have put and changed that schedule to make sure there
7 is far more coverage than there was last year when
8 they primarily worked about 8:00 to 4:30 Monday
9 through Friday. Obviously, heating plants don't know
10 what day of the week it is, and will usually go off
11 when the fewest number of people are around. So, we
12 have tried to make sure we have full staffing across
13 the 7 days of the week and 24x7, and so those are the
14 clusters, and they're managing that staff during the
15 day.

16 COUNCIL MEMBER AYALA: I will acknowledge
17 that I haven't received quite as many calls this year
18 as I did last year. So, whatever you're doing seems
19 to be on track with what you should be doing, but I-I
20 wanted to just, you know, acknowledge that because I
21 think that the same way that we bash, we have to also
22 give some credit, and I have noticed a significant
23 decrease in the number of calls that we've received.
24 We are still having outages, as we assumed there will
25 be, but there haven't been nearly as many, and for

2 those developments where we have had they, they have
3 them, they have been corrected quite effectively.
4 Now you stated the by 2024 there may be a—there—
5 there—there may not be a second mold complaint in a
6 12-month period, right as part of the Agreement.

7 KATHERINE GARCIA: Uh-hm.

8 COUNCIL MEMBER AYALA: Part of this is
9 really contingent on the roof work being done. Does
10 NYCHA currently have the funding to complete all of
11 the necessary roof work to date?

12 KATHERINE GARCIA: We—we still have more
13 funding that we will need to put in place, but a lot
14 of that—a lot of that has been identified and those
15 projects actually were the first to move because
16 it's—it's so critical to get a hold of the skin of a
17 building because the other thing is—everything you do
18 inside is a waste if you don't get a hold of the skin
19 of the building.

20 COUNCIL MEMBER AYALA: Agreed.

21 KATHERINE GARCIA: But there is still
22 definitely more money that we're going to need.

23 COUNCIL MEMBER AYALA: But while we—while
24 we are trying to get the funding, the necessary
25 funding to fix to the roof, we're still remediating

2 the inside because I—I thought we were saying if
3 you're fixing the inside but you're not fixing the
4 roof, you're going to be, you know, coming back time
5 and time again, but if we're waiting three years for
6 funding five years for funding to repair a roof, and
7 this apartment is now the recipient of this water
8 damage, then they are pretty likely to have mold.
9 So, is there some reason it's happening at the same
10 time?

11 KATHERINE GARCIA: So—so certainly in
12 the—in the—we are not waiting until every roof is
13 completed before we are going to fight mold
14 complaints, and deal with the mold in people's
15 apartments, and while that may in some ways be a
16 little bit more costly, we're not—we—we are committed
17 to not having people live in mold apartments while we
18 wait for a longer term capital fix, and so we are
19 putting in place this program called Mold Busters
20 that is—the gives employees more tools, but also it's
21 more accountability like the property manager, the
22 superintendent has to go and confirm that the mold is
23 there and then—then it was fixed, and also that they
24 have more tools about where is the mold coming from?
25 Is it a ventilation problem? Is it a plumbing

2 problem? Is it the roof problem so that we are going
3 into address those things? Like did someone flood
4 you from above? You know, did they leave their sink
5 on and suddenly there's water all over or did they
6 have a like stoppage in their drain and so nothing is
7 draining and now you have water in the apartment
8 below. So, part of this having folks being able to
9 identify, and so we can alleviate what the source is,
10 and then we need to go in and—and make sure that the
11 mold is dealt with, and that is now much more
12 accountability at the property manager level about
13 ensuring that those don't get closed unless they are
14 resolved.

15 COUNCIL MEMBER AYALA: Now is the person
16 that's coming to verify also then is opening a ticket
17 for repair work or is that—that responsibility focus,
18 I know prior to you coming on board. If I'm a
19 resident and I call in, you know, that I need paint
20 and plaster, somebody usually comes in. They don't
21 come into repair. They come in to assess whether or
22 not I really need paint and plaster, right and then
23 they look at and pretty much determine that maybe I
24 do need paint and plaster, but never tell me that I
25 now need to, you know, it is my responsibility now to

2 call in separate ticket for someone to come in and
3 paint and plaster. So, we've been kind of going back
4 and forth about for a year now, and my understanding
5 was that there would be some internal changes that
6 would then put the responsibility on whoever it was
7 that was verifying to open the second ticket for
8 follow up. Is that happening to your knowledge?

9 KATHERINE GARCIA: So, we are working
10 towards making that happen because it's a--it should
11 not ever be the resident who is responsible for
12 identifying and sequencing what the work should be.
13 In part because then it can be--if the resident
14 doesn't do it exactly right, we end up with a painter
15 getting there before the plasterer, and the plumber
16 probably was needed in the beginning anyway. Making
17 sure that we are sequencing the work and also that if
18 you call in--this is something that I've seen happen,
19 and it's viewed as a maintenance task. So, it's like
20 it's--somehow the--the way that the tenant put it in
21 as a complaint that that maintenance worker is
22 suppose then close that and open all of the skilled
23 trade tickets. Am I absolutely positive that it's
24 happening across the board? No, but we are trying to
25 make sure that we are putting in flags in the system

2 so that it can't happen so that you--that the--the
3 tenant isn't the one driving the process. That the
4 person who's doing the investigation or the person
5 who comes in who should be skilled enough to know
6 what needs to be happen is putting all of those
7 tickets in so that that can continue to be resolved.

8 COUNCIL MEMBER AYALA: I'd--I'd appreciate
9 and my final question is in regards to the elevators
10 that are scheduled to be replaced, is there any
11 priority being given to elevators where we have
12 vulnerable populations such as maybe some of our
13 senior developments?

14 KATHERINE GARCIA: So, we are certainly
15 looking at where there are mobility issues whether or
16 not that is seniors or other people with disabilities
17 to make sure that we're prioritizing elevators in
18 those developments or whether there's only a single
19 elevator. Like, you know, if there are two
20 elevators, we're looking at what their outage rates
21 look like, but we are really trying to be focused on
22 where we have mobility populations for people who
23 have mobility issues.

24 COUNCIL MEMBER AYALA: Great. Thank you.

2 CHAIRPERSON AMPRY-SAMUEL: Thanks. Just
3 as a quick follow-up. NYCHA testified at our
4 Management hearing last April that it planned to roll
5 out its—this is a Next Gen operations model, which
6 gives more decision making control to the local
7 property managers to all developments by mid-2019.
8 Does NYCHA still want to use a localized system as it
9 prepares an organizational plan with the Monitor?

10 KATHERINE GARCIA: I think we're looking
11 at what's the most effective place to have the core
12 accountability on the skilled trade side since
13 obviously those are primarily scheduled centrally. I
14 do believe we need to believe we need to be closer to
15 the developments. I don't know if it's—if I agree
16 that it would be all the way at the developments, but
17 we are still having conversations about what is the
18 exact right model, and we'll engage with the Monitor
19 around how—what is the most appropriate, and we will
20 come back and brief you on where we think that needs
21 to be.

22 CHAIRPERSON AMPRY-SAMUEL: And what about
23 the—the—the concept of the borough like the—what is
24 it?

2 KATHERINE GARCIA: The Regional Asset
3 Mangers.

4 CHAIRPERSON AMPRY-SAMUEL: Yeah, but it
5 was a conversation around having more like borough
6 wide or borough based general manage type concept as
7 well.

8 KATHERINE GARCIA: So, I mean I-I don't
9 think having a general manager and replicating
10 everything as a general manager--like what the general
11 manager does at each borough level is necessarily
12 helpful. You know, I have managed very large
13 organizations that did not and, you know, I have
14 borough chiefs, but they report up through Central as
15 does DOTS, as Parks as does most city organizations.
16 So, I'm not sure if adding another layer is what we
17 really need. I actually think that the faster the
18 information can pass from the front line to the Chair
19 is the most effective way to manage, but we will be
20 in discussion on that.

21 CHAIRPERSON AMPRY-SAMUEL: But how would--
22 how would that happen?

23 KATHERINE GARCIA: How would--how does--

24 CHAIRPERSON AMPRY-SAMUEL: [interposing]
25 How would they go from frontline to a Chair?

2 KATHERINE GARCIA: [interposing] Right,
3 so, just so I'm just saying that like adding another
4 box in that chain like adding a borough general
5 manager, I-I don't feel like it makes it so the
6 information gets up faster or things get resolved
7 more quickly. That's my personal opinion.

8 CHAIRPERSON AMPRY-SAMUEL: But addressing
9 how-how can it get up to the level quickly because
10 that's the disconnect currently. Like it's not
11 getting there.

12 KATHERINE GARCIA: Yes, I mean that I
13 think that there needs to be more accountability both
14 at the property development level, but also at the
15 Regional Asset Managers, and they-they need more
16 support I would say because I think that they are
17 held accountable for a lot of things they don't have
18 actual control over, and so how to make them
19 accountable and have control I think would be more
20 effective.

21 CHAIRPERSON AMPRY-SAMUEL: Okay and just
22 another follow-up to Council Member Ayala. Because
23 it takes so long to like really negotiate and execute
24 a contract because of the like procurement process
25 itself, how are you planning for the issues you are

2 already aware of? So, we were just talking about the
3 contracts with the mold, I mean with the—with the
4 roof repair, and we talked about the other contracts.
5 I know there was an issue in the beginning with the
6 new third-party vendor at—I think it was Queensbridge
7 Houses and just with receiving so many complaints
8 from the residents and the elected officials, and you
9 know where there are issues with certain contracts,
10 are you addressing those issues currently where you
11 know you have a—yeah I go back to white board or
12 chart or something that says, you know, this is a
13 list of the—like the bad actors of the, you know,
14 folks that we have problems with, and so we are going
15 to troubleshoot and plan ahead because we're—like
16 that's the whole point of being able to plan.

17 KATHERINE GARCIA: Okay. So, there—there
18 are two things. One thing is the—the on-sight vendor
19 at Queensbridge did struggle at the beginning of the
20 heating season. That actually has been improved in
21 the last like in—for a while like Queensbridge
22 actually has been doing very well, but we first— So,
23 that's a little bit of a different situation in the
24 capital, but we are willing to work with our
25 contractors first and say like, look you're not

2 meeting our expectations. You will get this taken
3 away from you, and then in another development and I
4 actually don't remember which one where they were not
5 performing, we took and gave it another contractor,
6 and it went over to National Grid. So, I think that,
7 you know, we are definitely going to try and make
8 sure we have the best folks working at the
9 developments, and we're willing to take action when-
10 when they are poor performers.

11 CHAIRPERSON AMPRY-SAMUEL: Okay. Alright,
12 thank you. Council Member Gjonaj and the Council
13 Member Treyger.

14 COUNCIL MEMBER GJONAJ: Thank you, Chair.
15 Interim Chair, CEO Commissioner, a tremendous
16 undertaking on your part, and taking on the issues
17 that NYCHA is facing. I applaud you and also feel
18 bad for you, but I'm looking forward to some real
19 results. This is not new. This is six years in the
20 making of this Administration is aware of the
21 substandard and dangerous condition that NYCHA
22 residents were living in. There—last month there was
23 an article that was written it's going to take
24 roughly two years to test 80–135,000 units at the
25 cost of \$88 million. Now if we're going to take two

2 years to test, why should we believe that 20 years is
3 enough time to do abatement?

4 KATHERINE GARCIA: Thank you for that
5 question, Council Member. So, I think that we have
6 an enormous portfolio, and I think that folks
7 sometimes forget the scale of what NYCHA represents
8 and how important it is in the city New York, but we
9 are basically running the city of Miami. That is
10 what we are doing every single day at NYCHA, and so
11 we knew that it would take us two years to get
12 through making sure that that testing was done and
13 done correctly, and the reason that we think that
14 having that baseline information makes it so that we
15 are set up to manage to the 20-year mark, and so we
16 think that we have set up a achievable but aggressive
17 deadlines.

18 COUNCIL MEMBER GJONAJ: Well, thank you
19 for that, but this is not new. This Administration
20 asked for the position. You asked for the
21 responsibility. You knew what you were getting into
22 so to say that we're managing like the population of
23 Miami, what does that mean? You knew that New York
24 City's population was 8.6 million. It came with
25 tremendous responsibility in that, but this

2 Administration has failed. You have failed your
3 fiduciary responsibility of protecting our citizens
4 by allowing them to be poisoned, by allowing them to
5 be poisoned by lead, which is irreparable, and I
6 don't want to be angry, but I have no other way to
7 express the sadness and the outrage that the single
8 most important responsibility of this Administration
9 is security and health and you have failed. This is
10 six years in the making of lies and deceit. Our
11 residents deserve better, New Yorkers deserve better,
12 and it's ironic that the same Administration will
13 hold the private sector to a different standard than
14 themselves. It's the definition of insanity. It's
15 smoke and mirrors. It's taking the attention in the
16 voting from the real truth and creating a Boogeyman
17 in another industry so you're not being judged. In
18 the private sector how would lead abatement be
19 prioritized?

20 KATHERINE GARCIA: So, to answer your-
21 your question, actually we're NYCHA to a much higher
22 standard. So, in the private sector there is no
23 longer-term requirement for complete abatement of all
24 units. There's only abatement at vacancy for
25 bindable surfaces and chewable surfaces. So,

2 actually going in and trying to create a lead-free
3 NYCHA is a much higher standard both for New York
4 City but as well as nationally in all public housing
5 authorities.

6 COUNCIL MEMBER GJONAJ: Chair, when there
7 is a lead poisoned child, what is the protocol for
8 the private industry?

9 KATHERINE GARCIA: So, that is the same
10 for both NYCHA as well as for the private sector. If
11 there is a child that is identified by Health
12 Department with an elevated blood lead level, the
13 Health Department does an assessment, a risk
14 assessment with that family, which is a very long
15 conversation about everywhere the child spends any
16 time. They also test an XRF all of the walls within
17 that apartment to determine whether or not there is
18 lead-based paint, then they issue a Commissioner's
19 Order to Abate. So that is exactly the same.

20 COUNCIL MEMBER GJONAJ: And if private
21 ownership does not abate or address or the issues,
22 what is the next step?

23 KATHERINE GARCIA: The next step would be
24 for HPD to go in and do emergency repairs.

2 COUNCIL MEMBER GJONAJ: Do we—do we hold
3 the same criteria for NYCHA--

4 KATHERINE GARCIA: In terms-

5 COUNCIL MEMBER GJONAJ: [interposing]
6 Where NYCHA is not immediately abating or noting the
7 lead source, do we send in HPD Emergency Repairs to
8 do that work?

9 KATHERINE GARCIA: We do not, although,
10 to my knowledge, we have had an incident where we
11 were not meeting those goals, but I can go back and
12 check it. It's never been raised to me in either my
13 role as Lead Czar overseeing the Mayor's Lead-Free
14 Plan or by the Health Department or by NYCHA that--
15 that they were not in-following the rules that the
16 Department of Health and Mental Hygiene required of
17 them, but I can certainly double check, but that has
18 never been something that has been raised as a
19 concern.

20 COUNCIL MEMBER GJONAJ: Chair, we have
21 because you've contested and I don't mean you in
22 particular, but the Administration has protested the
23 findings of DOH to avoid abatement or a mediation.
24 That was the standard protocol. DOH comes in,
25 findings, results next step NYCHA goes on defense

2 challenges the results of accuracy of those, and it
3 just goes into this black hole of no one addressing,
4 make like it's not there. Let's turn a blind eye to
5 it while subjecting New Yorkers to lead poisoning.

6 KATHERINE GARCIA: So, I think as you
7 know-know, Council Member that we are doing
8 abatements of any Commissioners order to abate, but
9 we are still taking paint samples, which is exactly
10 the same that us allowed in both the private and
11 public sector. So, this was not something that we
12 had a different, that the Health Department had given
13 us a different standard, but we want to be taking
14 proactive approaches so we going in and making sure
15 that we are abating those apartments.

16 COUNCIL MEMBER GJONAJ: Please don't take
17 my frustrations are directed toward you as an
18 individual. I think you're a remarkable person. I
19 really do, and the challenges that you have ahead of
20 you I don't-I would hate to be. With that in mind, we
21 are putting I believe it is \$1.2 billion and \$200
22 million a year for the next six years, correct, \$2.3
23 billion.

24 KATHERINE GARCIA: The-the total is \$2.2
25 billion that are required under the agreement.

2 COUNCIL MEMBER GJONAJ: Where are we
3 finding that money?

4 KATHERINE GARCIA: That money is coming
5 out of the City's Budget.

6 COUNCIL MEMBER GJONAJ: Why didn't we
7 have that money coming out of the City's Budge
8 previous years to address these issues?

9 KATHERINE GARCIA: Actually, there—there,
10 well, there's been quite a bit of both expense and
11 capital money that has been committed to beyond the
12 \$2.2 by the Mayor and the Council, and I think dating
13 back if you start at the beginning of the
14 Administration, I think it's in addition to the \$2.2
15 I think it's another \$2.3 in capital money and then
16 this is where you end up adding also all of the
17 expense money in as well. So, you're—you're talking
18 about there were significant commitments that had
19 started after the mayor took office, and that
20 continue as well as I think this was the first
21 Administration to not require NYCHA to pay for
22 services such as PD or payments in lieu of taxes.
23 And—and that I think is adding up to about a billion
24 dollars in expenses that NYCHA would have had to pay.
25 I can double check that number, but I think we've

2 actually seen that that number continues to grow, and
3 I mean unfortunately while we've been sitting here,
4 the President his budget, and zeroed out public
5 housing capital, and so, I mean I—I think that what
6 you see is that there has been ongoing commitment by
7 the Administration to put capital money it, and by
8 the Council to be quite frank with you.

9 COUNCIL MEMBER GJONAJ: Chair, thank you
10 for that answer, but the truth of the matter is six
11 years ago when this Administration came into power
12 had they took a proactive approach and a committed
13 approach, we wouldn't be waiting for two more years
14 of testing to be done. We knew this problem existed.
15 We were not proactive although we have committed more
16 resources than previous administrations. Let—let's
17 not pull the wool over the people's eyes to say that
18 this Administration was really in tune. This
19 Administration was kept dumb, tone deaf and not
20 really to do what's right by NYCHA residents. They
21 won. We should have been more proactive and we
22 weren't, and I love the slogan that NYCHA Cares,
23 which it sounds really nice and cute, but this is
24 state of emergency, and all of our focus and every
25 resource should be put to safe housing, which lead,

2 no--contaminant-free before any other priority, any
3 other wish list of this Administration. This is a
4 zero sum game, and this Administration is not living
5 up to its responsibilities. It's ironic that this
6 Administration has proposed a program to take back
7 private property that is not managed to the standard
8 of the city, and hold themselves to a different
9 standard. The proposal is to take these properties
10 from these actors and give them to not-for-profits in
11 hopes that they'll turn the buildings around and
12 provide some of the basic services and protections
13 that are needed. Why not apply the same to NYCHA?
14 What's good--for good for the goose is good for the
15 gander. Why the double standard? Why the smoke and
16 mirrors?

17 KATHERINE GARCIA: I'm sorry, Council
18 Member, but I mean I'm struggling to understand the
19 differential that you're making. We are making a
20 huge commitment to NYCHA. The Administration has
21 made huge commitment NYCHA, and I think that we
22 really are trying to make it a better place for
23 residents, and really address some of those core
24 issues going forward to make it so that people are
25 proud of the homes that they live in.

2 COUNCIL MEMBER GJONAJ: Commissioner--

3 KATHERINE GARCIA: [interposing] I have
4 to tell you that one of his successes at Ocean Bay if
5 you talk to the residents out there is they'll you
6 now I want to host. I want to be the host of the
7 holidays. We want everyone's experience to be that
8 and so we are moving as aggressively as we can in
9 that direction.

10 COUNCIL MEMBER GJONAJ: Chair, and I
11 apologize once again. It's not personal, but when
12 you tell me that we've done so much when we have
13 children being poisoned, pregnant ingesting lead dust
14 as we speak. We are not doing enough. This isn't
15 even a question about is the elevator working and do
16 we have to take the stairs. This is to the detriment
17 and the health and safety, irreparable damage that
18 will take two years to test, and up to three
19 generation to remediate. That is not doing enough.
20 That is letting down New Yorkers. That is
21 jeopardizing our future, and that is, and I hate to
22 take the position but I truly believe that if they
23 were white only, this would not be happening, but
24 because they're black and brown, and minorities that

2 are not doing right by them because there's no other
3 explanation. Thank you.

4 KATHERINE GARCIA: So, I just want to
5 address your point. I-I--there is no one in this
6 Administration who isn't working extraordinarily hard
7 to ensure that there are no children whether in
8 public or private housing who face elevated blood
9 lead levels. I mean that has been a focus for the
10 Mayor and he has come out strongly in support of
11 making sure that we achieve that goal, and just to be
12 clear, the testing protocol is way outside the box.
13 No one else has ever done it like this before, and I
14 don't think that it is not something that--that would
15 have been required under any particular legislative
16 action. So, it is a big deal, and it is actually
17 creative. It is not necessarily someone would have
18 thought about on a first day, but that does not mean
19 that we are waiting until we are done, and that we
20 are not addressing the lead hazards that have to
21 presume that are occurring--that are there now until
22 we know--

23 COUNCIL MEMBER GJONAJ: [interposing]
24 Chair.

2 KATHERINE GARCIA: --and so we are
3 absolutely moving forward in ensuring that these
4 children are protected. It is not our long-term
5 goal. Our long-goal is to ensure that it is lead-
6 free but in the interim we're not waiting for that--
7 that final goal post. We want to make sure we're
8 doing the--the protective things we need now, and that
9 is what we intend to do going forward.

10 COUNCIL MEMBER GJONAJ: That you for that
11 wonderful explanation, Chair, but again, I want to
12 just go back to one thing. You, and I truly believe
13 you're an incredibly intelligent woman. You really
14 are. Testing of these units to determine two years
15 out from now especially where there are children who
16 may be living in these apartments today. Not taking
17 into account new busts.(sic) The amount of money and
18 time that is being wasted by not addressing them
19 immediate, and I go back to your earlier statement
20 that this can be addressed quickly by prioritizing
21 with encapsulation. It's a simple formula. If the
22 apartment tests, bring in the contracts, put sheet
23 rock up, and move on. You created safe housing, your
24 fiduciary responsibility. Let's not waste more
25 money, more time. This should be done, and if you

2 really wanted to give it the attention that it
3 deserves, you can complete this project within a
4 short period of time, and each day that goes by is
5 subjecting someone to further lead poisoning and
6 contamination, something that this City Council
7 cannot allow to happen, something that I would hope
8 you understand the importance of, and the timelines
9 that we're giving, which I still don't believe that
10 we can live up to based on our history, and the
11 behavior of NYCHA. In a few years this mayor will be
12 out office. You will not be there. You'll be replaced
13 and we'll begin the definition of insanity all over
14 again doing the same thing all over and expecting a
15 different result. You have a little close to three
16 years to at least make NYCHA free from lead and mold,
17 and if you really wanted to given all the resources,
18 you could do that and that would be the biggest
19 justice for all NYCHA residents and New Yorkers.

20 CHAIRPERSON AMPRY-SAMUEL: Thank you.
21 Council Member Treyger, and this will close the first
22 line of questions, and then we'll do a short second
23 round and end there.

24 COUNCIL MEMBER TREYGER: Thank you, Chair
25 Ampry-Samuel and welcome, Chair. That was nice

2 touring Marlborough Houses with you recently with
3 Chair Cymbrowitz from the State Assembly. I said
4 this in the last—with the last previous chairperson
5 and I'll share my views again. I fully understand
6 that NYCHA has over \$32 billion now or even greater
7 in capital need, but it—it doesn't cost a penny or a
8 dime to be straightforward and honest about the
9 challenges NYCHA faces, and respectfully I think
10 NYCHA dug itself deeper in trouble when it confessed
11 and historically has shown that it was not
12 straightforward about the challenges we face in our
13 apartments, and in addition to money, we lost
14 precious time in advocacy because this is a crisis.
15 This is an emergency, and so, you know, I know a lot
16 of folks like to kind of just, you know, throw sticks
17 at NYCHA and critique it, but we—we—we have to be in
18 the business of solving problems. We have to be
19 constructive here, and so I want to be that person,
20 but we need to have honest brokers on both sides, and
21 I do appreciate the gravity of the role that you're
22 taking on. This is not an easy job, but you are a
23 more than capable person, Chair. In—you mentioned
24 before that in the discussions with the federal
25 government there was no check or no funding, no

2 commitment from the federal government to increase
3 support to our housing stock. Is that correct?

4 KATHERINE GARCIA: That's correct.

5 COUNCIL MEMBER TREYGER: So, in all of—
6 all of that criticism and all of that critique and
7 scrutiny from—from HUD and—and from the feds no one
8 in the room took ownership on their part about how
9 systemic and historic chronic disinvestment from the
10 federal government help lead NYCHA to the problems
11 and the crisis that it's in today? No one
12 acknowledged that in that room?

13 KATHERINE GARCIA: I—I don't—I don't know
14 for sure, but my understanding is no.

15 COUNCIL MEMBER TREYGER: And I'm sure
16 that this has been shared before, but I think it's
17 just worth repeating. [coughs] What is NYCHA's total
18 budget?

19 KATHERINE GARCIA: Oh, I should know this
20 off the top of my head, but I don't. Let me just ask
21 someone to find it for me.

22 COUNCIL MEMBER TREYGER: Sure, and as
23 you're just getting that—that number, the percentage
24 of which the federal government contributes to
25 NYCHA's budget.

2 KATHERINE GARCIA: No, I mean I—I know
3 the percentage. About a third comes from rent and
4 about two-thirds comes from the federal government
5 under Section 9, and it's very technical and I'm
6 still learning it a bit about it. You know, there
7 also are the unfunded, but my understanding is more
8 or less every year you put forward what you would
9 like—what you think you need, sort of the income of
10 the residents, what they're able to pay and then what
11 the rest of that bucket should be, and usually at the
12 federal level except I think maybe one year in the
13 last many, many, many. I mean I'm talking decades
14 was Section 9 Nationally ever fully funded, and so we
15 get an allocation and so if they only fund 95% of the
16 national need, we only get 95% of our need, and—but
17 that is—that really honestly probably dates back to
18 the '80s. So, our total budget is \$3.34. I will be
19 better when I'm at the Budget hearing about having
20 all my numbers straight on all of that, but, you
21 know, there is—so there are, you know, the commitment
22 by the federal government when they constructed
23 Housing Authorities across the country, which were
24 all designed particularly in New York State to be
25 controlled locally. That ongoing commitment that you

2 need even if it's only a tiny--like they're only--
3 you're only short a dollar every time. We've been
4 short a dollar for a long, long time every year, and
5 that makes it very hard to keep up with the amount of
6 maintenance that needs to happen, and the amount of
7 capital investment. As these buildings age, they
8 need more rather than less, and I feel like the way
9 that I think about it is we have a relatively old
10 care and if we were taking it to the shop
11 periodically and making sure the preventative
12 maintenance was occurring, it would--it could hang in
13 there, but we allowed the oil, like, you know, we
14 basically let the oil dry out of the engine and we
15 blew it up, and so now we've got a lot of work to do.
16 And so, we are really committed to making sure that
17 we do that work, but we have to be continually
18 advocating at both the federal and state level for
19 additional resources. I mean the city is at the
20 table with a lot of money, but we need to make sure
21 that we are continuing to advocate for those other
22 resources, and ensure that we see that public housing
23 across the country gets fully funded.

24 COUNCIL MEMBER TREYGER: So, you
25 mentioned that the federal government has-puts in

2 over two-thirds of resources into NYCHA's budget. Is
3 that correct?

4 KATHERINE GARCIA: Yes, on the operating
5 side, yes.

6 COUNCIL MEMBER TREYGER: Right. So it's
7 fair to say that they are technically like the
8 landlord or the majority shareholder into NYCHA. Is
9 that correct?

10 KATHERINE GARCIA: I'm really sure how I
11 would characterize it. I wouldn't characterize it as
12 a landlord, though but perhaps as the shareholder.
13 Certainly it has to be as a partner. Like we do need
14 to see them participating in ensuring that NYCHA
15 improves, and I would hope advocating at the federal
16 level and at Congress to make sure that it gets fully
17 funded.

18 COUNCIL MEMBER TREYGER: Right, because
19 it's from my vantage point, if they're the majority
20 shareholder, and contribute so much, you know, as far
21 as the current budget, which has not increased in
22 quite some time, you know, if you follow their social
23 media and you follow their public statements from
24 HUD, they keep poking NYCHA and keep critiquing
25 NYCHA. The irony is not lost on me. You know, you

2 can't starve the system and the complain of signs of
3 malnutrition because that's exactly what's happening
4 here. So, to me with all due respect to HUD and all
5 their staff, it is not a joke, it's not a game. This
6 is very serious. Now, were your privy to any of
7 those discussions between the City and--and HUD
8 recently because there's been talks of these meetings
9 and pictures of these meetings. Were you in the room
10 or you came in after the meeting was concluded?

11 KATHERINE GARCIA: So, I started in this
12 role after the Agreement had been signed. So, I was
13 not part of those conversations. I have been in
14 conversations with obviously with the Monitor as well
15 as with HUD as we move forward.

16 COUNCIL MEMBER TREYGER: So, are you
17 aware of any discussions at the table between the
18 city and HUD or any of and any--any person in between
19 that--that talked about privatizing NYCHA's housing
20 stock?

21 KATHERINE GARCIA: Not--not that I'm aware
22 of.

23 COUNCIL MEMBER TREYGER: Did that ever
24 come up in any of the conversations between HUD and
25 the city?

2 KATHERINE GARCIA: I am not aware of a
3 privatization conversation, but I was not in
4 conversations prior to the 19th of February. I mean
5 I think that there is a lot of support for the PACT
6 Program, which is a public-private partnership, but
7 there has not been to my knowledge a conversation
8 about we would just privatize NYCHA. I mean I think
9 that—I meant obviously I can't—I would—I would—I
10 would struggle to find, you know, a mayor who hasn't
11 been more focused on wanting to ensure that we had
12 local control over NYCHA going forward, and that's
13 part of his values.

14 COUNCIL MEMBER TREYGER: Well, I am
15 deeply concerned that under this federal
16 administration especially with whose in the White
17 House. He's more interested at times in real estate
18 than he is really in governing this country, and so I
19 am concerned that that might be something that
20 they're interested in--

21 KATHERINE GARCIA: Okay.

22 COUNCIL MEMBER TREYGER: --but Chair, I
23 would like for you if possible to make a commitment
24 to NYCHA residents and to this Council and to the
25 public that we will not privatize any of NYCHA's

2 housing stock because this is a critical, critical
3 social safety net for our families and for our city.
4 Recently, the—the Starbucks or former Starbucks CEO
5 who came from NYCHA here in New York City declared
6 himself a self-made billionaire.

7 KATHERINE GARCIA: I don't have that
8 problem.

9 COUNCIL MEMBER TREYGER: [laughs] He—he
10 is not a self-made billionaire because we the public,
11 we the city of New York we—we help provide a social
12 safety net to make sure that when he was a young
13 child he had a roof over his head, and was able to go
14 to our schools within our community. That's a safety
15 net that I want to preserve for the next generation
16 and for the next generation and for generations to
17 come. And so, we need to make an iron-clad
18 commitment that we do not privatize this critical
19 social safety net in the city of New York. So, can
20 you promise and make a commitment that we will not
21 privatize any of NYCHA's housing stock?

22 KATHERINE GARCIA: So, let me be clear.
23 I'm going to do everything in my power to create more
24 public-private partnerships through the PACT Program
25 because that is where we have—we have a lot of

2 funding, but this is not privatization. All of the
3 NYCHA tenants who are in the developments maintain
4 all of their rights, and the city maintains ownership
5 of all of the property. So, I am committed that—that
6 if we are talking about selling off NYCHA to some
7 developer, that is not—that is not. My intention is
8 certainly not the Mayor's intention.

9 COUNCIL MEMBER TREYGER: Alright. I—I
10 just—I caution folks that we need to stay alert on
11 this or as—as the saying goes: Things as they look
12 (sic) because this is something that I take very,
13 very serious. We heard before about the lead testing
14 and you were--also the—the lead testings are I guess
15 in the city. Are you—do you still hold that role?

16 KATHERINE GARCIA: No, I hold—I hold only
17 the NYCHA role--

18 COUNCIL MEMBER TREYGER: [interposing]
19 Only the NYCHA role.

20 KATHERINE GARCIA: --while I am in the
21 NYCHA role. I get the other roles back when I
22 return.

23 COUNCIL MEMBER TREYGER: So, during
24 earlier hearings we learned that NYCHA had a
25 different lead testing approach than the Health

2 Department. That the Health Department historically
3 used--I think it's called XRF machines. NYCHA used a
4 different machine. NYCHA was as--as we heard before
5 would contest and appeal some of the determinations
6 from Health Department. Are we now under a single
7 measurements approach in terms of testing for lead at
8 NYCHA?

9 KATHERINE GARCIA: So, so let me be clear
10 because I think there's some--some--everyone was always
11 using the same type of equipment XRF machines.
12 [coughing] NYCHA just like a private landlord could
13 contest based on a paint sample, which is exactly the
14 same. It's Local Law 1 requirements. It's exactly
15 the same. It, however, NYCHA did contest far more
16 often than the private landlords did, but we have
17 taken the approach that we will abate every
18 apartment. We will still take the paint chip, but we
19 will do the full abatement on that--that work. So,
20 that actually is slightly more aggressive than the
21 current--what would be allows by a private landlord
22 because a private landlord now if they are going to
23 contest usually will not abate prior to that.

24

25

2 COUNCIL MEMBER TREYGER: Our-our-so when
3 NYCHA contests a determination from the Health
4 Department, who makes the final call?

5 KATHERINE GARCIA: The Health Department.

6 COUNCIL MEMBER TREYGER: Is that a new
7 policy?

8 KATHERINE GARCIA: No. It was always the
9 Health Department.

10 COUNCIL MEMBER TREYGER: Because it is my
11 understanding there was a third party involved in
12 that.

13 KATHERINE GARCIA: Well, the-the-the lab
14 reporter that does the analysis is always a third
15 party in that.

16 COUNCIL MEMBER TREYGER: And what role do
17 they play?

18 KATHERINE GARCIA: Well, they give you
19 the analysis of the paint chip--

20 COUNCIL MEMBER TREYGER: [interposing]
21 And who--

22 KATHERINE GARCIA: --and so they provide
23 that information to the Health Department.

24 COUNCIL MEMBER TREYGER: And who pays for
25 it?

2 KATHERINE GARCIA: Usually the landlord
3 pays for that analysis. So, either NYCHA or a
4 private landlord.

5 COUNCIL MEMBER TREYGER: So, NYCHA pays
6 for the lab not the Health Department?

7 KATHERINE GARCIA: Not the Health
8 Department. It's not the Health Department's lab.

9 COUNCIL MEMBER TREYGER: Has the lab ever
10 come back to NYCHA and said your findings were wrong?

11 KATHERINE GARCIA: No, the lab is making
12 the finding.

13 COUNCIL MEMBER TREYGER: But when you-

14 KATHERINE GARCIA: [interposing] The lab
15 so that they take the chip.

16 COUNCIL MEMBER TREYGER: [interposing]
17 But who's the third party? Who is the arbiter if
18 there's dispute between NYCHA and the Health
19 Department?

20 KATHERINE GARCIA: Oh, it's the Health
21 Department that has the final authority always.

22 COUNCIL MEMBER TREYGER: Always? They
23 have the final authority always?

24 KATHERINE GARCIA: Yes, always.
25

2 COUNCIL MEMBER TREYGER: I don't know if
3 this came up, Chair, but forgive me because I think
4 this is also worth kind of digging deeper into the
5 PLA. Where do we stand with the-the PLA particularly
6 when it comes to Hurricane Sandy rated projects,
7 which I think you know I'm very interested in because
8 we want to get that work done, but is it in the
9 process of being renegotiated? Is that correct?

10 KATHERINE GARCIA: My understanding is
11 the city is taking the lead on this.

12 COUNCIL MEMBER TREYGER: Who?

13 KATHERINE GARCIA: The city is taking the
14 lead on-on the PLA, and we will follow once they are
15 done. So we I think are extending the PLA to date,
16 and I believe most of the Sandy projects were bid
17 under the PLA--

18 COUNCIL MEMBER TREYGER: Uh-hm.

19 KATHERINE GARCIA: --and hopefully are--
20 many of them will be coming to conclusion in the not
21 too distant future. I mean I know that it has been a
22 very, very long road for developments both in your
23 district and in Menchaca's district in terms of, you
24 know, putting forward what-what needed to get done,
25 but I think some of those are beginning-we're

2 beginning to—we're—we're closing in on the finish
3 line, and so my understanding is if they were bid out
4 they would have been bid out under the PLA because it
5 would be enforced at the time.

6 COUNCIL MEMBER TREYGER: So, you're
7 saying the city is taking the lead. I'm-- taking that
8 you're saying the Mayor's Office is taking the lead.
9 Is that correct?

10 KATHERINE GARCIA: The Law Department I
11 mean on their PLA, and then usually we follow and
12 negotiate afterwards.

13 COUNCIL MEMBER TREYGER: But you're not
14 at the table I think with these discussions?

15 KATHERINE GARCIA: I am not actually sure
16 where we are in terms of the ongoing negotiations on
17 the PLA.

18 COUNCIL MEMBER TREYGER: So, that
19 concerns me, Chair. I mean the fact that you're not
20 there, and certainly the residents are not there
21 because that was the problem with the original PLAs
22 that—that we're dealing with. I am—I still am
23 furious that residents who fought for I'm sure my
24 colleague Carlos Menchaca would agree residents in
25 his district and my district and others who fought

2 for the Sandy money were not privy to-to the PLA
3 Agreement signed between the Mayor's Office and-and
4 Labor, and they've been virtually shut out from many
5 of their work projects in their own neighborhoods,
6 which is really outrageous. I come from labor so I
7 support labor, but labor has to have pathways that
8 residents work as well. Residents should not just
9 witness work. They should be allowed to participate
10 in the work as well, but this is a problem because if
11 you're not even at the table, the residents are
12 surely not at the table, I-I think-I think the Mayor
13 needs to be called out on this. This-this is
14 unacceptable, and-and so I-I-and I just want to point
15 out to you we had a shooting my district, there was
16 shooting in my district a few-few weeks back. As a
17 matter of fact, I think a grandmother from
18 Brownsville was-was-was hit-shot and killed near
19 Grayson (sic) in Coney Island because there were
20 people that were trying to intimidate or get onto the
21 job site and cause friction and problems for the
22 contractors there. Are you familiar with this
23 incident, with this shooting?

24 KATHERINE GARCIA: I am not familiar with
25 this particular incident.

2 COUNCIL MEMBER TREYGER: Chair, I just
3 want you to know that my local police precinct is
4 asking for help and support to protect work sites in
5 Coney Island because there are people who are
6 routinely intimidating the contractors and
7 subcontractors and residents there for access to
8 work, and this was a part of the reason why this
9 grandmother from Brownsville a woman of color was
10 shot and killed simply for working. My colleagues
11 know we need to have more women of color and more
12 people of color and generally working in trade unions
13 and construction jobs, and here we lost—we lost a
14 precious life, and some other—another person was shot
15 was shot, and so I—I really believe that, you know,
16 NYCHA should make sure that there is safety going on
17 in development sites that you're aware of this
18 dynamic. I'd encourage NYCHA to have a conversation
19 with NYPD about this as well. This is something we
20 take serious, but I think the—the larger issue here
21 as well is the fact that there is a feeling among
22 residents that they have been shut out of working
23 opportunities in their own back yard, and that's just
24 not acceptable, and so I—I would appreciate for us to
25 follow up on this, Chair, and I plan to speak with

2 you again about this topic because I think this is of
3 the most importance, and the last thing I'll say in
4 the interest of time talk about trust or broken
5 promises. We were promised—I was promised over a
6 year ago, well over a year ago that we would have the
7 reopening of the Surfside Gardens Community Center in
8 Coney Island, a center that certainly had its issues
9 before Sandy but Sandy really wiped it out. We—you
10 received—NYCHA received federal money to fix it up.
11 I was promised that—the community was promised that
12 it will be open I think back in November of 2017. It
13 is now March, 2019, and the Center is still not open.
14 Can you give us any update about where it stands and
15 when we could get the center open? Because I just
16 want to point out to you, Chair, especially in my
17 district it's a very high needs district, because we
18 lost this space, children are forced to—there was a
19 Cornerstone Program there, and children are forced to
20 go to nearby schools that don't have space to
21 accommodate the volume of children that need
22 services. So this is a really, really serious issue.
23 It's not just a matter of fixing lights and just the
24 floor. Children in my community are being denied a

2 seat-denied access to critical programs. So, if you
3 could just enlighten us where we stand.

4 KATHERINE GARCIA: Yes, certainly and-and
5 I also want to just clarify on the PLA issue. We
6 have been providing our feedbacks. I think we are in
7 a very similar place. We want to see the PLA work
8 better for NYCHA residents whether or not that's
9 through a apprenticeships programs or trainings or
10 whatever that's going to look like, but we think that
11 that needs to be a bigger funnel into the building
12 trades. In terms of-of Surfside Gardens Community
13 Center, you know, as well as I that we want to make
14 sure that that opens. I don't have an opening date
15 with me today, but we can get one to you by the end
16 of the day.

17 COUNCIL MEMBER TREYGER: Chair, I-I know
18 you were not in this role previously, but I'm just
19 pointing out that we were told back in-that in fall
20 2017 it would open. It has not opened, and as we
21 speak, there are children in Coney Island that don't
22 have access to critical programs because they don't
23 have the space to accommodate them. We need that
24 center opened immediately, and I would appreciate a
25 follow-up on that.

2 KATHERINE GARCIA: I-I will absolutely
3 follow up to make sure we're doing everything to
4 ensure that we that-that center open.

5 COUNCIL MEMBER TREYGER: Thank you.
6 Thank you, Chair. Thank you very much.

7 COUNCIL MEMBER TORRES: Thank you,
8 Councilman Treyger. A quick question and then I will
9 hand it off to Council Member Barron. Does the PLA
10 have any bearing on the capital need, the \$32 billion
11 capital need?

12 KATHERINE GARCIA: No, it's really about
13 how the contracts get-it's usually attached to the
14 Capital Contract. It doesn't-well, it could, in
15 fact, if people think it's going to cost them more or
16 less for labor, but it's designed to actually cost
17 less. I mean that would be the whole point of a
18 project labor agreement, but it is not specifically
19 about the number of capital dollars.

20 COUNCIL MEMBER TORRES: Council Member
21 Barron.

22 COUNCIL MEMBER BARRON:

23 KATHERINE GARCIA:

24 COUNCIL MEMBER BARRON:

25 KATHERINE GARCIA:

2 COUNCIL MEMBER BARRON: Thank you, Mr.
3 Chair. Thank to the panel for coming. I just have a
4 few questions. I represent a district that has 13
5 housing developments in it, and the population
6 amounts to about 21,000 people in these housing
7 developments. My understanding is that for my
8 district the five-year plan has a projected needs
9 assessment of \$2 billion for those developments that
10 are there including Brookline or Brooklyn, Linden,
11 Cypress Boulevard and Pink. Where is NYCHA on
12 meeting these obligations, for fulfilling this and
13 what's the timeline that NYCHA has for those
14 particular developments in the 42nd District.

15 KATHERINE GARCIA: Certainly, Council
16 Member. I will get back to you on the specifics of
17 each one of yours, but obviously even with the NYCHA
18 2.0 plan, that is looking to aggressively move units
19 from Section 9 into Section 8, we know that there is
20 still a gap. There is still a funding gap capitally.
21 Even with the city funding there is still a funding
22 gap, and so we are going to continue to advocate, but
23 I can certainly get back to you on what the specific
24 strategies are for your developments.

2 COUNCIL MEMBER BARRON: And I saw a
3 document, which described the PACT, the Permanent
4 Affordability Commitment Together plan, and it
5 indicates that it is designed for 21,000 units to be
6 included in that design and that plan, and I've been
7 told that Linden and Boulevard are online to be
8 included in a PACT arrangement. So, my question
9 becomes how will those developments—I initially had
10 heard years—two years ago I think it was that PACT
11 would start out with small NYCHA developments so that
12 they would be able to work through any problems, any
13 stumbling blocks. So, wanted to know what had been
14 the success with PACT that may have been implemented,
15 but you're now jumping to the two largest NYCHA
16 developments, and putting them in PACT, which I
17 understand goes—is a Section 9.

18 KATHERINE GARCIA: It is Section 8.
19 Section 9 is current public housing. So, it's moving
20 them into Section 8.

21 COUNCIL MEMBER BARRON: It's moving
22 Linden and Boulevard into Section 8? [background
23 comments]

24 KATHERINE GARCIA: I have to check on
25 which of your developments are on the list. Right

2 now we have a large number in construction
3 particularly in the Bronx and then we will have a
4 large number that move in—in Brooklyn and Manhattan
5 next as the mega—it's the bundles of apartments. I
6 don't know--

7 COUNCIL MEMBER BARRON: [interposing]
8 Okay, so you don't—you don't have information that
9 indicates that Linden and Boulevard are scheduled to
10 be in the PACT?

11 KATHERINE GARCIA: Oh, okay. Yes, they
12 are moving into PACT.

13 COUNCIL MEMBER BARRON: They are?

14 KATHERINE GARCIA: They are.

15 COUNCIL MEMBER BARRON: So, my question
16 then is: What have been the results from previous
17 PACTs that you now feel confident that moving to the
18 two largest developments will be successful?

19 KATHERINE GARCIA: So, I mean I have to
20 say that like I think that Ocean Bay was an eye-
21 opener for many people. That was obviously
22 relatively small, but it's complete. The residents
23 there are extremely happy with the work that was done
24 not only to the developments themselves, but inside
25 their apartments, and feel very good about what—what

2 their life is like moving forward, and I'm—I'm not
3 sure if you were in the room, but I said before that—
4 -

5 COUNCIL MEMBER BARRON: [interposing] I
6 wasn't.

7 KATHERINE GARCIA: --they--they--they're
8 like I want to host the holidays now. I want to have
9 people in my apartment now. I'm feeling really proud
10 of my apartment, and so we have quite a few--the next
11 chunk that are already in construction, and we are
12 moving forward with additional units this spring to
13 move and start the--the whole process and close and
14 moving to the Section 8 Program.

15 COUNCIL MEMBER BARRON: And so, once
16 again, I just want to be clear, Linden and Boulevard
17 will not have any requirements for Section 9, any
18 connection to Section 9?

19 KATHERINE GARCIA: Yeah, they will move
20 into--as part of the process they move into Section 8.
21 Though to be quite honest with you, given that those
22 two developments are the--I'm not sure how--if they
23 actually were even eligible for Section 9 because I
24 believe they are the unfunded developments which--
25 which is complicated, but this is make sure that they

2 are provided with a long-term funding stream, which
3 is--will be Section 8.

4 COUNCIL MEMBER BARRON: And in terms of
5 the boilers [pause]. Have they heard her?

6 KATHERINE GARCIA: Yeah. No, I'm sorry.
7 I just was making sure that--that there is the
8 complication of the--which I didn't actually know
9 existed, but the--what are called the unfunded units
10 of which those are some of them. (sic)

11 COUNCIL MEMBER BARRON: Yeah, I'm--I'm
12 sorry. I didn't hare you.

13 KATHERINE GARCIA: They are called the
14 unfunded units--

15 COUNCIL MEMBER BARRON: [interposing]
16 Right.

17 KATHERINE GARCIA: --with them because
18 they were built by the State--

19 COUNCIL MEMBER BARRON: Right.

20 KATHERINE GARCIA: --and not by the Feds.

21 COUNCIL MEMBER BARRON: Correct.

22 KATHERINE GARCIA: They were never part
23 of the calculation, and so then we take what we get
24 for everything else and we spread it to cover them,
25 too, but they don't have sort of their own claim on

2 federal money. If we only had unfundeds, we wouldn't
3 get any federal money. So, this is a way to make
4 sure that those developments have long-term funding
5 attached to all of those units.

6 COUNCIL MEMBER BARRON: Thank you and in
7 terms of the boilers that are going to be repaired, I
8 understand that two developments in my district,
9 Cypress Houses and Long Island Baptist have been on
10 the list or are on the list to be—to receive new
11 boilers, and I wanted to know what is the timeline
12 for those new boilers to be installed?

13 KATHERINE GARCIA: So, Cypress Houses we
14 announced that they are starting construction this
15 spring and should be two years and what was the
16 second one?

17 COUNCIL MEMBER BARRON: Long Island
18 Baptist.

19 KATHERINE GARCIA: Long Island Baptist is
20 the same thing. We announced that they are starting
21 this spring and should be two years for construction.

22 COUNCIL MEMBER BARRON: It'll take two
23 years?

24 KATHERINE GARCIA: Yes. These are big
25 boiler plants.

2 COUNCIL MEMBER BARRON: It--well is there
3 a reason that it takes two years or is there shorter
4 timeline that can be--

5 KATHERINE GARCIA: This is as aggressive
6 as we absolutely can move on the construction of
7 these sites. There's not--this is not us holding
8 anything up. The contracts are on the street. Hey
9 are approved to go. They will go as fast as we
10 possibly can get them to go, but this what we
11 anticipate.

12 COUNCIL MEMBER BARRON: So for the next
13 two years people in those--the residents in those
14 developments might be subjected once again to no
15 heat, no hot water?

16 KATHERINE GARCIA: I mean I think we have
17 to be really honest until we really have gotten all
18 the investment in place of boilers across the city.
19 We are going to do everything we can to manage the
20 staff and ensure that we are dealing with outages,
21 and that we do like during the summertime do
22 overhauls to the best that we can, but we are dealing
23 with heating plants where sometimes the parts are not
24 even available. We're making the parts. We
25 scavenging the parts because those people who built

2 these boilers they went out of business 10, 15, 20
3 years ago. I mean this is what we are dealing with
4 to try and keep running, and so we are making the
5 commitment to not only ensure that we are staffing
6 from 5:00 a.m. to 10:00 p.m. and then around the
7 clock with teams to address the issues, but you're
8 absolutely right. Until we are fully building out
9 this and the—and the reason those two are going right
10 now is because they have some of the most—the biggest
11 challenges, and we want to make sure we're addressing
12 the boilers that have really had the most challenges,
13 the most outages, and so I wish that we could move
14 more quickly, but we want to make sure that we're not
15 telling you we can get it done in a year when we
16 really can't.

17 COUNCIL MEMBER BARRON: Is there a
18 possibility it could be sooner than in two years?

19 KATHERINE GARCIA: It's unlikely that it
20 will be sooner than two years.

21 COUNCIL MEMBER BARRON: Alright, okay.
22 Thank you very much. Thank you, Madam Chair.

23 CHAIRPERSON AMPRY-SAMUEL: Council Member
24 Rosenthal.

2 COUNCIL MEMBER ROSENTHAL: Thanks so
3 much. Thanks, Chair Alicka Ampry-Samuel for your
4 leadership on this, and thank you [laughs] for taking
5 on this interim position. I think it's incredibly
6 challenging and incredibly important also. So thank
7 you so much for your leadership on this. I think one
8 thing that—a couple things. I've learned that is
9 that—is to try to manage the disconnect between
10 what's happening at each development, and what you're
11 seeing sort of what's central is seen as a whole.
12 And I'm wondering as you move forward with a Monitor
13 in place, with when there's a new permanent Chair, if
14 you could envision a time when there would be more
15 local tenant involvement in thinking about
16 priorities, and how that can be done in a way where
17 residents will know that their suggestions are being
18 taken seriously? What drives that question for me is
19 Amsterdam Houses, which has over 24 buildings and has
20 wanted to do a number of very creative things with
21 their space and has been held back from doing that
22 for what appears to be—for what reason I don't
23 understand. And, the same is true with Harborview
24 where there's unused community facility space when
25 offers have been made by Central to renovate unused

2 space and use for shops or used for community space.
3 You know, I—I feel in just my six short years being
4 here that people who have these great ideas when I
5 first came in I know they were pitching those ideas
6 for the ten years prior to my being there. And I'm
7 wondering how do we turn over a leaf so that those
8 residents will feel heard and empowered?

9 KATHERINE GARCIA: I know it intimately—I
10 appreciate that question. It's actually as I've been
11 mulling in my head sort of how do we ensure that
12 residents really feel connected and—and incorporated
13 into the decision making, and I think (1) is we just—
14 we just need to be more transparent both with you and
15 with—and with resident leaders and with the
16 residents. But, you know, what I've been sort of
17 playing with in my head is how do we do almost like a
18 participatory budget framework? You know, how do we
19 sort of push this down, and also engage residents. I
20 get the sense that—that there's opportunities
21 particularly with young people to get them involved
22 in thinking through what do they really want. And,
23 you know, also with residents like what is it that
24 you want at your development? What do you want to
25 see? What are your priorities? And, you know, there—

2 there is, you know, obviously specific funding that
3 comes that we're required to provide through-through
4 HUD regulation, but we also can be really clear about
5 what the Capital Program looks like, and what's
6 happening. Because I know that—that all the tenant
7 leaders are busy advocating with you for a whole wide
8 slew of things that, you know, may or may not be for
9 what the whole development wants. But there are some
10 folks who clearly, you know, they want-want to make
11 investments, they wasn't to see things change. So, I
12 am thinking that it—is there a way for us to craft
13 almost like a participatory budget? Because I think
14 you get more people involved if it's sort of a voting
15 thing. I want a playground, I want this, I want do
16 almost a, you know, here is—here is what I think.
17 You know, I don't care about this. I want an
18 elevator. Just get me the damn elevator. I'm tired
19 of getting stuck all the time. Like what is, you
20 know, I think they're—on their day-to-day lives I
21 think they have real insight into what makes or
22 breaks or their day.

23 COUNCIL MEMBER ROSENTHAL: I appreciate
24 what you're saying, and I certainly have felt the
25 same way and, in fact, we've done participatory

2 budgeting and done our best to engage people, and the
3 truth of the matter is we haven't been successful in
4 all our efforts. I'm not saying we're the best of
5 anyone, but we've done things where we've gone door
6 to door. I think it's deeper than just the one time,
7 you know, Hey, how do you want to spend your money?
8 It's so much more. The roots are so much more
9 tangled than that. People know what they want.
10 They've been telling what they want year after year,
11 and property manager after property manager, Council
12 Member after Council Member after Council Member. The
13 disconnect I think is in a--look I don't know. I'm
14 not there seeing it everyday, but what I'm sharing
15 with you is I like what you're saying. It's what I've
16 been saying for the last five years, but there is a
17 disconnect--

18 KATHERINE GARCIA: Uh-hm.

19 COUNCIL MEMBER ROSENTHAL: --because that
20 information should already be bubbling up to you.

21 KATHERINE GARCIA: Uh-hm.

22 COUNCIL MEMBER ROSENTHAL: So, something
23 is missing.

24 KATHERINE GARCIA: Uh-hm.

25

2 COUNCIL MEMBER ROSENTHAL: You know, I
3 can—I don't know about my colleagues, but in my
4 district there are at least three buildings that have
5 gone with—three developments that have gone without a
6 resident leader for a long, long time with no real—
7 ever-- I mean, again, people say the right things.
8 Say, Oh, yeah, we're going to get there. We're going
9 to hold an election. We're going to do this, we're
10 going to do that, and then it just doesn't get done.
11 So, and—and lastly, you know, in sort of constructive
12 advice would be when you—I—I also really appreciate
13 what you just said. What? Do I call you Commissioner
14 Chairwoman? [laughs]

15 KATHERINE GARCIA: Call me Chair.

16 COUNCIL MEMBER ROSENTHAL: Public
17 Advocate, Speaker? Right? It's a good one so we've
18 got many, many roles. That's how it goes. So, the
19 disconnect between what tenant leader might be saying
20 and what the tenants might be thinking, and that's a—
21 not a reflection on the tenant leader. It's a
22 reflection on a lack of resources to engage the
23 building, you know, resources that have been
24 dwindling for so long. So, I would urge you to think
25 harder on that, and not think about things as from

2 the top down, but instead, think about ways. I think
3 participatory budgeting personally, my experience on
4 the very active Upper Westside and God bless all the
5 people who threw themselves into it. It's not the be
6 all, end all. You know, it's a word, it's a phrase,
7 it's a concept that sounds good, but it's so much
8 more. The roots are so much more tangled, the ball of
9 roots are so much more tangled than that that I don't
10 know. I'm done. Thank you. You got what I'm saying.
11 I-I just think it's--

12 KATHERINE GARCIA: [interposing] And so--
13 and so I---

14 COUNCIL MEMBER ROSENTHAL: --way more
15 complicated.

16 KATHERINE GARCIA: I--so I--I think that--
17 I'm not sure necessarily that it's more complicated
18 except that I think people raised their hands a long
19 time ago, and they got tired of raising their hand
20 and saying these are what my needs are, and so it's
21 not complicated. It's just a lack of trust. Why
22 should I bother spending any of my free time trying
23 to do X or Y when nothing ever changes, and I never
24 gain any traction.

2 COUNCIL MEMBER ROSENTHAL: Well, that's
3 right. So, how do we empower people even from the
4 beginning to feel oh, I'm getting a little bit of
5 traction?

6 KATHERINE GARCIA: Yes. No, and so I-I-I
7 will take back what you're saying and-and figure out
8 if I can think of other creative things to do it, but
9 I-I think the issue is more that there are-I've been
10 here before. How is this different?

11 COUNCIL MEMBER ROSENTHAL: Yes. Thank you
12 so much. I mean I guess on privatization-Sorry. Last
13 thing. There's a real disconnect there, too between
14 what residents want, what leaders want. No one wants
15 to privatize, of course, but, you know, pulling our
16 residents and giving accurate information is
17 incredibly important. Thank you.

18 KATHERINE GARCIA: Thank you.

19 CHAIRPERSON AMPRY-SAMUEL: So, earlier I
20 asked about resident engagement, and I asked if there
21 were any resident input or feedback into this
22 agreement and, you know, we know that there was-there
23 was-there are cuts. How do you-I guess the concept
24 was how-how do you define input right? And what we-
25 but my-my-how I define that is like I said earlier

2 were there any residents at that table? Right? Were
3 there any residents that were part of the discussions
4 with SDNY with HUD with NYCHA with the city when the
5 agreement was being finalized, and they were not. And
6 then I have here: Will resident input be solicited
7 and incorporated as NYCHA makes its institutional
8 changes? They should, right, because the 964
9 Regulations speak directly to resident involvement.
10 They are supposed to be involved at every stage and
11 they are not, and we know that there is a—there's
12 CCOP. We know that there's RAD . We know that there
13 are resident leaders who are involved and, you know,
14 they may have a board a full board and maybe they
15 don't because there was no—no assistance of help with
16 the resident elections, and they don't constitute a
17 full board, but they're very active. We know that
18 there have been stakeholder agreements formed with
19 the different infill projects, and we know that there
20 were stakeholder agreements with the RAD in the past
21 and everything else, but at the end of it all we go
22 back to there's no real level of formal commitment to
23 the residents. And when I asked a question about no
24 judicial oversight and what does that mean and what's
25 the difference with this agreement, we know good and

2 damn well that Judge Pauley actually kept saying over
3 and over and over that there needs to be some level
4 of formal resident input, and we've heard this about-
5 talk over and over and over and over again about what
6 that looks like what it could look like, what it
7 should look like, and I testified at the hearing, and
8 the public advocate-previous Public Advocate Tish
9 James testified at the hearing and we all said the
10 same thing. Residents should have what-there should
11 be a formal process or agreement or arrangement.
12 There should be a formal position of residents being
13 at the table, and when we talk about I wrote here:
14 Not just what they want, but, you know, asking them
15 the question about, you know, what would you like to
16 see, and we know that they've already said that what
17 they would like to see. But we have residents that
18 are skilled and have a level of expertise. We have
19 residents who are property managers and work for the
20 City of New York. We have residents that are
21 actually working in other developments with HPD and-
22 and-and-so, they-they have the skillset. They have
23 the wherewithal to be able to provide tangible input
24 and feedback, but they don't because there's no
25 formal place for them. And so, you can go back and

2 say, you know, we'll take it into consideration, but
3 we have—I've only been here a year, but I know that
4 I've heard this same theme for decades. And so at
5 what point as you are actually looking at the action
6 plans and that we have an agreement, and you're
7 trying to come up with what is going to be the case
8 moving forward. This should already be a plan as to
9 how the residents will have a formal input and not
10 some resident advisory committee that, you know, that
11 has three pages—I mean three—three sentences in the
12 agreement. I think that's just disrespectful this,
13 and so, we know what the right thing is, and the
14 right thing is to have a formal agreement and a
15 formal arrangement with the residents to be at the
16 table during all of this, and it's just about giving
17 a damn and caring enough to make that happen, and
18 prioritizing that. And I—I just wanted to add that
19 piece of it. I guess accountability. [laughs] Right?
20 Let me call the lease a transparency, accountability
21 right. Say that. Okay. Council Member Torres and
22 then Council Member Gjonaj and then, but we're going
23 to have now put it on a timer because we have to hear
24 from the residents [background comments] who are now
25 here.

2 COUNCIL MEMBER TORRES: Let me. How
3 much—how much time do I have?

4 CHAIRPERSON AMPRY-SAMUEL: It's the
5 second round. The second round.

6 COUNCIL MEMBER TORRES: How Much time do
7 I have? Five please, five please.

8 CHAIRPERSON AMPRY-SAMUEL: Two-minute
9 clock.

10 COUNCIL MEMBER TORRES: Oh, okay. Let me
11 go quick then. So, there was an article in the city
12 by Greg Smith that reported that Buck Schwartz who is
13 the newly appointed Monitor had to resign as Receiver
14 after the SEC—SEC and Security and Exchange
15 Commission accused him of a conflict of interest in
16 running up fees. According to the article, Mr.
17 Schwartz was a court appointed receiver in civil case
18 filed by SEC and its Platinum Management, a Hedge
19 Fund for operating a Ponzi Scheme. Mr. Schwartz was
20 in charge of dispersing funds to investors who fell
21 victim to the Ponzi Scheme. According to the
22 article, the SEC estimated at that Mr. Schwartz's
23 Receivership ran up professional fees that made up
24 40% of the cash on hand. What's the existing budget
25 for the Federal Monitor?

2 KATHERINE GARCIA: So, I don't have a
3 budget for the Federal Monitors because they are not
4 contractually engaged with NYCHA. They are
5 contractually engaged with the City of New York.

6 COUNCIL MEMBER TORRES: Well, do you know
7 which department?

8 KATHERINE GARCIA: With the Law
9 Department.

10 COUNCIL MEMBER TORRES: Law Department.

11 KATHERINE GARCIA: And so they will be—
12 and that will go to the Comptroller's Office to
13 prepare a contract.

14 COUNCIL MEMBER TORRES: [interposing] So,
15 are you aware—are you aware of any cap on the
16 expenses or the fees that the Federal Monitor could
17 charge?

18 KATHERINE GARCIA: I saw one that was
19 specific to BARTS (sic) fees for this year. I don't
20 recall exactly what the number is but, I did not see
21 a cap on should he decide to bring in other
22 consultants that he wanted for special expertise.

23 COUNCIL MEMBER TORRES: So, there's no
24 cap on consulting fees, right? Now, obviously the—
25 the Monitor is going to partner with NYCHA to create

2 an organization plan, but there is a scenario in
3 which SDNY and HUD could impose an organization plan
4 over the objections of the City and NYCHA. We have
5 to bear the cost of the Organization Plan.

6 KATHERINE GARCIA: But at the end of the
7 day, the day they can't remove the Chair without the
8 city's cooperation.

9 COUNCIL MEMBER TORRES: No, I'm not
10 talking about the removal of the Chair, but they
11 could impose even more unfunded mandates on the city,
12 and I just want since I have 25 seconds, you know,
13 one of my criticisms of the agreement is that it
14 imposes new requirements without new federal
15 resources, but it's even worse than that. The press
16 release from the Trump Administration indicates, and
17 as you noted earlier that the Trump Administration is
18 proposing the elimination of the Capital Budget.

19 KATHERINE GARCIA: Yes.

20 COUNCIL MEMBER TORRES: So, the Trump
21 Administration is cutting your budget or proposing
22 cuts to your budget at a time when you are expected
23 to meet more requirements [bell] not less, and if I
24 can fit in one more question. So that's—that's in

2 the future that if—if the Trump Administration Budget
3 goes forward--

4 KATHERINE GARCIA: Yes.

5 COUNCIL MEMBER TORRES: --are you facing
6 cuts at the moment from HUD? I know that one of the
7 sources of possible cuts in real time can be
8 proration. Right, you don't receive 100% of the
9 funding to which you are legally entitled. You
10 receive a percentage of the funding to which you're
11 legally entitled. So, has there been any adjustment
12 in the proration that could result in the loss of
13 federal funding?

14 KATHERINE GARCIA: So, we are waiting for
15 the final on what HUD will put out. They, you know,
16 didn't work for a little at the beginning of the
17 year, but the numbers nationally looked good, and so
18 we are anticipating actually being in pretty good
19 shape on the capital front for this Fiscal Year. You
20 know, it is always concerning when it gets zeroed out
21 at the federal level, but that actually also had, you
22 know, we are going to have to fight, and our
23 Congressional Delegation is going to have to fight,
24 and both of our Senators are going to have to fight
25 to make sure that we continue to keep the capital

2 money in place, but this is the anxiety that we have
3 every year in terms on, you know, being zeroed out of
4 and having to come back and make sure that we get the
5 money put in. So at this point in time we haven't
6 seen the final proration from HUD yet, but we don't
7 anticipate that they will--

8 COUNCIL MEMBER TORRES: [interposing] Any
9 guidance form HUD on the proration?

10 KATHERINE GARCIA: They--they have not
11 guided us in any way that would suggest negative.

12 COUNCIL MEMBER TORRES: Okay.

13 CHAIRPERSON AMPRY-SAMUEL: Okay.

14 KATHERINE GARCIA: He's happy to have
15 more time.

16 CHAIRPERSON AMPRY-SAMUEL: [laughs]
17 Council Member Gjonaj.

18 COUNCIL MEMBER GJONAJ: Thank you, Chair.
19 How many lawsuits are you aware of that are against
20 NYCHA including the one I'm familiar with is the
21 Legal Aid Rent Reductions. What other lawsuits are
22 NYCHA facing for lack of services and for lead paint
23 and other, you know, things.

24 KATHERINE GARCIA: I don't have that
25 number today. I can certainly get it to you.

2 COUNCIL MEMBER GJONAJ: Do you know what
3 we've paid out, the amount of lawsuits to settle
4 cases?

5 KATHERINE GARCIA: I do not. I don't. I
6 wasn't prepared to answer lawsuit questions, but we
7 can certainly pull that--those--that information
8 together. I think that one thing that's a little bit
9 different than the city is that NYCHA has insurance
10 in comparison to the city, which is self-insured.
11 But we will get you the information so you can
12 understand what those numbers look like.

13 COUNCIL MEMBER GJONAJ: That would be
14 really important as a next step, and why I'm leading
15 into my question. Not only the dollar amounts that
16 we've already paid out that could have gone into
17 repairing NYCHA, but also the liabilities that we now
18 have due to lead paint, which is going to be, which
19 I've heard estimates in the hundreds of millions of
20 dollars to settle these cases in the future, and the
21 unknowns from neglect and from the elevator
22 tragedies, and other--and other conditions that were
23 allowed to continue or because of neglect have lead
24 to bodily harm, injury and in some cases death.
25 Wouldn't it be smarter for this Administration to say

2 let's prevent lawsuits to begin with? Instead of
3 settling these cases in the future, let's spend that
4 money that we know will have to be paid out. Let's
5 put it into these buildings now. Let's address the
6 issues now. Let's make sure that these children are
7 not going to be harmed so [bell] so we don't have to
8 worry about lawsuits in the future.

9 KATHERINE GARCIA: I mean I'm—I certainly
10 think that there is no one in the Administration who
11 wants us to be spending money on lawsuits and
12 settling lawsuits instead of other funding, but I
13 will have to get the specifics on what the lawsuits
14 and settlements have been to you.

15 COUNCIL MEMBER GJONAJ: But isn't that
16 what we're doing in essence? Every incident, every
17 tragedy, every bodily harm and incident that leads to
18 death is followed by a lawsuit?

19 KATHERINE GARCIA: I think that if the
20 city or NYCHA is found negligible—negligent, then yes
21 usually there is a—there is a settlement. I'm not sure
22 specifically what deaths you're talking about. I
23 would have to go back to that.

24 COUNCIL MEMBER GJONAJ: [interposing]
25 Well, there was an incident in Boston Road Plaza. An

1 elevator in particular where the person feel through
2 the shaft. The elevator gave way. These are in the
3 tens and tens of millions of dollars that have
4 already been settled, and there's hundreds of
5 millions of dollars more, but I'm really focused on
6 the lead liability where in each instance families
7 have been awarded in the tens of millions of dollars
8 and it's through neglect because we didn't remediate.
9 We allowed the conditions to continue and children
10 were harmed before where there is repairable damage.
11 This is all. It shouldn't be strange or--

12 KATHERINE GARCIA: [interposing] No, I-I
13 don't-I mean I will get you the information on the
14 lawsuits and what the settlements have been. We are
15 happy to provide that to you. Certainly with
16 lawsuits it's not a direction we want to go in, but
17 in all honesty we have really taken a different
18 approach and that is why we were making sure that we
19 were correcting any presumed lead paint hazards, and
20 going through that process very aggressively.

21 COUNCIL MEMBER GJONAJ: Chair and I
22 apologize, if it's going to take us two years just to
23 do testing, the liability that we're going to faced
24

2 with in the event of a child being lead poisoned is
3 going to come with a big dollar amount.

4 KATHERINE GARCIA: [interposing] And--and
5 and as I--

6 COUNCIL MEMBER GJONAJ: We would start
7 seeing that.

8 KATHERINE GARCIA: And-and--and as--and I
9 remind you, we are not intending to wait to do the
10 remediation until after the testing is done. We are
11 doing that now. We will continue to do that as we
12 either have changes in the family composition in the
13 units or as we identify any new presume lead-based
14 hazards. They really are not--we are--we are making
15 sure that we are protecting children earlier than the
16 completion of the testing, and that the completion of
17 the testing really is to drive what our long-term
18 solution is. So they're short-term ensuring that we
19 are correcting any presumed lead-based paint hazards,
20 and protecting children in the short term as we work
21 towards a longer term lead-free NYCHA.

22 COUNCIL MEMBER GJONAJ: Just putting it
23 on the record. We're going to be faced with some
24 major dollar amounts in settlements, you know, that
25 could have been avoided from today for the period

2 that in the foreseeable future in incidents and lead
3 poisoning cases that we're not aware of, and that's
4 because are not remediating lead in these housing
5 units now.

6 KATHERINE GARCIA: So we are remediating
7 lead in these housing units now. We are not abating
8 them, but we are remediating them—remediating them
9 now. I want to be very clear, and on the record that
10 for a child under six we have gone in and done a
11 visual. We have correct that lead paint—paint—that
12 lead paint-- hazard now. That is what we are doing
13 right now. That is the—the many corrections that we
14 have made in the last few weeks and so you are
15 correct to say that we will not have fully abated
16 those, but we have corrected those immediate hazards
17 now.

18 COUNCIL MEMBER GJONAJ: We can go on. I—
19 don't—I think the point was made. We went on record.
20 You have someone that's pregnant today that will have
21 a child born with lead poisoning, and it's because of
22 our neglect and it's time—time is not our friend.
23 That child's time and endangerment because of our
24 inability or unwillingness to prioritize that child's
25 safety, and that means all hands on deck. You can

2 bring in the experts from around the country to test
3 these units in a much shorter period of time and we
4 can get into these units. We mediate, we can get rid
5 of, we can abate for the safety of that child and
6 future liabilities, and every dollar that we spend
7 today is a dollar saved. That's my point. Two years
8 in 20 years in the hundreds of millions of dollars in
9 settlement is a poor way to spend our tax dollars.
10 That does not make us good stewards of tax dollars as
11 well the—the real priority: Protecting our children.

12 CHAIRPERSON AMPRY-SAMUEL: Thank you.
13 Council Member Menchaca followed by Council Member
14 Rosenthal with just a quick follow-up.

15 COUNCIL MEMBER MENCHACA: Thank you,
16 Chair. The Agreement requires NYCHA to focus on
17 physical and the quality of life issues. A blog
18 posed on March 9th by Jennifer Lewis wrote about
19 structural issues in 14 different developments that
20 engineers found some structural issues that are going
21 to require a possible shutting down of these homes
22 and houses. Is this on your—is this on your radar at
23 all?

24 KATHERINE GARCIA: No.

2 COUNCIL MEMBER MENCHACA: No. Okay. So
3 it's like it's going through the Facebook world right
4 now, and so I wanted to offer that opportunity.

5 KATHERINE GARCIA: But not particularly.
6 You—I'm old. I don't do really--

7 COUNCIL MEMBER MENCHACA: [interposing] I
8 hear you, which is why our transparency model and
9 commitment is going to offer an opportunity for us to
10 share information and that--

11 KATHERINE GARCIA: Yes, yes, I'm happy to
12 have you--

13 COUNCIL MEMBER MENCHACA: Which is really
14 exciting.

15 KATHERINE GARCIA: Share it all. We
16 would like to get it from you. (sic)

17 COUNCIL MEMBER MENCHACA: I'm going to
18 share with you and you on a continuum. It would be
19 great to kind to get some--

20 KATHERINE GARCIA: Yes.

21 COUNCIL MEMBER MENCHACA: --good
22 information out because people feel like this is the
23 opportunity for people to get removed. Second, a
24 senior center, and this came up earlier with
25 facilities. There's a facility in Red Hook that got

2 renovated recently. It was-it was like
3 astronomically larger in budget and time and it's
4 still not ready.

5 KATHERINE GARCIA: Yes.

6 COUNCIL MEMBER MENCHACA: So, let's come
7 back and-and I just want to mention it.

8 KATHERINE GARCIA: It says that its
9 formal name is the Red Hook Community Center.

10 COUNCIL MEMBER MENCHACA: the Red Hook
11 Senior Center.

12 KATHERINE GARCIA: Senior Center. Okay.

13 COUNCIL MEMBER MENCHACA: The Senior
14 Center. I mean there's also the-the Community Center
15 next door, but-but there's a real focus on-on that
16 project, and I think that's going to be part of our
17 tour with Velazquez, and then really the last
18 question this is like the concept of participatory
19 democracy and the values of transparency and
20 relations you're building. I also agree
21 participatory budgeting is really our first step.
22 It's not the end all. It's the beginning of a
23 conversation in relationship building that really
24 empowers people to not just bring their ideas, but we
25 bring money with PD. There's money and that gets

2 things started, which is exciting. The Community
3 Advisory Board--

4 KATHERINE GARCIA: Uh-hm.

5 COUNCIL MEMBER MENCHACA: --how are you
6 thinking about that? When can we get that going?
7 Let's get that up and running and what's the timeline
8 for that, and included in your answer can you talk a
9 little bit about moving and transitioning out of
10 Interim Chair and what the process is for the people
11 so they can understand that there is a process that
12 you're taking to either exit soon, X whatever time
13 and what the process is. Is there a review? Who are
14 you looking at? How is the job search going?

15 KATHERINE GARCIA: So, really actually
16 like Community Advisory Board is driven by the
17 Monitor in some respects in order to make it so that
18 he has independent access to a lot of the
19 stakeholders, and I know that he has been out there.
20 That's--and some of his first meetings have been with
21 residents. We obviously will do whatever is required
22 to be supportive of that particular role, and then in
23 terms of the process for finding a permanent chair
24 there is a--there are lists created jointly between
25 HUD, the city and the U.S. Attorney's Office, and

2 then the Mayor selects off the list. And so, I think
3 that they have been trying to go through and recruit
4 and vet people to be on the list so that the Mayor
5 can make a decision. I'm not sure what the timing
6 will be, and so, I assume that for the next two weeks
7 or months I'm here.

8 COUNCIL MEMBER MENCHACA: Thank you.

9 CHAIRPERSON AMPRY-SAMUEL: One quick.
10 Just a question for my colleagues. Has anyone met
11 with the Monitor? Council Member Torres or Council
12 Member Gjonaj, have you met with the Monitor yet?

13 COUNCIL MEMBER TORRES: I would love
14 that. Can we do that?

15 CHAIRPERSON AMPRY-SAMUEL: That would be
16 great to just have—be able to meet with the Monitor
17 as he's going out and meeting with the residents as
18 well because we represent the residents and we spend
19 a lot of time on these issues and figuring out how we
20 can be helpful and—and a partner. So, that would be
21 great.

22 KATHERINE GARCIA: I will—I will let him
23 know.

24 COUNCIL MEMBER ROSENTHAL: A quick
25 question. You were talking about accountability and

2 transparency. On the boilers have you been able-do
3 you know from your staff if they've been able to
4 change over to a system where whatever is happening
5 with each boiler isn't just marked on a piece of
6 piece of paper with pencil right at the location of a
7 boiler, but instead put on some sort of updated
8 central database?

9 KATHERINE GARCIA: So, I mean there still
10 is the paper process at each development, but
11 they're-it's getting captured by the Heating Desk,
12 all of the information there, and then if there's an
13 issue then it's created-it's creating work orders for
14 that, but I can get you exactly what the process
15 looks like and how that-the information moves. I
16 mean there's a lot of work we still--we still have to
17 do on our IT systems to make it so that we can be
18 faster, and we can-and give you more information in
19 an even more timely manner.

20 COUNCIL MEMBER ROSENTHAL: It starts-
21 Okay, I didn't quite understand what you said.

22 KATHERINE GARCIA: There-there still is
23 gap, but we are actually-we also have like-there-
24 there still is paper at every single site. There
25 still is paper there. That was what your initial

2 question was, but we are tracking with happens with
3 the boilers in terms of their maintenance with the
4 Maintenance system. So, you know, is it the
5 coupling? Is it the--the cooler--the cooling ring,
6 coils? You know, you know, what did we do? Is
7 capture it in part because we want to make sure that
8 we are getting to the things that break. I mean I
9 know that there already work orders for when spring
10 comes or warmer weather because we can't take it down
11 right now. We know that pipe is leaking. It's just
12 going to have to leak until the winter season is
13 over, and then we can repair it. I know it sounds
14 horrible, but it's like, you know, that is just the
15 facts of the matter.

16 COUNCIL MEMBER ROSENTHAL: Well, I did
17 see that as an indicator of transparency, and
18 accountability. I--I would love it if at one point you
19 were able--NYCHA was able to come to one of these
20 meetings and say, you know, we have 5,000 boilers.
21 Here's the status of each one, and the last time of
22 when each was repaired, and here's how we're quickly
23 we respond [bell] to a work order. It's more getting
24 out that large responsibility

2 KATHERINE GARCIA: [interposing] So, you
3 know what, but that is I think—I am sorry. I wasn't
4 really understanding what you were looking for, but I
5 think that actually we can do that. Like we can tell
6 you—I mean there are actually some boilers that are
7 relatively reliable, and then you have—I mean they're
8 actually up 99% of the time, but we have sort of that
9 information at the development level. I'm not sure
10 boiler by boiler because obviously the plants
11 sometimes serve multiple developments, but I think
12 that we—let me think about how to do something to be
13 more transparent to you, and what—what the timeframe
14 could be because I think that would be important.

15 COUNCIL MEMBER ROSENTHAL: And not show
16 it to me. No, no, no, just the residents

17 KATHERINE GARCIA: I mean to all the
18 electeds. To anybody who might--

19 COUNCIL MEMBER ROSENTHAL: [interposing]
20 Or to the residents.

21 KATHERINE GARCIA: My feeling is always
22 that I want—I want the resident leaders to have the
23 information so that they are go-to people, but then
24 elected at the same time. It's sort of I—I view that

2 as sort of the two key constituencies to be sort of
3 in real time getting some of this information.

4 CHAIRPERSON AMPRY-SAMUEL: Yes and that
5 goes back to that conflict of knowing like here's a
6 list of all of the developments--

7 KATHERINE GARCIA: Uh-hm.

8 CHAIRPERSON AMPRY-SAMUEL: --and then a
9 snapshot of what's happening at each development and
10 where they are as a priority on whatever list it is.
11 If it's still boilers, if it's the roof, if it's the,
12 you know, lead abatement or if it's

13 KATHERINE GARCIA: [interposing]
14 Elevators, or small-

15 CHAIRPERSON AMPRY-SAMUEL: --convergence
16 of rats or just something.

17 KATHERINE GARCIA: Yeah, rats, yeah, all
18 that.

19 CHAIRPERSON AMPRY-SAMUEL: Uh-hm. Okay,
20 we've just been joined by our Majority Leader Laurie
21 Cumbo. We're actually closing out now the question
22 to the Administration or to NYCHA. Do you have any
23 that you want to--

24

25

2 MAJORITY LEADER CUMBO: No. Thank you.

3 I've been also watching downstairs. You've all have
4 pretty much covered it. Thank you.

5 KATHERINE GARCIA: We've been very
6 thorough.

7 CHAIRPERSON AMPRY-SAMUEL: [off mic] Yes.
8 [laughter] [background comments]

9 KATHERINE GARCIA: Great.

10 CHAIRPERSON AMPRY-SAMUEL: So, you feel
11 like your work is--

12 KATHERINE GARCIA: [interposing] I feel
13 like we're going to be spending a lot of quality time
14 together.

15 CHAIRPERSON AMPRY-SAMUEL: It's--well,
16 we've been pretty thorough but we've--I have in front
17 of me 14 pages of questions, and I think we only
18 actually got through 50% of them, and so we do have--

19 KATHERINE GARCIA: You know, if you have
20 the--

21 CHAIRPERSON AMPRY-SAMUEL: [interposing]
22 work that we'll be able to submit.

23 KATHERINE GARCIA: Yes, submit them to
24 us. I'm happy to have--to answer them in the written

2 form since we're I guess losing the room, to make
3 sure you're getting all of the answers that you need.

4 CHAIRPERSON AMPRY-SAMUEL: Uh-hm. So,
5 with that being said, I just want to close out with
6 we've heard of the goals that were developed within
7 the Agreement itself, and we don't know how-we still
8 don't know how the timelines were generated in a
9 sense and then we have costs that are still unknown
10 related to the Agreement and the goals, and we are
11 really-I'm not sure how much further we are along
12 with this discussion over the past three hours and 15
13 minutes and the end goal was to ensure the residents
14 that things are being done, and that there's a plan
15 moving forward and not just constant, you know, we're
16 working on it, we're working it--

17 KATHERINE GARCIA: Uh-hm.

18 CHAIRPERSON AMPRY-SAMUEL: --but there's
19 something that's concrete, and like right now at this
20 very moment I'm still uncertain as to what's
21 happening, and so if I'm uncertain, then I know our
22 residents must be, and we'll hear from them in a few
23 minutes. And so with that, you know, what's
24 realistic? What's a realistic timeline, and so I-I
25 just really hope that this discussion will continue,

2 and we'll have--there wouldn't be--there's no need for
3 constant oversight hearings, but we can have some
4 real roundtable discussions with the residents--

5 KATHERINE GARCIA: Uh-hm.

6 CHAIRPERSON AMPRY-SAMUEL: --being able to
7 provide the level of input and feedback that's
8 necessary, and so I look forward to the next steps,
9 and I know we're going to see you again on Thursday.

10 KATHERINE GARCIA: You know, I think--I
11 think that that he gets to do that. Vito is going to
12 do the next one, and I'll do the Budget. I feel like
13 one hearing per week is fair to support the workload
14 a little bit, but thank you. I feel like we still
15 have work to do to make things clearer for the
16 Council, and we will work diligently to be able to
17 provide you with that, and I actually--I sort of am
18 understanding the visual format that I think would be
19 useful. I, too, enjoyed the matrix visual use of
20 information, but let me think about how to make it so
21 that we can do that quickly, and get it to you so
22 that you can then hold us accountable. I feel like I
23 have problem being transparent or being held
24 accountable because at the end of the day, the
25 residents know whether or not we're getting it done

2 or we're not getting it done, and they're not quiet
3 people. The residents are not quiet and they're—they
4 really know what's happening on the ground. So,
5 there's no point in me trying to tell you things are
6 good when things are not good because you're going to
7 know. So, our job is here to hopefully we'll be as
8 transparent and say look we've got challenges, but
9 that you see trends that make life better for the
10 people that you represent and for the residents of
11 NYCHA.

12 CHAIRPERSON AMPRY-SAMUEL: Okay. So,
13 before you go and before we hear from the residents,
14 the Majority Leader has a—

15 KATHERINE GARCIA: I thought you had no
16 questions.

17 MAJORITY LEADER CUMBO: I couldn't help
18 myself. This is such an important hearing and I've
19 been in hearings certainly all day today, but I—I
20 wanted to ask because this issue comes a lot with my
21 NYCHA tenants in terms of reducing the rat population
22 and mice and roach. So, it's—it's stated in the
23 Signatory that NYCHA shall reduce its rat population
24 by 50% and its mice and roach population by 40%. So,
25 how does NYCHA handle this issue currently? Is there

2 an in-house system that handles this or is there a
3 contract with a company that has an expertise in
4 this?

5 KATHERINE GARCIA: So, we're going to
6 have to hire someone with an expertise in how the
7 counting goes because as you know, for rats in
8 particular usually the—one of the biggest signs of
9 there are more rat boroughs, and so NYCHA has a lot
10 of facilities where we've been part of the Mayor's
11 Rat Program, and that has been doing investments in
12 everything from, you know, actually putting concrete
13 on cellar floors to—under the door sweeps, but
14 they've also been exterminating the hell out of rats,
15 and using the dry ice and killing off those boroughs.
16 I think that we are—

17 MAJORITY LEADER CUMBO: [interposing] And
18 who's doing it? NYCHA?

19 KATHERINE GARCIA: Those are NYCHA--NYCHA
20 exterminators, and we are hiring additional
21 exterminators to deal with the pest challenges in the
22 NYCHA and there also is-is work being done in terms
23 of just managing garbage more effectively to
24 eliminate the food source. So, we will have to hire
25 special pest person--

2 MAJORITY LEADER CUMBO: To deal with the
3 rat?

4 KATHERINE GARCIA: To deal with like-to
5 deal with all of the-the pest questions, but, you
6 know, we've seen-- For example since we started the
7 effort on rats, we've seen a 28% reduction in the
8 boroughs and those developments that were identified
9 since the start of the Mayor's Rat Program. But we
10 are going to have to hire someone in terms of the
11 roaches and how do you figure out what is 50% what?
12 [bell] But-so that is something we are-we are focused
13 on.

14 MAJORITY LEADER CUMBO: So, how does
15 extermination happen throughout the entire NYCHA
16 system? So, let's say for roaches an exterminator,
17 is there an in-house company or is there a contracted
18 company and what does look like? Do they come in and
19 there's a specific day? Let's say every second
20 Tuesday and Thursday of the month they come and they
21 exterminate? Do you have to sign your name onto a
22 list, or how does it-how does it actually-what is the
23 policy throughout the entire development?

24 KATHERINE GARCIA: So my understanding is
25 usually that a-a resident makes a complaint of a pest

2 issue, and that the exterminator comes and we try and
3 make the schedule works for the resident? You know,
4 obviously, it doesn't help if they're working and we
5 come by, and so that is usually the process for how
6 we deal with that. In terms of some significant
7 infestations, we will actually also try and do all of
8 the apartments around the—the one that has been
9 identified as having an infestation. So, that is the
10 main process. There isn't usually a regularly
11 scheduled as I understand it.

12 MAJORITY LEADER CUMBO: There's not
13 usually a regular scheduled

14 KATHERINE GARCIA: I will make sure of
15 that. I have not heard of the date. So, if I am
16 wrong, I will correct it.

17 MAJORITY LEADER CUMBO: Let me just say
18 this: I wouldn't say oddly enough, but oddly enough,
19 I have a lot of experience with this issue, right,
20 and from what I know because I—I've hired a private
21 company because the landlord in my building wouldn't
22 handle the issue. So, I had to take matters into my
23 own hands, right. So, what I actually have to do is
24 on an every two-week basis I have to pay for myself
25 and everyone that lives above me because many of them

2 are seniors on a fixed income, and everyone around
3 me. So, it's one of those where if you're not coming
4 on an every let's say two-week basis and you're not
5 doing baiting, trap and gels and all of those
6 different sorts of things, if you're just treating
7 like a problem, it's never going to really be solved
8 unless there is an entire building systematic process
9 to deal with rats, roaches, mice and that sort of
10 thing. It can't just be targeted at one apartment
11 and it can't just be a one-time thing. It has to be
12 for the life of the building really to do that or
13 else they will come back and the entire building has
14 to understand that we have a challenge and we have to
15 address that challenge.

16 KATHERINE GARCIA: So to that question,
17 we do bait quarterly, but the other thing is I want
18 to—I agree with you. You have to take a very
19 particularly on some of the larger pests is you've
20 got to make sure the holes are filled up. You know,
21 you've got to—you've got to make sure that there
22 isn't a habitat for them to live in. You need to
23 remove the food sources.

24 MAJORITY LEADER CUMBO: Uh-hm.

2 KATHERINE GARCIA: You need to take a
3 systemic look at what is bringing them, and so, you
4 know, that is really what we're trying to get to, and
5 to make it so that we really begin to see
6 improvements because nobody--nobody likes pests.

7 MAJORITY LEADER CUMBO: No, I mean it's--

8 KATHERINE GARCIA: No.

9 MAJORITY LEADER CUMBO: --it's
10 unsanitary, it's unhealthy, it's problematic to
11 people with children--

12 KATHERINE GARCIA: [interposing] A
13 trigger for asthma.

14 MAJORITY LEADER CUMBO: --asthma and many
15 others. Just I-I-I'm happy to see your leadership in
16 this position, and doing the incredible work that
17 you've done with Sanitation. I would just say that
18 with all due respect I'm hearing your answers, but at
19 the same time I also feel like--I feel like I'm not
20 still coming away with a systemic understanding of
21 how NYCHA is going to achieve these goals, and how
22 their process is for actually dealing with this
23 issue. It doesn't seem like it's a comprehensive
24 systematic way in which we deal with issues from

2 rats, roaches, dead bugs and all of these different
3 sorts of things, and these are real issues that--

4 KATHERINE GARCIA: [interposing] So-so--

5 MAJORITY LEADER CUMBO: --I understand.

6 KATHERINE GARCIA: No, no, and I would
7 say you are correct. I think we are further along in
8 our processes about how to attack certain things such
9 as mold and it did take us a little while to sort of
10 get our feet under us. Moving forward, we sort of
11 know where we want to go on boilers, sort of how the
12 process in paint for presumed lead paint. Do I think
13 we're as far along on exactly how we're going to deal
14 with roaches and mice? No. We're probably a little
15 bit further along about how to deal with roaches
16 because we have some other tools in place, but I
17 think the thinking through on the pest piece still
18 need work for us to actually tell you that we have
19 this thought—we know exactly what we're going to do.
20 I don't think we're there yet. I think that's some
21 place we need to get to, and while all issues are
22 important and critical issues around mice, roaches
23 and bed bugs dramatically impact your quality of life
24 and your peace of mind because it happens as soon as
25 you walk through the door, and as soon as you go to

2 bed. It's like you just can't function. So, I would
3 like if the—if the next time we're at this place that
4 this council is able to understand and hear what is
5 the real comprehensive solution to this, and how we
6 putting real resources forward to this and—and who
7 are the companies hopefully that they're MWBEs that
8 can address many of these issues moving forward.

9 KATHERINE GARCIA: Okay. Thank you.

10 MAJORITY LEADER CUMBO: Uh-hm.

11 CHAIRPERSON AMPRY-SAMUEL: Thank you.

12 KATHERINE GARCIA: Thank you.

13 CHAIRPERSON AMPRY-SAMUEL: And so next we
14 will hear from and you're going—you're going to
15 remain, right for the resident panel? John Derek
16 Norvell, Letitia Taylor and Mrs. Brown, and are there
17 any other residents that are here that I did not
18 call? [background comments/pause] And then after we
19 hear from the residents, we will have one last panel
20 with Legal Aid, CSS and Neighborhood Defender Service
21 of Harlem. [background comments/pause] So, I need
22 for you to just—

23 JOHN DEREK NORVELL: Oh, I see.

24 CHAIRPERSON AMPRY-SAMUEL: --press the
25 button, yes.

2 JOHN DEREK NORVELL: Yes. Firstly, I'd
3 like to say something about--

4 CHAIRPERSON AMPRY-SAMUEL: And can you
5 state your name?

6 JOHN DEREK NORVELL: Good. Yes. I'm John
7 Derek Norvell. I live in Abraham Lincoln Houses, and
8 my organization is the African-American Teamster
9 Committee of New York. The Teamsters is the oldest
10 holiday of New York and, in fact, we start—we start
11 preparing for that every year. This year it will be
12 June 15th at the African Burial Ground National
13 Monument. We always have it there. Anyway, I am
14 [coughs]—firstly, I would like to say something that
15 I don't if the panel is aware of. I went to a
16 hearing—well, I went to a resident meeting three
17 weeks ago at—at Frederick Douglas Houses and this is
18 the place where Ms. Lynn Stafford was at. She's
19 being going, and last time she was at—it was the
20 other day she was Queensborough houses. She came
21 with the resident president from the White House, and
22 they came with a gigantic banner. The banner was
23 larger than that television thing over there, and it
24 stated—it said in color that Donald Trump was the
25 savior of public housing. Also, it was a diagram

2 that showed how Donald Trump would control the
3 Monitor. Gale Brewer was also in attendance there as
4 well as Mr. Siegel who's, you know, was in charge—in
5 charge of the ACLU, and so we all sat there shocked
6 at this, and we, you know, Donald Trump has been
7 trying to get the waterfront properties for years of
8 public housing, and we don't know if he's going to do
9 that through the main then-the Resident President was
10 saying, you know, that's why we must support
11 President Trump and he'll do all the fixing and all
12 of this and all of that. And I said to a couple of
13 people, I said beware of Greeks bearing strange
14 gifts, you know, and so-so this is an issue that is
15 of very seriousness. We are afraid of him using RAD
16 as an—as an instrument to really just take over
17 public housing. So, I'd like to read briefly what I
18 wrote about these issues and RAD. Greetings. My
19 name is John Derek Norvell of the African-American
20 Teamsters Committee of New York. My members are
21 residents of public housing. We are activists as
22 well as historians, and my statement will be brief.
23 We are asking for an Intro to protect us against the
24 claws in RAD that states that if there is a default
25 in any public housing agency in the country, the

2 properties will go to private developers who have tax
3 credits because of investments. They will take the
4 buildings and other edifices, raise them as they
5 wish, and build new housing. Mayoral privilege does
6 not disclose who these individuals are and we fear
7 massive constructive evictions will be the result.
8 The municipalities will retain the land, but there
9 will be total privatization of housing all to the
10 detriment to public housing residents. Therefore, we
11 ask that City Council members help us to draft an
12 Intro of protection for public housing residents, a
13 bill of public housing rights to be signed by the
14 Mayor or an overrider of his veto if that becomes
15 necessary. I don't know if the City Council has the
16 power to override as the, you know, the, you know,
17 the senate and the Congress of the Federal Government
18 but I hope do if that's the case and my contact
19 information is the following: Dr. John Derek Norvell
20 and my number 5-646 not 545. I'm sorry for the typo.
21 646-559-2218 and email is Yared Y-R-E-E-D 1954 at
22 Hotmail.com, and my address is 2175 Fifth Avenue, Apt
23 2B, Abraham Lincoln Houses, New York, New York 137.
24 [bell] Thank you, John Derek Yared Andy Miguel
25 Norvell.

2 LAKISHA TAYLOR: Hi. My name is Lakisha
3 Taylor. I'm from Holmes Towers. I came to speak
4 about everything that's going on basically with
5 Fetner, and I wanted to know if the pay—I'm sorry.
6 She spoke about this PACT deal and if that's the same
7 as the Next Gen—Next Gen development because what we
8 have Next Gen is basically Fetner putting a building
9 on our development at Holmes Towers which they talk
10 about a partnership with the residents and everyone
11 at Holmes Towers—not everyone because I'm not going
12 to speak for everyone, but the majority of the
13 tenants did not want this development, and they moved
14 forward with it even after multiple—multiple with
15 the—tenants and—and multiple meetings. The majority
16 of the tenants said that they did not want it, and
17 I'm very confused because in this deal Fetner is
18 giving NYCHA \$25 million when NYCHA needed about \$32
19 million and the projected deficit for our development
20 Holmes Towers is \$59 million. So, if you cannot make
21 a deal where you are going to get enough capital to
22 preserve Holmes Towers, which is just two buildings,
23 how are you going to move forward and help NYCHA?
24 This woman sat here and said that the Mayor is the
25 high NYCHA. I find that hard to believe when you are

2 making deals where you can't even get enough money to
3 preserve our buildings. I live very close to the
4 Mayor and I sat and I watched him sit next to Shola
5 as she lied about the children with lead poisoning.
6 I was terrified that my son was going to have lead
7 poisoning, and every time he goes to the doctor I say
8 test him, test him, test him. And now you are going
9 to run for the President of the United States of
10 America, and you have—you can't even protect NYCHA
11 so, I have no faith in him whatsoever, and then you
12 want to talk about accountability and you—there is no
13 accountability because time and time again NYCHA just
14 lies. They say, Oh, we—we-we did meetings. We—we
15 listened to the people, but you did not because
16 again, in this development we said we did not want
17 this building, and they—they are still moving forward
18 with this building to the point where they just
19 bypassed ULURP, which I'm sure if they went through
20 ULURP, this building would not be built. This
21 building is going to be 50 stories and that's 25
22 stories taller than all the buildings around it. So,
23 again, you are bypassing laws to get something that
24 you want. You're not even making—you're not even
25 going to get enough money for the buildings that you

2 have here. So, you cannot sit here and tell me that
3 this Mayor is for NYCHA because time and time again
4 this is proving that he is not for NYCHA. [bell] So,
5 I have so much I want to say. I'm sorry.

6 CHAIRPERSON AMPRY-SAMUEL: You can have
7 one more minute.

8 LAKISHA TAYLOR: Oh, thank you so much.
9 [laughs] So, let's talk about the elevators. We just
10 got new elevators in our development. From day one
11 these elevators are only two years old, if you press
12 25 it stops on 24. We—we spend time and time again
13 reporting this. It's still not fixed. Hot water. I
14 just spent—I just saw—I just saw Channel 11. I had
15 to call them in order for them to come and fix my hot
16 water. I started reporting the hot water problem in
17 January. It started—it was so bad that I had over 12
18 tickets for the month of February. February is only
19 28 months. This is ridiculous. When I went to our
20 tenant association meeting oh well, you're the only
21 one. I'm not the only one because I had my group of
22 friends there. So when I have a ticket, I call about
23 five people and I know at least five people are
24 calling it. Then let's talk about the robocalls.
25 Your robocalls are—you're calling and we're calling

2 you back and telling you your hot water on. Sorry.
3 My hot water is not on so I have to call you back and
4 tell you my hot water is not on. So, this is
5 ridiculous. This is just again a bait and switch of
6 let me tell you what-what I want you to hear. So,
7 this is not correct. This is just B.S. This is
8 again them trying to make you think that they are
9 doing what they're supposed to be doing. So, again,
10 this NYCHA again bait and switch trying to make you
11 feel like they're doing their best when they really
12 are not. This is not and then they leave the tickets
13 open. I had time and time again where my ticket is
14 open, oh, because we're still working on it. But
15 you're not fixing the problem, and again, if I
16 started complaining about this in January, why do we
17 have to wait until February when the-the boiler it's
18 broken now. Again, let's be proactive. You want to
19 talk about accountability, where's your
20 accountability if I'm telling you in January. If I
21 see my son have a hole in his coat, I'm not going to
22 wait 'til the sleeve falls off until I buy him a new
23 coat. This is ridiculous. How come we have to keep
24 going this far? Contractors. Let's talk about these
25 contractors. Like you say, the contractor of the

2 elevator I told them beforehand there's a problem.
3 The—the superintendent told me don't hold the button.
4 Excuse me. It's an elevator. How am I supposed to
5 get it to come if I don't hold the button, if I don't
6 press it? Well, if you press it too many times it's
7 going ax out the whole system. That doesn't make any
8 sense. I've seen these contractors in big buildings
9 downtown. This is a NYCHA development. So, you're
10 telling me we're getting a big contractor here, but
11 in a NYCHA building I can't press this button too
12 many times? That makes no sense. So, now let's talk
13 about the fact that you're putting things on your
14 website. I'm sorry. How many 92-year-olds do you
15 know are on the web? Not many. I'm sorry, that
16 doesn't help them. I'm not going to be at home
17 checking my phone every 15 minutes for these updates
18 that you claim you are putting on your website. This
19 is not logical. This is not helpful. This does not
20 help your every man. So we need to come up with a
21 better system. Your robocall system does not work. I
22 don't want you calling me every 15 minutes. If I
23 call, I want you to call me and say okay, I'm sorry,
24 Ms. Taylor it's not working, we're going to fix it.
25 I shouldn't have to wait five days. When this—when

2 our hot water went out, I had hot water for one hour
3 over two days, and then I had two days where I had no
4 hot water. It took them I think about five days to
5 fix my hot water, and again let's go back because I
6 told you I started telling them in January that there
7 was a problem, and it took almost until my—actually,
8 it took until March for them to fix it, and they
9 didn't tell me anything. It's broken. We're working
10 on it. It's broken. We're working on it, and it's
11 not until I called Channel 11 and I was like I have
12 hot water problem and it was like okay, no, no, no,
13 we're working on it. And then, they put up the
14 notice at 7:00—at 7:00 at night one time. At 7:00
15 I'm in my house. I have two children. I'm home. How
16 are you putting up a notice at 7:00 at night that I
17 don't have hot water? I know that because I'm in my
18 house, and I know I don't have the water, but what
19 kind of notification is that? People—some elderly
20 people don't leave their house sometimes for two days
21 at a time, but again, like she said yes they do have
22 a roving system of people that work, but again,
23 that's not helpful if I'm in my house. You put one
24 notice in the lobby. I have 25 floors in my house.
25 That doesn't help me. I live on 25. If I didn't

2 leave my house, it doesn't help me. You put that
3 notice at 7:30, I'm in my house already. It doesn't
4 help me and again, the work will start at 1:00 and go
5 to 7:00, and when those people can't do it, because
6 they couldn't because they couldn't figure out what
7 the problem is and they still don't know. So, any
8 minute now I can go home and I have no hot water, and
9 I can be in the same predicament of no hot water for
10 two days, and I think that's ridiculous. It's
11 unacceptable and it's like again just like the lead,
12 oh, it's two years. Who wants to live like that?
13 Who wants to live like that? It's unacceptable, and
14 this how it is. We at home deal with this every
15 winter. Every winter it's like oh, we're changing
16 from summer to heat. So, we know that there's this
17 cushion of one month where they have to figure it out
18 of we have to give heat and hot water. So, you have
19 one month of no hot water for today, no heat for
20 today, no hot water for today, and then you have no
21 water at all, and this is-this is NYCHA. This is how
22 they do it. This is how they run it, and this is all
23 the time, and now you have no money from the
24 government and it's okay, and I'm suppose to put my-
25 my thoughts and prayers into the Mayor who's done

2 this forever. You sat next to a woman who lied about
3 lead poisoning and testing, and she was, "Oh" and now
4 she's just gone, and doing something else, and I'm
5 supposed to be like, Okay, I believe you now, you-
6 you-you-you-you love us now. I don't. I'm sorry.
7 Thank you.

8 CHAIRPERSON AMPRY-SAMUEL: Thank you, Ms.
9 Taylor.

10 LAKISHA TAYLOR: Thank you.

11 CHAIRPERSON AMPRY-SAMUEL: Mrs. Brown.

12 MRS. BROWN: Well, the wind's been
13 knocked out of my sails, but that's alright. I'm
14 very sympathetic, and I'm sorry that you're going
15 through that--

16 COUNCIL MEMBER TORRES: I am, too.

17 MRS. BROWN: --and I want to add to that,
18 and I want to add to that Fetner started out with 33
19 stories in the proposal. It's now up 50. The
20 capital get at that was \$32 million, and he only gave
21 \$25 million for a 99-year lease, and if you calculate
22 it, it comes out to \$88.00 per square foot. That's
23 better than the-selling-buying Manhattan. So, I'm-
24 I'm very empathetic with what's going on there
25 because they have not been telling him the truth, and

2 that is privatizing housing, but I'm—I'm here to
3 address some of my concerns in addition to hers, and
4 I wanted to thank you, Chair Ampry Samuel and the
5 Public Housing Committee and the one member that's
6 left for the opportunity for all stakeholders to
7 respond to the oversight examining NYCHA's new
8 agreement with HUD. I am Mrs. Brown affectionately
9 called Mrs. B, member of NYCHA's CCOP RAD and a
10 member of Community Board 8 Upper East Side. I have
11 a disability. I suffer with TBI, Traumatic Brain
12 Injury. Therefore, I'm requesting that you be
13 gracious and allow me to finish my statement, which
14 is short. (1) What was the process in selecting the
15 Monitor? (2) What was the reason why the CCOP RAD
16 was not included and/or invited to sit at the table
17 in the decision making process?

18 COUNCIL MEMBER TORRES: Uh-hm.

19 MRS. BROWN: This demonstrates
20 unintentionally a lack of respect. (3) How many
21 names were on the shortlist? (4) Was Atris (sp?)
22 considered as Federal Monitor and/or included in the
23 conversation? If not, why not? It was Atris that
24 believed in the residents, supported the residents
25 and, therefore, filed the 958 Complaint, which brings

2 all of us here today. (5) Does the Monitor
3 understand the full scope of Section 3 programs,
4 which goes beyond reach? (6) Does the Monitor
5 understand that the PLA is in conflict with the 24
6 CFR 135 Regulation and, therefore, the PLA is deemed
7 non-compliant? (7) Were there any names of
8 individuals who have more than 15 years of public and
9 assisted housing experience on the list? For
10 example, Sean Donovan--

11 JOHN DEREK NORVELL: [interposing] Yes.

12 MRS. BROWN: --Lords Castro Ramirez,
13 Sandra Raquez (sp?), Marilyn Sullivan, Alia Maganaco
14 (sp?) they have experience in housing and/or
15 receivership.

16 JOHN DEREK NORVELL: [interposing] They
17 do.

18 MRS. BROWN: (8) Does the Monitor have
19 total independence? If not, why not? [bell] How
20 effective would the Monitor be under the city's
21 authority? (9) Why was the Mon--why has the Monitor
22 reached out to certain TA presidents as opposed to
23 meeting with the CCOP RAD? The CCOP RAD is an
24 elected body of 50 people who represent the
25 developments and assisted housing. To bypass this

2 body shows disrespect and it must be corrected now.
3 In conclusion, I am of the opinion that receivership
4 would be a good thing because it would hopefully
5 remove the politics and serve the residents. Boston
6 Housing Authority, BHA successfully went through
7 receivership under the direction of Sandra Henriquez.
8 BHA's Executive Director is William McGonagle, and he
9 continues to make BHA one of the most efficiently run
10 PHAs in the country. Another option: Break up NYCHA
11 by having east borough be accountable for its needs
12 and operations. Each borough would have a general
13 manager, a manager of operations and manager of
14 construction and maintenance and their own budget, a
15 mini version of NYCHA as it is today. This would be
16 more efficient because each borough has different
17 needs, and each borough's needs would be addressed
18 accordingly. Presently, everything is moving towards
19 RAD, privatized housing--

20 JOHN DEREK NORVELL: Uh-hm.

21 MRS: BROWN: --which is Section 8, by no
22 one is talking about RAD--

23 JOHN DEREK NORVELL: Uh-hm.

24 MRS. BROWN: --assisted housing and it's
25 problems. There are approximately 250,000 Section 8

2 residents in NYCHA's portfolio, and no one is
3 addressing their needs, lack of units, lack of mobile
4 vouchers, slum landlords, et cetera. It is critical
5 that the Monitor and NYCHA start telling residents
6 the truth about converting in place first with
7 demolition, the cost of demolition versus conversion
8 and more importantly, where is the space to house
9 displaced residents? You would need a vacant whole
10 building or an island. At the end of the day we can
11 agree that our home is our castle, and when we put
12 the key in the door, we want to be peaceful--
13 peacefully enjoy our abode. Please keep this in
14 mind, and take the politics out of this, and listen
15 to the residents--

16 JOHN DEREK NORVELL: Uh-hm.

17 MRS. BROWN: --but more importantly, show
18 them how to take advantage of HUD's Self-Sufficiency
19 Program so that they could move forward, and make
20 room for the next group. Public housing should not
21 be generational. A start for Federal Monitor, and
22 Katherine Garcia must meet with the total CCOP RAD
23 leadership--

24 JOHN DEREK NORVELL: Uh-hm.

2 MRS. BROWN: --all 50 at the same time
3 instead of reaching out to a selective few. If the
4 Monitor--Federal Monitor does not have the correct
5 oversight, we will be at the same conclusion and end
6 up in receivership. Thank you very much.

7 CHAIRPERSON AMPRY-SAMUEL: Thank you so
8 much, Mrs. B for your testimony. Before you leave,
9 can we get a copy of that? Can we make copies?

10 MRS. BROWN: I will have a copy made for
11 you--

12 CHAIRPERSON AMPRY-SAMUEL: Thank you.

13 MRS. BROWN: --and bring it back for you,
14 but--and I also want to say that they have already
15 started privatizing, and under Sean Donovan--

16 JOHN DEREK NORVELL: Hmm.

17 MRS. BROWN: --and Sandy Henriquez, they
18 brought Mr. Norvell and 75 other people, myself
19 included from across the nation to come up with TRA,
20 PETRA, CBR and Rental Assistance Demonstration.

21 JOHN DEREK NORVELL: [interposing] and
22 BC. Yes.

23 MRS. BROWN: And we had portions to write
24 and I was responsible for tenants' protection rights.

25 CHAIRPERSON AMPRY-SAMUEL: Uh-hm.

2 MRS. BROWN: So, the-the RAD Regulation
3 as you see it today, I was responsible for tenants'
4 protection, but I don't support RAD.

5 JOHN DEREK NORVELL: Neither do I.

6 MRS. BROWN: I think it's wrong, but this
7 is what we have to deal with especially in New York
8 because where are you going to put displaced people--

9 JOHN DEREK NORVELL: Uh-hm.

10 MRS. BROWN: --and converting in place is
11 not good. The walls are concrete. When they drill,
12 they're only going to do Band-Aids on-on the
13 plumbing. All that plumbing needs to be tear-torn
14 down. The stock is 75 plus years old.

15 JOHN DEREK NORVELL: We have floods all
16 the time.

17 MRS. BROWN: And-and so it's-it's-it's
18 really a problem, and they need to start telling the
19 residents: We don't know what to do. Let's get
20 together and talk about options--

21 JOHN DEREK NORVELL: Uh-hm.

22 MRS. BROWN: --but instead they come up
23 with different acronyms for PACT, RAD and everything
24 else only to confuse--

25 JOHN DEREK NORVELL: Uh-hm.

2 MRS. BROWN: --the residents, and they
3 confuse you, and it's not right.

4 CHAIRPERSON AMPRY-SAMUEL: Were you at
5 the Community Board public hearing? I guess it was
6 maybe two weeks ago or so with--

7 MRS. BROWN: [interposing] No, I was not.
8 Unfortunately, I was out of town.

9 CHAIRPERSON AMPRY-SAMUEL: Okay.

10 MRS. BROWN: Yes, but--

11 CHAIRPERSON AMPRY-SAMUEL: How about you,
12 Ms. Taylor? (sic)

13 MRS. BROWN: But--this--this--this is--I'm
14 sorry.

15 CHAIRPERSON AMPRY-SAMUEL: Ms. Taylor,
16 were you there?

17 LAKISHA TAYLOR: The what? With--

18 CHAIRPERSON AMPRY-SAMUEL: The public
19 hearing with the Community Board related to the
20 Fetner Project?

21 LAKISHA TAYLOR: I, well, I had to leave
22 early. I know it went on until about midnight.

23 CHAIRPERSON AMPRY-SAMUEL: Uh-hm.

24 LAKISHA TAYLOR: But I was there at the
25 beginning, and I want to just touch on that because

2 they were drilling to see if the land was stable, and
3 we know that the land is not stable for homes, and
4 the biggest problem we already leakage and

5 JOHN DEREK NORVELL: Uh-hm.

6 MRS. BROWN: Uh-hm.

7 LAKISHA TAYLOR: --problems in the
8 building, and that is the biggest fear that we have
9 there. What are they going to do if they start
10 drilling? And when they--when they did the elevators
11 two years ago, that was the biggest problem because
12 we have two buildings. My building is 405 and the
13 building in front is 1780, and when they could not
14 start up the elevators in 1780 because everything
15 single time they would drill, the--the basement would
16 fill with water--

17 JOHN DEREK NORVELL: Hmm.

18 LAKISHA TAYLOR: --because again, we are
19 right by the East River--

20 MRS. BROWN: Uh-hm.

21 LAKISHA TAYLOR: --and that is the
22 problem. In the same case, that was the problem. We
23 weren't hit as bad as the other--Isaacs because Isaacs
24 was closer--

25 MRS. BROWN: Uh-hm.

2 LAKISHA TAYLOR: --but again 1780 is
3 further down. We are a little bit higher and that is
4 the problem. The basement continues to fill with
5 water. So, it took them much longer. It took them
6 about two to three weeks longer to shore up the
7 basement of those buildings, and so that the biggest
8 problem, and this is the lied that they keep telling
9 us: Oh, we-we're not starting to build yet. We're
10 not starting to build yet because, again, they have
11 to figure out what they're going to do with that
12 ground because the ground is not buildable, but
13 they're not saying anything, but we know that this is
14 a problem.

15 CHAIRPERSON AMPRY-SAMUEL: Okay.

16 JOHN DEREK NORVELL: Also, we also have a
17 problem with--they have no carpenters. Can you
18 imagine that? No carpenters from NYCHA. A-a door
19 fell on my niece who is blind and she--and she was
20 seriously injured. She's been injured for three
21 weeks, and because it was a door to one of the--the
22 broom closets, and they--we begged them. We said
23 she's blind, and she could get hurt, and they said,
24 I'm sorry. We have no carpenters. Can you imagine no
25 carpenters at a housing development, and niece is-is-

2 is, yeah, and my niece is injured, and she still
3 tries to go to work, but with a serious injury. That
4 was last month.

5 CHAIRPERSON AMPRY-SAMUEL: Thank you, Dr.
6 Norvell.

7 MRS. BROWN: I'd like to request,
8 respectfully request that when residents come out to
9 speak and to address public housing issues that the
10 executives be compelled to stay and listen.

11 JOHN DEREK NORVELL: Yes.

12 MRS. BROWN: That's respectful

13 JOHN DEREK NORVELL: Yes.

14 MRS. BROWN: That is respectful. Oh,
15 well --[background comments] Oh, okay, good.

16 [laughs] But I-I would have preferred that Ms.
17 Garcia, you know, because David's a holdover from
18 Shola so, Ms. Garcia, I would have liked for her to
19 listen today.

20 CHAIRPERSON AMPRY-SAMUEL: Yes, and the
21 way we usually conduct our hearings we have residents
22 testify before--

23 MRS. BROWN: Yes.

24

25

2 CHAIRPERSON AMPRY-SAMUEL: --NYCHA and
3 the Administration testify, and so we—we—we made an
4 attempt to do that, and we had to start the hearing.

5 MRS. BROWN: [interposing] Yes, and I
6 want to thank you. Side bar, I want to thank you for
7 your newsletters. I look forward to them every
8 month. [laughs]

9 CHAIRPERSON AMPRY-SAMUEL: Thank you.
10 Majority Leader Cumbo.

11 MAJORITY LEADER CUMBO: A lot of pressure
12 on there.

13 CHAIRPERSON AMPRY-SAMUEL: I think that
14 there's going to be another starting, another hearing
15 at 2:00. So, we're going to try to wrap up.

16 MAJORITY LEADER CUMBO: I'll make it
17 brief. Just wanted to ask you in terms of—because
18 this is an issue that I'm very concerned about. It's
19 an issue that our residents speak about quite often.
20 What is your understanding of the Extermination
21 Policies within NYCHA? How would you describe what
22 it is, how it happens on the ground? Just want to
23 know.

24 JOHN DEREK NORVELL: It's by appointment.
25 It is by appointment that we call in, and then there—

2 and then if there's a bed bug problem, and there was
3 bed bug problems in our building and stuff, they will
4 come three times by appointment set but what is
5 terrible is that if you're there in the apartment and
6 they start to use that stuff, it gets into your body,
7 and you get sick, and then it's like a sort of a-a-as
8 contamination of-of yourself, and so I got sick, and
9 that was last year, and so I called them of my fear.
10 They said call the poison place if you've been
11 poisoned in that. And so, I said wait a minute, you
12 know, this-this is really unacceptable, but it's by
13 appointment. We have a very good man at Lincoln
14 Houses, but-but the problem is the leaks. The leaks
15 bring on the roaches, and so we have roaches like in
16 the cracks and corners, and so it's something that
17 must be continually done, as was said, and it should
18 be done every two weeks.

19 LAKISHA TAYLOR: But it's funny that you
20 say that because years ago it used to be a monthly
21 thing-

22 JOHN DEREK NORVELL: [interposing] That's
23 right.

24 MRS. BROWN: --and then it became by
25 appointment. We just had our Tenant Association

2 meeting last month, and there was a young lady
3 begging for an appointment because she said she
4 signed up for an appointment, and the person number
5 one did not show up. Number two, gave her a time,
6 which could not work for her, and this was a problem
7 because it seems like now they're changing the
8 company in which that they're working with, and it's--
9 you--you cannot pick the appointment on like what the
10 Chair was just saying. It's not you pick what is
11 convenient for you. They were assigning the
12 appointment for hear. So, again, we talked about in
13 the meeting that like you said, you have to do this
14 to the building. You can't just--

15 JOHN DEREK NORVELL: Uh-hm.

16 LAKISHA TAYLOR: --go for whoever wants
17 it because again, the roaches are in the lobby, the
18 roaches are in the hallway, the roaches are on the
19 elevator shaft. So, again if--it doesn't matter how
20 clean my apartment is--

21 MAJORITY LEADER CUMBO: Right.

22 JOHN DEREK NORVELL: Right.

23 LAKISHA TAYLOR: --because if the person
24 next to me is not clean,

25 JOHN DEREK NORVELL: Exactly.

2 LAKISHA TAYLOR: --it's going, it's going
3 to come and try and get into my apartment. So, we
4 spoke about that, and promises were made, and I'm
5 sorry to say NYCHA is NYCHA and promises are not
6 kept.

7 JOHN DEREK NORVELL: Exactly.

8 LAKISHA TAYLOR: So, this is a problem
9 because they are not trustworthy, and it's going to
10 be very hard to believe in someone when they are not
11 trustworthy and this is--this is years of broken
12 promises. So, when you cannot even hire someone who
13 is going to be truthful, and you have a history of
14 not being truthful yourself, so what are we to do?

15 MAJORITY LEADER CUMBO: And which
16 development are you from again and where are you
17 from?

18 LAKISHA TAYLOR: I am from Holmes,
19 Holmes.

20 MAJORITY LEADER CUMBO: And where is that
21 located?

22 LAKISHA TAYLOR: It's on the Upper East
23 Side [bell] at 92nd-92nd and Eastern (sic) [bell]

24 JOHN DEREK NORVELL: And I would say--

2 MAJORITY LEADER CUMBO: [interposing] You
3 should consider running for office one day.

4 LAKISHA TAYLOR: [laughs]

5 JOHN DEREK NORVELL: I live in Abraham
6 Lincoln in Harlem. That's 132nd Uptown 35th and from
7 Fifth Avenue to—to the river to the Harlem River.

8 MAJORITY LEADER CUMBO: Thank you all so
9 much for your testimony today. This was for me and
10 for the six years that I've been here there have been
11 so many tenants, residents folks from our community
12 that have articulated the issues of NYCHA so
13 eloquently and so clearly and the fact that it
14 continues to happen year after year after year after
15 year with the most concrete, specific and eloquent
16 speakers that you ever want to meet that are
17 detailing the issues. it's Unfortunate that when
18 NYCHA presents before us, that it's as if they're
19 hearing these issues for the very first time, and
20 these are issues that residents have lived with for
21 decades.

22 LAKISHA TAYLOR: And I think that's the—
23 that to me is the saddest part. That's the saddest
24 part of this whole situation. You hear these things.
25 It's not new.

2 MAJORITY LEADER CUMBO: Right.

3 LAKISHA TAYLOR: It's not changing and
4 the only thing that's changing is their plan and it
5 doesn't seem to work. It doesn't change the problem,
6 and you—they want you to say okay, yes, I believe you
7 now, but it doesn't work that way.

8 JOHN DEREK NORVELL: Just like this
9 business with the boilers. Now all this boiler
10 stuff. You know, we had new boilers and the problem
11 is we get no heat at all in winter. When had the
12 arctic blast we froze, but in the summer or when it's
13 hot, we get heat. We have the whole story, but there
14 was—after the 4th of July several years ago, we had
15 heat during heat wave. We were complaining and
16 complaining, but we were making a joke. (sic) They
17 finally came out and they said, what are the pipes
18 doing hot? I said that's what we want to know from
19 you. We're dying in here. Now today it's warm and
20 my place is hot. I mean it's so hot we can't breathe
21 and I blows around the lead dust. We call it the
22 white powder. It blows around. That's why we put in
23 a lot of air things and ventilation and stuff because
24 we were choking with it. It doesn't only hurt
25 children.

2 MAJORITY LEADER CUMBO: Right.

3 LAKISHA TAYLOR: It hurts adults, too.

4 This now is (sic) several speeds full of lead, you
5 know, and--and so we have that, we have that--we have
6 that problem real seriously.

7 CHAIRPERSON AMPRY-SAMUEL: Thank you,
8 thank you, thank you so much and as you know, it's
9 very important for me to be able to have the
10 residents' voice speak during these hearings. So, I
11 really do appreciate you Mrs. B, Ms. Taylor and Dr.
12 Norvell for coming. We have three more--

13 JOHN DEREK NORVELL: Yes.

14 CHAIRPERSON AMPRY-SAMUEL: --and we'll be
15 able to get out in time. I--I know the sergeant-at-
16 arms there.

17 JOHN DEREK NORVELL: Okay, alright.
18 Thank you all.

19 CHAIRPERSON AMPRY-SAMUEL: So, next we'll
20 hear from our final panel, Lucy Newman from Legal Aid
21 Society, Victor Barr from Community Service Society
22 as well as Anna Loft from Neighborhood Defender
23 Service of Harlem, and then that will close out our
24 hearing today, and we'll just do two minutes on the
25

2 clock so that we'll be able to leave at 2:00.

3 [pause] Who would be good with that?

4 LUCY NEWMAN: Hi. Good afternoon. My
5 name is Lucy Newman from the Legal Aid Society.
6 Thank you so much Chari Ampry-Samuel for holding this
7 important hearing the Legal Aid Society, as I'm sure
8 many of us in this room and throughout the city
9 breathed a big sigh of relief on January 31st when
10 notwithstanding that the HUD Secretary declared NYCHA
11 to be in substantial default of its obligate-
12 obligations to provide safety and sanitary housing.
13 At least they were not moving at that time to impose
14 a full HUD receivership or possession of the Housing
15 Authority. We truly believe that an Administrative
16 receiver at this time would not be the best thing for
17 the 6 of 700,000 NYCHA residents that call NYCHA home
18 and certainly for the future of public housing in New
19 York City. With that being said, we do have some
20 comments. I'll focus just on a couple of areas I
21 think that my colleague Vic Barr is going to talk
22 about the resident input, but I wanted to talk about
23 the Monitor. As you know, the monitorship is kind of
24 central to this agreement and could be the key to,
25 you know, successful oversight and supervision of the

2 reforms and improvements that are going to be coming
3 to NYCHA. We met with the Monitor las week, and we
4 had a productive meeting with him. At that meeting
5 we urged him to appoint to his team that he is
6 assembling an individual or number of individuals who
7 have a track—a long history of running public housing
8 authorities. So, that there is someone who is part
9 of h is team who understands public housing
10 construction, operations and management. We really
11 think that that's key to one of the successes of this
12 Monitorship. In terms of the expenses, we're happy
13 to see that in this agreement, the City is the one
14 that's responsible now for paying for the monitorship
15 and not NYCHA, which it was under the prior Consent
16 Decree that have been rejected by the judge. But
17 that being said, there are no caps in that agreement
18 to the expenses of the Monitor. While the Budget has
19 to be issued publicly, there's no limitation on the
20 fees that can be charged. We are very concerned that
21 without caps on expenses, they could easily get out
22 of control, and cost the city a lot of money. As you
23 know, in 2011, NYCHA hired Boston Consulting Group to
24 do a report on some of its management structure, and
25 that report ended up costing \$10 million. So, we

2 would urge HUD and the City to come to an agreement
3 on putting caps on that expenditure so that the money
4 that is being spent to help reform NYCHA goes to all
5 of those reforms and not-not just to consultants and
6 other industry players. As to the federal and state
7 funding issues, as you know, the agreement [bell] is
8 silent on any additional federal funding, and we're
9 very concerned that without additional federal
10 funding the obligate-the obligations that NYCHA is
11 committed to undertake in that agreement they're not
12 going to be able to comply with, and that through no
13 complying with them, HUD will move for a receivership
14 and at that time city obligations for funding will
15 fall away. So, we urge the Monitor to work with HUD
16 to secure additional funding, and we urge the Monitor
17 to work very quickly with the state and state leaders
18 to release the \$550 million that was allocated to
19 Hunter (sic)-to NYCHA in the past couple of budgets.
20 And-and that-that money when released to NYCHA come
21 without any other ties for review by other state
22 agencies. And then just a little bit on NYCHA 2.0.
23 The success of this agreement is very, very closely
24 tied and co-dependent on the success of NYCHA 2.0,
25 and in particular to the conversion of the 62,000

2 units from Public Housing to Section 8. NYCHA, as
3 you know, initially called these conversions, and had
4 conversions that then started calling the PACT
5 conversions because they started relying on Section
6 18 of the U.S. Housing Act to do these conversions
7 and not just RAD. Section 18 they were forced to use
8 because the city hasn't been giving them any low-
9 income tax credit allocations, and so they needed to
10 do Section 18 so that they could get tenant
11 protection vouchers. So, we urge the Monitor to work
12 with the city to get access to those low-income
13 housing tax credits so that they can make those
14 richer-the deals richer so that they can more
15 successfully complete those conversions, and also to
16 work with HUD to get access to more tenant protection
17 vouchers so that again they can make the conversions
18 a success so that at least the remainder of the
19 reforms that are undergoing onto the agreement can be
20 successful.

21 CHAIRPERSON AMPRY-SAMUEL: Thank you, Ms.
22 Newman and I look forward to reading your testimony.

23 VICTOR BACH: My name is Victor Bach.
24 I'm with Community Service Society. From the start
25 with the original Consent Decree we viewed the

2 Monitor as an opportunity, not only as an opportunity
3 to again provide decent basic living conditions for
4 NYCHA [cell phone ringing] residents, but as—excuse
5 me one moment. [cell phone ringing] [laughs] Sorry
6 about that. Not only as an opportunity to provide
7 decent basic living conditions for residents, but to
8 influence changes in the way NYCHA is organized, and
9 much needed reforms in its property management
10 operations. But perhaps most importantly, the
11 Monitor serves as a point of accountability for NYCHA
12 a point at which NYCHA would be required to account
13 for residents to elected officials and to the broader
14 concerned housing community about the progress it's
15 making or the lack thereof. The—Lucy and my
16 colleague Lucy Newman raised the question of the need
17 for additional HUD funding. We know the NYCHA Plan
18 2.0 still has an \$8 billion gap in meeting the \$32
19 billion capital need. IBO just came out with a
20 report this morning indicated that the resources
21 available for the monitoring will probably not be
22 enough to meet the monitoring objectives. We're
23 hoping that Bart Schwartz the appointed Monitor will
24 be an ally in making the case to Washington, but we
25 are concerned that if the monitoring effort fails for

2 any reason then HUD, which has declared NYCHA to be
3 [bell] in substantial default has the—has the right
4 to put NYCHA into total receivership under HUD, which
5 would—which would be a very, very sad outcome. So,
6 we're concerned about the funding question and either
7 the Monitor and the delegation securing additional
8 special HUD funding for NYCHA or getting public
9 housing included in the National Infrastructure
10 Initiative. [coughs] Finally, we want to strongly
11 support the need for a stakeholder oversight entity
12 in the monitoring process. Under the agreement, the
13 Monitor is required to meet with and produce a report
14 every three months, a quarterly report. We think
15 there should be additional opportunities for
16 accountability and feedback in the kind of hearing
17 that Judge Pauley held at which NYCHA residents could
18 come and testify about whether the monitoring is, in
19 fact, meeting their needs. So, I think not only the—
20 the stakeholder entity, which should include resident
21 leaders and activists, but there needs to be
22 additional accountability mechanisms that would
23 incorporate the voices of the resident community.
24 Thank you.

2 CHAIRPERSON AMPRY-SAMUEL: Take us home.

3 [laughs]

4 ANNA LUFT: Hi. My name is Anna Luft and
5 I'm from Neighborhood Defender Service of Harlem.
6 I'm going to keep this very short because I know
7 we're on loaded schedule, but in my written testimony
8 I have a ton of case examples that I do encourage you
9 to look at. I want to speak directly to the ongoing
10 concern about the disconnect between tenants and 250
11 Broadway, the need for a commitment for transparency,
12 and also the ability not just for the Monitor to hold
13 NYCHA accountable, but for tenants to hold NYCHA
14 accountable in a very real way. The best overseers
15 of NYCHA are the men and women living its towers.
16 They are acutely aware of what they need and when.
17 However, when they're denied services, they seek from
18 the Housing Authority, they're often left without
19 recourse. In our years representing tenants in NYCHA
20 Housing, one of the most apparent systemic flaws in
21 the inability of lower level NYCHA management to
22 apparent-to understand and enforce its own policies
23 and regulations. So, what we see time and again are
24 our clients putting in all different kinds of
25 requests whether it's a reasonable accommodation

2 request, whether it's them asking to have their rent
3 recalculated, or to have a lead inspection or to add
4 a family member to the household, to add children to
5 the household. They put in these requests, and it
6 just doesn't get done. Sometimes those requests just
7 sit in their tenant file for years and years and
8 years. Other times they're given bad advice by their
9 housing manager or housing assistant. Sometimes
10 they're given advice that's actually contrary to
11 NYCHA's own policies, and they have no recourse when
12 that happens. [bell] What they can do is they can
13 grieve that request, but when they grieve that
14 request that—or the that decision, but when they
15 grieve it, they're actually submitting it to the
16 person who made the decision in the first place. So,
17 you put in a request for a reasonable accommodation,
18 they don't do anything about it, or what they do
19 isn't what you want. You have a problem with that.
20 You submit that to the person who just made that
21 decision, and that person has to accept that request
22 in order for it to get knocked up to the next level.
23 I mean that to me is totally unacceptable, and really
24 speaks to the problem of transparency. What we would
25 like is for the city, for NYCHA for anyone with any

2 sort ability to effect change in this arena to
3 install safeguards, procedural safeguards in order to
4 increase accountability, and to also provide
5 trainings to NYCHA housing managers and assistants in
6 order to ensure that they actually understand the
7 policies and procedures that they're supposed to be
8 enforcing, and also protections for tenants to—would
9 right now be penalized for NYCHA's own lack of
10 follow-up when they've done everything to comply with
11 NYCHA procedures and expectations of them. Thank
12 you.

13 CHAIRPERSON AMPRY-SAMUEL: Thank you
14 everyone for your testimony and we do have our
15 testimony, your written testimony available, and we
16 will review and get back to you with any questions,
17 and—but thank you so much for your advocacy and all
18 that you do on behalf of the NYCHA residents. I also
19 want to thank Madiba Denny, our Counsel; Jose Conde,
20 Senior Legislative Policy Analyst; Ricky Charlie
21 (sic) from the—the Legislative Policy Analyst who's
22 new, Sarah Gastelum, our Principal Financial Analyst
23 who worked on this hearing, and that will conclude
24 the oversight hearing on examining NYCHA's new

2 Agreement with HUD, and we look forward to the
3 conversations in the days ahead. Thank you. [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 April 14, 2019