

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS: Fernando Cabrera
Andrew Cohen
Chaim M. Deutsch
Ruben Diaz, Sr.
Rafael L. Espinal, Jr.
Peter A. Koo
Stephen T. Levin
Mark Levine
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Donovan J. Richards
Deborah L. Rose

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

Patrick Foye, Chairman and CEO, New York
Metropolitan Transportation Authority MTA

Andy Byford, New York City Transit President
Metropolitan Transportation Authority, MTA

Bob Foran, Chief Financial Officer Metropolitan
Transportation Authority, MTA

Janno Lieber, Construction and Development
Metropolitan Transportation Authority, MTA

Danny Pearlstein, Policy and Communications
Director, Riders Alliance

Colin Wright, Senior Associate, Transit Center

Rachael Fauss, Senior Research Analyst, Reinvent
Albany

Liam Blank, Advocacy and Policy Manager, Tri-
State Transportation Campaign

Jim Weisman, President and CEO, United Spinal
Association

Jessica Murray, Member of the Elevator Action
Group with Rise and Resist and Interim Chair of
the Advisory Committee on Transportation
Accessibility for the New York City Transit

Lisa Daglian, Executive Director of Permanent
Citizens Advisory Committee to the MTA, PCAC

Jose Hernandez, New York City Advocacy
Coordinator for United Spanish Association, and
Civic Engagement Commissioner

2 [sound check] [gavel]

3 CHAIRPERSON RODRIGUEZ: Good morning,
4 Speaker Johnson, my colleague and everyone here,
5 representatives from the MTA. Welcome to today's
6 hearing of the City Council Transportation Committee.
7 I'm Ydanis Rodriguez the Chair of the committee.
8 First, let me recognize Speaker Johnson who
9 immediately will deliver his opening statement.

10 SPEAKER JOHNSON: Good morning. Thank
11 you all for being here today. I want to thank you,
12 Chair Rodriguez, and the Transportation Committee for
13 holding this hearing. I see we've been joined by
14 Council Members Cohen and Koo. We are here today to
15 talk about the MTA's new Capital Plan, and also the
16 Transformation Plan, but that really undersells the
17 importance of this hearing. This is about so much
18 more. It's about the future of New York City, our
19 economic vitality. Our place is the greatest city in
20 the world and the subway system that makes all of
21 that possible, and if it fails, so does New York.
22 The bright side here is that the Capital Plan I
23 believe is prioritizing the right things. Signal
24 modernization is what will actually get us to fast,
25 reliable service. It's an acknowledgement that Andy

2 Byford's Fast Forward Plan is the way to turn things
3 around, and the MTA is finally investing more in
4 making the system accessible to all New Yorkers, but
5 this process isn't giving me much confidence that the
6 MTA can pull this off. The Capital Budget process
7 has never been transparent, but this plan is even
8 more rushed and less detailed than usual. Something
9 this important, something this expensive should not
10 be handled this way. Riders deserve better. I
11 believe the key to real change at the MTA is
12 accountability through transparency, and I will keep
13 saying that. There are still basic questions left to
14 answer. Why are the costs still so high? Can we
15 really expect to get billions from the federal
16 government? How can we finish the most ambitious
17 capital plan ever when we're still working on the
18 last three capital plans? We are at a crossroads
19 here. Decisions made in the next few months will
20 have an impact for decades, but is the city's role in
21 all of this? After losing Veronica Vanderpool, the
22 city may be down to two votes on a 17-member board.
23 We have 90% of the ridership had already paid for the
24 majority of the operating budget. We already
25 contributed billions to the MTA' Capital Program. We

2 will be outnumbered three to one on the Capital
3 Program Review Committee—Review Board. We get one
4 member on the six member Traffic Mobility Review
5 Board, which will have tremendous power over
6 congestion pricing, which by the way, uses New York
7 City streets to pay for almost 30% of the MTA's
8 Capital Plan, and we're being asked once again to
9 open up our wallet to give more than ever before.
10 After absolutely no input, we're told to just hand
11 over \$3 billion, and for what in return? Hope and
12 faith that things turned around, that the secret to
13 better service is to take away capital projects from
14 New York City Transit. Obviously, my preference is
15 to take the whole system back, have the city run the
16 subways and buses again, municipal control as I've
17 said would solve so many of the issues I think we're
18 talking about today. That isn't happen over night
19 but there has to be a middle ground. Something
20 between that and begging for a real seat at the table
21 because the crisis at the MTA isn't just about
22 executing the Capital Plan. It's about a
23 transformation plan that somehow takes one of the
24 most opaque government structures possible and makes
25 it worse. We're staring down a massive operating

2 deficit as we'll discuss today. By 2023, debt
3 service payments will be \$3.5 billion a year from the
4 MTA. That is 20% of the MTA's revenue. That is not
5 sustainable. If it keeps going, the only people that
6 will suffer will be the riders. Not the politicians
7 or bureaucrats that got us in this mess. If the MTA
8 wants this plan to succeed, if they want it to be
9 viewed as legitimate, they should be actively seeking
10 more city input. What we're doing now isn't working.
11 I hope this is the beginning of a more cooperative
12 productive era, but I need to see a real commitment
13 from the MTA a real show of good faith. If the MTA
14 wants city dollars, we're going to need a lot more
15 transparency in return, before I—I—I hand it back to
16 Chair Rodriguez, I want to say I have a relationship
17 with at least three of the people that are—that are
18 sitting there, and I really respect Andy and Geno and
19 Pat and I—I think you all actually have been doing a
20 great job in turning things around, but I think that
21 this Capital Plan and the lack of transparency really
22 goes against I think some of the good progress and
23 work that you all have made, and I really appreciated
24 the partnership that we've had, the ability to have
25 an open mind of communication, to talk about projects

2 and issue that are both specific to me but also
3 bigger system wide issues that the MTA is facing. I
4 was a supporter of the city chipping in the needed
5 money for the MTA's plan that the Governor needed the
6 additional money for that Chair Lhota put into place
7 a couple of years ago and having the city contribute
8 that money, the Emergency Plan, and I think that we
9 need more transparency. So, we're going to get into
10 that in the testimony today, the questions that I'll
11 have both about the Transformation Plan, about the
12 current Capital Plan, what the city can expect, what
13 riders can expect, how we can get some of those
14 answers from you all today, but also on an ongoing
15 basis today. I really mean this. It's not meant
16 about me sitting up here and trying to score cheap
17 shots on the MTA. It's really me wanting to dive in
18 deep on some of the transparency issues and
19 Transformation Plan issues that I think are really
20 going to say a lot about what happens for the current
21 Capital Plan, but the previous capital plans that we
22 haven't finished out yet, and wanting to understand
23 in finer detail how the Transformation Plan is going
24 to affect all of this moving forward, and then I want
25 to talk a little bit about the operating deficit the

2 MTA is facing, and looking at how you plan on
3 balancing that, what that means to riders across the
4 system, subway riders and bus riders. So that's what
5 I want to get into today. I appreciate you all being
6 here, and I turn it back to over to Chair Rodriguez.

7 CHAIRPERSON RODRIGUEZ: Thank you Speaker
8 and, you know, everyone know how you have made
9 transportation one of the top priorities, and the
10 Transportation Plan is not only, the master plan is
11 not only that bring DOT to the table to have a vision
12 and policy for the next three years. This is about
13 how are we running buses, trains, making this real
14 accessible to everyone. So we know and I feel that
15 new leadership of the MTA also they know where we
16 are. You know that you're sitting in the hot chair.
17 You know that you're ready to hear from the
18 frustration of so many New Yorkers who inherit a
19 crisis of the largest transportation system in the
20 whole nation, and one of the largest ones in the
21 whole world. So, we appreciate that, you know, those
22 of you that have been around the MTA for years and
23 years, now are also taking the baton on listening and
24 putting your ideas, suggestions to fix our
25 transportation system today. As I said before, you

2 know like I've been chairing this committee for the
3 last couple of years. This is one of the great
4 opportunities that we have to address something that
5 is an equalizer for the whole city. Transportation
6 is important for upper, middle, and working class.
7 Throughout the five boroughs we are seeing the need
8 to repair—for repairs in elevators, escalators,
9 infrastructures, and the aging signaling system. We
10 have also seen the need of affordability with the
11 fares. We need to ensure that our subway system not
12 only continues running consistent—consistently and
13 reliability, but also that it is affordable to all
14 people in New York City, and that's why we
15 established with the leadership of the Speaker
16 advocate our committee, we created a Fair Fare to
17 help those New Yorkers who live on poverty lines. A
18 large percentage of the people that use New York
19 City's transportation system are working class. Many
20 of the immigrants, many of them living in underserved
21 communities, and what we call transportation deserts.
22 These communities are located in transit desert
23 places like in the South Bronx, Brooklyn, Queens,
24 Staten Island lack of the proper subway accessibility
25 and subway maintenance. This is one of the largest

2 plans in the history of the MTA, and that's why this
3 plan has to come with the responsibility. We must
4 prioritize stations like those at 149th Street and
5 Third Avenue as well as 170 Huron Avenue Subway
6 Station, and many stations in Brooklyn, which are in
7 need of repairs that have been the link, they have
8 been left to the last for decades We must also
9 ensure that as the MTA conducts its repairs we do not
10 see any reduction in services of employee layoff, and
11 I stand with the TW call to be sure that priorities
12 should be given to riders and workers. In 2010, we
13 say the layoff of 1,000 workers our core within the
14 MTA. We cannot have a single layoff of carter
15 services in our city. At this hearing we are
16 overseeing the MTA's Transformation in the 2020-2024
17 Capital Plan where it will be in effect and I believe
18 in 40 days. The Transformation Plan was proposed as
19 a cost cutting measures to consolidate overlapping
20 aspects of the various—of the various subsidy gears
21 (sic) within the MTA, contribution of New York City,
22 a large contribution even though we don't have a Fare
23 Share seat at the Board, congestion price and even at
24 Twitter by that guy in the city who said that he
25 would put the money to expand the subway to the

2 Second to 120–Second Avenue to 125th, it's included
3 in the calculation of this budget, something that we
4 need to assure that these numbers are real, and I
5 would even call that we should use our private public
6 partnership in DC to push DC to even expand that
7 contribution to expand the Second Avenue Subway to
8 the South Bronx. One of the proposals that the MTA
9 is considering is consolidating the Capital Planning
10 functions at each of the MTA subsidiaries including
11 moving New York City's Transit Authority's Capital
12 Plan into MTA Capital, which is discouraging given
13 the work that the new person that we've been lucky to
14 attract with international experience someone that is
15 not shy or listening to the frustration, someone that
16 has developed a level of trust by many of us in the
17 public and private sector. He will see his role being
18 reduced, and we cannot allow that to happen.

19 President Andy Byford has proven to improving
20 services and developing the Modernization Plan know
21 as the Fast Forward, the best one that we have ever
22 had in our city, and we support it. All the more
23 concerning is the fact that the organization goes
24 with the release of the MTA's largest capital plan
25 ever, which is estimated to cost \$54.8 billion.

2 Seventy-three percent of \$39.9 billion of that amount
3 is allocated for New York City Transit Authority
4 project including those proposed in Fast Forward such
5 as it's \$7.1 billion for signals so that we can lay
6 behind that plan that the old plan, the schedule that
7 we have is supposed to have all the signal systems
8 being upgraded by 2044, which I will be like 80 years
9 old if it would follow that old plan. Now, we have a
10 real plan, and it's something that the money is there
11 to accomplish. \$5.2 billion for new elevators and
12 ramp to make stations accessible and \$2.3 billion to
13 replace 2220 buses, which accounts for 39% of the
14 entire fleet. Se cannot see any reduction of the
15 buses from Riverdale to any places in Brooklyn or
16 though the five boroughs. I applaud this plan, and
17 the steps, the MTA is taking to modernize the subway
18 and the buses as well as create a more accessible
19 system, But I am concerned the MTA restructuring
20 could impact the capital process. We would like more
21 details on the restructuring process such as we could
22 impact Project Fine Lines. Similarly, I have
23 concerns about how subway services will be impacted
24 by the extensive re-signaling that is anticipated in
25 this Capital Plan. We must ensure that we do not see

2 cuts to services all the while—all the while the MTA
3 is considering cutting as many as 2,700 positions, we
4 need answers on how the MTA will balance this
5 interest and how they come out to that conclusion.
6 The Capital Plan is a step in the right direction,
7 but it will take work to fund and implement it. We
8 need to make sure that we prioritize underserved
9 immigrant and working class communities. When we
10 bring the new technology to pay through the apps to
11 the fund, none of the pilot projects included the
12 work working class and the immigrant community, and
13 it says a lot about the culture that we have in Went
14 out there today to do where the immigrants and the
15 working class neighborhoods are always the last, and
16 we need to continue working with the MTA and advocate
17 to make transportation free for all working class New
18 Yorkers as well as those living in poverty. I now
19 would like to welcome the representatives of the MTA
20 for being with us today. Thank you for being here,
21 and I'll ask the Committee Counsel to administer the
22 affirmation and invite you to deliver your opening
23 statement.

24 LEGAL COUNSEL: Please raise your right
25 hand. Do you affirm to tell the truth, the whole

2 truth and nothing but the truth in your testimony
3 before this committee, and to respond honestly to
4 Council Member questions?

5 CHAIRPERSON RODRIGUEZ: Sir, sir, you may
6 raise your hand, too. Can you repeat it?

7 LEGAL COUNSEL: Do you affirm to tell the
8 truth, the whole truth and nothing but the truth in
9 your testimony before this committee, and to respond
10 honestly to Council Member questions?

11 PAT FOYE: Yes.

12 Yes.

13 CHAIRPERSON RODRIGUEZ: Thank you.

14 [coughs] Good morning and thank you for
15 inviting--

16 (PEOPLE CHANTING)

17 SPEAKER JOHNSON: So, folks, folks,
18 folks, just--(PEOPLE CHANTING) Folks--folks (PEOPLE
19 CHANTING) hold on one second. Guys. (PEOPLE
20 CHANTING) From--from TWU, from TWU, from TWU (PEOPLE
21 CHANTING) Guys (PEOPLE CHANTING) (CHANTING CEASED)

22 SPEAKER JOHNSON: Pat, before you begin I
23 actually was going to, um, but I forgot I want to
24 just actually thank the men and women from TWU, which
25 I know you are in your remarks, for the work that

2 they do every single day. They really keep the
3 subways and buses moving, and we really appreciate
4 their hard work. I know you're in the middle of a
5 contract negotiation, and maybe you'll talk about
6 that today, but I want to turn it back over to you.

7 PAT FOYE: Speaker, I—I second that
8 motion and I also abhor the recent increase on
9 attacks on transit workers both physical assaults and
10 sexual assaults. I'll note that state law provides
11 that attacking a transit worker is a Class D felony
12 with serious penalties, and, um, I'd urge prosecutors
13 and—and law enforcement to look to that option more
14 frequently going forward. Good morning and thank you
15 for inviting us here today. A particular thanks to
16 Speaker Johnson and Chair Rodriguez. I'm Pat Foye,
17 Chairman and CEO of the MTA. I'm joined by my
18 colleagues New York City Transit President Andy
19 Byford; MTA Chief Financial Officer, Bob Foran, and
20 Janno Lieber who leads Construction and Development.
21 Speaker and Chairman, I want to thank you for your
22 focus on subways, buses and paratransit. I thank you
23 both particularly for your leadership on Subway
24 Action Plan funding and Fair Fares, an important
25 program with much to be done. We at the MTA would

2 welcome an even more engaged mayor on transit issues
3 and an even more engaged City Council, and obviously
4 you both have increased substantially the focus and
5 engagement of the City Council on transit issues.

6 The 2020 to 24 Capital Plan are board approved in

7 September is exactly what elected officials. CITY

8 Council Members I believe, advocates and most

9 importantly, customers have long demanded. We're in

10 the midst of an exciting and challenging time at the

11 MTS. We remain laser focused on delivering safe and

12 reliable service for the 7.6 million customers who

13 use the subways and buses everyday. As we embark on

14 a historic capital plan and transformation, our core

15 mission remains the same, to keep this city and

16 region growing. All our agency presidents, Andy

17 Byford, Craig Cipriano, Phil Lang, Kathy Rinaldi and

18 Danny Decrescenzo are working hard to improve the

19 experience for our customers day to day, but we also

20 have our eyes on the future. New Yorkers deserve a

21 modern 21st Century transportation network and that's

22 what we plan to deliver with our ambitious and

23 historic proposed 2020 to 24 Capital Plan. It calls

24 for unprecedented levels of investment across the

25 system amounting to \$51.5 billion dollars over the

2 next five years with an additional 3.3 billion for
3 MTA bridges and tunnels. This proposed capital
4 program is the key to growing and maintaining the
5 capacity of our system, which is a driving force of
6 the state economy. The plan is forecasted to
7 generate 350,000 jobs statewide, 75% of which would
8 be in the city of New York, and we expect a fully 89%
9 of the Capital Plan investment will be spent within
10 the state of New York. It's important to note
11 service is improving across the system. I want to
12 highlight how we got to where we are today. After a
13 state of emergency for the Transit System was
14 declared in the summer of 2017, the state and the
15 city with the Speaker and Chair, your leadership,
16 equally contributed over \$800 million for the Subway
17 Action Plan. This infusion of funds allowed us to
18 dramatically expedite a central maintenance work
19 helping to right the wrongs of decades of under-
20 investment and neglect. It was a critical step to
21 getting our core infrastructure back on track so we
22 could begin providing improved levels of service.
23 This incredible effort has led to steady sustained
24 gains and on-time performance across the system. In
25 October, week time-week day on-time performance

2 reached 81.5%. That's an improvement of nearly 16%
3 from the year before. October was also the fifth
4 straight month with subway on time performance above
5 80%. For these improvements I want to thank Andy
6 Byford, Sally LaBrera and the entire Subways Team
7 including our colleagues at the Transit Workers
8 especially our partners in labor. The hard working
9 men and women are on the front lines every day
10 delivering operational excellence. The improvement
11 and performance hasn't been lost on our customers.
12 We're seeing increases in ridership across all
13 agencies. In September the average week day
14 ridership on the subway climbed to 5.77 million
15 people. Compare that to 2018 where that number—that
16 number was around 5.3 million. To put that in
17 perspective, the subway system is carrying nearly
18 250,000 more trips each weekday than it was a year
19 earlier, and buses are carrying nearly 34,000 more
20 trips per weekday. The increase shows we're steadily
21 rebuilding the public's trust. We're also focused on
22 improving the bus and paratransit network. The focus
23 on operations isn't limited to just daily service or
24 to the subways. We're also thinking big and
25 ambitious on buses and paratransit. We know that

2 buses are a lifeline for our customers outside
3 Manhattan serving more than 1.8 million customers a
4 day. Craig Cipriani and the New York City Transit
5 MTA bus teams are pushing ahead with borough by
6 borough bus network redesigns. We're taking a
7 completely fresh and holistic look at service in each
8 borough, including focusing on outer borough needs,
9 and transit desert needs. Many bus routes across the
10 city haven't been changed in decades putting them
11 behind the times when it come to new developments in
12 housing or job centers. The redesigns are using
13 qualitative and quantitative data to up-to update
14 these routes to better fit our customers' needs.
15 We're also working closely with our partners at the
16 New York City Department of Transportation, and as
17 always community input is important. We've recently
18 released a final proposal for the Bronx Bus Redesign,
19 which include the creation of three new routes.
20 Frequency also will significantly increase on nine
21 major corridors, which will be served by ten routes.
22 Thanks to Council Member Cohen for being a great
23 collaborator during this process. Redesign work on
24 the bus network is also well underway in Queens, and
25 we just kicked off the redesign process in Brooklyn.

2 On Staten Island express bus riders are already
3 seeing 12% faster travel times after that redesign
4 was completed last fall. The establishment of the
5 14th Street Bus-Busway together with the use of
6 automated bus lane enforcement has all recognized
7 been a great success. It's a prime example of
8 coordination between the MTA and our partners at New
9 York City Department of Transportation, particularly
10 Commissioner Polly Trottenberg. Thanks also to
11 Speaker Johnson and Chair Rodriguez for your support
12 on the busway. There's been a dramatic increase in
13 bus speeds on the M-14. It once took an average of
14 15 minutes to travel between 8th and 3rd Avenues. It
15 now jus takes over 10. That's an improvement of
16 nearly 33%. Customers are noticing, too, since the-
17 since the busway was launched in October ridership is
18 up 17% compared to the same time last year. Before
19 the Busway opened, there was concern that traffic on
20 the surrounding streets would become unbearable, but
21 according to a study that was requested by New York
22 City DOT, there's been no significant impact on
23 congestions on ceramic streets. We're also investing
24 in and focused on the Access-A-Ride service. We're
25 expanding the popular E-hail pilot program, which

2 offers on-demand service for paratransit users
3 doubling access to the program from 1,200 to 2,400
4 Access-A-Ride customers. For the core ADA required
5 service we provide, we're also making improvements,
6 expanding the types of trip-trips offered, leveraging
7 more taxis and for-hire vehicles and adding 700 new
8 vehicles to our aging fleet. Thanks to improved GPS
9 tracking, customers can now track their trips on an
10 app and web page. In an effort to make the system
11 more transparent, we regularly publish performance
12 metrics on a public dashboard. The MTA is hopeful
13 that Fair Fares will prove to be another fruitful
14 partnership, and we thank you Speaker Johnson for
15 your leadership on this issue. We strongly support
16 tis critical program, which is run by the city to
17 give low-income New Yorkers access to the transit
18 system. We support, too, a faster rollout of Fair
19 Fares so this program can benefit more people. We're
20 ready to do our part to make that happen. Let's talk
21 for a couple of minutes about the proposed 2020 to 24
22 Capital Plan. We aren't just thinking about
23 operating improvements, and the work certainly
24 doesn't stop there. The historic \$51.5 billion
25 proposed Capital Program. In this plan we've laid out

2 a bold vision for capital investment that will
3 deliver the world class transit network our riders
4 deserve. The system has been neglected and under-
5 invested in for too long. Just as we've seen a 50%
6 increase in ridership system wide in the last 20
7 years, we've also seen an 8% decline in the
8 annualized rate of capital investment. Our teams
9 deserve immense credit for getting the system to a
10 more reliable place, but now is the time to take the
11 decisive action to ensure the future health of our
12 transit system in New York City. The proposed
13 capital plan is fully a 70% increase over the current
14 2015 to '19 program. We worked with legislators,
15 advocates, the public, and our customers to get their
16 perspectives on what the system needs. New York City
17 subways and buses will receive \$40 billion
18 investment. I note that that's more than the entire
19 current Capital Plan. It encompasses all of Fast
20 Forward's priority projects and more. Our goal for
21 these next five years is to build upon the success
22 we're already delivering. For example, on the 7 and
23 the L Lines, signal modernization investments have
24 led to significant improvements and performance.
25 Modernizing the signal system allowed us to increase

2 the number of trains per hour on the 7-Line to 29
3 during the morning and evening rushes up from 25 to
4 27. While on-time performance on the 7 skyrocketed
5 from 75% to over 90. That is why the new Capital
6 Plan includes \$5.3 billion for subway signal
7 modernization on six more line segments. The
8 Lexington Avenue Line, Fulton, Cross Town, 63rd
9 Street, Astoria and Queens Boulevard lines. Thirty-
10 three inter-lockings will be modernized or modified
11 and we're upgrading all our communications networks.
12 The plan also calls for the purchase of 1,900 new
13 subway cars. Together with signaling updates, this
14 will deliver faster, more reliable and more frequent
15 service. Accessibility is another cornerstone of
16 this capital broad way. (sic) We plan to invest in
17 70 more accessible stations that more than fulfills
18 our commitment to ensure that no rider will be more
19 than two stations away from an accessible station.
20 We're targeting these upgrades at stations that serve
21 more than 60% of our ridership. Replacing 60 miles
22 of track will also help us deliver service. This
23 program proposes to install miles of continuous rail-
24 continuous welded rail or CWR across the network
25 compared to jointed rail, CWR is more durable with

2 less than half the rate of rail breaks, and provides
3 a quieter, smoother ride. Additionally 175 stations
4 would be renewed to address components in need of
5 critical pair-repair including the replacement of up
6 to 65 escalators and up to 75 elevators that have
7 reached the ends of their useful lives. The Capital
8 Plan also provides full funding for Phase 2 of the
9 Second Avenue Subway allowing us to expand the
10 network into a transit desert. This will add three
11 new fully accessible stations and a connection with
12 Metro North finally delivering on the decades old
13 promise to give residents of Harlem better access to
14 our system. Beyond the subways, the Capital Plan
15 also advances our commitment to a cleaner, greener
16 bus fleet, which will help to create a more clean and
17 green New York. We're buying 2,400 new buses, 500 of
18 which will be all electric. Our goal is to
19 transition to a zero emission fleet throughout the
20 network by 2040. After 2029, all bus purchases will
21 be electric buses. A younger fleet of buses can run
22 farther before breaking down, which means more
23 reliability and better service for our customers.
24 Funding for this program relies on a range of
25 sources. Central Business District tolling is a

2 critical element and expected to provide \$15 billion
3 of capital. New revenue streams like the progressive
4 Mansion Tax and the elimination of the Internet Tax
5 Advantage will add another \$10 billion. We're
6 anticipating \$10 billion in federal funding, and the
7 MTA is also contributing with another \$9.8 billion in
8 MTA funds, but it's critical to not that this will be
9 not-not enough to completely fund our bold vision.
10 To fully execute the capital program we require
11 additional investment including \$3 billion from the
12 state and \$3 billion from the City of New York. The
13 city's contribution would be used to fund
14 accessibility upgrades on the subways. That money-
15 that money would be timed following the expenditure
16 of the \$25 billion expected from Central business
17 district tolling and other new tax revenues. Without
18 the \$6 billion commitment from the city and the
19 state, ADA work would be delayed. We need to
20 schedule the MTA's contribution last in order to
21 responsibly manage our debt service, and it's
22 important to note that capital funds are completely
23 separate from our operating budget. The unfortunate
24 reality is that the MTA has had to reconcile our
25 service improvements and customer improvements with

2 the fact that our core structure is not where it
3 needs it be. Even as we pursue aggressive cost
4 cutting measures to find nearly \$3 billion in annual
5 recurring saving, we're looking at major out year
6 deficits. It's unfortunately the case that our
7 operating budget is literally strained to the bone.
8 But let me talk briefly about Transformation. The
9 MTA is instituting meaningful change and reform to
10 completely transform the way we do business as was
11 required by amendments to state law in the last
12 session. As part of the legislation that enables
13 Central Business Tolling, the MTA was required to
14 develop a reorganization plan that resulted in a more
15 efficient and effective organization. The MTA
16 Transformation Plan was developed and approved by our
17 board earlier this year, outlining what the future of
18 the MTA could and should look like. That vision would
19 see the MTA become a single unified capital group
20 with consolidated back office functions across all
21 agencies. This way the operating agent-agencies can
22 focus on core delivery, service delivery and safety.
23 We're pleased to announce the selection of Anthony Mc
24 Cord as the MTA's Chief Transformation Officer to
25 lead this historic effort. Anthony will work closely

2 with senior leaders across the organization to
3 modernize the MTA and deliver on the hard work of
4 Transformation itself implementing the necessary
5 changes to consolidate and streamline the agency, and
6 ensure the new MTA is set up sustainably for long-
7 term success. Anthony is a Senior Executive with
8 over 25 years of experience in industrial service and
9 infrastructure roles around the world focusing on
10 transformation and change management. He's a
11 proven strategic leader with an impressive track
12 record for team building and effecting meaningful
13 change that will drive direct customer benefits.
14 We're eager to have him join the MTA later this year.
15 I'm also happy to share that we selected a future
16 Chief Operating Officer, Mario Peloquin last week.
17 Mario is a senior executive with over 30 years of
18 experience in the transit and rail industry, and his
19 distinguished career is rooted with direct field
20 experience in both safety and operations including as
21 a rail traffic controller and safety investigator in
22 Canada. As COO, Mario will lead our team of
23 exceptional agency presidents so that we continue to
24 deliver gains and performance and maintain a laser
25 sharp focus on safety, reliability and customer

2 experience. A critical element of transformation and
3 a key part of how we will deliver on this historic
4 proposed capital program is through our new
5 construction and development organization led by
6 Janno Lieber. This group will be the single central
7 point for central-capital project planning,
8 development and delivery. We're not waiting for the
9 next capital program to start. Some of these reforms
10 are already well underway. A great example is the L
11 Train project moving ahead of schedule thanks to
12 innovative recommendations from world class academic
13 partners and under the leadership of Janno and his
14 team. Ultimately, Transformation will help the
15 agency to refocus on our core mission, dramatically
16 improving service and giving customers the safe,
17 modern and reliable system they deserve. It will
18 position us to most effectively and efficiently
19 deliver on the Proposed Capital Program to put in
20 much needed reinvestment in our infrastructure that
21 truly powers this region and keeps it moving. Again,
22 thank you for your support, thank for the invitation
23 to be here and we're happy to take your questions.

24 SPEAKER JOHNSON: Thank you, Pat. Thank
25 you for that testimony. I look forward to diving in.

2 Before we get into the details that I mentioned
3 before, there's a big picture problem that I want to
4 address with you. I really do appreciate the MTA
5 being here today, but honestly, we don't see you
6 enough. I think that's part of the problem. In
7 2018, the MTA came to three hearings. In 2017, four
8 hearings. This the third time year. We could be
9 here all day, and I wouldn't get through every
10 question that I have or that the members of the
11 Council have, and I know you won't be able to answer
12 many of the questions that we actually have today.
13 We barely have any details about this Capital Plan,
14 nothing on addressing the backlog for the other three
15 capital plans the MTA hasn't finished, no
16 construction schedules for individual projects, no
17 cost targets, nothing on how the phasing will work on
18 the different capital plans and the projects, and if
19 you're asking us to consider spending \$3 billion in
20 city dollars on top of the fare box, the real estate
21 transfer taxes, the sales tax, the internet sales
22 tax, the mortgage recording tax, the payroll the Taxi
23 and For Hire Vehicle charges, and the commandeering
24 of our roads, we need a commitment to have a real
25 public dialogue. The Council negotiates and approves

2 the city's annual budget. We can't make decisions on
3 a \$3 billion magnitude based off a few estimates and
4 a Power Point presentation. I would like the MTA to
5 commit to testifying at least five times a year
6 before the Council with senior staff, people that can
7 actually answer our questions so that we're not
8 hearing: We will get back to you, we will get back to
9 you, we will get back to you, we will get back to
10 you, which is what we hear at all of the hearings
11 that we have because the appropriate people are not
12 here to answer our questions in real time. Are you
13 willing to make a commitment to have the MTA come and
14 testify at the City Council more regularly with
15 senior staff that will report back to us on the
16 questions that are important when we are negotiating
17 a city budget determining whether or not we should
18 put billions of dollars into the MTA's Capital Plan.

19 PAT FOYE: So, Speake, you've got the
20 senior leadership of the MTA here today. The last
21 time I attended a hearing in this chamber we had the
22 senior leadership of the MTA. There you've got our
23 commitment that unless for instance particular levels
24 of expertise are required from other people in the
25 organization, obviously we're making a request for \$3

2 billion from state and the city, it's appropriate
3 that the Council hold hearings, and we're prepared to
4 return and to answer the questions that are raised.
5 We did a hearing in Broadway up the street with
6 Assembly a couple of weeks ago, and we're committed
7 to returning to the Council.

8 SPEAKER JOHNSON: Thank you. When can we
9 expect the information that I just mentioned on the
10 Capital Plan, the information related to the three
11 Capital Plans the MTA hasn't finished, construction
12 schedules for individual projects, cost targets and
13 how the phasing will work?

14 JENNO LIEBER: Good morning Speaker.

15 SPEAKER JOHNSON: Hi, Jenno.

16 JENNO LIEBER: Jenno Lieber. Um, I'm—I'm—
17 I have the—I completely endorse your question, the
18 direction of your question about transparency. A
19 couple days ago I instigated a meeting with all of
20 the advocates because I saw they were coming together
21 on their own, and I wanted an opportunity to talk to
22 them about just those questions and to be transparent
23 about where we are and how we are planning the next
24 capital program. In the past, Speaker, Chair, what
25 happened was the MTA approved—the Capital Program

2 included a list of projects with schedules attached
3 to them. Frequently the Capital Program as the
4 current Capital Program was actually enacted late and
5 at that point design would begin on projects, and by
6 the time the design ended because we were doing 100%
7 the tradition way, then the projects couldn't get
8 done in short order. What we would like to do is to
9 come up with a plan which doesn't just give you as
10 list of projects and, you know, a spend down that
11 isn't realistic, but one that actually is directly
12 reflecting the bundling strategy that we're going to
13 pursue, and what I mean by that is because of the
14 importance of the projects on the right-of-way and
15 the importance of the ADA projects we may have to do
16 some shutdowns, some outages, and we must make sure
17 that every time we do an outage in the—in the transit
18 system because we have been improving performance so
19 much under Andy Byrford's leadership that we get
20 every piece of work done that can be done during
21 that outage. So, I am specifically going to your
22 question, Speaker about the existing capital program
23 and what hasn't been finished. We are already
24 looking for opportunities to take ongoing projects
25 for example the Culver Line, which is being

2 resigned and the AC Line, which is getting
3 resigned and adding work some of which has not
4 begun to those projects so they can be bundled and it
5 could all get done in a much more efficient way. Once
6 we complete, Speaker, the—the bundling analysis, and
7 we are right now doing that to make sure that we will
8 hit the ground running and do at least 20 AVA
9 stations. Soon after the Capital Program Review
10 Board takes action, we will provide a detailed
11 analysis of exactly which projects are going to be
12 bundled and the sequence with them, but that work is
13 ongoing. I've been open with the advocates about it,
14 and I'm completely willing to commit to transparency
15 in how do we finalize that bundling process, and most
16 important from your standpoint, how do we track it
17 going forward? Because we do want this to be a more
18 transparent MTA in the new MTA era.

19 SPEAKER JOHNSON: So, when can we expect
20 some of those details on the bundling, on individual
21 projects when can we expect the details on the issues
22 that I mentioned, individual project, cost targets,
23 phasing of work. It may not have to be all at once.

24 JENNO LIEBER: Right.

2 SPEAKER JOHNSON: It could in a piecemeal
3 way.

4 JENNO LIEBER: Yeah, and-and-and what I
5 said is we'll provide that on the-on the projects
6 that we're going to put out soon after the Capital
7 Plan is approved. So, I would that's somewhere
8 between and 25 ADA stations and Andy and I are
9 working on the bundling strategy for signaling right
10 now. So, I think we'll be able to give you a
11 preliminary outline of that within 60 days after if
12 the Capital Program Review Board, and a fuller
13 outline of how the entire bundling and scheduling
14 strategy is going to work within six months after
15 final approval of the-of the Capital Program.

16 SPEAKER JOHNSON: And what about previous
17 capital programs where projects are behind schedule?

18 JENNO LIEBER: Um, you know, at the risk
19 of incurring your wrath, and I want to get back to
20 you about that, I think that we are in the middle of-
21 we're in the middle of going through literally every
22 project to see how they can be bundled into the
23 existing program and the future going work. So, I'd
24 say if you give me 60 days I will be able to tell you
25 exactly when the existing-the work done to the

2 existing program will be bundled and will be
3 completed.

4 SPEAKER JOHNSON: Thank you. So, um, I
5 want to get into the Transformation Plan. I think the
6 success of everything the MTA wants to do is at stake
7 if you get the potential reorganization of the MTA
8 wrong and I don't think it was a great start. The
9 Alex Partners Plan was done without any real input
10 from the public or from stakeholders, advocates, the
11 City Council, the State Legislature, people that
12 really care about how this plan is going to work, and
13 one of the main reasons I've calling for municipal
14 control of the city's subways and buses is because I
15 think riders deserve to know who to hold accountable
16 when things are not going well or when things are
17 going well who should get that praise. That, you
18 know, we don't—we don't want to point our finger at
19 10 different people not knowing who actually takes
20 responsibility on this. I have been following the
21 process, and honestly I can barely make heads or
22 tails of it. So, I want to try to get something
23 straight here today. The plan called for agencies
24 like New York City Transit to lose responsibility for
25 capital work. That work would move to one office at

2 MTA headquarters. For the subway, that meant one
3 division would run signal installation and another
4 division would be in charge of adjusting service to
5 allow the work to happen, but then last month the MTA
6 said that New York City Transit would be leading,
7 quote, re-signaling work. What does that mean? Who
8 am I supposed to call when something goes wrong?
9 Pat, who do you call when something goes wrong on
10 something in this arena? So, does that—does Andy get
11 the signaling work and if he does, does that mean the
12 whole plan is changing? Is there anything else that
13 we should rethink as we are parsing these things out?
14 That's what I want to understand here today as it
15 relates to the Transformation Plan.

16 PAT FOYE: So, Speaker to answer your
17 first question to paraphrase the 21st the 20th Century
18 President, the Metro Card stops with me, and, um, you
19 got the leadership of—senior leadership of the MTA
20 before you. This is the group that is responsible,
21 Andy for subways and buses, Janno for Capital
22 Construction, Bob Foran to my left to the—to the
23 finances of the MTA. If there are questions or
24 criticisms or observations or in a rare case
25 compliments, this is—this is the group. The, um,

2 signaling is going to be led by New York City
3 Transit. It's, um, the construction will be done by
4 Janno's group in cooperation with Andy Byford and his
5 team and Pete Tomlin the Internationally recognized
6 signaling expert that, um, that Andy recruited away
7 from—from Toronto, an that partnership I believe will
8 get those six lines done, and New York City Transit
9 working closely with construction and development
10 will figure out a way to spend funds as efficiently
11 as possible. But also as Janno mentioned when he
12 talked about bundling to amortize—I'll use the term
13 customer inconvenience over as much in as short a
14 time as possible. So, it's not only a question of
15 being efficient with capital that's obviously a
16 primary responsibility, but also to minimize customer
17 inconvenience and to get as much work done for every
18 outage.

19 SPEAKER JOHNSON: So, the person that was
20 supposed to lead this reorganization the new—that is
21 supposed to lead this reorganization the new Chief
22 Transformation Offer—officer Anthony McCord, who you
23 mentioned, Pat, has quite a lot of experiencing—quite
24 a lot of experience in eliminating jobs. Some have
25 been calling him publicly at hatchet man. I don't

2 know if that's fair, unfair. You'll talk about that.
3 I understand that the MTA may need to eliminate
4 redundancies, but is this how we want to get to
5 started? The top priority should be about rebuilding
6 trust, and it's hard to do that if people are afraid
7 of potential layoffs by bringing this person on. Do
8 you--does he have any experience in reorganizing
9 transit agencies?

10 PAT FOYE: He--he has, um, experience in
11 infrastructure, transportation. He is a superb
12 seasoned corporate executive. I mention in my
13 remarks, Speaker that while we are talking about a
14 \$51.5 billion capital plan, there is extreme stress
15 on our operating budget. Alex Partners did recommend
16 this past summer a number of reforms, which we're in
17 the process of implementing. One of those was the
18 reduction of up to 2,700 positions. Many of those
19 will be accomplished by vacancies and--and attrition.
20 We have a, um, the Transformation is expected and
21 must result in cost savings over the next four to
22 five years of \$1.6 billion. Um, and reduction in
23 head count will regrettably be a part of that going
24 forward.

2 SPEAKER JOHNSON: so, the—the new, um,
3 Chief Transformation Officer will report to the MTA
4 Board. Is that correct?

5 PAT FOYE: Yes, sir.

6 SPEAKER JOHNSON: While the new Chief
7 Engineering and Accessibility Officers will report to
8 the MTA Chairman and CEO, you, why does the Chief
9 Transformation Officer report to the MTA Board rather
10 than you?

11 PAT FOYE: Well, I'm—I'm the Chairman of
12 the Board. That provision was set in state law.

13 SPEAKER JOHNSON: Why? Do you
14 understand? What was the reason? It seems--

15 PAT FOYE: I—I think it was a sign of the
16 State Legislature's belief in the importance of the
17 Chief Transformation Officer reporting to the Board
18 and I think that's an appropriate—I am the Chairman
19 of the Board and the CO, and I thought it was an
20 appropriate reporting relationship.

21 SPEAKER JOHNSON: Will multiple lines of
22 reporting do you think create any level of
23 disorganization?

24

25

2 PAT FOYE: No, I—I don't see that, and I
3 think if there are issues that arise they'll e dealt
4 with in the ordinary course of business.

5 SPEAKER JOHNSON: Other large transit
6 agencies such as Transport for London and I just got
7 back from London and I met with them, have recently
8 undergone successful reorganizations that could have
9 served as a template for the MTA, but Alex Partner's
10 plan did not refer to the management practices of
11 other similar agencies around the United States or
12 around the world. In formulating the Transformation
13 Plan were lessons drawn from the restructurings
14 undergone by peer agencies?

15 PAT FOYE: I can tell you, Speaker the
16 Alex Partners looked at other similar entities in the
17 United States and abroad in in doing the plan.

18 SPEAKER JOHNSON: I—I actually think
19 there are some great things in the Transformation
20 Plan that was put forward, and I'm thrilled that fast
21 forward that fast forward is happening in the Capital
22 Plan, but do you think that it's possible that we can
23 really do all of this at once? If it starts to go
24 wrong it could undermine confidence in finishing
25 projects that are actually essential for the growth

2 of the MTA. Are you worried about this? How is the
3 MTA going to finish four capital plans by 2024 and
4 reorganize a sprawling bureaucracy and deal with the
5 confusion and growing pains that are inevitable when
6 any large bureaucracy starts to make changes? Do you
7 have any of those concerns?

8 PAT FOYE: So, let me start and then I'll
9 turn it over to Janno. I'll note a couple of things,
10 one is a new team at the MTA including new team on
11 construction and development led by Janno who was
12 obviously a pivotal player in the redevelopment of
13 the World Trade Center probably one of the most
14 challenging and I have some insight into this given
15 the fact that I spent some time with the Port
16 Authority, but probably one of the most challenging
17 and important public/private project in the history
18 of the nation with lots of financial, real estate,
19 physical, political and community issues. So point
20 one. Point two, the State Legislature among the
21 reforms that were at issue was the passage and the
22 requirement that MTA projects above \$25 million be
23 done on Design/Build. I believe that that will lead
24 to a significant improvement in efficiency. Do you
25 want to talk about it?

2 JANNO LIEBER: Sure and-and Pat in
3 characteristic understatement omitted to mention
4 that-that his role with the World Trade Center was to
5 negotiate against me. So, that's how we got to know
6 each other. Um, but, um, there-there-Speaker, there
7 really is a way to deliver this entire program, and
8 the work that remains to be done with much more
9 efficiency, and it starts with that concept of
10 bundling I referred to earlier, reducing the number
11 of projects. For better or worse, historically at
12 the MTA you sometimes have a separate capital project
13 for a different wire on the same, you know, two
14 different wires on the same subway tunnel wall. That
15 makes no sense. We have to look at these as major
16 undertakings and piggyback all the work that can be
17 done in a single outage, and by doing that, Speaker,
18 we will reduce the number of projects in the Capital
19 Program from somewhere between 1,400 or a project-a
20 capital program of this size, maybe 2,000 projects
21 down to somewhere between 2 and 500 separate
22 projects. So, that's number one. Design Build. The
23 Design Build is not only going to allow us to do less
24 time design-designing a project and get it into the
25 construction phase much faster, but it's going to

2 produce contractor innovation like the contractor
3 innovation that has allowed us to do the Third Track
4 Project on Luck Island. So much faster and with less
5 customer and public impact that anybody thought
6 about, fewer delays, fewer change orders, eliminating
7 all the red tape, which the MTA has burdened itself
8 with and to some extent the MTA has been burdened
9 with over time that creates delay after delay on
10 projects and I have done that on projects. On the
11 Third Trace Project on Long Island, we have—it's a
12 \$2.5 billion project. We have 25 change orders and
13 it is a net credit to the MTA. So, we're getting
14 money back instead of on the Second Avenue Subway
15 Phase 1, 2,400 change orders. You see a change of
16 direction on that. So, I'm not going to belabor.
17 There are many other issues that—that I think we're
18 going to take on that are going are going to change
19 the direction and make it much more certain that we
20 can deliver work in a short time. We're going to
21 empower the—the—the people who are running projects
22 to make decisions in ways that were never before.
23 We're going to eliminate scope creep and design
24 changes which have bedeviled major MTA projects and
25 again caused cost rises and delays that are part of

2 the source of the problem, and we're going to
3 motivate contractors in a way that's never happened
4 before. I've already cut the payment time for
5 contractors to 15 days for 30 days on the all the
6 projects I run. So contractors are giving us better
7 prices, and more responsiveness. So you can see we
8 have a very—I—I hope, you'll see—get a sense we have
9 a very comprehensive strategy for reducing the number
10 of projects so we can get more work done.

11 SPEAKER JOHNSON: Thank you. I know the
12 focus of this hearing is about the Capital Plan
13 Reorganization, but we need to talk about whether or
14 not we can actually afford to run the system
15 especially when we're planning on bringing so many
16 new projects online As you just mentioned, Janno, at
17 once. In 1994, the Operating deficit for the MTA was
18 about \$11 million. Now, it's over half a billion
19 dollars. I hope that the reorganization keeps us
20 from hitting the billion dollar deficit you were
21 projecting for 2023, but I'm not holding my breath. I
22 don't think the advocates are either, and when the
23 MTA has trouble with an operating budget, it is
24 always the riders the bail you out with a fare hike.
25 I don't want to see that happen given the looming

2 deficit on the horizon. One reason that I'm so
3 concerned is that we are adding almost \$250 million
4 to the operating budget for 500 new police officers.
5 You are in pretty dire financial straits. Every
6 single decision that impacts the operating budget
7 should be heavily scrutinized so that we are sure
8 that every dollar is doing the most for riders. So,
9 how did you get to that number? How did the MTA get
10 to that number? Why 500 officers? Can you share the
11 data and the analysis that the MTA did to determine
12 that that was the right number, and that the—that we
13 actually needed those officers on top of the NYPD
14 officers that are already doing that work in the
15 subways every single day?

16 PAT FOYE: So, Speaker, I'm going to ask
17 our CFO to speak to the operating question and then
18 I'll come back to the police question.

19 BOB FORAN: Okay. thank you. I think it's
20 important to point out that it is not always the
21 answer to go back to the customers and ask for fare
22 and toll increases. We have every two years gone
23 forward and projected 4% fare and toll increases.
24 That is less than the rate of inflation, but what has
25 been able and helped us to be able to address our

2 operating deficits is the fact that we have been
3 reducing costs significantly. We have by the time we
4 finish the 2023 year, we will have reduced our annual
5 recurring expenditures by more than \$3 billion. So
6 since 2010 we will have cut out \$3 billion of
7 operating expenses, recurring expenses out of our
8 budget. That's significantly more than we've raised
9 in terms of fare and toll increases, and that's a
10 commitment that we'll continue to make. We're going
11 to look to see where we can be more efficient. The
12 transformation is really important in this regard
13 because what we're doing is we're taking redundant or
14 duplicative services that have been provided through
15 the years at each of the agencies, and we're
16 combining them so that we don't need five different
17 HR departments. We don't need five different legal
18 departments. We don't need five different accounting
19 departments. We'll be able to combine those into one
20 consolidated group that will serve each of the
21 operating agencies so that that operating presidents
22 can then focus on delivering safe, reliable service
23 to our customers.

24 SPEAKER JOHNSON: But Mr. Foran, aren't
25 you concerned that the number is projected to be over

2 \$500 million in an operating deficit. As the Chief
3 Financial Officer, outside of agencies that do these
4 type of audits and that look at the financial health
5 of a public authority, they are concerned about the
6 size and scope of this. Are you concerned about what
7 it looks like the operating deficit is going to be
8 for the MTA?

9 BOB FORAN: Every four-year financial
10 plan that we've put together since I've got—since I
11 arrived at the MTA 10 years ago, we've had out-year
12 deficits, sizable out-year deficits and we worked
13 slowing, methodically to reduce costs to address
14 those deficits. So, yes, I do think that our
15 financial position is dire, but we are committed to
16 trying to reduce costs in a safe way, and so that we
17 can still continue to provide—provide reliable
18 service.

19 SPEAKER JOHNSON: (laughing) I don't—I am
20 not laughing just because I—I—I actually, um,
21 appreciate everything that you said, but you just
22 said I don't want to paper over it. You just said
23 that the MTA's financial position is dire.

24 BOB FORAN: Yes, absolutely.

25 SPEAKER JOHNSON: That's frightening.

2 BOB FORAN: Well, I tell you we are in an
3 unusual situation.

4 SPEAKER JOHNSON: What does that mean an
5 unusual situation?

6 BOB FORAN: Our—our projected deficit in
7 the July plan before we had the—the Transformation
8 was a billion dollars. So, this—we have to effect
9 the transformation and the reform effort that the
10 Legislature challenged us to do and wrote into the
11 Legislation. I think it's interesting that we did not
12 receive any operating aid when the budgets were
13 passed in Albany.

14 SPEAKER JOHNSON: Well, you should have.

15 BOB FORAN: Well, I'm just saying what
16 they did ask us, they gave us capital dollars because
17 it is—and that's what's leading to this, you know,
18 tremendous historic capital program, but I think
19 they've wanted us to prove that we could reduce our
20 costs in a responsible way through this
21 Transformation so that we would not have to turn
22 immediately for addition operating aid. Now, I
23 believe at some point in time operating aid is going
24 to be needed, but we need to prove that we can cut
25 our costs and reduce any duplication so that we can

2 be efficient in delivering the service that the
3 customers need.

4 SPEAKER JOHNSON: It's interesting, but
5 Pat before you go to the—the police question, you
6 Nicole Gelinas had a piece in the—in the Post a
7 couple of weeks ago, and she was referring to the
8 \$17.5 billion budget. The MTA faces and \$800 million
9 deficit, 5% of spending relies in \$2 billion or more
10 than 10% of spending by 2023. That's without a
11 recession she says. To fill the gaps, the MTA will
12 take about \$150,000 built up from previous years, but
13 mostly it proposes a slew of nearly \$700 million in
14 "adjustments". Some are fine such eliminating vacant
15 back office positions saving \$80 million a year, but
16 another she says is just a naked cash grab, not
17 savings. The MTA wasn't to save about \$100 million a
18 year by asking New York City taxpayers to pay for
19 Access-A-Ride. The inefficient service the disabled,
20 which runs a five—which is used by the disabled,
21 which runs a \$500 million deficit. The MTA has no
22 legal basis, she says, to ask the city for more.
23 Providing public transit to everyone is part of the
24 MTA's core mission. This is no different than when
25 the MTA helped fix its budget crisis last year by

2 forcing the city to fork over \$400 million for the
3 Subway Action Plan, which the MTA was doing track and
4 signal repairs it should have been doing all along.
5 And then she goes on and she says that New Yorkers,
6 New York City residents already paid the bulk three-
7 fourths of the \$7.5 million the MTA collects in
8 dedicated taxes and subsidies like the payroll tax
9 and the real estate transaction taxes. Now, we are
10 at risk for annual random cash grabs by the MTA, and
11 so I just—and then she goes on and talks about the
12 500 cops, which will be \$60 million a year and that
13 doesn't include overtime or pension costs related to
14 it. So, I'm pointing all of that out because it is
15 concerning that this is the financial position that
16 we're in right now, and it seems every year we are
17 sort of jumping to and from trying to come up with an
18 infusion of money here, and an infusion of money
19 there to deal with some of the underlying concerns
20 and problems that the MTA is facing, and Pat, I just
21 wanted to hear your general thoughts on that.

22 PAT FOYE: So, so, Speaker, first I
23 didn't expect Nicole Gelinas to get so much air time
24 in a city Council hearing, but I know she'll be
25 grateful. I will make the following point: The

2 comments that you and the Chairman made in your
3 opening remarks about issues with the MTA in the past
4 and inefficiencies and the way construction projects
5 and other things I think have been features—features
6 of the past to—to be sure. The, um, new—new team
7 here, new focus. The message from the Legislature,
8 and I think this was appropriate was in passing
9 central business district totaling and the other
10 revenues, which I recognize are—are—are borne, but
11 New York City residents in large part and commuters
12 into—into New York City, the message in requiring
13 Transformation and requiring Design/Build was for the
14 MTA to get its house in order before it came asking
15 for additional operating aid. We've taken that
16 message to heart. We've internalized it, and we're
17 acting on it. The requirement in the legislation
18 that a Transformation Plan be put together be
19 approved by the board that a Chief Transformation
20 Office be—be hired. Those things have been now done,
21 and are critical steps in transforming the MTA,
22 reducing the—the cost basis, which is not going to be
23 easy, but Bob Foran and his team working with the
24 agency presidents have taken a couple of billion
25 dollars of expense out, annual recurring. That's an

2 extraordinary achievement, and we've got more to do
3 to get our house in order before me go, as you noted,
4 asking for additional revenues or support from any
5 taxpayer.

6 SPEAKER JOHNSON: Do you plan on going to
7 Albany this year before the statutory budget deadline
8 on April 1st for the State Budget to ask for
9 additional funds for operating the MTA?

10 PAT FOYE: Uh, Speaker, I-I think we'll
11 do the same thing in Albany, which we're doing here
12 today, which is to report on—to report honestly on
13 progress, to report honestly on challenges, and where
14 we are in the transformation process, which I think
15 is the single most important initiative at the MTA
16 now in terms of reforming the agency and reducing
17 costs.

18 SPEAKER JOHNSON: I just want to say, um,
19 you know, I don't agree with the Manhattan Institute
20 on a lot of things, but I do think that Nicole
21 Gelinas is a very smart scholar and someone who has
22 been forward thinking and looking at transfer-
23 transportation and the financial difficulties that
24 the state has faced, the city has faced, the MTA has
25 faced, and I think she's actually been a sort of a

2 siren call ahead of time in looking at areas where
3 the public hasn't had enough sunlight to look at
4 those things.

5 PAT FOYE: Speaker, I, too, hold her in
6 high regard.

7 SPEAKER JOHNSON: Yes.

8 PAT FOYE: She's terrific.

9 SPEAKER JOHNSON: We both hold her in
10 high regard. Um, if you could—if you could, um, just
11 get back to the why 500 cops, and can you share the
12 data and analysis that was done to come up with that
13 number?

14 PAT FOYE: Sure, um, first, principle.
15 We have an obligation to provide a safe and sure—
16 secure environment in the subways, on buses, Metro
17 North and Long Island Railroad. I'm not—I'm not going
18 to apologize for that. The, um, the expenditure is—
19 came out in our four-year capital plan as—as \$250
20 million or a number like that. The annual expenses
21 is a substantial expense, but it's about \$50 million.
22 There was consultation with the leadership of the MTA
23 Police who obviously do staffing things. I'll note
24 that of the 500 about 80 those positions are
25 vacancies, attrition or unfilled positions. Um, we've

2 got a police force as many police forces do with
3 officers who have reached 20, 25, 30 years of
4 service, and there is statistical data that suggests
5 when a police class reaches that level of seniority X
6 percent will retire in the ordinary course of
7 business because of their provision of police
8 pensions. So there was a whole planning exercise and
9 that work goes on the all the time. The officers
10 that are—that are being hired that the first waves
11 are about to join the MTA Police Force will police
12 New York City Transit, buses, Metro North and Long
13 Island Railroad. The, um, agencies, you know, all of
14 the agencies of the MTA, and frankly, we're very
15 focused in, um, especially given for instance the
16 transit workers who are with us this morning, the
17 significant increase in the tax on trans workers who
18 have come to our board meetings and talked about
19 increases in physical assaults, and increase in
20 sexual assaults, very focused on protecting and
21 providing a safe and secure environment for customers
22 and employees alike.

23 SPEAKER JOHNSON: I'm glad you brought
24 that up. I was going to ask given the uptick of
25 assaults that we've seen on transit workers is there

2 specific part of the plan for these officers that
3 deals with that particularly a tax on buses given
4 what we've seen.

5 PAT FOYE: So, there--there is, um, we are
6 in conversations with the TWU on the safety issues,
7 um, and, um, I've--I've spoken with the senior
8 leadership of the TWU in the last week on these
9 issues, on the Class D felony legislation, which is
10 already on--on the books in Albany, and, um, the--the
11 cries of the transit workers and their leadership
12 given the increase in assaults on transit workers and
13 sexual assaults is one the we're taking as a first
14 order priority.

15 SPEAKER JOHNSON: Is there a plan on how
16 the officers will be deployed?

17 PAT FOYE: Um, there--

18 SPEAKER JOHNSON: [interposing] How many
19 will protect workers versus how many will monitor
20 fare evasion?

21 PAT FOYE: That--that--that--that plan is--is
22 being developed. To be honest, I'm not going to get
23 into details on it because I think it would be
24 inappropriate to do that in a public setting. I will
25

2 say that the, um, officers will be deployed across
3 all MTA agencies.

4 SPEAKER JOHNSON: And are they getting
5 special training on the outreach that's being done
6 for the vulnerable homeless New Yorkers that are
7 struggling that so many New Yorkers see on subway
8 platforms, and in subway cars. Are they receiving
9 specialized training?

10 PAT FOYE: Yes, sir. All of the officers
11 in the first waves have gone through the NYPD Police
12 Academy, and have gotten the same training that an
13 NYPD recruit and a new officer would get.

14 SPEAKER JOHNSON: So, is it—Pat is not
15 500 new cops? Is it 500 new cops?

16 PAT FOYE: It's—it's—it's 500 hires, yes
17 sir.

18 SPEAKER JOHNSON: So, um, you know, I
19 would love to—for you to share with us, um, the data
20 and analysis that was done to—to reach that number on
21 how the MTA figured that out so we can understand
22 given that it's a significant expense of the
23 Operating Budget, and riders want to focus on
24 improving service, that's where I think money should
25 be directed. I was—I was someone that wasn't

2 supportive of—of hiring this given that we have
3 almost over 2,500 NYPD officers that are currently
4 doing this work, and I think what you see, I don't if
5 you are monitoring Twitter, but what I see on Twitter
6 as it relates to every day New Yorker, not advocates
7 just random people who are riding the subway who will
8 see four, five, six, seven police officers standing
9 outside the turnstiles watching to see if people are
10 going to evade the fare. It doesn't seem that the
11 current officers are being deployed in a way to
12 actually deal with assaults against Transit workers
13 or deal with other major felonies that are happening
14 across the system. Instead, what I think New Yorkers
15 see are three, four, five, six, seven, eight cops
16 standing at the turnstiles, and they say is this what
17 we should be spending on?

18 PAT FOYE: Well, look, I—I think that the
19 NYPD, which is an incredible police force and the MTA
20 Police Department which is an incredible
21 transportation police force do extraordinary work in
22 a very demanding, um, and very demanding and
23 challenging environment. I will tell you the 500
24 hires that will be put in place by the end of 2020,
25 80 as I mention are attrition unfilled positions and,

2 um, and vacancies. Um, the, um, I—providing a safe
3 and secure environment for the subways, buses, Metro
4 North and Long Island Railroad is not in my mind, and
5 I know you weren't suggesting this Speaker. It's not
6 an option. It's not an add-on. It's not a luxury.
7 It's a fundamental part of providing transit service.
8 I think that given the increase in certain levels of
9 crimes including a tax on transit workers, but also
10 in assaults generally and in misdemeanor—misdemeanor
11 arrests that this was an appropriate—an appropriate
12 investment, and it will further our goal of providing
13 a safe and secure environment at every agency.

14 SPEAKER JOHNSON: So, how much of this
15 had to do with fare evasion verses the issues that
16 you just outlined?

17 PAT FOYE: Fare—fare evasion, quality of
18 life, increases in crime, these officers like all
19 officers are going to be doing general policing. How
20 they are deployed will depend—will be decisions made
21 by the police leadership at the time, and—and I'm not
22 going to comment on that, and it will as it does in
23 the NYPD those deployments will change depending on
24 the, you know, the order of the day or the
25 circumstances at the time.

2 SPEAKER JOHNSON: I mean I really
3 question if—if putting more law enforcement on the
4 subways is really the best option, but just on fare
5 evasion specifically, is the MTA looking at what
6 other cities are doing to deal with fare evasion.
7 The Dutch are focusing on better gate design when
8 people are entering the transit system getting people
9 to pay, and avoiding violent interactions that they
10 may have with people that are trying to crack down on
11 fare evasion, and one city that's outlined in this
12 great article by City Lab, which you all should look
13 at if you haven't read about what cities across
14 Europe are doing to deal with fare evasion from the
15 UK to Berlin to all over the Netherlands. In one
16 city part of you fine actually gets your card loaded
17 with rides. So, you pay the fine and the fine
18 doesn't go to the MTA or to the police, it actually
19 goes toward giving you a card that actually has I
20 think in this in this—in this place in the
21 Netherlands the city of 200,000 people it helps fund
22 ten rides on subway card for you to actually
23 encourage you to become a paying customer. You know,
24 we, of course, invested in Fair Fares. We are glad
25 to partner with you on that. To me it just seems

2 like overkill and that there are better ways to get
3 at this. I just want to hear what the MTA's long-
4 term vision is on dealing with fare evasionists.

5 PAT FOYE: Andy.

6 ANDY BYFORD: Good morning. Good morning
7 Mr. Speaker. Good morning Mr. Chairman.

8 SPEAKER JOHNSON: Andy, I'm glad that
9 your resignation letter was not accepted, and that
10 you're sitting here today.

11 ANDY BYFORD: Well, I appreciate that,
12 Mr. Chairman. So, Mr. Speaker. So, Mr. Speaker,
13 thank you. Um, so, um, fare evasion is not unique to
14 the MTA. It is—it's a challenge certainly in
15 everywhere I've ever worked in Malkoff in Australia
16 and achieved that with TTC. Um, but it, and so it—it
17 is a—it's a global phenomenon, and you raised some
18 great samples there of different ways in which
19 different agencies have tackled it. We can't and we
20 shouldn't just ignore it, and what we should be
21 saying to people is if you can't afford the fare, not
22 paying for the fare isn't the option, but there is
23 now a laudable thanks to your leadership, a laudable
24 alternative namely below the fare—Fair Fares
25 Initiative and—and certainly we don't want to arrest

2 people. We don't want to see people get into trouble
3 We just want them to pay their fare. Why? Because (a)
4 That's fair-f-a-i-r on other people that do pay, and
5 (b) it means it's not revenue foregone that can be
6 put into improving service, which is what we all
7 want. Um, so, um, you know, in terms of the actual
8 deployment of officers that—that has to be equitable.
9 We are looking at ways to design out the
10 vulnerability, though, the Achilles Heel, if you
11 would like of our system, and we do have, and I can't
12 say I've seen it anywhere else a particular weakness
13 in our station design, and that is the secondary
14 gate. There is a feature in all of our subway
15 stations. It's there for a reason. It's there to
16 allow quick egress off of platforms. It's part of the
17 Fire Code, but, of course, when people are coming
18 out, people can go in. So, one thing I'm very
19 familiar with, and I've got my team having a look at
20 at the moment is why gates that still enable you to
21 go into the station by using you Smart Card and, of
22 course, we're getting a Smart Card that a wide gate
23 that would not only mean that you could then, um,
24 enter through paddles and you can't come out the
25 other way. Um, but that you would be able to go

2 through that were you in a wheelchair, did you—if you
3 had a stroller for example, if you had a load of
4 luggage. So, that's something that progressively I
5 think we need to do. Um, I would like to see us move
6 to a proof of payment system whereby as long as you
7 have proof of payment throughout your journey and
8 that's—that's fine. So, again, it's taking the
9 emphasis off of arresting people, but it is saying
10 that if you, um, if in the future one of our
11 inspectors boards a bus and we ask you for proof of
12 payment, and that can easily be achieved with a Smart
13 Card, um we will expect you to (a) have paid in the
14 first place and (b) to have paid the right amount.
15 So, um, I think one of the advantages of having
16 worked elsewhere is I am familiar with a lot of these
17 solutions. We are actively looking at them. The one
18 with the loaded card is interesting. We could take a
19 look at that. Um, I do, though, um, counsel against
20 things like, and I know you didn't suggest this. In
21 the past I've worked places where people have said
22 you should just have the inspectors. They shouldn't
23 arrest people. They should just sell you a ticket
24 there and then. I disagree with that because where
25 is the deterrent? You will still chance it because

2 you know that there's no downside to being caught.
3 All that happens is if you get caught say one in ten
4 times you have to pay. So there is a lot of thought
5 going into this. We don't want to arrest people, but
6 we can't just let \$260 million or more walk out of
7 the door.

8 SPEAKER JOHNSON: I understand we don't
9 want to lose that revenue, but I also have a concern
10 about over-policing, and criminalizing poverty for
11 New Yorkers, and I would love for the MTA to come
12 back at some point, um, and give sort of a broader
13 vision on other tools to look at on fare evasion for
14 the long-term for the MTA given that it's a
15 persistent problem in New York City, and in other
16 municipalities around the world, as you mentioned,
17 Andy, taking a look at what other cities have done
18 successfully in eliminating the—the huge number in
19 fare evasion, but also not having the—the primary
20 tool be interaction with law enforcement, and
21 figuring out maybe through a pilot program or other
22 ways what we can do. Pat, are you—are you open to
23 looking—maybe you already are—looking at these things
24 that the MTA could be—could be doing?

2 PAT FOYE: Yeah, Speaker, the one thing
3 I'd add--of course we're open--the one thing I would
4 add to Andy's comments, which I think were
5 comprehensive is--is on the funding side. Um, DA
6 Vance from the New York County DA's Forfeiture fund
7 allocated \$40 million to exploring these two new
8 technologies, some of the technologies that Andy
9 described and to help defray the cost of--cost of
10 policing, but we're--we're open to exploring all of
11 these things, and as Andy just showed, he's on top of
12 the technology around the country and around the
13 world.

14 SPEAKER JOHNSON: And then lastly just on
15 this police question. Are we putting up a
16 proportional number of officers on Long Island
17 Railroad and Metro North trains, or is it just
18 focused on New York City Transit?

19 PAT FOYE: Every agency, Speaker.

20 ANDY BYFORD: Every agency.

21 PAT FOYE: Yes, sir.

22 ANDY BYFORD: Mr. Speaker, may I just add
23 one other comment--

24 SPEAKER JOHNSON: Right.

2 ANDY BYFORD: --just in case it's
3 pertinent. I think again just speaking from
4 experience, there's--it seems to me that what you
5 really need to do with any fare evasion problem is
6 you will always have, and it's again not unique to
7 New York. You see it elsewhere, there will be a
8 percentage of people who are determined not to pay
9 the fare whether that's because they don't agree that
10 they should have to pay a fare, they are mad at the
11 transit system or whatever. There are people that
12 are sort of hardcore. They absolutely set out not to
13 pay the fare. At the other end of the spectrum
14 you've got the very, um, the vast majority of decent,
15 honest people who--who just look. It would be enough
16 for them--to them not to pay or not to, um, sorry, to
17 evade the fare. So, you've got two ends of the
18 spectrum there, people that set out not to pay and
19 people for whom that's never an option. In the
20 middle you've got what I call chances, and--and to me
21 that's the big opportunity here. Quite often they're
22 people who can pay the fare, but who on--on a
23 particular day for whatever reason take a chance.
24 So, an effective, um, strategy has three main
25 elements. Number 1, for those people who just can't

2 afford the fare there should be a lower fare option
3 and thanks to your leadership and other City Council
4 we now have that take. Check. Good. That's great.
5 Number 2, you should have a, um, a very high
6 likelihood or a pretty high likelihood and typically
7 the accepted practice is perhaps one journey in three
8 that you should have a high likelihood that at some
9 point on your journey you will have your ticket
10 inspected. We will check that you have actually
11 paid, and number 3, if you are found not to have
12 paid, or not to have paid the correct amount, the
13 penalty should be pretty high, and that's how you
14 deal with the—what I call the chances, because if
15 you—if you really it's—the chances are you're
16 probably going to get checked, you can't afford it,
17 and—and the penalty, though is pretty, um, pretty
18 high, then you will deter those chances, and that's
19 in my professional opinion how you deal with this in
20 an equitable manner

21 PAT FOYE: The Chancellor is British
22 Englis, Mr. Speaker. [laughter]

23 SPEAKER JOHNSON: Thank you, Pat, and
24 thank you Andy. Okay, I'm going to try to finish up
25 here so I can turn it over to the Chair. I'm going

2 to try to rifle through or get through some things
3 very quickly. Currently the 2015 to 2019 Capital
4 Plan calls for \$8.6 billion in state funding and \$2.7
5 billion in city funding. We're at the tail end of it
6 here. The tail end of the current Capital Plan that
7 we're in. So, of the state's \$8.6 billion can you
8 tell us how much money the MTA has received from the
9 State and how much you've spent out of \$8.6 billion?

10 BOB FORAN: Of the—excuse me. Of that
11 money we have committed against, meaning let
12 contracts on almost \$5 billion of that.

13 SPEAKER JOHNSON: How much have you
14 received?

15 BOB FORAN: And we've—and we've--

16 SPEAKER JOHNSON: [interposing] How much
17 have you received:

18 BOB FORAN: And we've received, and we've
19 received and spent about \$800 million of that.

20 SPEAKER JOHNSON: I know. How—out of the
21 \$8.6 billion how much has the MTA received from the
22 State into the MTA's coffers out of that \$8.6
23 billion?

24 BOB FORAN: That's the number I just gave
25 you, sir.

2 SPEAKER JOHNSON: You're received \$5
3 billion?

4 BOB FORAN: No, we've committed. Just one
5 second.

6 SPEAKER JOHNSON: I don't understand the
7 difference between committed and received.

8 PAT FOYE: Just talk about committed.

9 BOB FORAN: Yep, committed we can't enter
10 into a contract unless we have a source of funding
11 identified.

12 SPEAKER JOHNSON: Just explain this to
13 me. When—when you get money from the, from the state
14 or from the city, either one, and we say, the city
15 says we're giving you \$2.7 billion, I expect the
16 city's transfer in \$2.7 billion to the MTA so that
17 you all can use and spend that money. Out of the
18 \$8.6 billion that the state said they were giving
19 you, or gave you or appropriated to you in the
20 current Capital Plan, how much of that \$8.6 million
21 has been transferred into the MTA's fund to be able
22 to spend the money?

23 BOB FORAN: We have—we have received,
24 again about \$800 million that we have spent.

2 SPEAKER JOHNSON: Where is the other \$7.8
3 billion?

4 BOB FORAN: It's yet to come.

5 SPEAKER JOHNSON: Wait--wait--

6 BOB FORAN: If it was--

7 SPEAKER JOHNSON: Is it at--is it at--is it
8 at the--?

9 BOB FORAN: [interposing] Mr. Speaker, if
10 you recall--

11 SPEAKER JOHNSON: Yes.

12 BOB FORAN: --in the last Capital Program,
13 the money to come from the city and the money to come
14 from the state was to be received at the back end of
15 the Capital Program.

16 SPEAKER JOHNSON: But we're at the back
17 end.

18 BOB FORAN: Yes, and that's where the
19 money is starting to come in.

20 SPEAKER JOHNSON: So when--

21 BOB FORAN: [interposing] We expect--we
22 expect to receive all of the state's money within the
23 next couple of years, and we expect to receive the
24 city's money. Sir, the city's money is yet to come
25 in as well.

2 SPEAKER JOHNSON: Well, the city should
3 give you the money--

4 BOB FORAN: Yep.

5 SPEAKER JOHNSON: --and the state should
6 give you the money, and they should give it to you in
7 the current Capital Plan that it's in.

8 BOB FORAN: Yes.

9 SPEAKER JOHNSON: This-this Capital Plan
10 is ending in--

11 BOB FORAN: No.

12 SPEAKER JOHNSON: --in-in 30 days or
13 something.

14 BOB FORAN: No. The way the Capital
15 Program works is we commit money. Okay--

16 SPEAKER JOHNSON: Yes.

17 BOB FORAN: --we have five-year periods.

18 The spending typically takes place over an eight or

19 nine-year period, and I have to point out on this

20 Capital Program we started 18 months late. So,

21 really, we're only--we two-thirds of the way through a

22 capital program.

23 SPEAKER JOHNSON: Well, this is--this is--

24 BOB FORAN: [interposing] So, we--again,

25 we started 18 months late in the funding.

2 SPEAKER JOHNSON: Missed the--missed the--

3 BOB FORAN: Yeah, because the CPRB program
4 was not approved-

5 SPEAKER JOHNSON: [interposing] Mr.
6 Foran, I am glad you're her today because you're
7 explaining this in a way that I understand, but the
8 average New Yorker who wants to understand how the
9 MTA works, their head would spend to understand the
10 difference between committed, received, this capital
11 plan, that capital plan, it rolls into this. The CPR--
12 I mean there has to be a better way to explain this
13 and do this for the public especially when we're
14 throwing around huge numbers of \$8.6 billion and \$2.7
15 billion, and when the city and state makes that
16 commitment, as they should, as I'm glad they did,
17 that money needs to be given to the MTA in a timely
18 manner so that Janno when he is bundling projects to
19 get the projects done on time and in an expedited
20 manner, and to bring costs down that he actually has
21 that money to play with, and is not waiting for it on
22 the back end.

23 BOB FORAN: Absolutely. I couldn't agree,
24 and that's why on this upcoming capital program the
25 '20 to '24 Capital Program we are asking--we're asking

2 the city and we're asking the state for \$3 billion
3 each to come in and provide the funding. That's our—
4 that's our ask.

5 SPEAKER JOHNSON: Yeah, but Mr. Foran,
6 I'm glad you brought that up. The last time the
7 state gave you \$8.6 billion, right in the last
8 Capital Plan?

9 BOB FORAN: They committed.

10 SPEAKER JOHNSON: The current Capital
11 Plan they committed \$8.6?

12 BOB FORAN: Yes.

13 SPEAKER JOHNSON: The city committed
14 \$2.7.

15 BOB FORAN: Yes.

16 SPEAKER JOHNSON: Now, you're coming to
17 us to the city and saying you want \$3 billion from us
18 so \$300 million more I mean I have to understand more
19 before I say we should do that, but fine, that makes
20 sense, \$2.7 billion to \$3 billion. The state is
21 going from \$8.6 billion to \$3 billion. Why?

22 BOB FORAN: Because between the state and
23 the city and the Legislature has enacted, we have—
24 [background comments] We have a Central Business
25 District tolling. We have the Internet Tax and we

2 have the Mansion Tax totaling \$25 billion that we're
3 receiving. The extra \$6 billion dedicated for
4 accessibility being asked of the city and of the
5 state is part of that.

6 SPEAKER JOHNSON: But that—but that money
7 for—that \$25 billion is what the total amount is when
8 you—when you bond the—the Central Business—Central
9 Businesses are tolling money. That is coming from New
10 Yorkers. That's coming basically from New York City
11 streets. So, it's coming from New York. It's not
12 coming from the—the State Legislature or—or—or sort
13 of a general state legislative fund of the state's
14 budget.

15 PAT FOYE: So, Speaker can I--

16 SPEAKER JOHNSON: Yeah.

17 PAT FOYE: --can I make two points. One
18 is with respect in the 2015 to 2019 Capital Plan the
19 current one, which started 18 months late as Bob
20 noted because of the delay and the approval by the
21 Capital Program Review Board. We—we—we expect, and
22 it's been our experience that every dollar that the
23 State of New York and the city of New York committed
24 to the Capital Plan is available, appropriated,
25 authorized and when we ask for it to be committed or

2 spent it will be so, and that has been our experience
3 so far. With—with respect to the city of New York and
4 State of New York's commitment to capital plans in
5 the past, if—if we start with the 2015 Plan and the
6 2020 Plan, the city of New York will have committed
7 about \$6 billion in total, and the State of New York
8 will have committed about 12—12 in total. If you look
9 at all the approved capital programs going back to
10 1982 when Mr. Ravitch was the Chair of the MTA and
11 excluding the 2020 to 24 plan, the city of New York
12 has provided about \$13.2 billion in—in capital to all
13 those capital plans, and the State of New York has
14 provided 35, 34.5.

15 BOB FORAN: And I also would need to point
16 out all of the money coming from the state has been
17 appropriated. It's fully appropriated, and that's why
18 we are able to let contracts against it and that's
19 why we're starting to spend money against those
20 contracts. So, we feel—we feel very comfortable that
21 we're going to receive the money that the state has
22 promised in the '15 to '19 Capital Program just as we
23 feel comfortable that we're going to receive the
24 money that the city has committed, and we are now
25 working with the city to identify project that they

2 will fund, but the extraordinary commitments that
3 were made in the '15 to '19 Capital Program where we
4 received significantly more additional funds that the
5 agreement was that those monies would come at the end
6 of the Capital Program and the monies are starting to
7 flow, and we do appreciate it, and we are spending
8 against it, and I'm confident it's going to come in.

9 SPEAKER JOHNSON: So, why should the city
10 make it's capital funding available earlier in the
11 plan and the State's.

12 BOB FORAN: A good question.

13 PAT FOYE: Well not earlier than the
14 State's.

15 BOB FORAN: No, no. it's coming in at the
16 same time on the second capital program, and the-what
17 the ask is of both the City and the State is this
18 time we'll first spend the money against the Central
19 Business Tolling District revenue that's been
20 identified. We'll spend the money that's coming in
21 from the sales tax, and we'll spend the money that's
22 coming in from the Mansion Tax. Once those monies are
23 committed against, and we're spending those dollars,
24 that's when we're going to ask the City and the State
25 to provide the funding \$6 billion as requested. Then

2 the MTA will sell \$9.7 billion worth of additional
3 debt, but it will do it at the end of the Capital
4 Program just as this time we did it on the front end
5 of the Capital Program, and the reason we're making
6 that request is we're just trying to push as far off
7 as possible anything that would have pressure on the
8 fare box.

9 SPEAKER JOHNSON: So, why should the city
10 give the MTA the additional money when you haven't
11 finished your current plan?

12 BOB FORAN: Because we're starting
13 committing against the next plan.

14 PAT FOYE: So, Speaker, I think there are
15 two answers to that question, and then I'll turn it
16 over to Janno. Answer 1 is that \$3 billion from the
17 State and the \$3 billion from the City of New York
18 are dedicated to accessibility investments with
19 respect to the city's investments entirely to
20 accessibility investments in the subways, but the
21 second point is the point that Bo just made doing
22 this and this consistent with the theme that in your
23 opening remarks about pressure on the operating
24 budget, extending—sorry—delaying the MTA piece the 9—
25 the \$9 billion that Bod just described will reduce

2 the operating—the pressure on the operating budge
3 from the increased debt service. We—we will delay it
4 and, therefor, reduce it, but the—the programmatic
5 point is that the \$3 billion from the state and the
6 \$3 billion from the city will be dedicated to
7 accessibility.

8 SPEAKER JOHNSON: Okay and my final
9 question the new Capital Plan includes \$10 billion in
10 funding from new revenue sources, as you mentioned
11 Mr. Foran including a progressive tax on the transfer
12 of high-end real estate and the elimination of the
13 Internet tax advantage. This funding represents 18%
14 of the total funding of the Capital Plan that we're
15 discussing today the next capital plan. Could you
16 tell us how much revenue you expect to get from each
17 of these new sources and how you arrived at these
18 estimates?

19 BOB FORAN: Those are based upon budget,
20 New York State Division of Budget numbers. I think
21 it's \$320 from one source on an annual basis and
22 about \$370 million a year on an annual basis. So, in
23 total about \$690--

24 SPEAKER JOHNSON: Okay.

25 BOB FORAN: --million dollars.

2 SPEAKER JOHNSON: Pat, I'm just going to—
3 I'm going to hopefully throw you a little tee ball
4 question here: Why should New Yorkers feel good
5 about the current state of where things are at the
6 MTA? I mean you've said a bunch of times and again
7 you and I have a very good relationship, and I
8 respect you tremendously as well as Janno and Andy
9 and now Bob Foran given that he's here today. Um,
10 but—but, um, you said we brought another team. So, it
11 sort of sounds like we have a new team. Trust us,
12 but given all of the financial issues, given the
13 questions around the Financial Plan, given the lack
14 of transparency, what would you say to the public on
15 why they should feel confident about the MTA's
16 direction, about the proposed Capital Plan even with
17 as Mr. Foran said we're in a dire financial situation
18 as it relates to the MTA an overarching answer to why
19 the public should feel confident about the MTA right
20 now.

21 BOB FORAN: So Speaker, rather than
22 talking about aspirations or what we're going to do
23 or what we might we might do in 2020 or '21, I want
24 to talk about what we're doing now so, I mentioned in
25 my opening remarks the L-Train is—is on time and on

2 budget thanks to work by Janno and his team and Andy
3 Byford and his team, but the second track, well now a
4 railroad project is on time and on budget. The third
5 track was delivered a year early?

6 JANNO LIEBER: Yes the second track was
7 delivered a year early.

8 BOB FORAN: The second track was delivered
9 a year early, forgive me. OMNI the new fair payment
10 system is being rolled out. It's met every—it's met—
11 it's on budget. We report that to CPOC and the Board
12 and the public regularly. It's on time, it's on
13 budget. Central Business District tolling
14 infrastructure we plan to bring to the Board this
15 month in November. We actually brought it in October
16 a month early. The contract with the selected vendor
17 and a competitive RFP was signed early. The design
18 we gave—the contractor the instructions, notice to
19 proceed on the design. That is proceeding. Each of
20 these are incredibly important projects we're working
21 on now and L-Train's second track, third track on the
22 Central Business District tolling are examples of
23 where the MTA is not performing in the way that you
24 and other important elected officials have
25 appropriately criticized. We've got a lot more work

2 to do. We've got a U-transformation to go through.
3 We've got a lot of expense cuts to make, but these
4 are examples on major projects that we're either
5 working on now or in the time that this new team has
6 been in place are on time and on budget.

7 SPEAKER JOHNSON: What do you think about
8 municipal control of the subways and buses, Pat.

9 PAT FOYE: Um, so Speaker it's-it's-it's
10 a very complicated issue. I would note the
11 following: First, I think your proposal was
12 interesting and-and provocative. Um, I-I think the
13 points I would make would be the following: One
14 question would be regional taxes like the payroll and
15 mobility taxes and-and other things, which are
16 fundamental components of the MTA's financial
17 structure today are a-are a byproduct of the fact
18 that the MTA is a state agency. So, figuring out a
19 way to replace those I-I think would be unbelievably
20 challenging. Second is obviously most transportation
21 policy in the state of New York is set by the State
22 Legislature, and then third, long before any of our
23 times, the subways and buses were run by the city of
24 New York, and -

2 SPEAKER JOHNSON: [interposing] Until
3 Governor Rockefeller took it away from their agency.

4 BOB FORAN: In-in 1969, correctly, but the
5 circumstances leading to takeover was from instance a
6 long period of time where the subway fare was not
7 increased. That may have been an equitable thing to
8 do, but obviously had a significant impact on the
9 financial condition of New York City transit at the
10 time and I would suggest that a significant impact on
11 the ridership experience. Um, I-I think it's a very
12 complicated-it's a very complicate issue that will be
13 decided at levels significantly above my pay grade by
14 elected officials in-in Albany, and, um, and here at
15 the-at the City Council. Um, for now, we are
16 proceeding with the assumption that the MTA's current
17 structure and authorizing legislation will continue,
18 and we're pushing forward with improving service
19 improving customer service and transformation.

20 SPEAKER JOHNSON: So, as contributing-I
21 assume, Pat, you're glad that Andy Byford is still
22 here? I don't want to make him uncomfortable, but
23 I'm assumer you're glad he's here

24 PAT FOYE: Amen. I look forward to
25 working with him for a long time.

2 SPEAKER JOHNSON: [interposing] So how
3 did you convince him to—to retract that, um,
4 resignation letter that none of us have been able to
5 see to understand why he wanted to resign.

6 PAT FOYE: So, so, Speaker in—in my mind,
7 um, to use a British phrase, I think that's talking
8 cheese, and I think that's, um, that's long past us.

9 SPEAKER JOHNSON: Well I want to—I want
10 to see Andy to be empowered. I think he's—he brought
11 a tremendous amount of confidence, um, from the
12 riding public to the MTA. He and I did not discuss
13 this. He's blushing and looking away as I say this
14 because I think that's the type of person that he is,
15 um, but I think it was very dispiriting, and, um,
16 upsetting for New Yorkers to see that potentially he
17 was leaving, and I'm glad, Pat with your leadership
18 you were able to convince him to stay. I'm sad that
19 Ronnie is leaving. I'm happy for her in her
20 retirement, but she's been a great person to work
21 with, and has a great career in serving New Yorkers,
22 and I want Andy Byford to stay to be empowered to not
23 have New York City Transit be weakened in this
24 transformation plan. The City Council I think I could
25 speak for the vast majority of us has tremendous

2 confidence in his leadership and his vision and his
3 formulating the Fast Forward Plan. I want to give a
4 shout out to Sarah Meyer who has done a tremendous
5 job in customer service at the MTA under Andy and I
6 just want to leave you with that today, and I hope
7 you understand the gravity of that comment that I
8 give because I think literally millions of New
9 Yorkers are watching, and are grateful for Andy
10 Byford's service and leadership and vision at New
11 York City Transit.

12 PAT FOYE: So, Speaker, I look forward to
13 working with Andy and Sarah Myer and their colleagues
14 for—for a long period time. I think the, um, success
15 of the Subway Action Plan thanks to funding from the
16 State and the City the dramatic increase in on-time
17 performance and the increase in ridership speak for
18 themselves.

19 SPEAKER JOHNSON: Pat, thank you for
20 being her, Janno, Andy, Bob and I really appreciate
21 this long extended back and forth today. I look
22 forward to following with specific questions to Janno
23 on the projects, the cost overruns, the bundling, the
24 sequencing, the phasing all of that to understand,
25 um, what's going to happen in the future, and with

2 that, I turn it over to Chair Rodriguez. I apologize
3 for taking so much time, but Pat told me he's
4 available to be here until about 11:00 tonight.
5 Thank you very much. [laughter]

6 PAT FOYE: Thank you, Speaker. We look
7 forward to coming back.

8 CHAIRPERSON RODRIGUEZ: Thank you,
9 Speaker, and—and before asking a question, I'm going
10 to say [Speaking Spanish]-out of the Washington
11 Heights then through the Bronx, Queens, Brooklyn and
12 Staten Island. [Speaking Spanish] I believe that
13 having Senator leaders Stewart-Cousins and Cal
14 Hastings make a big difference to get the criminal
15 justice reform and the new housing law that passed
16 because they come from places that represent the
17 underserved community. I do have an issue when you
18 say we are the leadership of the MTA, and there's no
19 diversity there. I feel that you make a difference
20 and we should address it. Most of the individuals
21 that you mentioned doesn't reflect the New York City
22 that we have in 2019, which is 29% Latino, 27%
23 African-American, 15% Asian and, you know, the new
24 leadership of our society we have to be very careful
25 because there's a new way of, or youth, people who

2 are not yet, they're organizing the groups in County
3 Park. (sic) That movement didn't die at the park.
4 That movement is spreading to the whole society and
5 they will continue getting into the subway demanding
6 free transportation. They will continue getting into
7 the subway saying we don't need to have any police
8 officers using their power, and they will bring in
9 thousands and they will question why and how do we
10 react, and I feel that we, all of us who are in
11 position of powers inherit a society that we don't—we
12 are comfortable in being placed with our diversity,
13 diversity of the color of the skin, diversity with
14 the gender, and I just hope that the MTA that we want
15 to see reorganized for the future because we cannot
16 leave the MTA with the past behind. The MTA is still
17 there, the MTA that failed or transpires, the MTA
18 that fails our accountability. The MTA that fail
19 over-pricing a lot of work that they did, the MTA
20 that only use two private sectors to do-corporation
21 to do most of their job even though there was like a
22 time could do the job that could reduce the cost, and
23 that's why when the 125th Derail happened, I did call
24 for a forensic audit of the MTA, and your case you
25 were not in the position where you are today. So this

2 was not only--this is not only about individual This
3 is about an institution. So, how comfortable can we
4 be running institution that we know that there is no
5 diversity in leadership or people they can bring
6 different experience, and let me put it--let me put
7 it in this way. Let me make a point here. You can
8 throw some name, some number. It is better to accept
9 that the lots of challenges, because you try to
10 justify, you would not be accepted by the 100,000 of
11 people who are following the conversation that we
12 have in the city of New York. We have a problem
13 because society of today are thinking that
14 segregation is over because we changed the law. It
15 doesn't happen if we don't change the culture. So,
16 here were are, and as you know, I would be the first
17 one advocating for more resources, but I have issues
18 with lack of leadership, with lack of diversity in
19 the leadership of the MTA. You can press for Eddie
20 who was there, you can throw another name, but I just
21 look at all the faces. Where is the Latino in this
22 room? Where is the diversity of black, and you don't
23 have to be black or Latino or Asian to represent
24 everyone. Everyone would like to see people that
25 bring their experience to the table. So, how can we,

2 you know as we are getting ready like forty days we
3 start, you know, seeing the MTA implementing the
4 most-probably one of the most ambition plan of \$54
5 billion dollars. Also ready to share with the city
6 of New York that as you-as you are making changes on
7 how and where to invest it, also you're making
8 changes on diversity or leadership the reflect the
9 City of New York.

10 ANDY BYFFORD: I might just start, Mr.
11 Chairman if I may because I-I fully agree with you
12 and I pride myself on working in my last role on the
13 Transit Commission, but also here at New York City
14 Transit. So, I would say it's the most pertinent or
15 relevant agency for this building because we-we
16 provide subway and bus service throughout the city.
17 So, on merit, I'm actually very proud of the
18 executive team that I have built, and again, it is on
19 merit. We have the first woman ever to lead the
20 subway in Sally Librera. Our Chief Customer Officer
21 is with us today Sarah Meyer. I have on my Executive
22 for the first time ever a wheelchair user Alex
23 Alagrudin (sp?) who I think hopefully you would agree
24 has made a huge amount of difference in pushing
25 forward, driving the accessibility part of Fast

2 Forward a full call for the Fast Forward Plan, and
3 across my executive but also the next layer down, I
4 think we have tremendous diversity in terms of
5 gender, race, physical ability and sexual
6 orientation, and that also manifests itself in our
7 GSM Team, the Grout Station Managers who are now
8 placed across the system. There's 22 of them around
9 the system, again on merit they were chosen to
10 reflect the city that they serve, and so you only
11 have to look at the pictures on the stations because
12 again it's about accountability, and you will see
13 black faces, you will see Asian faces, you will see
14 Latino faces. So, again, I'm very proud of my
15 executives certainly for—I can't speak for the MTA as
16 a—as an entity because I—I don't, um, lead that, but
17 for New York City Transit, we an incredibly capable,
18 highly diverse executives that has been chosen on
19 merit, and I think the results speak for themselves
20 and reinforce your very valid point that it's not
21 just the right thing to do to have diversity in your
22 management team. It's the, um, it's the smart thing
23 to do because a diverse team creates far better
24 business outcomes, and I'm very proud of what we've
25 achieve so far.

2 CHAIRPERSON RODRIGUEZ: That diversity
3 reflect the New York City or the 20-no, the '19
4 Census that was 96% white, only 2% Black and Latino
5 were not counted. That diversity doesn't reflect the
6 New York City of today that is 29% Latino, 27%
7 African-American, more than 50% Asian, and it's not
8 having one as a token because we want to fulfill this
9 space. It's about that we need to push harder in the
10 process of recruiting because we want to make the
11 MTA, you know, the best one, the best model in the
12 nation, and for me this is big one. You know, when
13 we have areas of the South Bronx, 750,000 people,
14 500,000 Latinos, most of them poor, I want to see. I
15 want my two daughters to know that there's leaders in
16 the top institution, institution that has a value of
17 one trillion dollars of people who look like them.
18 So, I'm happy to see, you know, changes that happen
19 to see I think that people should hired, recruit
20 based on capacity. That's what we're pushing for but
21 this is not only about the MTA. It's something about
22 nationwide, but in citywide. So, I just hope again
23 for me it means a lot because especially now as we
24 are addressing, you know, train station, where are we
25 giving priority? You know just like everyone use

2 Times Square. All of us use Columbus Circle. It's
3 important for the economy, but also stop at the 149
4 and Third Avenue at night. Stop at Jerome and 170,
5 live at the Diamond Houses and have a need to go to
6 Riverdale in a wheelchair. You have to go down to
7 96th Street in the 1-Train because that's the next
8 station with an elevator in order to go up to 231st
9 and here we are and fixing and putting the new
10 Elevator at the 168, and I just know about you as a
11 new person in the city someone that I'm not going to
12 say I don't know how. I feel that you became open.
13 You're not shy about people's frustration, and it's
14 not only on your decision, but it is, that elevator
15 on 168 the money and technology is there to deal with
16 the rock and those elevators should be going down to
17 the platform instead of leaving the elevator the new
18 one like a one-shot on opportunity investing millions
19 and millions of dollars in the area, that institution
20 that's important for the students going to Medical--
21 Columbia Medical School, they're residents, they're
22 patients. If they will taking the 1-Train elevator
23 they will get a new one with a group ribbon cutting,
24 but it still will continue going to the same area and
25 not been going--not going down to the platform to be

2 accessible to on million New Yorkers with physical
3 challenges. So, I feel again that diversity of
4 voices and experience is important, but let me also
5 move into that question.

6 PAT FOYE: Chairman, could I just make
7 two comments if—if I would. Um, for those looking
8 for accessibility investment, this plan will spend
9 \$5.2 billion on accessibility in the subways, and
10 cover 70 new stations Fast forward it was 50. We've
11 taken it now to a new limit. We believe this is the
12 largest single capital plan investment made any
13 agency and accessibility in the United States. On
14 the diversity issues, Andy talked about hiring at New
15 York City Transit, I—I just wanted to make this
16 point. I know this is important to you and your
17 colleagues. The MTA is by far the most efficient
18 organization in terms of MWBE spending and investment
19 in the Capital Plan, and over the last several years,
20 on the existing Capital Plan, we've made MWBE awards
21 north of a billion dollars. Um, Michael Gardner, who
22 many of you know is the senior leader who leads that
23 effort, and I think frankly, he is--

24

25

2 CHAIRPERSON RODRIGUEZ: But that-but
3 that-I'm sorry. That he is the best Chairman, but
4 that is another angle of the question.

5 PAT FOYE: Yes.

6 CHAIRPERSON RODRIGUEZ: The question of
7 diversity is about position--

8 PAT FOYE: Yes.

9 CHAIRPERSON RODRIGUEZ: --of leadership
10 by the institution.

11 PAT FOYE: Yes.

12 CHAIRPERSON RODRIGUEZ: And even though
13 MWBE I think that that's. you know, I take it to
14 another question which is-

15 PAT FOYE: Right.

16 CHAIRPERSON RODRIGUEZ: --a lot of
17 changes have to be made because there's a different
18 way of how public and private are able to make the
19 number without going to the real men, when Black and
20 Latino and women there's a different way of how
21 corporations being established in partnership and be
22 able to come out with the numbers. So, you know,
23 that is even another area.

24 PAT FOYE: Yes.

2 CHAIRPERSON RODRIGUEZ: I have seen good
3 progress, but I feel that, you know, we should
4 definitely look at new reforms to get the MWBEs to
5 really go to people who live in those communities
6 that need to create the more-more jobs. With-with
7 the 500 new police officers, my first question is how
8 many men and women do we have right now?

9 PAT FOYE: 700.

10 CHAIRPERSON RODRIGUEZ: And patrolling
11 the--

12 PAT FOYE: And the MTA police
13 approximately 780, a number like that.

14 CHAIRPERSON RODRIGUEZ: Okay, so one-one
15 new law that we passed at the Council is that now
16 when because of previous negative experience that
17 someone called 911. I remember two years ago there
18 was a person killed by the police at Amelia Avenue in
19 Inwood, and there was a 911 phone call. The person
20 way saying send me a police officer. I want to kill
21 them. However, the unit who replied to that phone
22 call was not trained to deal with mental health. So,
23 this really is about the average training that all
24 police officers will receive. Do you anticipate
25 especially now the MTA during the cold winter, you

2 know, being a destination for people they don't have
3 if they got to leave, we have a lot of people also
4 dealing with mental health issues that when there's
5 cases that involve someone in a mental health issue,
6 not only the men and women of the NYPD, the police
7 officer will be responding there, but there's a—is
8 there a specialized unit that responds on mental
9 health cases that is the one that goes and interact
10 with those cases?

11 PAT FOYE: So, Chairman, the, um, the new
12 MTA police officers that are being hired next month
13 and into 2020 will have gone through the NYPD Academy
14 or will be already fully sworn officers some members
15 of the NYPD or other regional police forces, and will
16 have received exactly the same training.

17 CHAIRPERSON RODRIGUEZ: But there's not--
18 the City of New York right now--

19 PAT FOYE: Yes.

20 CHAIRPERSON RODRIGUEZ: --established a
21 new law that when there's a case that is involving
22 someone with mental health issues, the first one that
23 responds to interact is that unit that have been
24 trained only to respond in those cases. Is there a
25 unit inside working with the--with the--in the MTA that

2 is also is specialized to respond with cases of
3 people that have mental health issues?

4 PAT FOYE: So, so, Chairman, um, today
5 and I suspect in the incident that you just describe,
6 the response came from the NYPD, which has primarily
7 responsibility for policing, um, the—the subways. I—I
8 will come back to you on the question about the MTA
9 Police Department, um, unit or approach for
10 interacting with the emotionally disturbed.

11 CHAIRPERSON RODRIGUEZ: Okay, with—with
12 the 51, and I don't want to get into the specific on
13 which station in particular, but for the 50—on the
14 \$51 billion capital, what percentage will be used for
15 maintenance and repair in the stations located in
16 under-served communities?

17 JANNO LIEBER: Chairman, I'm sorry.
18 Stations located--?

19 CHAIRPERSON RODRIGUEZ: In under-served
20 communities.

21 ANDY BYFORD: Um, I—can I just check
22 what—when you say under-served communities--?

23 CHAIRPERSON RODRIGUEZ: The working class
24 community.

2 ANDY BYFORD: How are you defining that,
3 that's it's very broad definition with respect. I
4 mean what's—what's your definition such that could
5 define it?

6 CHAIRPERSON RODRIGUEZ: Forty percent of
7 New Yorkers live in poverty and they live in
8 particular seaport and they live around 149 and Third
9 Avenue, Jerome and 170, Burnside and Jerome. They
10 live in places in Washington Heights. They live in
11 those communities. Now they're wharfed (sic) in the
12 middle-class communities.

13 ANDY BYFORD: Understood. So—so this
14 capital plan will make investments across the whole
15 city in terms of re-signaling, in terms of making
16 stations accessible, in terms of transforming bus
17 service to bus—the bus redesigns cover every route
18 across the whole city in terms of station
19 modernizations, in case—in—in terms of other physical
20 upgrades of infrastructure the whole city. So, we'd
21 have to compare your definition against the budget to
22 give you a specific amount, but the headline is it's
23 across—this is designed to modernize the whole of New
24 York City Transit and that includes those areas that
25 you rightly reference.

2 JANNO LIEBER: As stated, Mr. Chairman if
3 I may, Obviously in this—in the ADA and Andy and his
4 team together with some important stakeholders did
5 the selection of the initial 50 stations, but broadly
6 speaking historically the investment in ADA
7 accessibility has been in the center of the system in
8 the so-called, the—the—the hundred stations that
9 received disproportionate volume of ridership, and
10 those tended to be in Manhattan. So, this plan in
11 addition to the principle that Andy has laid out of
12 having an accessible station no more than two
13 stations away, it will be disproportionately reaching
14 into the boroughs outside of Manhattan and into some
15 of the communities referenced in your question.

16 ANDY BYFORD: Mr. Chairman, the reason
17 that's important is again to build upon about what
18 Janno has just said, the methodology that we applied
19 and there's actually applicants here who—who very
20 usefully worked with us on—on applying those
21 methodologies, um, was designed to ensure that going
22 forward for accessibility, you'll be no more than two
23 stops away from an accessible station within five
24 years, which is a huge step forward from where we
25 currently are. In fact, by going beyond the Fast—

2 four to 50 station and you only needed 36
3 scientifically deployed to make that no more than
4 two—no more than two stations away. We're having 70.
5 We won't be far off. No more than one station away.
6 So, by definition a lot of that money and a focus
7 will be—will be targeted to outside Manhattan
8 precisely because those areas have fewer elevators.
9 So, so, that, I would like to think gives you
10 assurance that and we're—we're spending this money
11 and applying this focus across the whole system. What
12 we will do is use census tracks to come back with a
13 specific percentage allocation against the money
14 that's being targeted. We can work that out for you,
15 but again it's important to note that because we
16 wanted to achieve that objective de facto, the
17 extremities of the city will get more elevators.
18 They have to in order for us to achieve no more than
19 two, possibly even no more than one stop away from an
20 accessible station within an unprecedented time
21 frame.

22 PAT FOYE: And likewise, everyone of the—
23 the lines that's receiving re-signaling under the
24 proposed capital plan reaches into work—what you had
25 just described as a working—working class

2 communities, the A-C Line obviously serves Central
3 Brooklyn as well as the northern reaches of
4 Manhattan. You've got the Lexington Avenue and what
5 some people think of as being in the east side of
6 Manhattan line, but you know, Chairman, that that
7 serves huge numbers of people in the Bronx, and
8 continuing into Central Brooklyn. So, each of the
9 lines that's receiving re-signaling will allow it to
10 deliver faster, better, and more frequent service is
11 touching the communities of your particular concern.

12 CHAIRPERSON RODRIGUEZ: I just hope that
13 as we will be celebrating Martin Luther King two
14 months from now his birthday, that besides going to
15 masses to celebrate him, we also dream on his dream
16 to bring social justice to transportation, and—and I
17 remember when the Governor, you know, came to
18 Manhattan Center and many of you you were there and
19 one thing that I like about his presentation was
20 about we need to deal with the reality. There's a
21 crisis. So the first thing that we need to realize
22 is that immigrants in working class neighborhood,
23 have been left out. If you as a resident of some
24 community what do you think that the train station is
25 not well maintained and protected? They will say

2 because most of us are working class and Immigrants,
3 and I just hope again that we use this opportunity.
4 You know life that chance for us to leave the
5 fingerprints of doing that. We're going to be doing
6 business as usual, another chair, another new city
7 transit will pass by. There is a real issue of
8 inequality in New York City. Yes, all of us will be
9 using the train station here in Manhattan, but
10 there's the forgotten stations. I was waiting for
11 the bus at Jerome and 170. That was like 40 minutes
12 like 11:00 p.m. waiting for the bus. Just imagine
13 people who live in transportation deserts area that
14 they need to walk 10 blocks away from the train
15 station to their apartment. A teacher that want to
16 make a difference teaching in a neighborhood where
17 they also need to walk 10 blocks, and I know that
18 this is top priority for you. I just want to
19 highlight it, the importance that you look and, you
20 know, especially from the staying in your leadership
21 we're good on doing PowerPoint presentation. I would
22 like to see something around how with the new \$54
23 billion we are addressing giving priority to working
24 class under-served community. No, I'm not thinking
25 about bringing the new station. It's no building. At

2 least maintain it for people to feel safe when they
3 take any station. A station in Columbus Circle at
4 115 and Broadway around Columbia University should be
5 as safe and as clean as the train station 2-Train at
6 149 and Grand Concourse where we have also Community
7 College-

8 ANDY BYFORD: [interposing] Let me say-

9 CHAIRPERSON RODRIGUEZ: --where we have
10 the Lincoln Center that I know that you have our
11 plan, but there's no elevator in that station.

12 ANDY BYFORD: Right. This is a plan for
13 New York City. It's not a plan for Manhattan. This
14 plan deliberately has one full quarter of it
15 addressed to accessibility, which goes across the
16 whole city. It also and across all five boroughs. It
17 also has detail of how we will progressively re-
18 signal the whole subway across all five boroughs. It
19 has a further quarter dedicated to the re-design of
20 bus routes and bus service by talking to the people
21 across all five boroughs. In my job I go across all
22 five boroughs. So, I'm entirely, Mr. Chairman on the
23 same page as you.

24 CHAIRPERSON RODRIGUEZ: We are and that's
25 why we've been form day one we like what you bring to

2 the city, and definitely would like to be working
3 with you but also we just need to know that we need
4 to be sure that we address again those two pieces not
5 only for me and for those who are the Black and
6 Latino in our nation, everyone should be committed to
7 bringing leadership at the top, diversity at the top,
8 and everyone should be committed to saying the train
9 station the buses that run through their work-under-
10 served community should be the same as anyone that
11 run through the upper class community. My next
12 question is about how much does the federal
13 government contribute to our transportation system
14 that is important not only for the city economy, but
15 it's key for the nationwide economy?

16 PAT FOYE: How much are we assuming in the
17 current plan? Approximately \$10 billion.

18 CHAIRPERSON RODRIGUEZ: Can you explain,
19 if you don't mind, where-what is-are they-are those
20 \$10 billion going to a specific project? I know that
21 some that is for the Second Avenue Subway, but--

22 PAT FOYE: So-so Mr. Chairman about near
23 \$8 billion is federal formula and flex and we have
24 assumed Federal New Starts, a grant for Second Avenue
25 Subway Phase 2 of slightly under \$3 billion. We

2 believe the assumptions about the federal formula and
3 Flex are appropriate. They're based on recent levels
4 of the funding of federal funding. We are not
5 assuming an increase. I—I think there's a substantial
6 case to be made that, um, New York City and New York
7 State do not receive their fair share of federal
8 transportation funding, um, by our assumption for
9 this Capital Plan is approximately \$10 billion, and
10 the, um, the competitive grant funding piece of that
11 would be for the expansion of Second Avenue Subway
12 into Harlem, which obviously would take subway or
13 bring subway service for the first time to a transit
14 desert.

15 CHAIRPERSON RODRIGUEZ: Yes. I—I just—
16 and—and—and how much is that plan also anticipate
17 that we count for the Second—for the expansion of the
18 Second Avenue Subway?

19 BOB FORAN: The—the—the total costs, I
20 defer to Janno.

21 JANNO LIEBER: Um, it's—the total
22 projected cost is \$6 billion and I would add to you
23 we—we—we're not just asking the federal government
24 for money. We've gone through multiple phases of
25 reviews by the Federal experts at USDOT and their own

2 consultants and they've actually given New York high
3 marks in the plan for the Second Avenue Subway in
4 addition to the fact that it's overdue that we make
5 good on the commitment to the people of East Harlem
6 who have been waiting since the '30s and '40s when we
7 knocked down the elevated trains, to have first class
8 mass transit, but we have convinced the federal
9 government that we rate high on their system and
10 we're cheaper on a per-rider basis than almost
11 everywhere else because we have so many people who
12 want to use that Second Avenue Subway Phase 2 in
13 Easter Harlem and Central Harlem, and this project is
14 ready to. It rates highly on the federal scale, and
15 it deserves the money.

16 CHAIRPERSON RODRIGUEZ: But it's
17 difficult not to have any doubts of that money when
18 all we know based on what I know is that it's based
19 about the Pres--the guy in D.C. who say in a Twitter
20 that he would support bringing funding for this
21 expansion of the Second Avenue Subway, right?

22 JANNO LIEBER: Yeah, we would--

23 CHAIRPERSON RODRIGUEZ: [interposing] He
24 said, or let me put it this way. Is there any
25 concrete and solid commitment in writing by--by DC

2 that they will fully fund the extension, the
3 expansion of the Second Avenue Subway?

4 JANNO LIEBER: No. What they're-what-
5 we've been going through the process. This is a
6 normal federal process for a complete grant of this
7 size and let me add, Mr. Chairman in the United
8 States projects of this magnitude of a new subway
9 line are always built with federal support, be we-
10 we've stepped through the various hoops, and now
11 we're waiting for the next step for the-for the
12 federal government to approve us to enter the next
13 phase--

14 CHAIRPERSON RODRIGUEZ: But we don't have
15 the money.

16 JANNO LIEBER: We don't have it
17 absolutely locked up, but we've received high marks,
18 as I said, and there's no reason not to say to the
19 federal government you ought to give it to us.

20 CHAIRPERSON RODRIGUEZ: Well, with-with
21 the guy that we have in the city we never know what
22 happens tomorrow. We never know what other Twitter
23 he will send tomorrow if he get mad with Senator
24 Schumer and he get made with Congressman Nadler
25 hoping their voices are advocating on transportation

2 so, I get what you say. This about an institution,
3 but the fact that we are putting that dollars as
4 projection of money that we will have not based on—we
5 can say, we can dispute the city and the state when
6 the capital money will come, but we are saying in
7 that budget we are also counting with number that we
8 don't have anything in writing from the DC that they
9 will fund the expansion of the Second Avenue to
10 125th.

11 JANNO LIEBER: And absolutely and we—we
12 we're not going to let the federal government off the
13 hook, but I respect your point. It's not certain.

14 CHAIRPERSON RODRIGUEZ: Okay, and with
15 that, can you -have you tried because there's one
16 guy—one thing that this guy has been taking advantage
17 from D.C. is to do good for his business, and many of
18 those businesses that are in New York City and his
19 partners. So, have you tried to work with the
20 public-private sector to see if from D.C. there's a
21 commitment for to get the dollars to expand it to the
22 South Bronx.

23 JANNO LIEBER: I don't know that there's
24 you know, there's an option for future phases to
25 continue to the South Bronx, but what I would say to

2 you Chairman is (1) we have worked closely with the
3 business community especially the East Harlem Chamber
4 of Commerce and other East Harlem businesses to
5 support this application. As far as the Bronx goes,
6 the idea of connecting to the Bronx that area where
7 the connection was going to be made we actually are
8 funding in this Capital Program proposal as part of
9 the Penn Station Access Program—Project that would
10 bring Metro North Commuter Rail Service to the entire
11 East Bronx, and --

12 CHAIRPERSON RODRIGUEZ: [interposing] No,
13 I'm sorry. I'm just focusing on the Second Avenue
14 that right now--

15 JANNO LIEBER: Right it's the same
16 tracks. It's the same trackage that had been thought
17 of as a potential, um, connection for the Second
18 Avenue, the same right-of-way. So, my point to you is
19 we do have a plan for connecting that same area of
20 the South Bronx into providing additional commuter-
21 commuter and mass transit service, and it is funded
22 in this project through the Penn Station Access
23 Budget.

24 CHAIRPERSON RODRIGUEZ: So, you think
25 it's possible that the Second Avenue will get funded

2 not only to 125th but to get funded up to the South
3 Bronx?

4 JANNO LIEBER: No, I think it—I think—my
5 point is that I think Second Avenue funded to 125th
6 is real and—and we should continue pushing for it,
7 but in this program we're serving the same area that
8 was hoped to be funded in one version of Second
9 Avenue Phase 3 or 4 in—in the existing Penn Station
10 Access project, which we have in this plan.

11 CHAIRPERSON RODRIGUEZ: Okay, and my last
12 question now before calling my colleague is about the
13 system has seen an increase of ridership recently,
14 and how are you, you know, looking? What—how do you—
15 what do you attribute that increase of ridership to,
16 and—and how you maintain gain in the OTP?

17 ANDY BYFORD: Thank you for the question,
18 and I would attribute it to the fact that service is
19 becoming more reliable when, um, you cast your mind
20 back, Mr. Chairman to January of 2018, the On-Time
21 Performance Statistic was an embarrassing 58% of
22 trains arriving within five minutes of their booked
23 time. Only as the Chairman said earlier on, only
24 just a couple of months ago we actually achieved 84%
25 on time performance and we've now hit 80 over 80%

2 performance five months in a row. So, the service is
3 definitely stabilizing. We have, as the Chairman
4 said, we have introduced new signaling on the 7-Line,
5 and that line went up from around 63% punctuality to
6 9% punctuality. So the Subway Action Plan, The Save-
7 Save Seconds Campaign, all of these things are
8 benefiting customers who are noticing quicker journey
9 times, less disruption, fewer major incidents,
10 quicker response times. So, people do feel now
11 certainly my interaction with customers everyday on
12 the subway that people do say to me they are noticing
13 a difference, and so, therefore, that's attracting
14 them back to the subway. Meanwhile, on the buses
15 let's take the 14th Street as an example. We've seen
16 a 34% increase in ridership on 14th Street since in
17 conjunction with yourselves, with the city and with
18 DOT and I'd like to thank Polly Trottenberg for her
19 invaluable support and that of her team. Um, we've
20 now achieved a huge percentage increase in the
21 average speed of the of the service end to end. The
22 journey time is down, and customers are flocking back
23 to what was a route in decline. There was a
24 precipitous decline in that bus service before, and
25 if I site a second bus example the Staten Island

2 Express Network where we redesigned it and in
3 conjunction with the community. Already customers are
4 noticing increased reliability, faster average speed
5 and shorter journey time as a result of the work that
6 we've done, which we're now replicating in the Bronx,
7 and we're underway in Queens and we're underway in
8 Brooklyn. So, I think progressively as you attend to
9 the base reliability of the service you drive up
10 punctuality of the service. The great work that
11 Sarah and her team is doing to make customer
12 information better, we've had a push on cleanliness.
13 You know, there's—there's a lot to making a transit
14 system attractive, and we're targeting—actively
15 targeting all of the key points, and that's bringing
16 people back to buses and subways. There's a long way
17 to go, but we intend to continue on that upward
18 trajectory.

19 CHAIRPERSON RODRIGUEZ: Okay. I'm sorry.
20 With the Fair Fares providing 50% discount to New
21 Yorkers living on poverty line, will you support a
22 plan to expand the Fair Fares to provide 100%
23 discount to New Yorkers living in poverty?

24 PAT FOYE: We would support a city funded
25 expansion of Fair Fares. We provided 150,000 Metro

2 Cards in Phase 1 of Fair Fares. I believe 96,000 or a
3 number like that has been disbursed. I—I think that a
4 city funded expansion of Fair Fares, Chairman as you
5 have described is something that we would work with
6 the city and city agencies to, um, to expand and we
7 commend you for that suggestion.

8 CHAIRPERSON RODRIGUEZ: Okay. I also
9 introduced a language to create legislation to create
10 the Transportation Improvement District that follow
11 the idea through from some professor. He will create
12 by—with a small contribution and data to—from the
13 business community in their commercial space every
14 year he will help us to raise \$1 billion every year.
15 Will you be open to—you know, of course will as I say
16 bring the money in because need it, but I know this
17 is something that will require again public and
18 private and academic, you know, leadership to that
19 potential idea. Will you be open to, you know
20 support different ways the creation of the
21 Transportation Business Improvement District so that
22 that money will be used for transportation?

23 PAT FOYE: So, Chairman, we've been very
24 candid here today, at our board meetings at the State
25 Senate and Assembly hearings and up--up--up the

2 street up Broadway about our financial condition.

3 We're in dire financial straits, and um, additional

4 revenue would be welcome at any time at the MTA, but

5 particularly now, Chairman.

6 CHAIRPERSON RODRIGUEZ: Thank you. With

7 that [off mic] Council Member Cohen.

8 COUNCIL MEMBER COHEN: Thank you, Chair.

9 Good afternoon I will say that I have found this

10 hearing—I've learned a lot already. So I appreciate

11 you taking the time and talking to us today, and I do

12 have some systemic questions, but I—I would be

13 remising if I didn't take this opportunity even

14 though I'm—I'm aware that you—you are all intimately

15 aware about my concern about the impact of the

16 proposed reduction of services to Express Bus service

17 to the western part of my district. I also although

18 they haven't quite been as vocal, I am concerned

19 about on the BMX-4 the bypassing of the—the Norwood

20 Station, but to your credit, I have to say I am

21 extremely appreciative that you have sent, you know,

22 high level leadership to come to the district to

23 listen to people, to hear their concerns and I look

24 forward to coming up to a solution that serves your

25 needs as well as the needs of my constituents. Um, I

2 do have some questions about accessible stations. I
3 guess if we're talking about 70 stations, it sounds
4 like you've—you've identified 50. It sounds like you
5 also have a principal in terms of trying to make sure
6 that within two stops there's an accessible station,
7 but to the extent that you have discretion, how are
8 we going to identify the remaining stations and
9 making sure that the city's , you know, that they're
10 all communities are represented?

11 ANDY BYFORD: Okay. Well, first of all,
12 Council Member, thank you very much for the kind
13 comments about Riverdale. We've—we-I would stress
14 again the—the-the discussion is not over although we
15 have come up with a final plan. We did make the
16 points and I'm happy to re-reiterate in public here
17 that the debate is ongoing. We know you have
18 concerns. I've got my colleagues Craig and Mark here
19 today, and we will continue to talk with you. Um, on
20 the basis or the points of accessibility, just allow
21 me to just comment on how we chose the first 50 and
22 specifically the first 36 in order to get to no more
23 than two stops away, and then I'll come onto the
24 remaining 22, and that was very simply by applying
25 some science behind where you need to fill in the

2 gaps in order to achieve that no more than two stops
3 away objective, but also by applying a bit of logic
4 and applying a customer lens to look at for example
5 it makes sense to be mindful of demographics so if
6 there's an area with a particular high senior
7 population if there's a hospital, we look at
8 interchange stations, we look at stations where
9 perhaps we've only done half of the stations so it
10 make sense to finish the job off. We look at
11 stations where there's an interchange with buses. So
12 there are a series of criteria that we apply so that
13 ultimately we want to get every station done, but in
14 the meantime, let's do those that have the most
15 value, and we also obviously look at footfall as
16 well, the numbers of people using the station both on
17 an in and an out or an interchange perspective, and
18 so I would—I would recommend that we—we adopt that
19 same strategy, and certainly we've got an idea which
20 the 22 should be [bell] but we're very happy to
21 continue that dialogue in conjunction with yourselves
22 and the advocacy groups.

23 COUNCIL MEMBER COHEN: Chair, just a
24 couple of quick ones. You know, when I ran for
25 office someone told me that I always had Metro Card

2 in my wallet just in case the media ever asked, and
3 they never have, but I can say that I'm particularly
4 knowledgeable OMNI because I guess, you know, it's
5 limited installation so far. Could you talk about how
6 that—that's going, what the impact will be and—and
7 also about in terms of integration of paying for
8 services. That came up as a discussion regarding the
9 buses, and I'd like—I think that there is value in
10 having an integrated pay system for including express
11 bus service?

12 ANDY BYFORD: So, I'm very excited about
13 it. I think it's an absolute game changer for New
14 York. I was in London when the Oyster Card came into
15 being and that certainly transformed—transformed, um,
16 transit in London. In my latter days of the Transit
17 Commission we were rolling out the Smart Card there.
18 So, it's definitely the way to go. What is, um,
19 what's particularly exciting for New Yorkers we're
20 not just using cards, we are going straight to what's
21 called open payment. In other words, you will be
22 able to pay with a phone. You will be able to pay
23 with a Smart watch if you've got one of those watches
24 that's linked to say an Apple payment system. You'll
25 be able to use your credit card. We're doing it in a

2 phased fashion. It's a--it's a very simple methodology
3 where you--you tap and the fare is deducted and you're
4 good to go. You never have to talk it up. You can
5 set your bank to alter reload. You'll still be able
6 to use cash, but you'll be able to buy either a
7 machine or through a third-party vendor. We will
8 progressively be migrating all the existing products
9 onto the OMNI system. So, at the moment it's pay as
10 you go on 16 stations and on all the Staten Island
11 buses progressively over the next year every bus and
12 every station across all five boroughs will be fitted
13 with this, um, this system. It's configurable. It
14 means that you can for example make it more inter-
15 regional. We're already talking to the Path people
16 and to New Jersey Transit. So, it's the way to go.
17 It's on time and it's on budget and it's hugely
18 exciting.

19 COUNCIL MEMBER COHEN: Thank you. I do
20 have--I have one more question and just, you know, I
21 do want to echo some of the concerns raised by the
22 Speaker in terms of the city's role I leadership at
23 the MTA. I--I--I, you know I want great mass transit
24 for my constituents, but I do--I do have some concerns
25 about funding the MTA what I feel--and I do realize,

2 you know, this is not good decisions made by you
3 guys, but that the—the role of the city and
4 leadership of the MTA I think is a real concern
5 particularly, and I think the Speaker also made the
6 point that not only do we pay direct transfer of
7 resources but, you know, congestion pricing is going
8 to be paid by New York City residents. It—it all—we—
9 we—we pay more than our fair share, and I think that
10 we don't have, um, the role that we should have in
11 terms of governance. I was a little—I'm interested
12 because people have talked about the signal
13 modernization as sort of a panacea. I'm curious as
14 to what the impact will be in terms of capacity if
15 you feel confident that you know what that impact
16 will be. Will it be as significant as I'm under the
17 impression it will be?

18 ANDY BYFORD: Um, sorry, Council Member.
19 I think it is a panacea. I said when I got here the
20 most transformative thing we can do for subway
21 service is to bite the bullet and get on with re-
22 signaling. Let's just take the two lines that are
23 currently under modern signaling. Those are the L-
24 Lines and the 7-Line, and it's no secret or
25 coincidence that those regularly achieve over 90%

2 punctuality whereas the other conventionally signal
3 lines are at a lower level. Um, and let's take
4 another example. On the 7 we jumped from around 25
5 trains per hour to 29 trains per hour, and the reason
6 it's so transformative is twofold. Number one you
7 get exponentially more reliability with modern
8 signaling because you're not reliant on so much line
9 sight equipment, which is in itself potentially a
10 single point of failure. Trains stops, straight
11 (sic) carts, airline's signal trees. There's a lot
12 and it's a safe systems, but there's a lot of
13 mechanical equipment that has to be maintained or
14 could go wrong, and because—and the second reason
15 because the trains talk to each other, it's a train-
16 to-train communication system or CBTC. Um, you can
17 run trains safely closer together. So, it's way more
18 capacity around typically we're seeing around 10%
19 more capacity. Um, and there are lines out there
20 around the world and back on my old stomping ground
21 the Victoria Line, 36 trains per hour. It's a very,
22 very capable system. I brought in a world class
23 signaling expert, Pete Tolman. He knows what he's
24 doing. He's done it around the world. This plan will
25 see CBTC rolled out across the system in an

2 unprecedented fashion. It really is transformative
3 actually.

4 COUNCIL MEMBER COHEN: That sounds
5 amazing. Thank you, Chair. I appreciate you letting
6 me abuse the clock. [laughter]

7 CHAIRPERSON RODRIGUEZ: Council Member
8 Richards.

9 COUNCIL MEMBER RICHARDS: Thank you,
10 Chair and let me start off by thanking you all for
11 the work that you're doing. The A-Train has been
12 running better recently. We're not out of the woods
13 yet. Um, before I begin I just wanted to, um, start
14 off by just asking some questions around vending and-
15 and the MTA system, and I just wanted to hear a
16 little bit more about your policy around vending in
17 our subways.

18 PAT FOYE: So, Council Member, um, the
19 city of New York Department of Health regulates food
20 vendors in particular. Other vendors are regulated
21 by other parts of the city. The current city of New
22 York Department of Health Code prohibits the selling
23 of food within 10 feet of a subway station, and
24 unless—and inside a subway station obviously there
25 are—there is some food vending by vendors that have

2 been approved and entered into a lease with the MTA,
3 and their food storage preparation—preparation, et
4 cetera has been approved by the Department of Health.
5 The, um, the concerns that we would have with respect
6 to a, um, unregulated food vendor program in the
7 subways would include the following: First, subways—
8 subway stations whether it's the stairs up and down,
9 the mezzanine, the platforms, et cetera have limited
10 real estate, um, and they are crowded places. So,
11 there's a safety issue related to crowding and—and
12 having a significant number of vendors in a subway
13 station. There are significant issues related to the
14 preparation of food storage, et cetera, um,
15 refrigeration that—that I just mentioned. Third,
16 there are questions what happens to the food if it's—
17 if it's not all consumed or in preparation and—and
18 vermin and—and last would be a cost issue from an MTA
19 point of view. Um, any proposal that's made by the
20 city, the Mayor or the City Council we'll consider
21 seriously, of course, but those are the issues that
22 we would have as the operator of the subways.

23 COUNCIL MEMBER RICHARDS: And I know
24 there's been a proposal thrown out there on dedicated
25 space to alleviate quote/unquote "congestion"

2 although we know congestion has a lot to do with the,
3 um, infrequency and the trains coming on time and
4 coming more rapidly. That's what actually adds to a
5 lot more congestion in our subway system. Um, but
6 what I'm getting is, you know, we don't want to see
7 people criminalized over selling churros. Um, you
8 know, I'm confused at how that's adding to
9 congestion, one person with a cart selling churros in
10 our—in our system. So, I'm not saying that there
11 should not be rules, but we should be more thoughtful
12 and perhaps figuring out [bell] a medium with—with
13 the Police Department to ensure that there at least
14 is some dedicated space and the last time I checked
15 there's also a lot of vacancies right now currently I
16 think in a lot of your commercial spaces in the
17 subway system. Am I correct?

18 PAT FOYE: Well, there are vacancies,
19 yes.

20 COUNCIL MEMBER RICHARDS: Alright, and
21 how many vacancies are ther?

22 PAT FOYE: It's—it's probably at this
23 point north of 100, but we have in process, um, more
24 than 50 RFPs where there is actually a selection
25 process, and I would add that a lot of those, um, you

2 know, the—the news—the historic newspaper vendors,
3 which I—I know you're aware are disproportionately
4 immigrants--

5 COUNCIL MEMBER RICHARDS: Uh-hm.

6 PAT FOYE: --um, are trying to update
7 their businesses to meet with the modern—the modern
8 marketplace so they're not just selling print media
9 as people use a little less print media and candy and
10 soft—and soft drinks and so on, but we're trying to
11 help them provide a framework where there's a little
12 more walk-in opportunity, they can diversify what
13 they're offering so that that—that community can be
14 equally successful, um, in the—in the MTA's space.

15 COUNCIL MEMBER RICHARDS: We've got that
16 and wouldn't it make sense to figure out a process
17 where if there are individuals selling churros so
18 whatever they're selling down there, is there some
19 sort of process that the MTA has where they can alder
20 these individuals, Hey, there's an opportunity here
21 to partner here or if you have a hundred vacancies,
22 what—what does the outreach plan look like, um, to
23 ensure that perhaps there's opportunities for these
24 entrepreneurs?

2 PAT FOYE: Absolutely. We can—we can—we
3 can talk about the outreach plan. The MTA has
4 actually done a lot more outreach on some of these,
5 um, some of these retrial spaces than it has in the
6 past, and we've had I think some interesting
7 successes in creating new spaces that are really
8 going to work for our customers. So happy to talk
9 about.

10 COUNCIL MEMBER RICHARDS: I'm putting on
11 my thinking cap for a second. I think one of the
12 things we should do rather than arresting and
13 summonsing people for perhaps for the first time, um,
14 for and offense is to ensure that they're getting
15 that specific information, and perhaps the MTA should
16 do a better job of making sure they know those
17 opportunities are there. Um, the second thing I just
18 wanted to put on the record is about, um, the more
19 than 500 officers now being proposed, um, for fare
20 evasion and literally walking off the train. I saw
21 someone getting a summons for fare evasion this
22 morning. Um, wouldn't it make more sense to put some
23 of at money into Fair Fares rather than hiring over
24 500 individuals because of fare evasion?

2 PAT FOYE: Well, Council Member, as I
3 mentioned to the Chairman, we are fully supportive of
4 the current Fair Fares Program. We would be fully
5 supportive. As I mentioned, we provided 150,000
6 Metro Cards for Phase 1. As an expansion of Fair
7 Fares we would also support and work with the city
8 and city agencies to, um, to make it work.

9 COUNCIL MEMBER RICHARDS: Okay, um, but
10 I'll just put this on the record: If we're going to
11 spend that amount of money to enforce fare evasion,
12 it would make more sense to put money into Fair Fares
13 to ensure that people could actually get on a train.
14 The last I checked, no one hopping a turnstile is a
15 millionaire, although the NYPD claims that they find
16 people with stacks of thousands of dollars on them
17 when they're hopping a train, but the people I see
18 participating in fare evasion are from communities
19 that historically have been underfunded. They don't
20 have the jobs, and I just wanted to make sure we put
21 that out on the record that that would be a wiser,
22 um, cost, and wouldn't it make more sense to make
23 sure that social workers are also paid for to deal
24 with the homeless rather than having this heavy law
25 enforcement strategy, which has never worked in the

2 first place. This is why we're running back into the
3 same issues again.

4 PAT FOYE: So, Council Member, if I-if I
5 might, again, totally and enthusiastically supporting
6 of Fair Fares and its expansion. I-I did just want
7 to note the following: The 500 police officers are
8 not being completely dedicated to fare evasion.
9 Indeed, a portion of them will end up on the Long
10 Island Railroad and Metro North and doing policing
11 there. Um, those that are dedicated and deployed to
12 the subways and buses will be doing what police
13 officers do most fundamentally providing a safe and
14 secure environment in the subways and fare evasion
15 would be one of the responsibilities that that group
16 dedicated to the subway.

17 COUNCIL MEMBER RICHARDS: [interposing]
18 Right, but-but subway crime I mean obviously has its
19 ups and downs, but does hiring-I mean are we at that
20 space where it warrants 500 new officers, um, to be
21 in our system based on the numbers and I Chair the
22 Public Safety Committee so I study these numbers, um,
23 pretty closely and I don't think what we're seeing
24 warrants 500 more officers in our subway system.

2 PAT FOYE: Well again, Council Member,
3 and it may have been before you joined the—the
4 meeting. I noted that there were about 80 positions
5 that are open as a result of vacancies and attrition
6 and--

7 COUNCIL MEMBER RICHARDS: Uh-hm. Okay.

8 PAT FOYE: --unfilled positions, and the,
9 um, the 500 will be deployed across all MTA agencies.
10 So, I—I think that point is worth noting.

11 COUNCIL MEMBER RICHARDS: Okay. I'm going
12 to just go to—I just have a few questions, and then
13 I'm going to go to my--

14 CHAIRPERSON RODRIGUEZ: [interposing] I'm
15 sorry, Council Member. I'm sorry--sorry--

16 COUNCIL MEMBER RICHARDS: I know, I know,
17 let me get--let me get two more.

18 CHAIRPERSON RODRIGUEZ: Council Member.
19 I'm sorry.

20 COUNCIL MEMBER RICHARDS: I know—I know.

21 CHAIRPERSON RODRIGUEZ: Council Member--
22 Council Member, I'm sorry.

23 COUNCIL MEMBER RICHARDS: Okay, okay, I'll
24 respect the Chair.

2 CHAIRPERSON RODRIGUEZ: And a Council
3 Member has the next questions so we move to the next.

4 COUNCIL MEMBER RICHARDS: I mean but you
5 took a sizeable amount of time. So, we—okay.

6 CHAIRPERSON RODRIGUEZ: [off mic] Council
7 Member Menchaca. [on mic] Council Member Menchaca,
8 Council—followed by Council Member Levin.

9 COUNCIL MEMBER MENCHACA: Okay, thank
10 you. Hi, gentlemen. Because I only have three
11 minutes, I'm going to ask my questions, and I invite
12 you to pick up your pens if you want to, to, um, get
13 the questions. So, my first question is about
14 privacy, and I know there's a big push to bring the
15 OMNI Program in to allow for every access point of
16 the transportation system to have the kind of
17 technological advanced way to get onto the train. Um,
18 we've been having some conversations here in the City
19 Council about Smart Chips, and so can you talk a
20 little bit about the privacy of the data you're
21 capturing or how you'll be able to protect that data
22 if people want it because I'm assuming that some of
23 these things are going to be connected to our phones
24 to our identity, and so folks coming in and out of
25 the subways I think it's—it's concerning and we want

2 to understand a little bit more. Second, do you have
3 any data--

4 PAT FOYE: [interposing] Council Member,
5 we do prefer we come back to you on that.

6 COUNCIL MEMBER MENCHACA: Come back.
7 Yeah, I'm going to ask all my questions so I don't
8 have to, um,

9 PAT FOYE: Fine.

10 COUNCIL MEMBER MENCHACA: --fight with
11 the Chair about time, just keep-keep talking. The
12 second question is about Lyft and other for-hire
13 vehicles using the spaces that the buses have to pick
14 up riders. That's been a big issue in my district.
15 Um often times a car will wait there for a passenger.
16 A bus honks and people don't get out. This causes a
17 lot of delays not just around the bus stops but
18 around MTA stations as well. Talk a little bit about
19 data and what you're doing to that effect, and
20 whether we can partner up at the city level to
21 essentially make on unpickable—a place for non-pick-
22 ups to kind of ban pickups. The third is the B-71 is
23 a line in Brooklyn. Like many lines that have been
24 cut and are asking for restoration, it's an
25 interesting one because it points and connects to

2 places like Red Hook, who are disconnected from some
3 of the main infrastructure around—around trains and
4 subways, and so if there's any update on that, and
5 how you're thinking about restorations. I know we've
6 been in meetings together, um, and talking a little
7 bit about that restoration. Red Hook also presents
8 an interesting one that, um, connects to the ferry,
9 but the ferry doesn't connect to the MTA, and people
10 always ask me that question: Why can't I use my
11 Metro Card at the MTA—my MTA Metro Card on the NYC
12 ferry? Give us a little bit of insight on that. The
13 Administration says well, there's no communication
14 or, um, or actually just give us fresh—fresh
15 information about when we can use the MTA on the
16 ferry, and then the final, the final question is more
17 about the work that we have to do around construction
18 sites. So, this is a kind of opportunity as you are
19 pushing a lot of capital improvements that spills out
20 into the streets. As a bike rider, I don't have a
21 car. I don't drive so I ride my bike a lot, and a lot
22 of New Yorkers are beginning to ride [bell] feel
23 uncomfortable without a—an extended kind of bike lane
24 that can protect people around construction sites.
25 That's the last thing. I don't know if that's

2 something that you can speak to as you—as you kind of
3 talk a lot about the capital improvements that's
4 going to have a big issue on the ground, and we
5 passed some local laws recently to, um, mitigate some
6 of that, and where does the MTA fall in those things?
7 Okay, thank you. You can start wherever. I'm done
8 with my questions.

9 ANDY BYFORD: [interposing] Well, let's—
10 Councilman. Let me have a go at it please.

11 COUNCIL MEMBER MENCHACA: Okay.

12 ANDY BYFORD: I was just checking the
13 answer to that.

14 COUNCIL MEMBER MENCHACA: I think those
15 are four questions. Go ahead.

16 ANDY BYFORD: Yeah, okay. So, you—you set
17 a time to ask your questions. That's fine. Okay, so
18 let's kick off with—I'll do them in the order that
19 you came up with. Janno and I expect I may need one
20 to come into number four, but let me give these a go.
21 Privacy concerns around OMNI, we're very mindful of
22 those, and we're taking this very seriously. So, um,
23 the—the data is anonymized. It's a—it's what's called
24 anonymized aggregated data. So, we can use it to—to
25 for planning purposes and that is very useful in that

2 regard because you can look at the number of taps on
3 and the number of taps off a particular station or on
4 a bus route, which is invaluable for making informed
5 decisions about where to add service for example.
6 Um, but it's absolutely secure. So, it's-it's
7 encrypted end to end. So, the transactions and-and
8 current and accounts information is kept secure. So
9 we will comply. We do comply given that OMNI is
10 already up and running in certain locations with the
11 same banking and credit card industry security
12 requirements that other, um, large retailers have to
13 adhere to. So, we don't track individual people. We
14 don't sell customer data, and we never will. So
15 there's a huge amount of, um, of focus put onto
16 people's anonymized data, but where the-where the
17 data is useful on a-on an anonymized basis, we will-
18 we will use it for that. In terms of Lyft and other
19 vehicles for that matter using those spaces, quite
20 simply they shouldn't be, and this is a problem and I
21 have seen it myself, and I've seen, you know, in some
22 cases other vehicles parked up where they shouldn't
23 be. So, I'm pleased to--let's have a separate
24 conversation about any specific areas that have given
25 you concern recently, but we are aware of the

2 particular trouble spots around the system. We do
3 regularly ask people to move on. They're not supposed
4 to be sitting there. The bus stops there for a
5 reason. It's—I think it's selfish to park up in space
6 like that because you are precluding a vehicle that
7 can carry 50 people, 60 people from being able to
8 stop. So, we'll keep on that, if there's somewhere
9 in particular that you have a concern about, um, give
10 me a call or I'll jot you an email later. In terms of
11 the B-71, um, well, I'd say that in conjunction—in-in
12 conjunction also with all the other routes, we—we do
13 have them very much under review right now. um, all
14 of the routes in Brooklyn are under review because
15 we've just as you know, engaged upon the latest of
16 the borough redesigns. So, B-71 we know is of concern
17 to you. We are having a—have a look at that, and all
18 of the other routes to make sure that we've got them
19 right. Um, obviously there's a balance between, um,
20 what we—what we can do across the whole city, but I
21 was down in Red Hook just the other day actually and,
22 um, uh I took the ferry there you'll be pleased to
23 know. So, I know the area, and I know how important
24 that is to that, um, that location. In terms of the
25 ferry and migrating onto OMNI, we would love to see

2 that happen. As you know, at the moment the ferries
3 are the same price as the subway \$2.75, which I think
4 is great. So, it wouldn't be too difficult at all to
5 migrate the ferry system onto OMNI. That's something
6 that we're actively wanting to talk to the city
7 about. To me it would be crazy to not have the two
8 systems fully integrated, and lastly, with regard to
9 construction sites, um, I mean it's—it's something
10 that we would need the cooperation of DOT on if we
11 were to for example, um, install a temporary bus lane
12 around—around the construction site, but as a—as
13 general point, we're very mindful of safety
14 implications around worksites. Obviously the worksite
15 itself has to be protected, but equally we want to
16 make sure that people migrating around it are
17 protected if it warrants a bike lane or if it
18 warrants some other kind of, um, protection with
19 Jersey fencing or whatever, that's something that we
20 actively discussed with DOT to make that we keep
21 people safe, but we don't inadvertently create
22 another problem. So, again, if you have any
23 particular sites you're thinking of, which prompted
24 the question, give me a call. I'll happily look into
25 them for you.

2 COUNCIL MEMBER MENCHACA: Thank you.

3 CHAIRPERSON RODRIGUEZ: Thank you.

4 Council Member Levin.

5 COUNCIL MEMBER LEVIN: Thank you, Chair.

6 So, my first question has to do with, um, the 500
7 police officers. Um, what went into making this
8 decision? Who--was there--was there a study that
9 showed that there was, um, a shortage of--of NYPD
10 Transit Police or was--or did you hear--did you--did you
11 hear from the NYPD that there is a shortage of
12 transit police that they needed supplemented by MTA
13 police.

14 BOB FORAN: So, Council Member, the MTA
15 police obviously does its own analysis of--of its
16 needs. They--they started with the fact, as I
17 mentioned that there are 80 vacancies, attrition,
18 unfilled positions that--that needed to be filled.
19 They like the NYPD, which is a much larger force have
20 data that suggests once a police officer reaches 20
21 years of seniority, and he or she vests in the
22 pension, there is an X percent likelihood that within
23 12 or 15 months they'll retire. So, it's things like
24 that. Point one. Point two we--we looked not only at
25 New York City Transit, but--

2 COUNCIL MEMBER LEVIN: I know but with
3 MC. I get it.

4 PAT FOYE: Of course.

5 COUNCIL MEMBER LEVIN: Um, okay, so, um,
6 how much is going to cost a year?

7 PAT FOYE: \$50 million.

8 COUNCIL MEMBER LEVIN: \$50 million a
9 year. Okay. Um, when-when-

10 PAT FOYE: [interposing] I'm sorry.
11 Less-less a contribution, um, by the Manhattan DA's
12 Office for a portion of it.

13 COUNCIL MEMBER LEVIN: Got it. Okay, um,
14 when, um, when an incident occurs and, um, one of
15 these NY-MTA officers arrives and NYPD Transit
16 arrives at the exact same time, who has jurisdiction
17 over that incident? Who-who has rank?

18 PAT FOYE: Well, look the NYPD has
19 primary responsibility for policing the subways.
20 There is a high level of cooperation between the MTA
21 police, NYPD, Nassau County, Suffolk County,
22 Westchester, et cetera--

23 COUNCIL MEMBER LEVIN: I get it.

24 PAT FOYE: --and it--and it may depend in
25 certain cases to who got on the--who got on the scene

2 first, who may have seen the crime or incident, et
3 cetera, and/or--

4 COUNCIL MEMBER LEVIN: [interposing] This
5 has to be an on-scene especially in critical moments
6 there has to be a chain of command. Where's the chain
7 of command in between NYPD and MTA Police?

8 PAT FOYE: Again, there's a high level of
9 cooperation and collaboration between NYPD, MTA
10 Police, Nassau, Suffolk, Westchester, et cetera.
11 They--they--they know each other at the patrol level.
12 They know each other at the leadership level. There
13 are protocols in place.

14 COUNCIL MEMBER LEVIN: Okay, um, and has--
15 did the NYPD--was NYPD asked whether they wanted this?

16 PAT FOYE: There were discussions between
17 the MTA Police and NYPD. Yes.

18 COUNCIL MEMBER LEVIN: And they said yes
19 they wanted it?

20 PAT FOYE: I--I--I can't say that. I
21 wasn't--I wasn't party to those discussions.

22 COUNCIL MEMBER LEVIN: Um, in particular
23 around homelessness, what--what I am very concerned
24 about is between this initiative, and the--New York
25 City's Outreach NYC Initiative, um, there is as we're

2 seeing in real time an increase in policing the
3 homeless in the subways that we're seeing [bell] and
4 I'm—I'm seeing cell phone video like your cell phone
5 video, um, of these incidents taking place. Um,
6 anecdotally it seems like it's more than it was last
7 year. Um, the problem is that we do not actually
8 have resources to offer people that are sleeping on
9 the subway. So, um, we—we have the shelter system,
10 but it's not just people that are service resistant.
11 The shelter system is an unappealing avenue for—for a
12 lot of people that are sleeping on the street and
13 sleeping on the subway. Um, that's the—the, um, the
14 basic intake center at 30th Street for men, um,
15 Franklin Avenue for women, or the big assessment
16 centers. They are safe havens, but there's a waiting
17 list for safe havens. We don't have enough safe
18 havens. We haven't invested enough in safe havens,
19 and so if you talk to people, if you actually talk to
20 people that are sleeping on the subway, and asked
21 them would you be willing to go into safe haven,
22 eight out of ten people would say yes. If you asked
23 them whether they would be willing to go into 30th
24 Street or Franklin Avenue, 8 out of 10 people would
25 say no, and so, when we're policing them without

2 actually giving them the resources that they need or
3 want or will use, um, is a recipe for bad outcomes,
4 bad outcomes meaning arrests, people getting
5 handcuffed in the middle of the subway station,
6 getting caught on video, um, going viral, um,
7 everybody, um, saying this is a terrible idea. I
8 don't see this policy working, either policy, the
9 city's policy or your policy if we do not have actual
10 resources to give people to get off of the subway or
11 off of the street, and so if we're investing \$50
12 million a year in 500 new police officers that I
13 don't think the NYPD actually asked for, and it's a
14 murky jurisdiction, that money could be very well
15 used for new safe havens or better outreach or social
16 workers, or people like in the incident that happened
17 just on Friday in Jamaica, that, um, there should be
18 somebody that's a high level social worker that goes
19 out for people that are extremely service resistant,
20 psychotic, you know, that has a psychosis or, you
21 know. So that is—but—but that's not what is
22 happening, and if we're just sending a police officer
23 an NYPD or an MTA Police Officer to go out and
24 interact with somebody with a psychosis, then that is
25 just—there's a recipe for a bad outcome so--

2 PAT FOYE: So, Council Member, let me—let
3 me start and then I'll turn it over to my colleague
4 Andy Byrford. So, a couple of things. The—the
5 incident that you referred to I think is the one
6 where the head of the Health and Hospitals
7 Corporation was in the subway station, and he, um,
8 without identifying the name of the patient or client
9 suggested that the, uh, the approach had been exactly
10 right in that cast. Point one. Point two I will note
11 that there was an agreement reached and—and a press
12 release, um, done among the city, the MTA, DA Vance,
13 the NYPD with respect to—and the MTA, of course, with
14 respect to these quality of life issues. Point 3 is
15 as I understand it and I don't claim to be an expert
16 on these issues, but the city of New York has got a
17 statutory obligation to provide resources including
18 safe havens and shelters--

19 COUNCIL MEMBER LEVIN: [interposing] We
20 have a right to shelter in New York City. That
21 doesn't mean that they have the right to a safe
22 haven, they have a right to shelter.

23 PAT FOYE: Oh, as I—as I understand it
24 right, there is a statutory obligation imposed by the
25

2 state on municipalities around the state of New York
3 with respect to--

4 COUNCIL MEMBER LEVIN: [interposing] Case
5 law that requires the right to shelter.

6 PAT FOYE: Right and then I'll--

7 ANDY BYFORD: Um, [coughs] Council Member
8 I thought your question was very thoughtful actually
9 and resonated a lot with me. Um, this a really tough,
10 um, challenge because on the one hand, and this is
11 the dilemma I face as the person you rightly hold
12 accountable for providing, you know clean, safe,
13 reliable on-time performance, right. I'm on the
14 subway every day, and on the one hand you're trying
15 to be humane and Christian to people who are really
16 vulnerable, who, you know, haven't chosen this way of
17 life probably. A lot of them have psychological
18 challenges and they've got real issues, and, you
19 know, and need help not--they certainly don't need to
20 be arrested, and I've spoken to people--to homeless
21 people and asked them about, you know, there are
22 alternatives, you know, would you--would you consider
23 going for services? I spent a whole night--I passed
24 as Archer one night, and I was talking to homeless
25 people, and I was interacting with the BRC the Bowery

2 Residence Committee and I was doing that for my own
3 education to just ask people, you know, why wouldn't
4 you go to the shelters, and I remember one guy said
5 to me, it was quick striking. He said, Sir, have you
6 ever been to one of the shelters? It's actually
7 really quit scary.

8 COUNCIL MEMBER LEVIN: And dangerous,
9 more dangerous than the subway.

10 ANDY BYFORD: Absolutely, and not in an
11 individual room. You're in a big dormitory. You know,
12 you—you—I invite you to try to go to sleep with
13 people prowling around. So where people sometimes say
14 it's an MTA issue, I actually don't agree. I think
15 it's a societal challenge, and it's only as a society
16 that we will properly crack this by, um, the state,
17 the city and other participants. We're not—we're not
18 passive to this. The MTA the NYPD, the Bowery
19 Resident's Committee, the Social Services. We've all
20 got to work together to come up with a, um, to
21 address the root cause and to provide viable
22 solutions because it's very hard to with humanity to
23 kick someone out knowing that the alternative is
24 pretty unpalatable, but the reason I said it's a
25 dilemma for me is because equally, I can't just

2 ignore, you know, a mess all over a train. The E-
3 Train I ride it regularly. It's like a traveling
4 hostile. In some cases you can't get into cars
5 because everyone is stretched on the seats or, you
6 know, there's some or it's very difficult for my
7 cleaners to be able to deal with those issues. So
8 we've got to get that balance right, and I understand
9 you're linked with the—with the police. I certainly
10 don't want people to be arrested. What we're trying
11 to do, though is—is encourage people to go to
12 alternatives. We need to fund those alternatives so
13 that we can with good conscience say, you know,
14 things have moved on. Sitting or lying down in the
15 subway is no longer an option, and there is a viable
16 alternative. That's the challenge. If in the short
17 term we just keep asking or keep throwing people out,
18 they'll just keep coming back in. That's the
19 simplistic response or simplistic challenge to the
20 MTA to just deal with it. It needs to be a far more
21 intelligent comprehensive solution than that.

22 COUNCIL MEMBER LEVIN: Right. I think we
23 actually know what the solutions are. They're safe
24 havens, drop-in centers, supportive housing. That's—
25 those are—and—and more social worker to do outreach.

2 Those are things that we could do today that would
3 have serious impact, but handcuffing people and
4 bringing them into a station house and forcing them
5 saying they're going to get a ticket or they're going
6 to get arrested if they don't go to BRC is-is-is not
7 going to, um, ameliorate the issue. So thank you.

8 CHAIRPERSON RODRIGUEZ: Council Member
9 Rose.

10 COUNCIL MEMBER ROSE: Thank you, Chair,
11 um, and good afternoon. Chair Foye, in your remarks,
12 you talked about expanding the popular e-Hail Pilot
13 Program doubling access, um, from 1,200 to 2,400, um,
14 customers. I think that's laudable, but, um, you
15 didn't mention the—the changes in that service that
16 will be provided. Right now, the users of this
17 service this pilot program have unlimited, um, access
18 to the program, unlimited rides and they pay \$2.75
19 for the ride regardless of how far or how long the
20 ride take. Um, the changes, the proposed changes as
21 stated in a letter from you, and an article in the
22 Daily News will now limit them to 16 trips a month,
23 and, um, and they will have to incur the charges or
24 the cost of anything above \$15.00. Um, greatly being
25 able—diminishing their ability to use this, um,

2 service changing it drastically while adding the
3 number of participants, you are actually cutting the
4 accessibility of people who are currently in this
5 program, um, making, you know, this not a win, an
6 win-win for anyone. Is it—is there—can you explain
7 the rationale, um, for these changes?

8 PAT FOYE: Yes, Council Member. In—in
9 doubling the number of participants, and I will have
10 to say that the e-Hail On Demand Program has been
11 widely—widely afforded.

12 COUNCIL MEMBER ROSE: [interposing] Yes.

13 PAT FOYE: We—we looked at what other
14 municipalities around the country are doing, Boston,
15 Washington, DC, Chicago, et cetera and—and there is
16 no place in America where the e-Hail On Demand
17 program exists without such caps and limits, and—and
18 what—what we did in—in doubling it was to put
19 ourselves in a situation where we can get richer,
20 more reliable data to help determine the future of
21 the program, but—but also put caps on that that are
22 consistent with what other large cities around the
23 United States have done with their e-Hail on Demand
24 program, and to, uh-uh, create a situation in which
25 further growth in a program which is not assured, but

2 would be done on a financially sustainable basis, and
3 that's the reason for that change.

4 COUNCIL MEMBER ROSE: But now you are
5 going to, um, limit the number of rides. You have
6 participants who utilize this service to go to work,
7 um, 16 trips a month will now then [bell] render them
8 unable to-to do that, and you are then limiting
9 access as opposed to increasing it. Um--

10 PAT FOYE: So, Council Member,
11 respectfully, no. The-the e-Hail On Demand program is
12 but one option. Our paratransit customers will still
13 have the ability to use broker services or the
14 accessible AAR vans. So, e-Hail the e-Hail On Demand
15 program will never be the only service, the only mode
16 of service available to our paratransit customers.

17 COUNCIL MEMBER ROSE: I-I understand that
18 and I respectfully have to, um, disagree in terms of
19 the-how wonderful the other AAR program is Access-A-
20 Ride. Um, and that's pretty much why many of the
21 people have opted into the e-Hail Program because the
22 Paratransit, Access-A-Ride, the traditional one is
23 not reliable, um and your own data will show that
24 there's a lot of dissatisfaction with it. It's not
25 reliable. So, um, that-that really isn't an

2 acceptable option to—to say that they will have 16
3 rides and then, um, they'll have to rely on the very
4 service that made them opt to take the e-Hail
5 services?

6 ANDY BYFORD: Council Member may—may I
7 have a go, please? Actually there's three types of
8 service. There's E-Hail On Demand, which is the one
9 about which you're asking, and that is designed to
10 give, um, the participants the spontaneity of choice
11 that you and I both enjoy, and I—and I think that's
12 fantastic. You know, if you suddenly decide you want
13 to go somewhere short notice you can get you e-Hail
14 On Demand and off you go, or if you have some sort of
15 crisis, your pet's ill or a family relative is ill,
16 off you go. That's—that's great. It's not meant to be
17 to go to work because for that you've got the other
18 two choices, which are the blue and white vans of
19 Access-A-Ride and I take your point of law. I'll come
20 back to that or the third element which is the
21 Enhanced Broker Service that we're increasingly
22 rolling out. Enhanced Broker being you can book it
23 for the—a—a defined time the day before. It's a taxi.
24 It's not a blue and whit van, not one of the big vans
25 that accommodate several wheelchairs. It's a taxi

2 service and—and we've—we've been working very hard
3 with a number of providers including CURB to make
4 that service better along with—I said I'd come back
5 to it, the Blue and White vans, which we absolutely
6 accept aren't perfect yet, but we have been changing
7 the—the No Show and the Late Policy. We've increased
8 visibility of where your vehicle is by dashboards,
9 but also, um, um, using phones and—and apps that you
10 can see where your—where your ride is. We've been
11 doing a lot of work with vehicle owners and—and
12 train—training the—the actual operators to be more
13 customer focused, more customer friendly. Um, we
14 have—we've deployed a new schedule and dispatch
15 system. We've been progressively renewing the fleet.
16 We've got around 700 new vehicles at the moment. So
17 back to e-Hail On Demand. What we're trying to do is
18 keep—is-is keep it going because there was a lot of
19 rumors wafting around we were going to kill it, and—
20 and people kept saying to us, but hang on a minute,
21 it's—it's the cost per ride is less, and that's true.
22 It is.

23 COUNCIL MEMBER ROSE: It is.

24 ANDY BYFORD: It is but the volume has
25 way out—outgrown that because it's so popular and

2 because people are, the participants, the 1,200
3 initial participants are using way more rides than we
4 thought they would and that's their prerogative.
5 Don't get me wrong. I can be spontaneous, so can you.
6 Why shouldn't they but in the short term it's-it's
7 becoming unsustainable and unaffordable. So, what we
8 chose to do instead is rather than say at the end of
9 the year we can't afford it any more, we've expanded
10 it to 2,400 people. So we've doubled the size of it,
11 but we have put some caps on. What we have also
12 said, though is if, um, with a wider number of-an
13 expanded number of participants if we find that the
14 first 1,200 weren't reflective of the norm, and maybe
15 for whatever reason just used it some more, and if
16 over time we can-we can relax the constraints, in
17 other words increase the subsidy and increase the
18 number of rides then we will do that. This is about
19 trying to keep a very popular service going.

20 COUNCIL MEMBER ROSE: My Byford, but, um,
21 a subsidized ride on, um, on traditional AAR or
22 Paratransit is about \$81.00, um, and right now
23 you're-you're talking about limiting the eHail to
24 \$15.00, right, per-per ride, which is drastically-a
25 drastic difference between the subsidy that you pay

2 now, um, and you're—you're -you're able to maintain
3 that at \$2.75. You're maintain that at \$2.75. A trip
4 when you get in a—in a taxi the surcharges start at
5 like \$6.00. So, you are vastly limiting, you know,
6 their ability and their accessible, you know, their
7 ability to get around. \$15.00 I think is not a
8 reasonable cap if you're talking about financially
9 when another subsidized ride is at least the cap is
10 like it costs \$81.00 where it's subsidizing and—and I
11 think that inequity flies in the face again of people
12 who have different abilities. So, I would like you
13 and—and Chair Foye, I'd like you to go back and—and
14 look at this because we are again creating a
15 disparity among, you know, a part of our population
16 that really doesn't have a whole lot of options, and
17 I just want to ask. I'm finished. I know, Chair. I
18 know my time. Um, but I just want to ask there are
19 two vacancies on the MTA Board. Is there any, um,
20 talk or consideration of making one of those, um,
21 those positions available to a person with other
22 needs? A person who is from the disabilities
23 community that can, you know, bring these very
24 disparities, quite glaring to me, to—to the board so

2 that they have voice and it isn't secondary or it has
3 to come from, you know City Council? Thank you.

4 PAT FOYE: So, um, Council Member, I
5 believe the two vacancies you were referring are two
6 vacancies of the City of New York nominees. We would
7 welcome an ADA colleague no the board just as Andy
8 has hired a special accessibility advisor and as I
9 intend to do so as well.

10 COUNCIL MEMBER ROSE: Okay, I think it
11 should be a requirement. Even if it's above whatever
12 your number is, there should be a person from that
13 particular community. Thank you. Thank you.

14 CHAIRPERSON RODRIGUEZ: If-if there's
15 anyone here that is sitting the public to participate
16 in the Governmental Operation Hearing you can go to
17 250 Broadway. That hearing has been moved to 250
18 Broadway, 14th floor. Again, if anyone from the
19 public here is sitting to participate in the public
20 Government Operation hearing, that hearing has been
21 moved to 250 Broadway, 14th Floor. We will give a
22 chance to the Council Member to ask one question
23 each, and then we will get into public. Council
24 Member Richards.

2 COUNCIL MEMBER RICHARDS: Okay, um, just
3 points and I just wanted to second what Council
4 Member Levin said. I hope that there's really some
5 boundaries established when it comes to who is in
6 charge on a scene. We saw this play out, um, in our,
7 um, General Welfare offices across the city with the
8 NYPD and private security, and there were some
9 circumstances that were really bad during those
10 occasions. So, I'm really hoping that there's a clear
11 standard of down to reason as that training kicks.

12 PAT FOYE: But Council Member—

13 COUNCIL MEMBER RICHARDS: Um, and let me
14 just get through it because I know our Chairman is
15 going to kick me off the mic. He's not going to be
16 as generous as he was to Debi Rose.

17 CHAIRPERSON RODRIGUEZ: I'm sorry,
18 Council Member. I'm sorry.

19 COUNCIL MEMBER RICHARDS: So, I'm just
20 going to get to my question.

21 CHAIRPERSON RODRIGUEZ: [interposing] I
22 want to—I want to—

23 COUNCIL MEMBER RICHARDS: I want to get
24 to my question now. I want to get to my question. I
25 know, I'm going to get—are you going to give me the

2 time? Okay. Thank you. Um, I would give Debi more
3 time than me.

4 CHAIRPERSON RODRIGUEZ: Hold on one
5 second, please.

6 COUNCIL MEMBER RICHARDS: Alright, okay.

7 CHAIRPERSON RODRIGUEZ: So, we just want
8 to be respectful to the public who goes--

9 COUNCIL MEMBER RICHARDS: Yep, yep, got
10 it.

11 CHAIRPERSON RODRIGUEZ: Give me. I
12 haven't finished.

13 COUNCIL MEMBER RICHARDS: Got it.

14 CHAIRPERSON RODRIGUEZ: So, we have the
15 timing from the Council Members--

16 COUNCIL MEMBER RICHARDS: Got it.

17 CHAIRPERSON RODRIGUEZ: --and you used
18 more, double the time. Now, we're giving the chance
19 for each of us another question.

20 COUNCIL MEMBER RICHARDS: Okay, got it,
21 um, so this question is related. You spoke of
22 investments into different, um, stations, and I will
23 suggest really looking at Sutphin Boulevard, which is
24 where the Airtrain is connected where you have 200
25 tourists, the people coming to New York City lined up

2 who don't even know how to use the Metro Card
3 machines, which really backs up the station there.
4 So, I just wanted to hear what's your plan for that.
5 Council Member Miller could not be here today, but he
6 wanted me to raise the question around the Jamaica
7 Bus Depot and where we are at with that, and then the
8 last thing I'll ask about is the—is where are you at
9 in terms of the bus network on automated bus lane
10 enforcement on ABLE. So, if you could just answer
11 those three questions: Where are you at on Sutphin
12 Boulevard. I hope there's some real investment going
13 there. It's shameful that that is the gateway into
14 Queens and the gateway into New York City, and the
15 station looks the way it is. There are no helpers to
16 assist individuals who don't know how to use those
17 Metro Card machines, the Jamaica Depot, and then
18 obviously the Queens Bus Network system is being
19 redone, but where are we at with ABLE as well?

20 ANDY BYFORD: Okay, um, thank you Council
21 Member for those questions. Um, Sutphin Boulevard,
22 yep, know it well, been there many a time, and it
23 certainly is in need of some investments in TLC, and
24 that certainly will be one of the, um, stations so we
25 will be addressing the Capital Plan in terms of

2 upgrading all of the station. So there's a lot of
3 component work that needs to be done, but in some—and
4 obviously accessibility work, but also aesthtics.
5 That—that station certainly is not looking as good as
6 it once did. I can say though that we will be
7 putting in OMNI soon at Sutphin Boulevard so that
8 will help coat, um, when--

9 COUNCIL MEMBER RICHARDS: [interposing]
10 Putting up what?

11 ANDY BYFORD: OMNI, the OMNI system the
12 Smart Card System.

13 COUNCIL MEMBER RICHARDS: Oh, okay.

14 ANDY BYFORD: Because to your point about
15 having a lot of tourists arrive, obviously people off
16 the plane and particularly people coming with chip-
17 enabled cards with the, um, the little WiFi symbol on
18 [bell] it will be immensely valuable for them to be
19 able to purchase a OMNI Card. So, we're deliberately
20 bringing forward Sutphin Boulevard as one of those
21 stations.

22 COUNCIL MEMBER RICHARDS: But I would
23 also, sir, not to just cut you off, I would really
24 suggest you having some individuals. I know you have
25 this program that was spoken about where you take the

2 token clerk—the clerks out of the—the booth to do
3 some work. There certainly needs to be that there.

4 ANDY BYFORD: Okay. So, what I'll do
5 Council Member is I will speak to the local group
6 station manager about the staffing level there and
7 what we might be able to do to help tourists because
8 certainly, um, you know, it's never pleasant to turn
9 up somewhere and not be able to figure anything out.
10 So, I'll talk to the group station manager. With
11 regard to ABLE, the ABLE system it stands for
12 Automated—Automatic Bus Lane Enforcement. We are
13 very excited about that. We have launched that on
14 the M-15 Route. We're about to launch it on the M-14
15 Route, and what that does is using cameras, Biostatic
16 DOT cameras on a bus lane equipped route and also
17 bus-mounted cameras. You can enforce bus lane
18 compliance because the system will capture any car
19 that is illegally parked up in a bus lane over a
20 certain threshold, that threshold being five
21 minutes. If a car is caught by more than two—two
22 buses or more, parked in a bus lane for more than
23 five minutes, a warning is automatically generated,
24 and when I say a warning, a fine. That starts at \$50
25 and it and it's on a graduated basis. You can't keep

2 parking in the bus lane of if you do, your fine will
3 get bigger and bigger. Again, the intention here
4 isn't fines. I'm not interested in the fines. I'm
5 interested in giving our buses a fighting chance of
6 getting through the traffic. The bus lanes are the
7 for a reason and again to my earlier point it's also
8 selfish to park up in bus lanes. So, we would like
9 to see the ABLE system rolled out across the whole
10 city. We're very interested and we're already
11 talking to DOT about this. We would like to see more
12 bus lanes, better enforced bus lanes, widespread use
13 of the ABLE system. I think the busway on 14th Street
14 is superb. It was great to have Speaker Johnson's
15 support for that and to see—I'd love to see that be
16 copied or installed on other systems, on other cross-
17 cross-streets as well across the whole city, and in
18 terms of Jamaica Depot we have done the—we're doing
19 the Environmental Assessment. The Environmental
20 Assessment has been submitted. There is an issue
21 that I know the Council Member will be interested in,
22 in terms of the uncovered parking space. That's what
23 we've assumed for now. I know he has a concern with
24 that. He would like to see a different design.
25 That is still an option. The reason that we have

2 submitted it with the uncovered solution is purely to
3 keep this thing moving along. That depot desperately
4 needs to be rebuilt, and that will happen in this
5 Capital Plan.

6 COUNCIL MEMBER RICHARDS: He wanted me to
7 emphasize it needed to be covered.

8 ANDY BYFORD: We're aware of that. So-so
9 to set his mind at rest us submitting with it showing
10 as uncovered doesn't preclude that change from being
11 made. It was purely to move the process along. We
12 need to rebuild that depot and it's in this plan.

13 PAT FOYE: Council Member, I just wanted
14 to add one thing. The point you made about the
15 relationship between the NYPD and the MTA Police
16 Force, there is a high level of day-to-day and
17 leadership coordination and cooperation between the
18 two police forces. Um, the, um, police forces in this
19 city NYPD, MTA, Port Authority Police and Federal
20 forces regularly do drills, tabletops, full scale
21 exercises, field exercises, et cetera, and—and at the
22 leadership level and at the patrol officer on-on a
23 subway platform, et cetera, there's as high level of
24 cooperation including for instance sharing the color
25 of the day with respect to undercover officers to

2 avoid blue on blue situations, et cetera, and I just
3 wanted to assure you of that. That is also the case
4 with the MTA Police and Nassau County Police, Suffolk
5 County Police, Westchester and every other police
6 force in the MTA area. Thank you.

7 CHAIRPERSON RODRIGUEZ: Council Member
8 Levin.

9 COUNCIL MEMBER LEVIN: Thank you very
10 much Chair, um, two quick comments and a question.
11 Um, first I wanted to associate myself with the
12 questions and remarks of Council Member Rose
13 regarding the Access-A-Ride, and in particular having
14 a, um, a seat on the MTA Board for somebody from the
15 disability community. I think that that would be
16 very helpful to the MTA. Um, the second comment, um,
17 as I mentioned to you, President Byford, a couple of
18 weeks ago, um I've been—I've been taking the 7-Train
19 every morning, um, and—and every evening and the
20 signal work that was done there, um has been very
21 effective. I rarely wait more than one or two
22 minutes in the morning to catch a 7-Train. This
23 morning it was one minute and Friday morning it was
24 one minute. Um, so it's, um, it's very—it's very
25 effective. The more that we can be investing across

2 the city on all lines and signal upgrades I think
3 would be to the great benefit of New Yorkers. I thin
4 that the public would respond to that and that's the
5 kind of thing that people really want. People really
6 want a train that's going to show up quickly, get
7 them where they need to go, cut down their commute
8 time and make for a better system. Um, so there's
9 that. Um, the—I don't know if this was brought
10 before, but the—the methodology that you all have
11 used on, um, estimating the amount of revenue lost
12 through fare evasion. Um, I know there's some
13 question about how the methodology came about, and
14 just on its face it seems odd to me. So, do you think
15 it's about 200 \$250 million a year? Is that right?
16 Um, how many users are there and—and how many subway
17 riders are there?

18 ANDY BYFORD: Okay. so the subway
19 ridership is around 5.6 million.

20 COUNCIL MEMBER LEVIN: Okay, so, um, and
21 so I think that—that comes to something around 10,
22 um, fare evasion per customer per year. Is that
23 right?

24 ANDY BYFORD: Well, I-I think that we-

2 COUNCIL MEMBER LEVIN: [interposing] I
3 mean if you were to break it down like that, that's
4 what it be?

5 ANDY BYFORD: Um, the--the figure I look
6 at is the annual loss. So, not just on subway, but
7 subways and buses is between \$260 to %\$300 million a
8 year. That buys you a lot of service

9 COUNCIL MEMBER LEVIN: Okay, but are there
10 other systems that throughout the world that have a
11 much lower per capita rate of per rider rate of--of
12 losses?

13 ANDY BYFORD: We do comparisons on a
14 percentage basis of let's take for example bus fare
15 evasion--

16 COUNCIL MEMBER LEVIN: Uh-hm.

17 ANDY BYFORD: --and on some lines it's as
18 high as 25%. That is way higher than anywhere else
19 I've every worked. I mean typically you'd be aiming--
20 you know, it's--kind of like in many systems that have
21 zero fare evasion typically if you can contain it
22 within the--around 3% or 4% that's--that's kind of the
23 cost of doing business.

24 COUNCIL MEMBER LEVIN: Ritht.

2 ANDY BYFORD: But to-to have some lines
3 or routes where [bell] you are way-way north of that
4 is just bleeding the system of money that it
5 desperately needs.

6 COUNCIL MEMBER LEVIN: Okay and just
7 really quickly on the-on the subways you know our
8 turnstiles can be jumped as we have seen, um with
9 these-the-the protest over the last couple of weeks,
10 um are other cities, other systems have turnstiles
11 that are harder to jump. So, DC or Paris they have
12 different harder to-out turnstiles I mean I-I guess
13 they're part of the identity of New York. They've
14 probably been that way for several generations now,
15 but like have we looked at replacing with harder to
16 jump turnstiles?

17 ANDY BYFORD: I'm not ruling anything
18 out. I think we-we should look at what other systems
19 do. What I'm familiar with is huddles where you
20 either insert your ticket back in the day or even a
21 token or-or increasingly you-you tap on a reader, and
22 the huddles open and there's a-there's a magic eye as
23 they call it or like a magnetic eye a magnetic magic,
24 but a beam just so that only one person can go
25 through in the gates then shut again very quickly.

2 COUNCIL MEMBER LEVIN: uh-hm.

3 ANDY BYFORD: I've seen the reverse
4 actually in Japan. I remember going to a station
5 where it was the reverse. The default was that the
6 gates stay open, and--and as long as you've paid and
7 you pass through. So it's a very quick system, but
8 incredibly quickly if someone does try to sneak
9 through without paying or they don't pay the right
10 amount and the gates shut. So the default is the
11 revers. It's the gates are normally open rather than
12 closed. Um, I've seen full height gates. I've seen
13 low-height gates, um, we--we--I think job one is to get
14 the OMNI system in. It will be hugely expensively to
15 replace all of the gates across all systems--

16 COUNCIL MEMBER LEVIN: Uh-hm, right.

17 ANDY BYFORD: --but, you know, I think it
18 is good to look at best practice so that's something
19 that we actively talking about particularly for the
20 Achilles heel as I described hear earlier mainly the
21 secondary gate, which is the biggest problem.

22 COUNCIL MEMBER LEVIN: Because and just
23 to bring it back to my first line of questions, the
24 last thing we want to do is create interactions with
25 the police , the jail system, the court system. The

2 very last thing we want to do is have fare evasion
3 result in an arrest.

4 ANDY BYFORD: I agree.

5 COUNCIL MEMBER LEVIN: And so anything
6 that can be done to avoid that from happening that is
7 absolutely the worst case scenario.

8 ANDY BYFORD: So, I agree, and you'll
9 notice the--

10 COUNCIL MEMBER LEVIN:[interposing] Worse
11 than-than just letting them go.

12 ANDY BYFORD: The campaign that we're
13 running is encouraging, um, urging people to pay the
14 fare and if you can't afford the fare, not paying
15 isn't the right answer, going with Fair Fares
16 applying for Fair Fares if you--if you're eligible.
17 That is the right solution, but just not paying is
18 not--is unsustainable.

19 COUNCIL MEMBER LEVIN: I understand. I'm
20 saying in the--in the--in the effort to get people to
21 pay the fare, um, interactions with the police and
22 cuffing and arresting and all of the above, all of
23 that is a--is a very--it creates so many unintended
24 consequences. It--and it--it, um, undermines the
25 public--public's confidence in the system. I

2 understand that fare evasion is—you see it as an
3 issue. I don't know if it really is as big an issue
4 as—as we're making it out to be, but other ways of
5 addressing it rather than police interaction I think
6 have—it—it is so important because it will—it will
7 undermine other good work that you're doing.

8 ANDY BYFORD: Okay, but can I make just
9 one more comment, Council Member. So, I don't
10 disagree. I don't want to see people, people
11 arrested. You know, I—I see it happening and I say to
12 people so, you need to go back and buy a ticket.
13 The, um, the \$300 million thought that is walking out
14 the door or walking in the door, depending on which
15 way you look at it, that \$300 million to go back to
16 where you started, that would pay for re-signaling of
17 a line. Not the power upgrades and the new trains,
18 but the actual cost of software for the type of
19 service from which you now benefit.

20 COUNCIL MEMBER LEVIN: Uh-hm.

21 ANDY BYFORD: In other word CBTC on the
22 line with automatic train operation, which is what
23 gives you that relentless service. That's the kind
24 of figure we're talking about.

2 COUNCIL MEMBER LEVIN: I get it. I get
3 it. I assume that there are people maybe other than
4 you that are putting a priority on enforcement of
5 quote/unquote "quality of life issues" and this is
6 one of them, and it serves—I'm just—just telling you
7 what I'm seeing out there in the city that it's
8 going—it is serving to undermine other good work that
9 you're doing. So, just I'll leave it.

10 ANDY BYFORD: Understood and I will
11 continue to push the NYPD to—to adopt, you know, a
12 very sensible approach to this. You know, I really
13 respect them. I think they do a great job, but we
14 continue to push. This is about deterrence not about
15 arrests. Um, the arrests are actually down at the
16 moment, um, in terms of fare—fare evasions.

17 COUNCIL MEMBER LEVIN: Well, there's
18 arrests made but there's cuffing and ticketing, which
19 is different. So, we'll talk more offline.

20 CHAIRPERSON RODRIGUEZ: Thank you. I-I
21 feel that with that the and, of course, first of all
22 like we are getting close to, you know, having you
23 and we appreciate of your time. The message is we
24 have seen the movies before, and we have lived the
25 years of the '80s and the '90s, and the beginning of

2 2000 where someone with the city put the men and
3 women of the NYPD in a situation that it was
4 difficult for them, and it was difficult for other
5 individuals that also suffered the excessive use of
6 force. We've been there, and we've been there in the
7 city where we have an individual leading institution
8 that they thought that they were above on everything
9 and-and here we are. You know, in a city where we
10 have-if there's something that define New Yorkers
11 it's a lot of compassion, and I feel that we never
12 talk on a lot of things that we've been able to
13 accomplish today, things that we were told 10 years
14 ago that we couldn't do it, things that we say close
15 Rikers Island. The city said no we cannot do it.
16 Things that so with UPK, other things criminal
17 justice reform. We should, you know, legalize
18 Marijuana. People said we cannot do it, but they say
19 it was legal for the rich. The only thing that we
20 tried to do was not to the use to criminalize the
21 Black and Latino and poor individuals. It took a lot
22 of years, a lot of time and a lot of advocacy groups
23 to say there is something wrong there, and-and as you
24 know like when it was time where even across this
25 building the position was that the city should not

2 contribute more to the MTA. We at the Council led
3 the fight saying we should get the \$500 million and
4 at the end we persuade the Mayor—the Mayor, too because
5 we know that he have a good plan. So here, what we
6 are saying is you know the men and women that we send
7 to, you know, enforce and follow direction is like,
8 you know, you have a great governmental relations in
9 here, but for many years the orders that they got
10 was: MTA doesn't participate in community meetings.
11 It doesn't question the great, you know, commitment
12 the great marina here, but there was direction from
13 the top. So, a big concern that we have is that,
14 which is real, the city's part of the movement,
15 national movement and people say just be careful
16 criminalizing people. If you asked me today and I
17 know that that's the feeling for a lot of people is
18 that fare evasion should be resolved by providing
19 free transportation because those individuals who
20 cannot pay the fare are not the middle or the upper
21 class, are those individuals struggling are those
22 individuals fighting eviction, are those individuals
23 like myself in the '80s I walked from 124 Sherman
24 Avenue in Inwood to City College not because I
25 thought that walking was healthy, but because I

2 didn't have my 75 cents to pay my fare. So, those
3 individuals, young people who try to get a job and
4 they don't a job. Those who live—part of us—40% of
5 New Yorkers live on poverty. So, of course like you
6 have to be responsible for what we ask you to do. You
7 need to run the largest transportation system in the
8 nation and everyone wants to feel safe. It doesn't
9 matter if that station is in any community. We want
10 to be safe. So, it's a challenge like you know
11 something that we need to get a balance because in
12 one direction yes I don't want to walk it. If you
13 work through stations and I have seen it, you stop
14 there with the media you're going to see how a family
15 would not their teenager to walk to their station
16 where there's still, you know, violence when there's
17 things about maintenance lack of maintenance in those
18 stations. So, and we want for you to fix it. At the
19 same time we're saying, you know, let's be careful on
20 how we are dressed. The level of crimes that we have
21 in a station and for me—our challenge for me is about
22 I hope again and this also come from all Steve an I
23 and the Speaker and others we've been working hard,
24 and like is said we led the movement together with
25 the advocate group to establish the Fair Fares. Now,

2 we need to do our part also to look and see if we can
3 provide free transportation to those individuals that
4 they don't have the money, and they are the numbers
5 of those who evade the fare. So, that's one area
6 where I hope we can work. The second thing is, you
7 know, do the best we can to have people who are real.
8 I know that my brother used to—he used to be a police
9 officer in the 42nd. So, all my respect to the men
10 and women in the blue, but I also know again that if
11 there's a situation of someone who is dealing with
12 severe mental health issue and that person is in a
13 situation in as station, if a unit that has not been
14 trained on how to respond and interact and not the
15 first responding, it can create a situation where
16 even though the level of training that the police
17 officer can have probably he or she cannot handle
18 that situation, and that's what we would like
19 prevent. We don't want to be in a press conference,
20 you know, because someone was killed or someone was
21 maybe abused by the force or someone of the men and
22 women. We want to be sure that we support you, but
23 from our end we also are—we're having a lot of
24 concern about what is the interaction between those
25 individuals. Why wouldn't think about bringing back

2 some of the staff in the station from the MTA so that
3 we add more besides those individuals that we have,
4 but we lose a lot because we cut a lot. We close a
5 lot of talking booth 15 years ago, and with that
6 process we also lost a lot of physical presence of
7 the MTA in some stations. So, you know, how—I hope
8 again that we can look at that situation with more—it
9 it's a very—I don't think it's one. It's not a black
10 and white situation. You know, minor crimes in the
11 train station are real. The presence of people who
12 doesn't have a place where to live in the station is
13 real. How do we handle it, that kid, and I signed
14 together with my colleagues here we don't to be in a
15 situation where, you know, the abuse of power or
16 using those situations to send someone to—to the
17 prison is a solution to the numbers of people that
18 can commit any minor crimes, but again, I hope again
19 that we can partner, advocate and to provide free
20 transportation. When we supported the congestion
21 price, we also asked that some of those monies should
22 be used. We know there's \$1 billion for the big plan
23 of the MTA but also we look about the possibility on
24 some of those money could be used for all the matters
25 and important in transportation. So, I don't want to

2 put you on the spot. Just say, oh, can you agree
3 with us that we can use some of this money to provide
4 free transportation, but at least I would like to put
5 in your thought that when you think about here the
6 city can provide the funding that also the MTA should
7 be creative on how we can advocate together to
8 provide free transportation to those individuals.

9 PAT FOYE: So, chairman, you understand,
10 of course, that the congestion in the Central
11 Business District totaling and the other revenue
12 sources by law can only be used for capital, but as
13 I-as I said before, we fully support Phase 1 of Fair
14 Fares, and, um, it's expansion on a city-funded
15 basis. We provides 150,000 Metro Cards, as I
16 mentioned, and, um, and we look forward to supporting
17 the program as it expands, and thank you for your
18 leadership on that.

19 CHAIRPERSON RODRIGUEZ: So, with that,
20 we're closing saying that from our end from our part
21 while we want the MTA is to prioritize this \$54
22 billion on riders, maintenance, repairs, workers. We
23 would like the MTA also to understand that we the
24 city are the one allocating most of the funding. We
25 cannot back to say the state been allocating more

2 than the city because a lot of people in the business
3 sector they don't even know how many Council Member
4 we are. What they know is that we have a
5 transportation system that is important for them to
6 be established in New York City so that the MTA is
7 critical not only for the city, the state economy.
8 So, we would like to see again how we can go thorough
9 this process together committed to make our
10 transportation system, you know, the best one in the
11 whole world, and we trust your leadership, but there
12 is a lot more that we need to do. With that, thank
13 you. Thank you. Now, we're going to be getting call
14 the members of the public, and we're going to be
15 putting the clock on two minutes each.

16 LEGAL COUNSEL: Colin Wright, Danny
17 Pearlstein, Rachel Foss, Liam Blank. [pause] So, now
18 we're getting into the members of the public. We
19 have a representative of the MTA who is here again
20 listening to the presentation of the public. As
21 usually if you feel that it would take more than two
22 minutes, you summarize, but it is your time.

23 DANNY PEARLSTEIN: Good afternoon, Chair.
24 My name is Danny Pearlstein. I am the Policy and
25 Communications Director at the Riders Alliance. We

2 are New York's grassroots organization of subway and
3 bus riders. It's been a very big year for riders.
4 This spring we won congestion pricing. The fall
5 we're won of the largest ever MTA Capital Plan. Now
6 the question is: When will the Subway be fixed.
7 Riders' number on priorities in the next MTA Capital
8 Plan are the new signals, subway cars and elevators
9 that will finally deliver a modern, reliable and
10 accessible subway system for New York and it cannot
11 come soon enough. So we urge your support for those.
12 We urge your asking the tough questions. We
13 appreciate you asking those questions and holding the
14 MTA accountable for doing this work and for getting
15 the job done. You know, 8.5 million daily riders in
16 the MTA system depend on effective oversight and
17 advocacy for riders. So we really appreciate this
18 role. We also appreciate your role as the city as a
19 funding of the MTA. While the Governor controls the
20 MTA, we recognize the unique role the city plays in
21 the process and we favor direct upfront investment in
22 the MTA and its Capital Plan over additional debt
23 that has as we heard from the MTA earlier is the
24 driver of as they describe their dire financial
25 situation. You know we are as rider advocates we're,

2 of course, incredibly worried about that. Um, you
3 know, we're enthusiastic about all of the Council's
4 questions about the 500 new police officers, which we
5 believe are a real hindrance to the MTA's budget and
6 their ability to provide adequate service levels.
7 Ultimately, we'd like to see the Governor shift
8 course from hiring those police and devote the money
9 to MTA's core infrastructure and core service
10 provision on subways and buses. New Yorkers are
11 utterly dependent on our subways and buses. They are
12 the engines of opportunity. They provide the access
13 we need to our city. So we thank you so much.

14 COLIN WRIGHT: Good morning, Chair. I'm
15 Colin Wright, Senior Associate at Transit Center.
16 Transit Center is a national foundation that works to
17 improve U.S. cities through improved public
18 transportation. We applaud the vision for the
19 region's transit system in the MTA's proposed Capital
20 Program [bell] and particularly investments in
21 accessible stations and new subway cars and modern
22 signals. We think this, um, this all promises a much
23 more reliable and accessible transit service, but the
24 sheer ambition of this plan also raises questions
25 about how the MTA will complete it. The issue I'd

1 like to focus is the MTA's high cost of construction,
2 how it impedes progress and how you can use your
3 oversight role to remedy it. The cost estimates for
4 major projects in the Capital Program are
5 significantly higher than what peer transit agencies
6 pay for similar work. For example the MTA estimates
7 that accessible stations will cost roughly \$80
8 million on average. This much higher than London's
9 average of \$22 million for recent accessibility
10 projects under similar conditions as New York
11 including high real estate values, narrow stations
12 and complex tangle of underground utilities. Closer
13 to Home stepped in Philadelphia recently and brought
14 an underground subway station on the market Frankfurt
15 Line into ADA compliance for \$9 million including the
16 installation of two elevators, structural and
17 concrete repairs and a new staircase. Likewise, MTA
18 projects that projects that track mile of modern
19 signaling will cost order of magnitude more than
20 Boston, London and Paris. Given the practical limits
21 of the authority's spending, there's no path to a
22 consistently excellent rider experience without
23 reducing the projected costs in this Capital Program.
24 If the MTA brings its costs in line with peer
25

2 agencies, the Authority can stretch funds for
3 maintenance and improvement farther and keep its debt
4 in check, which is very important. Under Janno Lieber
5 the MTA has identified a number of project management
6 and procurement reforms to increase efficiency and to
7 make bidding for contracts more competitive and we
8 commend these steps and we believe they have the
9 potential to bring down costs, but so far however,
10 the MTA has yet to demonstrate that it expects to
11 bring costs down. In fact, despite project
12 management reforms intended to accelerate work and
13 reduce costs, estimates in this Capital Program do
14 not reflect lower unit costs than previous capital
15 programs. To set goals for the cost control [bell] -
16 I'll wrap it up. We recommend that the MTA review
17 the transit capital costs from other cities with
18 older rail networks and use industry averages as
19 benchmarks to assess its own cost reduction. We want
20 them to make these costs highly visible to the public
21 to strengthen its case for continued work, and you
22 know, there—we—there are many factors that contribute
23 to high construction costs and there really are no
24 silver bullets that will solve this problem
25 overnight, but we do look forward to working with the

2 City Council to seek clear explanations from MTA
3 leadership about the root causes of high costs and to
4 continue working with you to make sure that the MTA
5 reduces its costs so all New Yorkers can benefit from
6 a strong accessible transit system. Thank you.

7 RACHAEL FAUSS: Good afternoon. My name
8 is Rachael Fauss and I'm as Senior Research Analyst
9 for Reinvent Albany. We advocate for more transparent
10 and accountable state government including for state
11 authorities like the MTA. We thank the Council for
12 holding this oversight hearing. It's a critical time
13 at the MTA, which is the throes of a massive
14 reorganization ordered by the Governor, which will be
15 undertaken as the MTA takes on the biggest Capital
16 Plan in its history. The Council has an important
17 ongoing role to play to ensure the city's voice is
18 heard and that the Capital Plan directly benefits our
19 way and investor list (sic) For instance the Council
20 should be actively pressing for the Mayor, Governor
21 and State Senate to fill the city's soon to be two
22 empty seats on the MTA Board as soon as possible.
23 The Council should also be intensely focused on
24 ensuring the city gets its fair share of capital
25 spending and that city projects essential for

2 restoring good service are given priority. As a
3 representatives of the city's subway, bus and rail
4 riding public, you should expect the MTA to be able
5 to answer basic questions about what projects come
6 first and how it knows how much spending is needed
7 for items such as subway signals, tracks, cars and
8 new buses. Specifically, you should expect the MTA
9 to first publicly release it's 20-year needs
10 assessment and Federal Transit Asset Management Plan.
11 That they haven't been released yet raises the
12 question of without these how much did the MTA
13 determine how much restoring the system to a state of
14 good repair would cost. If not the Needs Assessment,
15 show us what was used. Two, release the schedule of
16 start and completion dates for major components of
17 the 2020-24 Capital Plan, and eventually for all
18 projects. Three, show how much it realistically can
19 spend per year given that it only spent \$6.6 billion
20 on Capital Projects in 2018, the most per year to
21 date. Fourth, revamp its current Capital Program
22 Dashboard and ensure that it always commits to
23 comparing original to current costs instead of re-
24 baselining from amended plans. Fifth, release a
25 detailed debt plan showing how it will pay for the

2 \$10 billion in addition buy-in without increasing its
3 operating deficit. We also ask that the Council call
4 for an independent debt affordability study[bell] to
5 determine where the red line is with debt payments.
6 This could be done by the city or State Comptroller.
7 I'll wrap up. of course. Six billion in state and
8 city funding should not be contingent upon exhaustion
9 of the MTA's resources and lastly the cost to the
10 Operating Budget of the 2024 planned projects must be
11 made known. For example the Eastside Asset, Access
12 Project has major operating costs, and there may be
13 similar ones for the current projects in the new
14 plan. Lastly, we just want to raise concerns about
15 reorganization, which I know is a topic of this
16 hearing. We can count the hiring freeze as a bad
17 management policy because it leads to key positions
18 when they're left empty based on who happens to
19 retire, while less important jobs are retained. The
20 debarment of contractors is similarly bad public
21 policy because it leads to a smaller vendor pool,
22 reduced competition and higher costs, and lastly the
23 MTA Police Force should not be expanded without
24 significant analysis of how it impacts the operating
25 budget to ensure it does not result in service cuts

2 both immediately and in the long term as the cost of
3 officers ramps up and my full testimony is available
4 for you. Thank you.

5 LIAM BLANK: Thank you, Chair Rodriguez
6 and your colleagues for this opportunity to testify
7 before you today and for holding the oversight
8 hearing of the MTA. I'm Liam Blank, Advocacy and
9 Policy Manager for Tri-State Transportation Campaign,
10 an organization fighting for sustainable mobility in
11 New York, New Jersey, and Connecticut. For years
12 Tri-State has called for increased funding to improve
13 subways, buses and commuter rail including the state
14 of good repair fixes that nine million daily riders
15 need as well as expansion of the system to reach
16 communities that are underserved by transit. So, we
17 are pleased to see that the MTA's 2020 through 2024
18 Capital Program proposes the kinds of system wide
19 improvements necessary to restore riders trust in the
20 Authority if they are successful. The Capital Program
21 calls for an historic \$51.5 billion in investments in
22 our transit system. The lion's share of that
23 investment \$37.3 billion will go toward subways
24 including over \$7 billion for signal modernization
25 that should help bring much of the system up to the

2 90% plus on-time arrival statistics that the L and 7
3 trains currently have. Another \$3.5 billion would go
4 toward buses the lion's share of which is earmarked
5 for the purchase of new buses including a significant
6 investment in clean electric buses. While MTA
7 Capital Construction has made significant strides in
8 streamlining work-workflows the MTA should be clear
9 with you and the riding public how it plans to
10 complete the proposed work in the Capital Plan on
11 time including improving its capital Plan Dashboard
12 and creating a detailed online project-project
13 tracker that allows anyone to see not only when
14 projects are expected to be completed, but also at
15 what cost. We should also understand how the
16 Authority plans to handle both state of good repair
17 projects and expansion projects and once that's
18 prioritized in inevitable moments of capacity crunch.
19 But we want to hear more about the Authority's plan
20 to implement the 2020 Capital Program transparently
21 and cost effectively. We are very glad to see a
22 robust Capital Program that improves on previous
23 promises made by the MTA and Fast Forward moves the
24 MTA toward a fully zero emission bus fleet [bell] and
25 delivers the signal upgrades and accessibility

2 improvements riders need to see. We support a
3 meaningful oversight from the Legislature and City
4 Council. The MTA will have the resources it needs to
5 provide riders with a world class service New Yorkers
6 deserve. Thank you.

7 CHAIRPERSON RODRIGUEZ: Thank you. Next
8 Up. [off mic] Great.

9 CHAIRPERSON RODRIGUEZ: [off mic] Oh,
10 yeah, I think it's from you.

11 FEMALE SPEAKER: Thank you.

12 LEGAL COUNSEL: James Weisman, Lisa
13 Daglian, Jose Hernandez, Jessica Murray, and Mr. X.
14 [background comments/pause]

15 MALE SPEAKER: Thank you for helping.
16 Turn it on. You know, this is getting ridiculous with
17 Patrick Foye like a rock head. Okay, he stated in
18 his budget that he wants 500 more cops. Why? To
19 protect his own interest. He's not concerned for our
20 safety, he's concerned for his safety. Okay, if you
21 don't already know Danny which for or Dennis, Dante
22 (sp?) Police Department has cause sitting at 2
23 Broadway Avenue and 24 constant. Why should I send a
24 stand to say a bunch of zombies. Okay. He can use
25 that. At least two of them are assigned to protect

2 him, but apparently he forgot that part. Okay. No
3 person can get through to him. You're not getting
4 through to him, I'm not getting through, TW Local-TWU
5 Local 100 aren't getting through to him. Okay, at a
6 recent board meeting he cut me off because he felt my
7 comments and predecessor were disgusting, and he sent
8 them after me. He has his budget, I have my—I'm happy
9 to share with that, but I didn't get a chance to
10 repair it, but no we don't need 500 more cops. We
11 don't need more consultants, which I have discovered
12 recently he paid more—hired more consultants than
13 employees. So, as I said it before, the MTA does
14 stand for Metropolitan Transit Authority. That just
15 money thrown away, and who do we have as ED?
16 Patricia Ford who is like Bubba Ray Deli and Dusty
17 Rose with Al Sapphire. (sic) It's time for them to go.
18 He joined MTA. He replaced Ronni Hindko, who was a
19 joke also a joke as MTA head, and what has he done?
20 Nothing but make tons of excuses, and that is what he
21 did her today. He enjoys that. It a thriller for us
22 like a thriller, Michael Jackson. It's time for him
23 to go.

24 Good afternoon. Thank you Councilman
25 Rodriguez for this opportunity. My name is Jim

2 Weisman. I'm President and CEO of the United Spinal
3 Association, the national organization. We have
4 58,000 members, the vast majority of whom use
5 wheelchairs and many thousand live in New York and in
6 the New York area. Forty years ago I was the
7 attorney and United Spinal was the organization. We
8 were called the Eastern Paralyzed Veterans
9 Association, and that sued New Your City and the MTA
10 to make buses and subways accessible. Um, I'm—I have
11 longer remarks that I'll submit, but I do want to get
12 to this. MTA after 40 years is finally changing its
13 policy. Its policy was very, very poorly planned.
14 Forty years or really 35 years ago to use paratransit
15 as the work horse for transportation for people with
16 disabilities, keep as many stations inaccessible as
17 possible, and put lifts on half the buses. We got
18 lifts on all the buses because MTA Board, their
19 lawyers told us settle for half. We'll give you all.
20 They need a victory, and that is what happened. They
21 never board an inaccessible bus again, but we 100 key
22 stations and MTA thought they were gaming the system
23 by keeping the number small. We were the first
24 system in the country to agree to make an old rail
25 system accessible. They had no model to follow. MTA

2 though they gaming the system by having 360 some odd
3 inaccessible subway stations and getting away with
4 100, and in fact, it's costing then \$700 million to
5 make up for it in paratransit every year. Not only
6 that, Koch when he was mayor was convinced by MTA
7 that paratransit solely as a sole source of
8 transportation was the answer and Koch told New York
9 City he could do it for \$9 million a year without
10 buses and rail. So, MTA now coming very late to-to
11 the table is now saying we're going to use mass
12 transit as the, um, main line-main line transit as
13 the work horse for people with disabilities. It's a
14 great move. United Spinal is 100% behind it. The
15 last thing I want to say is I listened to Chairman
16 Foye and Andy Byford talked about the restrictions on
17 paratransit on the e-Hail System. The ADA required
18 no-prohibits any constraints on trips except money.
19 if the MTA-if it's financially burdensome they can
20 stop providing paratransit, but doing things like
21 deliberately increasing the waiting time before you
22 can-you know 24-hour advanced reservation when you
23 could do real time to reduce costs is really to
24 reduce demand, and a trip reducer is probably
25 illegal. It's probably and also the same thing with

2 the \$16--\$15 per ride. It's probably a
3 discriminatory practice. It will be litigated down
4 the road, but if you can provide rides faster, why
5 not? It's only because it's more desirable is why
6 not. That's an artificial constraint on trip demand
7 and I'll--I'm sorry. Thank you for indulging me and
8 I'll give you the rest of my remarks.

9 JESSICA MURRAY: Hello. My name is
10 Jessica Murray. I'm a member of the Elevator Action
11 Group with Rise and Resist. I'm a PG candidate at
12 CUNY, and I'm a person with Multiple Sclerosis. I am
13 currently the interim chair of the Advisory Committee
14 on Transportation Accessibility for the New York City
15 Transit, and, um, I'm--you know, a lot of the things
16 concerns that we brought today have already been
17 addressed so I'm just going to point out a few
18 additional things. As Jim mentioned, these
19 restrictions to paratransit are probably not legal,
20 and they're not really fair, and I would advise you
21 in your future oversight of the MTA to caution
22 against their comparisons to other cities because the
23 \$15.00 limits on paratransit trips for On-Demand is
24 the most restrictive limit in the country, and that
25 comes from Washington, D.C. which is about one-fifth

2 of the size of New York City. So, I don't think you
3 can really compare New York City and Washington, D.C.
4 and say that we're going to, you know, we're just
5 modeling this after other cities. Likewise, um, the-
6 the smallest cap per day for trips is in Boston they
7 limit it based on the user's previous paratransit
8 usage. Anyone can join their On-Demand pilot program,
9 and based on how much they were traveling before they
10 joined, um, they can get that many number of trips
11 per day, but the MTA is limiting it based on the
12 medium number of trips only for the people on the On
13 Demand program. So, I just wanted you to be aware of
14 that. Other trip caps per day are four per day in
15 Washington, D.C., eight per day in Chicago. Um, so,
16 you know, saying that they-they have to restrict it
17 to 16 trips per month I think is a little bit
18 disingenuous. It's the same thing when they say we're
19 making the biggest investment in accessibility of any
20 subway system in the country. Well, New York City
21 obviously dwarfs every other city's transit system.
22 So I-I would just take those, um, comparisons with a
23 grain of salt. Um, we'd also just like to have more
24 transparency in terms of the System Wide
25 Accessibility Study that's currently underway. Um,

2 this, the lawsuit that's ongoing, plaintiffs have not
3 been able to get the information about that study,
4 and what the costs are that are going to be involved.
5 It's supposed to be finished by the end of the year.
6 It should be public knowledge already, and I hope
7 that you push for that transparency. Additionally,
8 we would like to support representation and inclusion
9 of people with disabilities on the Board and in
10 decision making. We—we appreciate that they put
11 together this, um, all volunteer committee of people
12 with disabilities to advise them, but we want people
13 with disabilities making decisions, and in this
14 Transformation Plan, accessibility got one slide on
15 the whole presentation. Um, paratransit was mentioned
16 one time. When we're talking about transformation
17 people—advocates have been requesting for paratransit
18 to be reformed for years for decades, and now their
19 idea of reform is just to limit what they gave out
20 unrestricted. They just want to limit it as a way to
21 save money. Um, they also didn't mention that the
22 increase in costs associated with eHail we're also
23 accompanied by an increase in the number of
24 registered passengers in paratransit. So, while an
25 11% increase in costs was true and you can see that

2 in the data, they also had 15,000 new registrants
3 over that two-year period. So, I would just push you
4 to look more closely at their data and ask them to be
5 more transparent on those points. Thank you.

6 LISA DAGLIAN: Hi, good afternoon. My
7 name is Lisa Daglian and I'm the Executive Director
8 of the Permanent Citizens Advisory Committee to the
9 MTA known as PCAC. We were created by the New York
10 State Legislature in 1981 and our three councils know
11 the voice of the nearly nine million transit and
12 commuters un the 12-county New York MTA region. Thank
13 you for holding this hearing today both on the
14 Capital Plan and the Transformation Plan, which
15 really come together in tandem and are so closely
16 related. We're excited about the potential of the FY
17 2024 Capital Plan to really transform the rider
18 experience and improve the system including long
19 awaited accessibility projects that the city and
20 state's \$3 billion each will fund. That was
21 important to hear today, and I think that that's
22 important to keep saying over and over again. We
23 appreciate, as we know you do Andy Byford's
24 leadership and the steps he's already taken to
25 improve the city's transit network as evidenced by

2 the increases in on-time performance and gain and
3 ridership. Funding and implementing this Capital
4 Plan will really allow the aspirations of Fast
5 Forward Long Island Railroad Forward, Metro North way
6 ahead to become reality. The vision of congestion
7 pricing is a game changer, and will be an integral
8 part of financing the Capital Plan. However, those—
9 the bulk of that money won't come due until 2021—
10 until mid '21 to '22. So, it's critical that the
11 early funding sources be identified and come through
12 in a timely manner, and that's where our really big
13 ask is for—that the city provide its \$3 billion as
14 has been laid out, and that the state provide their
15 \$3 billion as well early so that the accessibility
16 projects can really get moving. The MTA said clearly
17 that it wants to deliver projects better, faster and
18 more cost-effectively, and we look forward to
19 standardization of this new approach [bell] to doing
20 business. We're already seeing a number of positive
21 changes and new approaches including the use of
22 Design-Build, bundling projects, reducing contracts
23 sign-off turnaround times, feeding of contractor
24 payments, and community—and using community input to
25 determine contractor incentive pay marks—payments.

2 These are the hallmarks of effective and efficient
3 taxpayer dollars. Approving funding and getting the
4 Capital Plan going will finally help bring about the
5 21st Century Transit Network riders in our 21st
6 Century city and region need. Thank you.

7 JOSE HERNANDEZ: Hello, um, my name is
8 Jose Hernandez. I'm the New York City Advocacy
9 Coordinator for United Spanish Association, and I am
10 the Civic Engagement Commissioner Appointed by the
11 Mayor in 2019. I wanted to thank Chair Rodriguez for
12 giving me the opportunity to speak today. I'm going
13 to focus my comments today on the pilot program. New
14 York City gave us this pilot program people with
15 disabilities, and it was a great success. It's given
16 individuals in my chapter the opportunity to travel
17 real time, enjoy many events. They've traveled from
18 Brooklyn to the Bronx to, you know, private events
19 and doctor's appointments. You can go anywhere in
20 the city and it has touched the people in the pilot
21 program. It's talked about their Access-A-Ride, the
22 website on the Facebook group it's given great
23 praise. With the limits that are put in place, you
24 know, 16 rides per month and \$15.00 limit is going to
25 cause—is going to discourage people from using it,

2 and it's going to cause issues. You know, what's
3 going to happen when a person takes a ride and it's
4 over that \$15.00 limit and they don't have the funds
5 to pay for that? Um, you yourself Member Rodriguez
6 was talking about how you used to walk from your
7 place at home to college. Could you imagine someone
8 getting on a ride in taxicab and it's \$30.00. You
9 have to pay \$2.75 plus, you know the additional
10 \$15.00 and what if you don't have it? What's going
11 to happen? It's going to cause an issue where the
12 police officer is going to be called and what happens
13 to that person with a disability? Um, it's just
14 concerning. Right now in Boston it's \$40 per ride,
15 and the New York system is a lot bigger [bell] and
16 the person was saying \$6.00 you know in surcharges to
17 begin the road alone. So, you can get six blocks and
18 be at 30-\$15.00 already. So, um, if you can, you
19 know, address that issue I would really appreciate
20 it. Thank you very much.

21 CHAIRPERSON RODRIGUEZ: [off mic] Two
22 questions about, you know (inaudible) Even though
23 what was said about-[on mic] Can, and we know there's
24 always going to be challenges, there's always going
25 to be some stations that, you know, they are like 10

2 floors down or whatever it is so that knowing that we
3 can do anything with this technology, there's
4 resources there. Is that possible to make an old
5 station in New York City accessible? Have anyone—
6 have anyone done some study to look if we can turn—if
7 we can make every single station in New York City
8 accessible?

9 MALE SPEAKER: It's only money, it's only
10 money. We're talking about technologies there. You
11 could even if there's no place to drop an elevator,
12 you could have an inclined elevator follow a stair
13 contour and move it, and put a new staircase. So that
14 it-it-there—if you're committed, if MTA is committed,
15 they can do it. Um there are more difficult stations
16 than others, and the gap between the station and the
17 platform, which we haven't mentioned—I mean between
18 the platform and the train, which we haven't
19 mentioned both horizontal and vertical is a
20 significant disincentive to people who use wheeled
21 mobility aids from using the subway and makes them
22 dependent on paratransit. If MTA sponsored a design
23 competition right now and said we are the biggest
24 transit system in the world, we can do this, invent
25 something for us to fill this gap that's temporary

2 either car borne or platform borne, you'd have way
3 more people on wheels using the subway, too, but
4 it's, you know, this is a system that's been dragged
5 kicking and screaming for decades into accessibility.

6 CHAIRPERSON RODRIGUEZ: Yes

7 MALE SPEAKER: So, it's not what they
8 think of first, but it's a sea change compared to
9 what it was ten years ago at MTA. They are actually
10 thinking about if only to cut paratransit costs they
11 are actually thinking about making mass transit truly
12 accessible.

13 LISA DAGLIAN: Can I—can I add the MTA is
14 currently conducting the system wide study, and they,
15 um, there was a recent article about how that, the
16 cost of that study has increased because they're
17 really trying to finish it by the end of this year,
18 but when they report their progress to the MTA Board,
19 they say okay, now we've surveyed X number of
20 stations. They haven't talked about how much the cost
21 of retrofitting the whole subway system is going to
22 be. They just say we've—we've analyzed this number
23 of stations and currently the plaintiffs in the
24 lawsuit against MTA have been requesting those
25 documents to understand what the realities are and

2 what the costs are going to be, but they have refused
3 to so far to hand that over, and I—I feel strongly
4 that that should be public information. Um, if
5 they're spending money to find out what it will cost,
6 why wouldn't they be using that as, um, a point to
7 okay this is—we know now what—what the costs will be.
8 They've never done the study in 30 years, but now
9 they're doing it. They're just not sharing that
10 information with the public, and London as my
11 colleague Colin mentioned, is doing stations. You
12 know, London is much further on the rail than New
13 York City. They have the same, you know, utilities,
14 water, everything, the same challenges that New York
15 City has maybe even more, and somehow they're able to
16 do it for a third to a quarter of the price.

17 CHAIRPERSON RODRIGUEZ: Yes. Alright, I
18 just again I have been having conversation in why I
19 feel that you know, all those should be again to make
20 all the stations accessible by 2030. I feel that, you
21 know, the city has realized and all of us has
22 realized that it's not only close to one million New
23 Yorkers with physical challenges, but it's about
24 those of us who will join that community in the
25 future, and it's also the parents that you have like

2 two children, they have a stroller that you can, you
3 know, you need to rely on an elevator and/or
4 electrical steering in order to have access to the
5 train. So, I just hope again that whatever progress
6 we made in this Capital Plan it will have—it will
7 continue. Again, quoting in with you guy—with you
8 guys and advocating together, and also, you know,
9 pushing the MTA to reduce the cost because what
10 happens is also as you know you're the one that have
11 the expertise (sic) that feel that will come—they
12 come back and they say \$20 million for the elevator,
13 \$25 million. That's a ridiculous amount, and—and
14 sometime even in the station like the one in Inwood
15 that the Dagman (sic) 1 Train, it was because of the
16 lawsuit that we—we have just one elevator going down
17 downtown.

18 MALE SPEAKER: Right, the—the ADA
19 requires them to spend an amount equal to 20% of the
20 cost of a renovation on station access. So, if they
21 couldn't do both sides of the station, they were
22 skipping it. They would renovate the station, and if
23 20% didn't pay for uptown and downtown, they just
24 skipped it, and didn't do uptown or downtown. So, we
25 sued them in Inwood about ten years ago--

2 CHAIRPERSON RODRIGUEZ: Yes.

3 MALE SPEAKER: --and--and got half a
4 station made accessible because of the ADA requires
5 incremental accessibility. At least it's half a
6 station. That is the new MTA policy or what--now it's
7 obviously much more aggressive, but you could see by
8 skipping the station they are saying okay use
9 paratransit. Every time they do it, it's putting
10 people on paratransit, which is why there's a
11 nightmare across the paratransit now to say nothing
12 of people who think they can't use mass transit who
13 probably could if they were since for the last 30
14 years as they went to school and--and started work if
15 they were using mass transit.

16 CHAIRPERSON RODRIGUEZ: Yes.

17 MALE SPEAKER: But now there's a
18 paratransit--depending community.

19 CHAIRPERSON RODRIGUEZ: Well, thank you.
20 I'm ore than happy to continue working closely with
21 you guys. Thank you, yes.

22 MALE SPEAKER: Thank you. [background
23 comments]

24 CHAIRPERSON RODRIGUEZ: So, with that, we
25 close our hearing. Thank everyone. [gavel]

1 COMMITTEE ON TRANSPORTATION

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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 December 13, 2019