

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON LAND USE JOINTLY
WITH COMMITTEE ON TECHNOLOGY

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March 10, 2021
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HELD AT: Remote Hearing (Virtual Room 1)

B E F O R E: Rafael Salamanca
CHAIRPERSON

Robert Holden
CHAIRPERSON

COUNCIL MEMBERS:
Adrienne Adams
Diana Ayala
Inez Barron
Joseph Borelli
Brooks-Powers
Chaim Deutsch
Ruben Diaz, Sr.
Oswald Feliz
Vanessa Gibson
Barry Grodenchik
Peter Koo
Brad Lander
Stephen Levin
I. Daneek Miller

Francisco Moya
Kevin Riley
Antonio Reynoso
Carlina Rivera
Mark Treyger
Eric Ulrich
Paul Vallone
Kalman Yeger

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

Marissa Lago, Director
Department of City Planning [DCP]

Anita Laremont
Department of City Planning [DCP]

Susan Amron
Department of City Planning [DCP]

David Parrish
Department of City Planning [DCP]

Jessica Tisch, Commissioner
Department of Information Technology and
Telecommunications [DOITT]

Joseph Antonelli, Deputy Commissioner of
Management and Budget
Department of Information Technology and
Telecommunications

Tonya Richard, Deputy Commissioner of Legal
Matters
Department of Information Technology and
Telecommunications

Robin Levine, Assistant Commissioner
Department of Information Technology and
Telecommunications

Noel Hidalgo
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Kevin Jones, Associate State Director of
Advocacy
AARP New York

Jim Hamblin-McLeod, Representative
Local 1549

Paula Segal, Senior Attorney
Equitable Neighborhoods
Take Root Justice

Deyanira Del Rio, Codirector
New Economy Project

John Krinsky, Director
Community Change Studies

Founding member, NYCCLI

2 SERGEANT-AT-ARMS: Good afternoon,
3 everyone. At this time, would all sergeant-at-arms
4 please start their recordings?

5 SERGEANT-AT-ARMS: Computer recording is
6 up.

7 SERGEANT-AT-ARMS: Thank you.

8 SERGEANT-AT-ARMS: Cloud is going.

9 SERGEANT-AT-ARMS: Thank you. Back up?

10 SERGEANT-AT-ARMS: Back up is rolling.

11 SERGEANT-AT-ARMS: Thank you. Good
12 afternoon and welcome to today's remote New York City
13 Council FY 22 preliminary budget hearing for the
14 Committee on Land Use and to join later the Committee
15 on Technology. At this time, would all panelists
16 please turn on their video for verification purposes?
17 Thank you. To minimize disruptions, please place all
18 electronic devices to vibrate or silent mode. If you
19 would like to submit testimony, please send, via
20 email, to testimony@council.nyc.gov. Again, that is
21 testimony@council.nyc.gov. Thank you for your
22 cooperation. Chairs, we are ready to begin.

23 CHAIRPERSON SALAMANCA: Thank you,
24 sergeant-at-arms. Good afternoon. I am Council
25 member Rafael Salamanca, Chair of the Committee on

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2 Land Use. I am joined remotely today by Council
3 members-- we have Chair Moya, Chair Riley, Council
4 members Adams, Ayala, Barron, Diaz Senior,
5 Grodenchik, Koo, Perkins, and Rivera. Before we
6 begin, I would like to recognize the committee
7 counsel to review the remote meeting procedures.

8 COMMITTEE COUNSEL: Thank you, Chair
9 Salamanca. I am Julie Lubin, counsel to this
10 committee. During today's hearing, Council members
11 would like to ask questions or make remarks should
12 use the zoom raise hand function. The raise hand
13 button should appear at the bottom of the participant
14 panel. I will announce Council members who have
15 questions or remarks in the order that they raise
16 their hands. Chair Salamanca will then recognize
17 members to speak. Once your name has been called,
18 you will receive an unmute request. There may be a
19 brief delay in this process. We ask that you please
20 be patient for any technical difficulties that arise
21 today. Chair Salamanca will now continue with
22 today's agenda.

23 CHAIRPERSON SALAMANCA: Thank you, Counsel.
24 Today we will examine the fiscal 2022 preliminary
25 planning and preliminary fiscal 2021 Mayors

2 Management Report for the Department of City

3 Planning, DCP. This hearing will review the

4 Department of City Planning's proposed \$42 million

5 fiscal 2022 preliminary budget. While this figure

6 appears small in the context the city's overall

7 budget, ensuring that the Department of City Planning

8 is adequately equipped to perform its functions is

9 crucial. City Planning is about defining our

10 collective future as a city. Our questions will not

11 only address the particulars of this year's budget,

12 but the overall approach to city planning in New York

13 and whether we are resourced to do the work we need

14 to do to further the needs of our residents.

15 Broadly, significant and serious questions have been

16 raised by this Council about the current practice of

17 selecting only a handful of neighborhoods and

18 engaging in contentious year-long individual planning

19 process as our primary mode of accommodating growth.

20 Without comprehensively addressing the needs of the

21 entire city, New York has allowed decades-old

22 regulations to remain in place in many neighborhoods,

23 a status quo the Council would like to remedy. I

24 would like to thank the Director of City Planning and

25 Chair, Marissa Lago, and Anita Laremont, Susan Amron,

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2 and David Parrish for joining us today. I look
3 forward to a robust conversation about ways in which
4 we can improve on how we plan for our city. Chair
5 Moya would also like to make an opening statement.
6 So, Chair Moya? Chair Moya? All right. I guess we
7 lost him. So we'll proceed and then when he comes
8 back, I'll allow him to give an opening statement.
9 So, therefore, committee counsel, will you swear in
10 the panelists?

11 COMMITTEE COUNSEL: Yes. Before
12 responding, please state your name for the record.
13 Do you each swear or affirm that the testimony that
14 you are about to give will be the truth, the whole
15 truth, and nothing but the truth and to answer all
16 Council member questions truthfully?

17 CHAIRPERSON SALAMANCA: Panelists?

18 DIRECTOR LAGO: Thank you. We were just
19 unmuted. This is Marisa Lago and I do.

20 ANITA LAREMONT: This is Anita Laremont
21 and I do.

22 SUSAN AMRON: This is Susan Amron and I do.

23 DAVID PARRISH: This is David Parrish
24 and I do.

25

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2 CHAIRPERSON SALAMANCA: Thank you. So,
3 Chair Lago, you have the floor.

4 DIRECTOR LAGO: Thank you so much, Chair
5 Salamanca, and good afternoon, as well, to
6 Subcommittee Chairs Moya and Riley and also to all
7 the distinguished members of the Land Use Committee.
8 Thank you for the opportunity to discuss our
9 departments preliminary FY 22 budget. I will start
10 by sharing the urgent and ambitious recovery focus
11 work that we plan to move through ULURP before the
12 end of the city councils charm. Our project pipeline
13 is tailored to be responsive to Council member
14 priorities and our tremendous posts pandemic
15 challenges. These projects will help us dismantle
16 some of the stark racial inequities that continue to
17 plague our city and that have been laid bare by the
18 pandemic. They include the creation of permanently
19 affordable homes in so, Brooklyn and Manhattan most
20 centrally located high opportunity neighborhoods.
21 Our work is simultaneously focused on access to jobs
22 and job creation and to advancing key resiliency
23 goals of this Council in this administration. Each
24 of the projects that we seek to advance builds on
25 years of smart data analysis and planning and

2 benefits from community input. Some of the largest
3 private projects that you will be asked to review and
4 adopt promised significant upgrades to important
5 health care facilities including a proposed expansion
6 of the New York Blood Center. Proposals that will
7 come before this Council will include a handful of
8 citywide zoning text amendments that are aimed at
9 helping residents and small businesses recover from
10 the effects of climate change and of the pandemic.

11 First is zoning for coastal resiliency, ZCFR, a soup
12 to nuts overhaul of zoning. ZCFR is crafted to work
13 in and for the city's diverse floodplain communities
14 to protect them from devastating but infrequent
15 storms like Sandy, as well as rising sea levels and
16 daily flooding. We can never lose sight of the fact
17 that our expanding floodplain is already home to
18 800,000 New Yorkers and tens of thousands of
19 affordable homes, businesses, and jobs. We are also
20 working on for new citywide text amendments, each
21 change at smoothing the way for a fair and more
22 equitable recovery for communities and small
23 businesses. This package of text amendments is being
24 advanced in close partnership with the Council and
25 other city agencies. The fresh proposal seeks to

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2 update and expand the 2009 fresh program. It uses
3 zoning to encourage the creation of accessible fresh
4 grocery stores in communities with food needs. Our
5 health and fitness proposal seeks to change outdated
6 regulations that prohibit the location of new
7 exercise gyms, licensed massage therapy, martial arts
8 studios, and spas in many neighborhood retail
9 locations. These anachronistic restrictions stymied
10 the creation of small businesses that contribute to
11 our well-being. Elevate transit. Zoning for
12 accessibility seeks to expand zoning rules that allow
13 the MTA to leverage private development to build
14 accessible public subway and commuter rail stations.
15 Last, but not least, we seek to make the city's open
16 restaurants program per minute with more than 11,000
17 [inaudible 00:08:41]. Next, I'll touch on some of
18 the more significant public land use projects that
19 are indoor will enter ULURP in the coming months.
20 Each is being advanced to aid in our recovery and to
21 help dismantle inequities faced by our communities of
22 color. You have likely heard about our ongoing work
23 to advance the Gowanus and the SoHo/NoHo neighborhood
24 plans. Each aims to bring thousands of affordable
25 housing-- of affordable homes to high opportunity

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2 neighborhoods while also fixing outdated zoning
3 requirements.

4 CHAIRPERSON SALAMANCA: Sorry. Did we lose
5 Chair Lago? Chair Lago?

6 DIRECTOR LAGO: Is that better?

7 CHAIRPERSON SALAMANCA: Yeah.

8 DIRECTOR LAGO: Thank you. Sorry about
9 that. That this historic island is forever open to
10 the public while also serving as a home base for an
11 important new climate center. You will also be
12 seeing private sector housing proposals. Two
13 important MIH projects are the East New York
14 Christian Cultural in Brooklyn and River North on
15 Staten Island. Together, these projects would bring
16 more than 700 permanently affordable homes, not
17 enough for some 1500 New Yorkers. Since MIH
18 inception in 2016, over 3300 new permanently
19 affordable homes have been financed in 21 community
20 districts and MIH has been approved for future
21 construction and 39 of our 59 community districts.
22 Next, I will describe two large public engagement and
23 transparency projects that we recently launched.
24 Starting with NYC Engage. NYC Engage is a remote
25 portal City Planning Commission and DCP meetings

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2 either online and, importantly, also by telephone.

3 This utilitarian portal allowed us to restart ULURP
4 in September. Since then, 49 proposals have entered
5 public review. About half of them are housing

6 projects that will bring nearly 5800 new homes with
7 over 2800 of them affordable units and more than 900
8 permanently affordable homes under MIH. Since NYC

9 Engage debuted, the Commission and the department
10 have held 62 remote public meetings with more than

11 3200 people joining. Some of our most important

12 land-use work is our all and go away neighborhood

13 planning. And since October, we have hosted three

14 public SoHo/NoHo community sessions, attracting close
15 to 900 participants. Similarly, we and Brooklyn's

16 community board six cohosted three update meetings on
17 the Gowanus neighborhood plan, drawing over 800

18 participants. The second transparency project is the

19 Departments updated zoning application portal which

20 we call ZAP. It is a multiyear project with a budget
21 of \$7.5 million. ZAP allows New Yorkers to view and

22 download digital land use applications and related

23 environmental review filings as they enter public

24 review. It brings efficiency and transparency to our

25 land use review and gives the public another tool to

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2 engage more fully in our public review process. I
3 will end with our financial overview. We entered FY
4 21 with an adopted budget of 44.6 million and an
5 authorized headcount of 361 full-time staff
6 positions. Of these, 54 percent or 160 positions are
7 funded with city tax levy dollars. Our remaining
8 budget allocation and positions are funded through
9 state and federal grants, primarily through CDBG.
10 Two thirds of our FY 21 budget supports personnel
11 services. In comparison to the FY 21 adopted budget
12 for FY 22 preliminary budget of 42.2 million and 334
13 full-time staff [inaudible 00:13:24] represents a net
14 \$2.4 million reduction in 27 position decrease. This
15 decrease is largely driven by the expiration of
16 temporary funding allocations from prior fiscal
17 years, including the expiration of our hurricane
18 Sandy CBDG disaster recovery grant. As well as
19 several budget adjustments associated with agencies
20 savings initiatives which we implemented to meet
21 citywide budget reductions. We are working closely
22 with OMB to preserve our important resiliency
23 planning function. David Parrish and I would be
24 pleased to answer any more detailed questions about
25 our budget request, but suffice it to say that,

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2 despite a five percent decline in funding, we will
3 continue to use our resources as efficiently and
4 effectively as possible to carry out our work program
5 and to meet the needs of communities. And, with
6 that, I am glad to take your questions. Thank you,
7 Chair.

8 CHAIRPERSON SALAMANCA: Thank you. Thank
9 you, Chair Lago. I'm now just-- before I do my
10 rounds of questions, I'm going to allow Chair Moya to
11 give his opening statement.

12 CHAIRPERSON MOYA: Thank you, Chair
13 Salamanca. Thank you to Chairwoman Lago, and all my
14 colleagues. I apologize for the technical pick up
15 there, but thank you, again, to my colleagues, the
16 committee and subcommittee in attendance today and
17 thank you to the representatives of the Department of
18 City Planning for testifying. The Subcommittee on
19 Zoning and Franchises reviews and makes
20 recommendations on modifications to New York City's
21 zoning regulations, changes in zoning districts,
22 applications for sidewalk cafés, and resolutions
23 authorizing the city to make franchise agreements.
24 It is important work that touches the lives of all
25 New Yorkers. Today, the Council will exercise its

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2 mandate as the institution responsible for fiscal
3 oversight of public funds. As prescribed by the city
4 charter. It is the task of the Committee on Land Use
5 and Subcommittee on Zoning and Franchises to assess
6 the work conducted by the Department of City Planning
7 as well as to ensure the department is adequately
8 equipped to undertake the work required in the years
9 to come. The Department of City Planning, unlike
10 many other city agencies, finds itself uniquely
11 positioned to combat a vast array of challenges
12 confronted by New Yorkers. Combating housing and
13 food insecurity, providing reasonable access to
14 public transportation, or even protecting residents
15 from the symptoms of climate change can be achieved
16 by comprehensive forward thinking and community
17 minded planning. The department has the potential to
18 create long-lasting positive impacts of our physical,
19 social, and natural environments and it is our goal
20 to realize its potential. However, this can only be
21 achieved through a critical review of its operations.
22 I feel I speak for all of my Council members and
23 colleagues present when I say we look forward to a
24 very productive conversation. And that concludes my

2 opening remarks. Thank you, Chair, for allowing me
3 to read that for the record.

4 CHAIRPERSON SALAMANCA: Thank you. Thank
5 you, Chair Moya. Thank you, Chair Lago, for your
6 statement. And so, I'm going to start with, you
7 know, some of my questions here. At the preliminary
8 budget hearing conducted last March, the Council
9 requested a list of the remaining neighborhood
10 rezoning plans. That neighborhood rezonings that DCP
11 expected to certify before the end of this
12 administration and, in response to this request, that
13 department stated that, in light of Covid 19 crisis,
14 it was going to perform a reevaluation of those
15 projects to be certified by the end of the term. So,
16 I am just curious. Which projects does the
17 department expect to certify before the end of this
18 current administration's term?

19 DIRECTOR LAGO: Thank you, Chair
20 Salamanca. There are two neighborhood rezonings that
21 we intend to certify before the end of this term. We
22 were prepared to have certified a rezoning of
23 Gowanus, a high opportunity neighborhood with good
24 mass transit and one that has benefited from years of
25 planning with the community and with the two affected

2 Council members. We had been prepared to certify
3 that earlier this year, but as you may know, a group
4 has sued to prevent the certification. This move was
5 opposed by the community board and many neighborhood
6 organizations that had worked with us in developing
7 the plan. I will note it was significant that some
8 groups that still had questions about the plan,
9 nonetheless, opposed to the litigation because they
10 want to the public review process to begin so that
11 there could be a very formal public discussion and
12 refinement of the plan. The second neighborhood
13 rezoning that we anticipate will be certified this
14 year is the plan for SoHo/NoHo. It is one of the
15 cities wealthiest neighborhoods. It is one that sits
16 astride multiple subway lines, it is an area that has
17 an anachronistic Sony that reflects an economy, and
18 neighborhood that has changed. We have worked hand
19 in glove with Council member Chin, Borough President
20 Brewer, a host of neighborhood organizations, to
21 develop a Envision SoHo/NoHo report which was put
22 together by an advisory group under the auspices of
23 the Council member, the borough president, and myself
24 and we look forward to later this year and touring

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2 and completing the ULURP process for the rezoning of
3 these important neighborhoods.

4 CHAIRPERSON SALAMANCA: All right. I know
5 with these rezonings, normally there comes capital
6 dollars. Capital improvements that are attached to
7 them. What is the total capital-- what is the total
8 dollar amount in terms of capital commitments that
9 this administration is planning to commit to four
10 Gowanis?

11 DIRECTOR LAGO: That is still being
12 discussed and, in particular, the capital commitments
13 are looking towards the environmental needs of this
14 low-lying and flood prone neighborhood, as well as
15 looking at the NYCHA campuses that are part of the
16 Gowanis neighborhood. I do not have a firm number on
17 that. And, with respect to SoHo/NoHo, we have not
18 broached those discussions.

19 CHAIRPERSON SALAMANCA: What was the total
20 capital investment allocated for the rezonings that
21 were approved? You have East New York, you have
22 Inwood, you have Jerome Avenue. Can you give me
23 specifics on how much was allocated for East New
24 York, Jerome, and Inwood?

25

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2 DIRECTOR LAGO: I am glad to provide
3 that, as well as downtown Far Rockaway in Bay Street,
4 as well, which were the other of the rezonings. When
5 the commitments are made, at that point the Mayor's
6 Office of Operations maintains a commitment tracker
7 of the commitments that are made and this is publicly
8 accessible. In total, with the six rezonings that we
9 just went through, there has been a total of just
10 over \$670 million, but I would be glad to provide the
11 breakdown for you, Chair.

12 CHAIRPERSON SALAMANCA: Yeah. How soon can
13 I get that break down?

14 DIRECTOR LAGO: We can get it this
15 afternoon.

16 CHAIRPERSON SALAMANCA: That would be
17 great. Just curious to know what the zoning
18 received. In the fiscal year 2021 in the Mayor's
19 Preliminary Management Report, it stated that, to
20 date, 167,000 affordable housing units have been
21 created or preserved. In your estimate, if all 15
22 rezoning projects, if they were implemented, how many
23 additional units of affordable housing would be
24 produced under the Housing New York plan?

25

2 DIRECTOR LAGO: Well, Council member,
3 I'd focus on the rezonings that occurred and we don't
4 do a theoretical calculation and not know what
5 neighborhoods. We could provide our estimates,
6 certainly, for Gowanus, as well, and then we are also
7 working on our estimates for SoHo/NoHo. The
8 estimates, out of the years of detailed work with the
9 community to determine what housing can-- what
10 amount of housing is appropriate and where the
11 opportunities are.

12 CHAIRPERSON SALAMANCA: That's fair.
13 That's fair. Okay. So, the six rezonings that were
14 approved, how many affordable housing units were
15 produced out of the six rezonings?

16 DIRECTOR LAGO: I can get you, again,
17 those numbers. And, if it would be helpful, we could
18 provide the units that we believed will result over
19 time. Because, as you know, Council member, a
20 neighborhood rezoning plays itself out not over weeks
21 or months, but over years. The planning horizon of
22 five, 10, and 20 years. The other, if it would be
23 helpful, is we could look to see the number of units
24 that have received permits. Again, some of these
25 rezonings, with Bay Street being the most recent, or,

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2 in planning terms, incredibly new rezonings, but we
3 would be glad to get that information for you.

4 CHAIRPERSON SALAMANCA: How soon can I get
5 that?

6 DIRECTOR LAGO: Again, we will be
7 providing them in the next day or two.

8 CHAIRPERSON SALAMANCA: So, on hand, you
9 don't have how many affordable housing units were
10 created at East New York?

11 DIRECTOR LAGO: Not on hand, Council
12 member. But, again, we will gladly provide it
13 promptly.

14 CHAIRPERSON SALAMANCA: So, these
15 rezonings, they are multi agency studies. It's not
16 just the rezoning. It's a study that is attached to
17 it.

18 DIRECTOR LAGO: Right. A neighborhood
19 plan.

20 CHAIRPERSON SALAMANCA: A neighborhood
21 plan. What is the average cost for a neighborhood
22 plan?

23 DIRECTOR LAGO: Well, neighborhood plan
24 actually is comprised of two different types of
25 costs. One is the staff time. The department staff,

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2 but I would also note, as you just mentioned, the
3 panoply of agencies that we work with from
4 transportation to Parks to Health and Mental Hygiene
5 to NYPD, all of which invested their staff time in
6 these significant year-long undertakings. The other
7 is the cost of the environmental review and that is
8 an out-of-pocket review. We estimate that for a
9 significant neighborhood rezoning, the cost of the
10 EIS, depending upon the size, depending upon the
11 complexity, would range from around one and a half to
12 3 million dollars.

13 CHAIRPERSON SALAMANCA: Okay. So, I mean,
14 Commissioner, when you sit down and you plan a
15 neighborhood study-- I'm going to use Jerome Avenue
16 because, you know, that got approved. Does OMB not
17 sit down and analyze what the total cost of putting
18 this together? What is the actual total cost? Staff
19 time, you know, getting permits to have meetings, you
20 know, other expenses? Is that not something that
21 your agency or OMB tracks?

22 DIRECTOR LAGO: What we do is we
23 determine our work program, Council member. We
24 prioritize working on neighborhoods where we see that
25 there are the ingredients for a successful

2 neighborhood plan and rezoning in these ingredients
3 include access to transit. We know that we are a
4 city that defines transit oriented development. It
5 also includes seeing the opportunity of underutilized
6 land that would be appropriate for housing
7 development or construction of buildings for jobs.

8 And then, finally, another key factor is, Council
9 member, a community board that wants to work with us.

10 And I think your mention of Jerome is particularly
11 apt because Council member Gibson worked with us and,
12 with us, I mean the panoply of city agencies hand in
13 glove throughout the process. Council member
14 Cabrera, when he became aware of the work that we
15 were doing in Council member Gibson's portion of
16 Jerome, asked if we could extend the study area to
17 include the portion of his district along the
18 corridor which we gladly did. And those are the
19 makings of a successful neighborhood plan. I don't--

20 CHAIRPERSON SALAMANCA: I'm sorry, Chair.

21 I have to interject here because I understand your--
22 You're explaining to me, you know, that these Council
23 members wanted these rezonings in these studies. I
24 understand that. I'm trying to find out what the
25 cost is for these studies. You know, when you look

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2 at-- This is a budget hearing, you know? And I'm
3 trying to find out how city planning is utilizing the
4 budget and, you know, there is a \$42 million budget
5 that city planning is proposing for fiscal year 22
6 and I want to know how you are spending that money.
7 And so, I want to know what is the total cost of a
8 neighborhood study?

9 DIRECTOR LAGO: Again, Council member,
10 we choose which neighborhood studies we can
11 undertake. We know that we can't undertaken in
12 defendant number of them. In part because many
13 Council members have districts that aren't right for
14 this type of intensive look.

15 CHAIRPERSON SALAMANCA: Well, is it fair to
16 say that you are not keeping track of what the total
17 cost of the Jerome Avenue study is? What it costs?
18 Because you're not giving me a number which I have to
19 assume that you're not keeping track of what the
20 total cost of that study was.

21 DIRECTOR LAGO: We can attempt to
22 estimate the staffing, but, Council member, it's not
23 that we say that we have this many dollars to spend
24 on this study. We prioritize work depending upon the
25 needs of the city. There are very different costs

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2 across the neighborhood studies. Some of them are
3 more complex. Some of them are more straightforward.
4 I will also note that we are nimble in prioritizing
5 where the resources at the Council gives us get
6 allocated. You will have seen that yesterday the
7 Mayor announced these for citywide zoning
8 initiatives. The zoning text amendment's, all of
9 which are geared at the city's recovery from the
10 pandemic. That was our being able, nimbly, to direct
11 our work program to meet what we believe are the
12 crying issues of the day.

13 CHAIRPERSON SALAMANCA: All right.
14 Commissioner Lago, I am asking very specific
15 questions and I'm not getting answers. I want to
16 know what's the cost of the neighborhood study and it
17 seems that your agency is not keeping track of that.
18 In terms of outside consultants for neighborhood
19 studies, do you utilize outside consultants?

20 DIRECTOR LAGO: We utilize outside
21 consultants to perform the environmental impact
22 statement.

23 CHAIRPERSON SALAMANCA: Okay. And that is
24 the 1.5 to \$3 million for that EIS, correct?

25 DIRECTOR LAGO: Yes.

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2 CHAIRPERSON SALAMANCA: All right. We got
3 a number there. Okay. You have to excuse me here
4 because I'm just trying to get-- All right. So, my
5 next round of questions is in regard to the
6 neighborhood development fund. In 2015, when the
7 administration committed to 15 rezonings over the
8 life of, you know, this administration, there was a
9 commitment of \$1 billion in capital spending. The
10 funds were meant to ensure that capital dollars would
11 flow into these neighborhoods upon the completion of
12 rezoning. Of the \$1 billion, how much is left after
13 only six of the 15 rezonings were approved?

14 DIRECTOR LAGO: Certainly. With respect
15 to the NDF, the 1 billion is comprised of two
16 different buckets. One with respect to DEP work and
17 the other with respect to non-DEP. There is
18 currently remaining around \$350 million.

19 CHAIRPERSON SALAMANCA: Okay. All right.
20 And I can only assume that that 350 that is left over
21 is going to be allocated to the two rezonings that
22 this administration is trying to finalize? The
23 Gowanus and SoHo/NoHo?

24 DIRECTOR LAGO: Certainly with respect
25 to Gowanus and, as I had mentioned earlier, Chair, we

2 have not engaged in discussions about capital
3 allocations in connection with the SoHo/NoHo
4 rezoning.

5 CHAIRPERSON SALAMANCA: All right. I am
6 going to move along here. You know, these are
7 rezonings-- and I'll go back to Jerome or Inwood
8 were East New York. You know, the rezonings added
9 density to these communities where you're going to
10 bring in hundreds, if not thousands of new units of
11 housing in my question is, as part of this process of
12 these rezonings, I interested in knowing about
13 support services. Our support services part of those
14 conversations such as public safety? The fire
15 department, police department, EMS, schools? School
16 seats, right? Healthcare? You know, ensuring that
17 we have the appropriate health facilities. And, most
18 importantly, for communities such as Jerome-- and I
19 imagine Inwood and East New York, food pantries,
20 right? At the moment, you know, they are being
21 exacerbated and you are adding more people to the
22 communities which, in essence, you know, will lead to
23 some of these food pantry is now requiring more
24 resources.

25 DIRECTOR LAGO: That's an excellent--

2 CHAIRPERSON SALAMANCA: When you are
3 putting these rezonings together, are you or is City
4 Planning talking with other city agencies ensuring
5 that you are adding funding to these support
6 services?

7 DIRECTOR LAGO: That plan is developed
8 with that full panoply of city agencies that you
9 mentioned from things that one would think of as
10 front of mind like a DOT, Parks and Recreation, but
11 it extends to the other types of service agencies
12 that you mentioned like the Department of Health and
13 Mental Hygiene, like the libraries, and I'm so glad
14 that you had mentioned the food pantries because,
15 again, another in equity brought to the floor even
16 more starkly by the pandemic is the food insecurity
17 and many of the neighborhoods and that is why the
18 department is so proud to have been a major
19 contributor to the food plan that was recently
20 released.

21 CHAIRPERSON SALAMANCA: The Jerome Avenue--
22 Well, it just got approved, so there is, you know--
23 I don't know what they're building. If there is
24 construction happening now, but East New York, at
25 least I know that is one of the first projects that

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2 got approved when I first came to the Council five
3 years ago and I know that there has been housing,
4 affordable housing, that is being built there. Does
5 city planning keep track in terms of where there are
6 extra programs or extra resources that were added in
7 terms of program resources to use New York as a
8 result of the density that was added because of the
9 rezoning?

10 DIRECTOR LAGO: Certainly. And I think
11 that it is wise, Chair, to focus on East New York
12 because it is the earliest of them and so it is had
13 the most time to come to fruition with affordable
14 housing under construction, with the Atlantic Avenue
15 median having been reconstructed, making that
16 Boulevard so much safer, with City line Park being
17 fundamentally rehabbed into a gorgeous new space.
18 But, with respect to programs, as part of the East
19 New York rezoning, there was identified the fact that
20 there was an underutilized former courthouse. A
21 beautiful historic building and that building was
22 rehabbed into a NYPD sponsored youth center. It is
23 already up and running and it is allowing the
24 neighborhood youth to interact with PD in such a
25 productive way from basketball leagues to our classes

2 to computer training, to tae kwon do classes. I will
3 also note, in connection with the East New York
4 rezoning, that a new school was built, as well. So,
5 you can see the diversity of the agencies and the
6 resources that were brought to this long, underserved
7 neighborhood.

8 CHAIRPERSON SALAMANCA: Okay. All right.
9 I am going to hand off some questions over to my
10 colleagues, the chairs. I am going to will allow
11 Chair Moya. Chair Moya, you have the floor.

12 CHAIRPERSON MOYA: Thank you, Chair
13 Salamanca. Thank you, Chairwoman. I want to just
14 quickly ask you if you-- you talked a little bit
15 about Gowanis and SoHo. Can you quickly describe
16 what elements of the Where We Live report you are
17 actively implementing and hope to complete by the end
18 of this administration?

19 DIRECTOR LAGO: Certainly. You
20 mentioned, actually, one of the key facets which is
21 looking at rezonings that would create new affordable
22 housing, mixed income housing in high opportunity
23 neighborhoods, which Gowanis and SoHo/NoHo certainly
24 are. The second is that we agreed to provide a set
25 of analyses of citywide trends in housing growth and

2 loss. We actually recently issued in information
3 brief on net changing or net changes in housing and,
4 again, this is publicly available information. This
5 year we are going to do an additional piece of
6 analysis which is we are going to assess the extent
7 to which new housing and affordable housing have been
8 created in higher income versus lower income
9 neighborhoods. We also have work underway looking at
10 whether there are opportunities in lower density
11 zoning districts to create a wider variety of unit
12 types and low cost housing. So, this is a series of
13 analytical work that will be undertaking, that we
14 committed to undertake as part of the Where We Live
15 initiative. I will note that this is entirely
16 consistent with our approach at the department to our
17 land use planning which is that we are very, very
18 fact-based. It is why, as the members of the
19 committee certainly no, we have a population division
20 that is a world-class demographic unit that was
21 tremendously involved in the recent census. In fact,
22 the head of it, Dr. Joe Salbo, was instrumental in
23 beating back in the courts the Trump administration's
24 proposal to include a citizenship question. We need
25 to have this kind of demographic data and analysis to

2 inform our planning. So, we welcomed undertaking
3 these commitments in the Where We Live study.

4 CHAIRPERSON MOYA: Okay. One of the
5 recommendations of the Where We Live report on fair
6 housing is to increase the housing opportunity,
7 particularly in low income areas, especially in
8 amenity rich neighborhoods. Gowanus and SoHo are
9 only two neighborhoods. How does DCP envision
10 accomplishing this goal at scale and is it possible
11 to truly accomplish this goal under the current
12 planning system?

13 DIRECTOR LAGO: We can accomplish it at
14 scale using a number of tools. I would focus on
15 citywide policy changes in the way that MIH and Z QA
16 were this administration's early an extremely
17 progressive and effective moves to change citywide
18 policy. The second is more local initiatives. We
19 see a steady stream of private applications, New York
20 transit that is appropriate for a zoning. And, with
21 that upzoning columns MIH, the requirement for
22 permanently affordable housing. The other thing that
23 I would note, Council member, is that as of right
24 development is part of the equation. In our city, we
25 estimate that 80 percent of housing that is built is

2 built as a matter of right. It doesn't attract the
3 attention, usually, or the controversy that a
4 neighborhood rezoning might, but it is an effective
5 tool for producing housing. I think one of the
6 challenges under the current system that we do have
7 to acknowledge is that we have been fortunate in the
8 rezonings-- in each of the neighborhood rezonings--
9 to have had Council members who have been ardent
10 supporters of their neighborhoods and looking for--
11 properly for the capital investment and services that
12 are appropriate for the increased density that comes
13 with a rezoning, but the-- we know that there are
14 other neighborhoods where there could be the
15 possibility of a neighborhood plan to appropriately
16 increase density but where opposition from the
17 neighborhood and, in particular, opposition from a
18 Council member, would make pursuing such a rezoning
19 not a wise use of our resources.

20 CHAIRPERSON MOYA: So, how does DCP then--
21 how are you working actively in order to desegregate
22 residential neighborhoods where the demographic
23 composition is the result of decades of exclusionary
24 zoning and housing policies?

2 DIRECTOR LAGO: You had mentioned
3 earlier, Chair, the Where We Live initiative. That
4 is the city's multilayered approach that goes beyond
5 just land use. As powerful as land use is, it's not
6 the only tool. Rezoning through MIH is clearly one
7 of the tools. The other is that as of right
8 development that uses current state programs is
9 another tool that is producing mixed income housing
10 in many neighborhoods around the city.

11 CHAIRPERSON MOYA: So, I just want to go
12 back to something you said in the beginning. So, you
13 said that under the current administration, you
14 believe that the MIH policy that has been set is
15 working fairly in order to accomplish the goals that
16 are set for this planning system. Did I hear you
17 correctly when you said that?

18 DIRECTOR LAGO: MIH, we believe, at the
19 time of adoption was absolutely groundbreaking and it
20 was coupled with the zoning for quality and
21 affordability which removed barriers to the creation
22 of affordable housing. It doesn't attract as much
23 attention, but I will note that, oh by removing the
24 requirement for parking for the affordable units in a
25 transit zone, that just changed the equation. The

2 financial equation for producing affordable housing.

3 The fact that MIH has been mapped already in 39 of

4 our Counsel districts in a short number of years is

5 significant. The other facet of MIH that is

6 frequently overlooked is the way it works in the

7 neighbor had like West Chelsea. There is a project

8 that goes by the pretty boring name of Block 675. It

9 is a block just south of Hudson Yards and we were

10 able they are to map and MIH without the need for

11 city subsidy and so, if we look at the fact that we

12 adopted a citywide program and that, unless and

13 administration have it working in 39 of our cities

14 districts, this is a successful program.

15 CHAIRPERSON MOYA: Okay. I just wanted to

16 hear that you think that this is a successful program

17 and that, through MIH, you're going to be able to

18 accomplish the goals that were set under this

19 planning system of the Where We Live report.

20 Correct? Right?

21 DIRECTOR LAGO: MIH, together with other

22 city tools-- and, again, I would note that a key

23 challenge that we have to keep our eyes open to is

24 that we have a system where the proposal for rezoning

25 requires the support of the local Council member and

2 that that, again, can be a challenge in undertaking
3 rezonings. We have been so fortunate--

4 CHAIRPERSON MOYA: And you don't feel that
5 the system itself, the way it was supposed to come in
6 should have been the floor, not the ceiling?

7 Because, that is what we see every single time there
8 is a rezoning that comes through our committee and
9 so, to me, I just want to hear you say program that
10 is bringing in affordable housing all across New York
11 City. Correct?

12 DIRECTOR LAGO: In 39 of the 59
13 districts where we have mapped it, Chair.

14 CHAIRPERSON MOYA: Okay. Thank you.
15 Moving on, DCP reset released data on citywide
16 housing production from 2010 to 2020 that shows that
17 many of the city's neighborhoods with the most
18 overcrowded housing such as Sunset Park, Ozone Park,
19 and Corona Queens, which is my district, had little
20 to no new housing production during this period.
21 Does DCP have a strategy for addressing overcrowded
22 housing in middle density, working class immigrant
23 neighborhoods?

24 DIRECTOR LAGO: Thank you for raising
25 these neighborhoods, Council member, because we

2 believe that it is not just high density
3 neighborhoods where additional housing is needed. We
4 would so welcome working with you and Corona to
5 identify appropriate corridors because the
6 neighborhood does benefit from subway access and to
7 identify sites that would be appropriate. As I
8 mentioned, one of the areas that we committed to look
9 at under Where We Live is what kind of tools might be
10 available to create, for example, an accessory
11 dwelling unit. We know that there is such a variety
12 of neighborhoods throughout the city and they
13 approach towards meeting the city's housing need
14 can't be a one-size-fits-all. Given the crowding and
15 Corona, we would very much welcome undertaking this
16 type of planning discussion with you.

17 CHAIRPERSON MOYA: Thank you, Chair. So,
18 understanding that we need more housing units to help
19 alleviate the overcrowding, is the creation of
20 additional housing units the only tool that DCP
21 believes is within its power to address the
22 phenomenon of overcrowded residential units?

23 DIRECTOR LAGO: Again, I never think
24 that land-use is the only tool, Council member. We
25 work hand in glove with other city agencies. It

2 would be an odd day where our team is not engaged
3 with HPD, with EDC. The way to address an issue to
4 as intractable in this city as housing and, in
5 particular, affordable housing, is not just with one
6 tool. We are proud of the land use tools that we
7 have, as I hope is evident. We are proud of MIH and
8 ZQA, but we need more of that. We also can look
9 proudly on some of the initiatives that the city has
10 undertaken like a right to counsel. These are all
11 part of a web of programs that are needed to address
12 a major challenge, which is the affordability of
13 housing.

14 CHAIRPERSON MOYA: Okay. So, how does DCP
15 determine what levels of housing construction is
16 necessary to make market rate housing affordable to
17 working families and is there a study that you can
18 share with the city Council to help provide more
19 clarity on this issue?

20 DIRECTOR LAGO: There any number of
21 academic studies that have looked at this issue. The
22 one thing I would note, Chair, is that it seems hard
23 even to articulate how not producing housing would
24 increase affordability. Another part of the housing
25 puzzle that I should've mentioned is actually the

2 importance of connecting New Yorkers to good jobs
3 because, obviously, a good job allows one or gives
4 one a better shot at being able to afford appropriate
5 housing and I am trying to keep my opening remarks
6 short. I didn't address some of the job creating
7 projects that will be coming before the Council this
8 year. I will note the proposal that we expect will
9 be entering ULURP soon for Wildflower Studios in
10 Queens. It is a major investment in a portion of our
11 economy of which we are very proud of our role in the
12 media and entertainment economy and the fact that
13 this will be a ground up studio built in
14 inappropriately zoned area of Queens that will also
15 entail environmental remediation along the waterfront
16 just strikes us as a win and I believe that the
17 estimate is that Wildflower Studios, this facility
18 you will have 1000 permanent jobs.

19 CHAIRPERSON MOYA: Okay. So, how did
20 affordable housing reduction through MIH and HPD
21 sponsored projects reflect the data on affordable
22 housing applications in terms of the unit mix?

23 DIRECTOR LAGO: well, on unit mix, I
24 would have to refer you to HPD. That is not
25

2 something that the Department or the commission gets
3 into.

4 CHAIRPERSON MOYA: Okay. What is the
5 percentage of affordable housing applications that
6 apply for studio, one bedrooms, two bedrooms,
7 apartments and how does that affordable housing
8 supply match that demand?

9 DIRECTOR LAGO: I'm afraid that I'm
10 going to have to refer you to HPD. That would be the
11 agency with jurisdiction over this, Chair.

12 CHAIRPERSON MOYA: Okay. Does the
13 department believe that there should be at least a
14 minimal residential unit size is prescribed for
15 affordable housing to adequately meet the needs of
16 families that live in intergenerational houses?

17 DIRECTOR LAGO: Having grown up in
18 intergenerational household, I know the tremendous
19 value of it. But, again, I apologize. We, through
20 our zoning, look to allow for a range of unit sizes
21 to meet a range of needs. But, with respect to the
22 data that you are asking for, I would have to defer
23 to HPD.

24 CHAIRPERSON MOYA: Okay. Maybe you can
25 answer this. What is DCP's policy response to the

2 loss of housing units and affluent neighborhoods like
3 the Upper East Side, Upper West Side, and the West
4 Village? And do you believe that this phenomenon has
5 a fair housing implication?

6 DIRECTOR LAGO: We were pleased to be
7 able to put out the data about the loss of units and
8 to start the public discussion about that. And,
9 again, I do think that it will require conversations
10 with neighborhoods and with Council members to site
11 additional housing where appropriate in transit rich
12 neighborhoods like the ones that you mentioned. I
13 will note that portions of the upper West side have
14 created a significant amount of housing, although,
15 while at the same time, recognizing that there was a
16 neighborhood loss of units due to alterations. The
17 type of alterations that you mentioned.

18 CHAIRPERSON MOYA: So, why do you think
19 that housing construction is concentrated in only a
20 few neighborhoods in the city?

21 DIRECTOR LAGO: I, actually, Chair with
22 respect, have to disagree with that premise. We have
23 seen a lot of housing that was constructed as a
24 result of rezonings in the prior decade and in the
25 prior administration in areas that have previously

2 been long abandoned manufacturing areas. So, there
3 was very little residential construction in those
4 neighborhoods. Places like Long Island city, Hudson
5 Yards, Greenpoint, Williamsburg.

6 CHAIRPERSON MOYA: Right. But, during this
7 administration. Let's talk specifically that because
8 if you are going to talk about Long Island city, if
9 you're going to talk about manufacturing, you know,
10 the study that was done on Long Island city said it
11 was only going to be, you know, a displacement of may
12 be 700 units. It turned out to be more like 80,000.
13 So, like I think there is a big discrepancy on the
14 studies that have been done when you talk about, you
15 know, manufacturing and how much that is actually
16 produced in terms of affordability. So, I just
17 wanted to know, because I want to give my colleagues
18 an opportunity to ask questions, too, but under this
19 current administration, why do you think that
20 construction has only been concentrated in just a few
21 neighborhoods in the city and is it an intentional
22 outcome of DCP is planning and zoning policy?

23 DIRECTOR LAGO: Again, Chair, the units
24 that have been constructed during this
25 administration's 10 year, many of them are the result

2 of zoning that was adopted years ago in the same way
3 that the rezonings that we are adopted in this
4 administration will unfold over 10 and 20 years. A
5 rezoning is not an on off switch. It unfolds over
6 time. The other thing I will note is that there has
7 been significant new housing construction in many
8 transit accessible neighborhoods, not just in a
9 handful of them. It is a reflection of the fact that
10 our city has, for years, been focused on transit
11 oriented development. And then the final thing that
12 I will note is that, in 2018, we did an analysis that
13 show that roughly 80 percent of new housing in that
14 decade was built as of right. That is the housing
15 that gets built without the attention that is
16 attendant to a neighborhood rezoning, but,
17 frequently, is the result of a rezoning and a prior
18 administration.

19 CHAIRPERSON MOYA: So, I am going to wrap
20 up. So, how does the 10 year capital strategy ensure
21 sufficient infrastructure spending that matches the
22 reality of the majority of housing construction being
23 concentrated in these few neighborhoods?

24 DIRECTOR LAGO: Again, Chair. I'm sorry
25 to have to-- I disagree with the premise that it is

2 concentrated in a few neighborhoods. We see the
3 housing construction across the city, but I want to
4 thank you for raising the 10 year capital strategy.
5 We have, during this administration, the Department
6 of City Planning, with our capital planning division
7 and OMB have markedly improved the way in which we
8 undertake the 10 year capital strategy. The
9 community District statement of needs process has
10 been taken out of a paper-based era and into an
11 online portal. We have engaged so extensively with
12 the community board district managers. The other
13 thing that I would note is that the Department of
14 City Planning has established a capital planning
15 forum with OMB and the six city agencies that
16 together have the lion share of the capital planning
17 and we meet routinely. To see where are the capital
18 planning needs, how can we, across the different
19 agencies, take a more forward-looking planning
20 approach.

21 CHAIRPERSON MOYA: Okay. Yes, Chair. This
22 is my last question. I just wanted to follow up with
23 this. So, your own reports show that your
24 concentration is on the upper West side of Manhattan,
25 downtown Brooklyn, Greenpoint, Williamsburg, Long

2 Island city. You're saying that it is other
3 neighborhoods, but can you point out what other
4 neighborhoods you are referencing right here?

5 DIRECTOR LAGO: Off the top of my head,
6 I would know Jamaica as an area where we've seen
7 significant housing construction and, basically,
8 production has occurred pretty broadly along our
9 subway line. Many other communities are coming to
10 this awareness of transit oriented development
11 whereas we have just taken this for granted.

12 CHAIRPERSON MOYA: So, does DCP have like
13 actual studies that show and demonstrate that there
14 is this kind of robust housing construction that is
15 being done in other neighborhoods outside of the ones
16 that I just mentioned here?

17 DIRECTOR LAGO: Yes. We can track via
18 the Department of Building. Another example that I
19 would give it is downtown Brooklyn. An area that has
20 seen significant growth. And growth in a way that we
21 think is so beneficial because employers have taken
22 note of the concentration of new residents and so are
23 looking at this neighborhood as a convenient live,
24 work, play neighborhood. We, as planners, find that
25 to be beneficial because it relieves stress on the

2 subway and we can give to you, following this
3 meeting-- we put out housing information briefs and
4 we have them on the production of housing, but,
5 again, we are glad to provide this information. We
6 already have it in a housing brief and we will
7 provide it right after this hearing.

8 CHAIRPERSON MOYA: Great. Thank you so
9 much, Chair. I appreciate your time. And thank you
10 to Chair Salamanca and my colleagues. I want to turn
11 it over to you.

12 CHAIRPERSON SALAMANCA: Thank you, Chair
13 Moya. So, we are going to start our first round of
14 questions with our Counsel members. Our colleagues.
15 Every colleague will have about three minutes to ask
16 their questions and hopefully we can get to a second
17 round with my colleagues. So, if, counsel, you can
18 call members by the way they had their hands raised.

19 COMMITTEE COUNSEL: Sure. And I'll
20 just announce myself. I'm Angelina Martinez-Rubio
21 and I will be taking over as Chair for this
22 committee. And so the first Council member with his
23 hand up is Council member Powers followed by Council
24 member Barron and followed by Council member Miller.

2 CHAIRPERSON SALAMANCA: Council member
3 Powers?

4 SERGEANT-AT-ARMS: Starting time.

5 COUNCIL MEMBER POWERS: Thank you. Thank
6 you, Mr. Chair, for the opportunity here. Nice to
7 see you. I want to ask-- First off, I wanted to say
8 I wanted to commend you guys. I saw the new
9 proposals out about zoning for accessibility and
10 Fresh and Open Streets and I think those are all good
11 ideas and I want to echo some support here for those
12 that I think were just released. So, thank you for
13 thinking about that. Especially accessibility in our
14 subway system. I think it is going to be-- I think
15 I did an op-ed on that a few months ago, so I
16 appreciate it. I wanted to talk about the future of
17 small business is here and how they intersect with
18 some of the stuff we are talking about here today as
19 our hospitality industry in New York City has been
20 decimated and looking for lots of help in the
21 recovery. We, of course, have open dining here to
22 allow for that. But as I was digging into a number
23 of the regulations guiding over the nightlife
24 industry here in the city, one of them that had stuck
25 out to me was a zoning resolution and restrictions

2 around nightlife establishments, particularly when it
3 comes to some cabaret law-esque restrictions on
4 dancing inside of nightlife which seems to be
5 restricted in a number of areas. And wage, you know,
6 right now the industry is trying to cover and it
7 feels like a good opportunity to revisit those. So,
8 I wanted to ask your opinion on those regulations.
9 And in some zoning regulations that exist right now
10 around dancing inside of nightlife establishments and
11 would ask if you agree with me because I believe that
12 we should enable business owners to be able to do
13 that.

14 DIRECTOR LAGO: I would be glad to set
15 down, Council member, and go through the specific
16 regulations.

17 COUNCIL MEMBER POWERS: Do you have
18 anything else to hug? I mean, I would be-- you
19 know, were in a public setting. I would love to hear
20 your opinion on the restrictions around dancing and
21 nightlife.

22 DIRECTOR LAGO: I would be so glad to
23 review it and I say that as a salsa dancer.

24 COUNCIL MEMBER POWERS: Do you believe that
25 we should remove those regulations when it comes--

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2 DIRECTOR LAGO: Council member, I would
3 have to sit down and look at the particular
4 reservations, but I combat it with an open mind.
5 So, thank you for raising that.

6 COUNCIL MEMBER POWERS: Are you familiar
7 with those regulations?

8 DIRECTOR LAGO: I'm not familiar with
9 which provisions you are referring to--

10 COUNCIL MEMBER POWERS: Okay.

11 DIRECTOR LAGO: which is why I would
12 welcome the ability to discuss with you and others of
13 your colleagues.

14 COUNCIL MEMBER POWERS: Okay. So, I will
15 just add a voice here, then, that, as I understand
16 it, there are still zoning restrictions that are from
17 the Giuliani era that is sort of a-- it would be
18 associated, I think, with the cabaret law that put
19 some restrictions in commercial ar-- or puts certain
20 restrictions on the ability for dancing and around
21 nightlife and it feels as we are looking at a number
22 of ways to help it, that has been raised as one of
23 the issues we perhaps could do to-- as we are
24 thinking about some of the proposals that you put out
25 that we could also, you know, perhaps associate

2 ourselves with in order to help out these
3 establishments that are struggling right now and
4 certainly feel quite outdated to me. So, I--

5 SERGEANT-AT-ARMS: Time expired.

6 COUNCIL MEMBER POWERS: land use staff
7 follow up with that, as well. I will just ask one
8 last question because I have used all my time talking
9 about helping the nightlife industry. I know Chair
10 Moya--

11 DIRECTOR LAGO: An important industry.

12 COUNCIL MEMBER POWERS: beyond that. Just
13 one question. Just on the zoning for accessibility
14 which I think is a great idea, can you just give us--
15 you know, I might have missed your testimony. You
16 might have talked about it. Can you just give us a
17 little more context about that and particularly what
18 the timeline on that might be. And also I guess what
19 you might anticipate timeline is to see projects,
20 forward that would take advantage of that.

21 DIRECTOR LAGO: Thank you. And I--
22 Thank you for mentioning the package. I do want to
23 note the partnership that we have had with the
24 Council on the zoning for accessibility on the
25 expansion of the Fresh program on the Council support

2 for the Open Restaurants program. With respect to
3 zoning for accessibility, there are two different
4 provisions in there. One, it pertains to the
5 reservation of easements for the MTA for future
6 development. This is important in areas of the city
7 where there might not be immediate development
8 pressures, but we can certainly look ahead to a day
9 when every station will become accessible and so we
10 want to make sure that development that occurs near
11 stations doesn't preclude the ability for stations to
12 become accessible. We then looked at areas in our
13 high density districts, including yours, Council
14 member, obviously, but also with another of our
15 central business districts and are looking to loosen
16 the rules appropriately to expand the applicability
17 of the rules so that they will cover more subway
18 stations. Not just those development sites that are
19 immediately adjacent to a station. As far as the
20 timing of when we will actually see accessible
21 stations, as you know, Council member, that is
22 dependent upon when the owner of a parcel will seek
23 to redevelop it, but I can tell you that the agency
24 is very, very focused on opportunities for increasing
25 access. We are so proud of the instances where we

2 have seen it happen. Down on Broad Street in
3 Manhattan, as a result of private residential
4 development, we are having private owner pay for
5 making the terminus of the J and Z line accessible.
6 That is so important for access to jobs.

7 COUNCIL MEMBER POWERS: I agree. I agree.
8 And I wanted to just clarify here. So, I agree, but
9 I thank you for sharing that. Just in terms of my
10 original question, it was 1990 that the city planning
11 adopted a citywide amendment about nightlife
12 establishments that-- and it is [inaudible 01:07:37]
13 group 12. It is allowed in special permit C2, C3,
14 M15A, M158, M15M, M16M districts by special permit or
15 as of right C4, as of right in C6, as of right in C7,
16 C8, and all other M one, two, and three districts is
17 where that is allowed. All other areas it is not
18 permitted under the zoning resolution as I understand
19 it.

20 DIRECTOR LAGO: Yeah. Council member,
21 to turn that list into lay terms, basically, dancing
22 is allowed in regional commercial districts.
23 Districts that have a more regional draw and in M
24 districts where it is restricted is in local
25 commercial districts. This restriction actually has

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2 some parallels in the physical culture establishment.

3 The gyms and spas provision that we are looking--

4 COUNCIL MEMBER POWERS: You're [inaudible
5 1:08:29].

6 DIRECTOR LAGO: to make as of right.

7 There are some similarities to those restrictions,

8 but there are also some differences and so that is

9 why I think we would welcome the ability to follow up

10 with you about that.

11 COUNCIL MEMBER POWERS: We will follow up

12 and I just want to mention that there will still be a

13 liquor license, of course, application that will have

14 to apply here for community boards and community

15 groups who have opportunities still express

16 [inaudible 01:08:51] and desire. So, with that being

17 said, I am going to hand it back to Chair Salamanca

18 because I have used too much time here already.

19 Thank you, Chair, and thank you. Thank you to both

20 of you for your time.

21 CHAIRPERSON SALAMANCA: Thank you, Council

22 member Powers. Council member Barron, you have the

23 floor.

24 SERGEANT-AT-ARMS: Starting time.

25

2 COUNCIL MEMBER BARRON: Thank you, Mr.

3 Chair. Thank you for the hearing. Thank you to the
4 panel for coming. I have heard the Commissioner say
5 that the MIH that this-- Oh, I'm so sorry. That the
6 MIH that was established is, in fact, a great
7 [inaudible 01:09:29]. I disagree. We went from what
8 was 8020 in our previous administration to 7525.
9 When we look at MIH, it says that 25 percent should
10 be at an average of 60 percent of the AMI and when
11 you look at a community such as mine which is East
12 New York, the neighborhood median income in my
13 community is \$37,000. So, it's not designed at
14 talking about 60 percent AMI to address the majority
15 of the people who live in this community. We also
16 know that the federal government, when it released
17 its report-- I believe it was 1995 which talked
18 about creating housing around transit rich hubs,
19 stated that it causes displacement. So, what we are
20 seeing is that we are having development that is
21 resulting in displacement. Now, in the East New York
22 rezoning plan, there were 6000 units that were
23 targeted to be developed over the time that this plan
24 has implemented. At the outset, 3000 of those units
25 were designated as market rate. So, you are starting

2 out only half of what the plan said would be created
3 during this housing plan. This housing phase. And
4 then, of those that were left, when we did the
5 analysis based on the AMI that would be targeted for
6 the housing coming in, the salary that would be
7 required, it resulted in only 10 percent of the
8 present population being qualified to be able to
9 apply for the housing that was coming in. Even when
10 those apartments in that planner targeted at
11 particular area median incomes or the incomes for the
12 communities, the ripple effect is that the blocks
13 beyond what was designated as that zone begin to now
14 raise their prices. Raise the rents for the people
15 that are living in those homes. Raise the prices of
16 the homes that owners are, themselves, selling. So,
17 what we are seeing in East New York in that portion
18 that has--

19 SERGEANT-AT-ARMS: Time expired.

20 COUNCIL MEMBER BARRON: been rezoned--

21 Thank you. Mr. Chair, if I could continue? Is that
22 the people have been displaced and are being
23 displaced because of that East New York rezoning that
24 came in. In my portion of East New York where we
25 have been fighting and working with developers to

2 make sure that if they are coming before the Council,
3 that they have some set-asides for homeless, set-
4 asides for people who have other support needs and
5 that they realize we're not supporting projects that
6 come in at 130 percent of the AMI, which is defined
7 as affordable. So, my question to you is how do you
8 justify saying that we've made these great moves and
9 gains when it has, in fact, resulted in displacement
10 and one of my colleagues is, in fact, calling for a
11 follow up study in terms of whether the EIS
12 statements that are issued, in fact, run true to what
13 actually happens after the projects have been
14 developed. Thank you.

15 DIRECTOR LAGO: Thank you, Council
16 member. And it's the last time-- I am smiling
17 because the last time we saw each other we were both
18 receiving lifetime achievement the disruptor awards
19 and--

20 COUNCIL MEMBER BARRON: Thank you. Yes.
21 Congratulations.

22 DIRECTOR LAGO: A couple of things. You
23 had mentioned the prior administration's 80/20.
24 Actually, that was a voluntary inclusionary housing
25 program. It was not mandatory and in many places

2 where VIH, while very inclusionary housing was a
3 possible tool, in fact, it is not been used. And so,
4 the difference is that MIH is mandatory. I will note
5 that MIH is only one tool that we have. HPD
6 frequently augments it and, in particular, on city-
7 owned land. Actually, one other thing that I will
8 note is a VIH did not require permanent
9 affordability. It was only for a term of years. MIH
10 requires permanent affordability. That is one of
11 the very progressive statements. The other thing
12 that I will note is that in East New York, we are not
13 seeing market rate housing. The housing that has
14 been produced has been 100 percent affordable
15 housing. And given the commitment of HPD, the
16 resources that have been poured into the
17 neighborhood, we are pleased to see 100 percent
18 affordable housing that is being constructed on
19 Chestnut Bins more, the school that is being
20 constructed. So, I don't want to pretend that MIH is
21 the only tool, but we need to think that it is
22 powerful because it is citywide and it is designed to
23 operate in a variety of neighborhoods.

24 COUNCIL MEMBER BARRON: Thank you. And
25 just to clarify, I believe that the plan called for

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2 the affordable housing to be developed first, and
3 also that is in accordance with the timetable that
4 was established. But thank you for your response.
5 Thank you, Mr. Chair. I appreciate the extra time.

6
7 CHAIRPERSON SALAMANCA: You got it, Council
8 member Barron. Thank you. So, up next we have
9 Council member Miller for questions.

10 SERGEANT-AT-ARMS: Starting time.

11 CHAIRPERSON SALAMANCA: Council member
12 Miller, you're muted. Council member Miller?

13 COUNCIL MEMBER MILLER: Good afternoon, Mr.
14 Chair.

15 CHAIRPERSON SALAMANCA: How are you?

16 COUNCIL MEMBER MILLER: I'm doing very
17 well. Thank you for your leadership, man. We so
18 appreciate you and my colleagues for the very
19 relevant questions that are being asked about
20 development, the nature of development in New York
21 City. You know, obviously, Council member. Just
22 spoke of the impact studies on communities of color
23 and what we are seeing with these rezonings and also
24 it was mentioned about the lack of investment. Madam
25 Chair, you mentioned Jamaica as being one of those

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2 places and I am really glad that you did recognize
3 the development that is happening, but the
4 development that happens in Jamaica happens with very
5 little or not equitable city participation. It
6 doesn't get the type of resources that, obviously,
7 those emerging waterfront communities such as
8 Greenpoint and Long Island city and Sunset Park,
9 places like that. Those emerging waterfront and
10 gentrified communities might, I might add. And so, I
11 would love to see equity in the investment because
12 like we really, really struggle to make these
13 projects happened in Jamaica and it takes a lot of
14 creativity and a lot of effort on all levels when we
15 don't get the same amount of investment. In fact,
16 there is only one HPD project of the many projects
17 that is occurring and, you know, that was pulling
18 teeth and, you know, it's just been really difficult.
19 One of the things that I want to add is that, as we
20 planned, are we budgeting for the additional
21 infrastructure that is needed in the location such as
22 Jamaica considering high water tides, the way the
23 Jamaica area has suffered for decades from flooding
24 and lack of infrastructure and the surrounding areas
25 that are literally 1/3 of all the city's

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2 infrastructure budget is the greater Jamaica area
3 which does not include the downtown area. What we
4 are noticing on a number of recent projects is that
5 developers are now in the middle of development and
6 are being asked to contribute to infrastructure and,
7 in some cases, not even the server systems or the
8 infrastructure just connected to their properties or
9 the development that they are going--

10 SERGEANT-AT-ARMS: Time expired.

11 COUNCIL MEMBER MILLER: well beyond, in
12 some cases, 20,000 square feet they were asked to
13 extend out to and there is a problem because you
14 didn't ask Hudson Yards and other places to do it
15 there. And, ultimately, if you tack on 10, 20,
16 30,000 dollars to the course of the project, then it
17 is no longer affordable housing, which certainly
18 changes the context of the community you say in the
19 projects. What kind of investment can we see in
20 communities such as Jamaica and other communities
21 from the city to support development of affordable
22 housing?

23 DIRECTOR LAGO: Thank you for reading
24 seeing the web of issues. I will note that, with
25 respect to Jamaica, early on in this administration,

2 the Jamaica Now plan was released and that is a very
3 helpful guide with respect to investments in this
4 neighborhood that has such great transit access and
5 where we have seen in downtown housing being
6 produced. I will also note that the type of
7 coordination issues that you mentioned are part of
8 why we are so proud that, but in this administration,
9 we markedly enhanced city planning role in capital
10 planning and working with OMB and, as I mentioned
11 earlier, we have established a capital planning forum
12 where city planning calls together oh and be and the
13 six agencies that have the lion share of the capital
14 budget and, obviously, it includes DEP and DOT and we
15 have these quarterly forums where we can work with
16 the other agencies to identify where they are already
17 area as of potential overlap so that we don't have
18 DEP opening up the road only to the find-- have DOT
19 repave a road only to find that a year later DEP had
20 planned to need to rip up the road, but also looking
21 forward proactively to be able to identify what needs
22 are all rising. The other invaluable source for us
23 is the community district statement of needs process
24 and by bringing it online and city planning working
25 so closely with the district managers in the

2 community boards, we have found that the responses
3 that we are getting are no longer all too frequently
4 just a cut and paste of last year's submissions, but
5 actually a very considered view on what the needs of
6 the community are.

7 COUNCIL MEMBER MILLER: So, in the case,
8 just where we recognize that the infrastructure is
9 woefully insufficient, do we anticipate in the future
10 that that is the responsibility of the developer and
11 not the city to provide infrastructure? In downtown
12 Jamaica, college is pumping 80,000 gallons of water
13 per day out of their main building. So, that is just
14 indicative of what it is like and, you know, that is
15 where you want to build the transportation hub. But,
16 unfortunately, we need infrastructure to support.
17 How do we balance that in the current budgetary
18 environment?

19 DIRECTOR LAGO: We would be glad to
20 follow up with you, Council member.

21 COUNCIL MEMBER MILLER: Okay. Thank you.

22 CHAIRPERSON SALAMANCA: Okay. Thank you.

23 Thank you, Council member Miller.

24 COUNCIL MEMBER MILLER: Thank you, Mr.
25 Chair.

2 CHAIRPERSON SALAMANCA: Chair Lago, now
3 that you spoke about community boards, the ULURP
4 application process is becoming more complicated as
5 more programs are being created through the zoning
6 resolution. How do the trainings for community board
7 members of all with the rise of more complex ULURP
8 applications?

9 DIRECTOR LAGO: Thank you for that
10 question, Chair. And I have to thank the Council.
11 When I had my first budget hearing when I first took
12 this job, the question was raised about community
13 board trainings and the inadequacy of them. We took
14 the prod from the Council to heart and we went back
15 and looked at the trainings that we provided and have
16 so markedly up to our game on this. We provide
17 leadership training to the leadership of the
18 community board and the land use Chairs and the
19 district managers and that is a soup to nuts training
20 on the ULURP process. We actually did it in our
21 hearing room so that we could bring these community
22 board leaders from across the city together and found
23 we certainly benefited from it and the feedback that
24 we got was that they benefited from meeting with
25 their counterparts from other community boards. In

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2 addition, we do trainings for every community board
3 member, not just the leadership. And we do those in
4 those are handled by our borough offices who has--
5 who are more aware of the nature of the issues that
6 are affecting the community boards in their districts
7 and we are especially heartened that some borough
8 president's choose to cohost these trainings with us.
9 It is a trend that we hope will continue to and
10 perhaps take hold even more broadly.

11 CHAIRPERSON SALAMANCA: When this training
12 done in the Bronx? When was this training last done
13 in the Bronx?

14 DIRECTOR LAGO: I will get you the data
15 that, Council member.

16 CHAIRPERSON SALAMANCA: It's interesting.
17 I was a district manager five years ago and I
18 really-- I think that was one of the biggest
19 challenges as a district manager was navigating use
20 complex ULURP applications. And something that was
21 extremely challenging for me as a DM was MIH. That
22 was my last year as a DM and then I came in and I got
23 to vote on it as a Council member. But as a DM, just
24 to be clear, whoever the city-- however the
25 administration sent to educate my community board did

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2 not do a very good job explaining to us what MIH and
3 ZQE actually did and that is why there was such a
4 large percentage of Bronx community boards that voted
5 no for MIH. So, I am just curious to that. Is it
6 possible that you can provide us, this committee,
7 with materials used to brief community board members
8 on ULURP applications?

9 DIRECTOR LAGO: Gladly we can provide
10 our training materials.

11 CHAIRPERSON SALAMANCA: Okay. Thank you.
12 And next up we have Council member Grodenchik. He
13 had his hand up for some questions.

14 SERGEANT-AT-ARMS: Starting time.

15 CHAIRPERSON SALAMANCA: Council member
16 Grodenchik? Are you here?

17 COUNCIL MEMBER GRODENCHIK: I'm here. I'm
18 here.

19 CHAIRPERSON SALAMANCA: All right. You
20 have the floor, sir.

21 COUNCIL MEMBER GRODENCHIK: Thank you,
22 Chair. And I get to see Chair Lago two weeks in a
23 row. . My second land use issue sailed through
24 Chair Moya is subcommittee today, so I am grateful
25 for that. I just want to add my voice to some of my

2 colleagues. I've been in government a relatively
3 long time, worked with great people like Claire
4 Shulman, Helen Marshall, Melinda Katz, borough
5 president's, dealt through land-use issues as a
6 staffer for the late great Netty Mayorson, as well
7 dealing with what really became a disaster for our
8 community. Infill zoning which was well intended by
9 Mayor Koch, but kind of destroyed a few of our
10 communities. But I do want to say that the lag time
11 that it takes-- and this is not City Planning's
12 fault, but the lag time that it can take to get
13 anything done in this city-- you know, I just met
14 last week on an infrastructure project that has to do
15 with Southeast Queens flooding that my colleague
16 Daneek Miller is very aware of and Councilwoman Adams
17 is also well aware of it and our new borough
18 president Donovan Richards. But it also deals with
19 sanitary sewers and water and all that and some of it
20 has been delayed by Covid, but the truth is that
21 these projects take forever and I just want to voice
22 a concern for something for you to keep in your mind
23 that it just takes so long in the impacts to
24 communities can be so great. Not so much my
25 community because, you know, we are relatively low

2 rise. But even out here, because of cycles and
3 population, I building 2600 new school seats with the
4 great assistance of the former president of the
5 School Construction authority, Ms. Grillo. But just
6 something to keep in mind as we go forward that the
7 planning- I know you know this, but I just want to
8 put it on the record. It has to be logical and it
9 has to be on so many different levels, as you talked
10 about before. You know, everything from DEP to
11 Department of Education, to the Fire department,
12 Police Department, HPD and on and on and on. And, of
13 course, the local communities, as well. So, I just
14 wanted to put that on the record, Mr. Chairman. And
15 I'm not going to ask any questions and I just want to
16 thank you again for your work in thank you, Mr.
17 Chairman, again.

18 DIRECTOR LAGO: I want to thank you,
19 Council member, for bringing up the current and past
20 Queens Borough President. I had the incredible good
21 fortune earlier in my career to work with borough
22 president Shulman on the US tenants--

23 COUNCIL MEMBER GRODENCHIK: that is where
24 I met Lorraine Grillo. That was the first time I had
25 met her. She was working on that issue and, you

2 know, it was-- that thing died on the operating
3 table several times, as you probably remember, but
4 the end result is that we have a magnificent facility
5 in Flushing Meadows/Corona Park that does more for
6 the young people of New York City than the Mets and
7 the Yankees combined, in my opinion, even though I am
8 a huge Mets fan and I think they are moving in the
9 right direction. But it really was a game changer
10 for New York City and so many different ways.

11 CHAIRPERSON SALAMANCA: Thank you. Thank
12 you, Chair.

13 DIRECTOR LAGO: I will use your comment
14 to note that we work hand in glove when she was SCA
15 head Grillo as part of our planning initiatives and
16 share your high regard for her.

17 COUNCIL MEMBER GRODENCHIK: Thank you,
18 Chair. Thank you, Chair and thank you, Chair.

19 CHAIRPERSON SALAMANCA: Thank you, Council
20 member. Before we move on to my colleagues for more
21 questions, Chair Lago, in fiscal year 2022, going
22 back to the budget questions. In fiscal year 2022
23 preliminary plan, the Department of City Planning has
24 not identified any new needs nor does it make any
25 significant spending adjustments for fiscal year 2022

2 and the out years. So, my question is did City
3 Planning submit a budget request to OMB?

4 DIRECTOR LAGO: We, actually worked very
5 closely with OMB. As I mentioned in touched upon
6 briefly in my opening remarks, our priority is
7 preserving our resiliency planners with the
8 [inaudible 01:31:30] of the CDBG disaster recovery,
9 the post Sandy grant. And so, while it may not
10 formally be a new need, that is our priority.

11 CHAIRPERSON SALAMANCA: does not have any
12 initiatives that it would like to see increased
13 funding?

14 DIRECTOR LAGO: We work with OMB all the
15 time in the preparation of our budget and we actually
16 use our resources to meet the needs of the day. I
17 can harken back to the announcement yesterday of the
18 four citywide initiatives that Council member Powers
19 commented on that are focused on the pressing
20 priority that was identified which is the recovery
21 from the pandemic.

22 CHAIRPERSON SALAMANCA: Okay. No. I'm
23 just curious. So, you're not requesting any increase
24 in your budget?

2 DIRECTOR LAGO: No. We are focused, as
3 I mentioned, on preserving our resiliency planners.

4 CHAIRPERSON SALAMANCA: All right. I'm
5 going to move on. I have Chair Moya, but I have got
6 to get to Council member Adams first and then we will
7 get to Chair Moya. Council member Adams, you have
8 the floor.

9 SERGEANT-AT-ARMS: Starting time.

10 COUNCIL MEMBER ADAMS: Thank you so much,
11 Mr. Chair. Madam Chair, it is good to see you,
12 again. And I really do have to thank you, again, for
13 keeping in touch with me post the last hearing that
14 we were into together and your input was very, very
15 appreciated. So, thank you, again. I am just going
16 to try to get a little clarity because my colleague,
17 Council member Miller referred to Jamaica, as did my
18 colleague, Council member Moya referred to Jamaica
19 and you referenced our plan. I happened to be the
20 first cochair of the Jamaica Now revitalization plan
21 when I was chairperson of Community board 12 and you
22 referenced our plan as some sort of tool, so I just
23 wanted to drill down just a little bit more with you
24 how exactly has or is City Planning using that tool

2 as a method to go forward with the look forward
3 Jamaica, if at all.

4 DIRECTOR LAGO: Thank you. And I had
5 not realized your authorship of the plan, so
6 congratulations on that. Obviously, EDC released to
7 the plan which, as an attempt of the administration,
8 to coordinate catalytic investments in this
9 neighborhood, both capital and programmatic, and as I
10 mentioned, we see the capital planning for him that
11 we have established in this administration as being a
12 fabulous tool to be able to bring the capital
13 agencies together holistically.

14 COUNCIL MEMBER ADAMS: Okay. That's
15 great. It's also great to hear that that plan is
16 actually being used elsewhere, you know, and out
17 there, somewhere other than just [inaudible 1:34:35]
18 and still focused on it. And I will also just echo
19 the sentiments of Chair Salamanca with the
20 explanation of MIH a few years ago when I was Chair
21 of the board 12, it was very, very difficult
22 communicating that information and then, once again,
23 as he said, you know, referring to the Bronx, we,
24 too, in Queens-- and I am sure you know this-- had
25 great difficulty affording MIH and MIH, I think,

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2 widely was opposed back then. So, going forward, if
3 we can have more cohesion, number one, and more
4 clarity, I think that that would go a very, very long
5 way in assisting our community boards just as we
6 tried to educate them more on the ULURP process going
7 forward and the workings of city planning and HPD.
8 So, thank you very much, again, for your testimony.

9 DIRECTOR LAGO: Thank you. I wasn't
10 around at the time, but I can so empathize. MIH and
11 ZQA were, at that time, so groundbreaking--

12 SERGEANT-AT-ARMS: Time expired.

13 DIRECTOR LAGO: and complex proposals.
14 Thanks to the prodding from the Council, our training
15 has gotten a lot better and it has also set up a
16 slide for better engagement. I will note that former
17 Queens Borough Pres. Katz is someone who always
18 embraced doing the trainings jointly, which we
19 absolutely welcomed. Shortly, the Council will have
20 come before it, zoning for coastal resilience. It is
21 a citywide amendment at the scale of MIH and you
22 will, I'm certain, and the presentations, learn about
23 the extensive, the years of community outreach and,
24 if you look, then, at the recommendations that we
25 received from the community boards, I think that they

2 reflect the enhanced level of engagement and the very
3 broad support that there is for this resiliency.
4 This coastal flooding related text. So, I think that
5 we can always get better, but I do think that we have
6 markedly improved.

7 CHAIRPERSON SALAMANCA: Thank you. Thank
8 you, Council member Adams. Chair Moya for questions?

9 CHAIRPERSON MOYA: Thank you, Chair. Thank
10 you, Chair Lago. So, I know that Councilwoman Barron
11 had talked about East New York and I just wanted to
12 go to one of the topics there which is the basement
13 apartments. What are the conclusions of the East New
14 York basement apartment conversions pilot program and
15 how many units have been created within this program
16 so far?

17 DIRECTOR LAGO: I'm afraid that I would
18 have to differ to HPD on this one.

19 CHAIRPERSON MOYA: okay. So, this goes
20 through HPD, not DCP?

21 DIRECTOR LAGO: Right. HPD is engaged.
22 Is the principal owner of this initiative. We have
23 not seen a-- It is not something that requires a
24 zoning change.

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2 CHAIRPERSON MOYA: Okay. Okay. Thank you.
3 Thank you, Chair. And thank you, Chair Lago, again,
4 for the time.

5 CHAIRPERSON SALAMANCA: Okay. Thank you.
6 Chair at Lago, I have more questions regarding the
7 neighborhood rezonings and the cost because I just
8 can't wrap my head around the fact that city planning
9 is not keeping track of what these studies cost. It
10 just doesn't make sense to me. So, this EIS, right,
11 for these neighborhood rezonings, you said they can
12 cost anywhere between 1.5 mill and \$3 million. Who
13 pays for that? What budget line does that money come
14 out of?

15 DIRECTOR LAGO: It comes out of City
16 Planning's OTPS budget line.

17 CHAIRPERSON SALAMANCA: So it comes out of
18 your \$42.2 million?

19 DIRECTOR LAGO: Right. Two thirds of
20 which is headcount and then the rest is OTPS
21 spending.

22 CHAIRPERSON SALAMANCA: Okay. So, we know
23 where that EIS funding is coming from. Now, the
24 capital-- just to go back on capital projects, you
25 know, something else that I have a difficult time is

2 understanding that this administration understands
3 that every Council district has its own independent
4 capital needs whether it is sewage, you know, it
5 could be renewing Parks, roofs to redo our schools,
6 yet, this administration, you know, only offers these
7 capital needs if we are up zoning or if we agreed up
8 zone, you know, communities. For example, during the
9 Southern Boulevard study component, you know, before
10 I said no to the rezoning component, you know, there
11 were conversations on what can we fix? What capital
12 needs we can address. Once I said I am not
13 interested in the zoning component of the study, they
14 stopped calling. All those capital needs, all those
15 capital requests that we were talking about, those
16 conversations just stopped happening and it was kind
17 of dependent on me now to work with the Speaker's
18 office to provide funding for capital needs. Do you
19 think that is appropriate that this administration is
20 only focusing on communities that agree to up so
21 needy and if they do not agree with up zonings and
22 then those capital dollars don't come to these
23 communities that need them?

24 DIRECTOR LAGO: With respect, Chair, I
25 think that the premise is wrong. The NDF was

2 important. I am not in any way understating the
3 significance of that billion-dollar education, but
4 the scale of the 10 year capital strategy is 100
5 billion and so there are discussions, there are
6 investments in capital needs across the city entirely
7 unrelated to zoning. Every year, we go through a
8 capital planning process and identify needs across
9 the city and, again, the overwhelming majority are
10 not in neighborhoods undergoing rezoning. The reason
11 for the NDF was a very specific focus on the capital
12 planning needs arising from a significant increase in
13 neighborhood density. But, again, 1 billion out of
14 100 billion dollar plan.

15 CHAIRPERSON SALAMANCA: that it is, in
16 order for me to get what I need in my community I
17 have to up zone and risk displacement and I find that
18 to be just wrong. In the last five years that I've
19 been in office, I've said this multiple times, I have
20 approved over 7000 units of 100 percent affordable
21 housing. 5000 of those units are new units and we
22 preserved about 2000 units. So, that is where the
23 7000 number comes. In their communities and there
24 are pockets in my community such as La Central who is
25 getting a little under 1000 units of 100 percent

2 affordable housing. It is an exciting project. We
3 are going to have the Y. We are bringing in
4 commercial and a corridor space there. I am going to
5 get a nice skate park. I am really excited about
6 that project. But I am also concerned about
7 supportive services. There are no conversations
8 about increasing public safety in that area and if
9 you know that area well, you know that 149th Street
10 in Third Avenue is ground zero for opioid use in the
11 borough of the Bronx. It's a real challenging
12 problem for us. And it's been going on for decades
13 and it's happening because leadership predecessors in
14 the past allowed different not for profits that
15 catered to that population to open up multiple
16 programs in that area and that is why we have a
17 combination of opioid use in that area. But La
18 Central is almost completed but there are no
19 conversations about increasing support services.
20 NYPD, Fire Department, EMS, bringing in more
21 healthcare providers in that area and my questions,
22 again-- and I just-- it's when City Planning is
23 approving these projects, that was a-- it was a nice
24 sized rezoning, but it was not a rezoning like, you
25 know, where a neighborhood rezoning. Is City

2 Planning actually having these conversations with
3 other city agencies and ensuring that, in budget
4 times, they are increasing the services for those
5 immediate communities?

6 DIRECTOR LAGO: We work routinely with
7 the alphabet soup of agencies and we also look to the
8 community district statement of needs as important
9 input. I would be glad to pass along your concerns,
10 but I suspect that you have also directly, Chair.

11 CHAIRPERSON SALAMANCA: Yeah. I just hope
12 that, as we move forward with, you know, ULURP
13 applications and I'm going to make this my business,
14 you know. I'm going to really dig in on this. As
15 these applications come through the subcommittees,
16 I'm going to speak to my colleagues and I'm going to
17 speak to my colleagues where these applications are
18 being approved at, and my cochairs to ensure that,
19 you know, we're not just approving these projects
20 just because of affordable housing, but a real
21 comprehensive plan of, you know, supportive services
22 that needs to be attached to these applications. Has
23 to be planned more appropriately. And with that,
24 counsel, do we have any other Council members with
25 questions or their hands raised?

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2 COMMITTEE COUNSEL: No, Chair. No
3 other Council members with hands up at this time.

4 CHAIRPERSON SALAMANCA: All right. Thank
5 you. So, Chair Lago, I want to thank you and your
6 team for being with us for almost two hours. I
7 really appreciate this candidate conversation that we
8 had. Thank you.

9 DIRECTOR LAGO: It's always a pleasure,
10 Chair. Thank you.

11 CHAIRPERSON SALAMANCA: And so, with that,
12 we will be taking a recess and we will resume this
13 meeting at 2 p.m. for the DOITT hearing. Thank you.

14 SERGEANT-AT-ARMS: Good afternoon, Chair
15 Holden.

16 CHAIRPERSON HOLDEN: Hey, Sergeant. How
17 is everything?

18 SERGEANT-AT-ARMS: All right. I just
19 wanted to get a soundcheck from you. We hear you
20 loud and clear.

21 CHAIRPERSON HOLDEN: Thank you.

22 SERGEANT-AT-ARMS: We should start around
23 two. Maybe a couple minutes after, but right around
24 2 o'clock.

25 CHAIRPERSON HOLDEN: No. Thank you.

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2 SERGEANT-AT-ARMS: You got it. Robin
3 Levine, I want to get a soundcheck to make sure we
4 can hear you.

5 ROBIN LEVINE: Can you hear me?

6 SERGEANT-AT-ARMS: Yes. I can. Loud and
7 clear. Thank you.

8 ROBIN LEVINE: Great. Thank you.

9 SERGEANT-AT-ARMS: And Tania Richard, if I
10 can get a soundcheck. Give me one second to unmute
11 you.

12 TANIA RICHARD: Hello. Can you hear me?

13 SERGEANT-AT-ARMS: Yes. I can hear you
14 loud and clear. Is your video working, as well?

15 TANIA RICHARD: My video? Yeah. It did
16 when I came on. I can-- How is that?

17 SERGEANT-AT-ARMS: One second-- All right.
18 I got you. Thank you very much.

19 TANIA RICHARD: All right. Thank you.
20 So when you unmute me, then I hit the unmute also?

21 SERGEANT-AT-ARMS: Yes. You'll be
22 instructed by the person that is in charge of muting
23 and unmuting when your turn to speak.

24 TANIA RICHARD: Thank you.

25

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2 SERGEANT-AT-ARMS: Commissioner Tish, can I
3 have a soundcheck, please?

4 COMMISSIONER TISH: Can you hear me?

5 SERGEANT-AT-ARMS: Yes. I can. Thank you
6 very much.

7 COMMISSIONER TISH: Hi. How are you?

8 SERGEANT-AT-ARMS: How's everything? Good?

9 COMMISSIONER TISH: Good. Thank you.

10 SERGEANT-AT-ARMS: All right. And Janine
11 Gilbert, I need a soundcheck, please.

12 JANINE GILBERT: Can you hear me?

13 SERGEANT-AT-ARMS: I can hear you and see
14 you. Thank you very much.

15 JANINE GILBERT: Great.

16 SERGEANT-AT-ARMS: And folks that just
17 joined us, we are currently in recess. We are going
18 to resume around 2 o'clock. Just keep in mind that
19 we are still recording live on our custom livestream
20 to the Council website, so if you could please keep
21 your comments minimal. Thank you.

22 CHAIRPERSON SALAMANCA: Let me call you.

23 Yeah. Bye. All right--

24 SERGEANT-AT-ARMS: Chair, you are muted.

25

2 CHAIRPERSON SALAMANCA: So, sergeant-at-
3 arms, you let me know when we're ready.

4 SERGEANT-AT-ARMS: Chair Holden, are you
5 ready, as well?

6 CHAIRPERSON HOLDEN: Ready.

7 SERGEANT-AT-ARMS: All right. Folks, we
8 are going to resume our FY 22 preliminary budget
9 hearing on the Committees of Land Use jointly with
10 the Committee on Technology. Chairs, we are ready to
11 begin.

12 CHAIRPERSON SALAMANCA: Thank you. Thank
13 you, everyone. So, we are going to continue our
14 fiscal 2022 preliminary budget hearing on DOITT, the
15 Department of Information Technology and
16 Telecommunications and I will hand it off to Chair
17 Holden.

18 CHAIRPERSON HOLDEN: Thank you, Chair
19 Salamanca, and good afternoon and welcome to the
20 fiscal 2022 preliminary budget hearing for the
21 Department of Information Technology and
22 Telecommunication, known as DOITT. I am Council
23 member Robert Holden, Chair of the New York City
24 Council Committee on Technology. Today's hearing is
25 joint with the Committee on Land Use and I would like

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2 to thank my colleague from the Bronx, Council member
3 Rafael Salamanca, Chair of the Committee on Land Use
4 for cochairing today's hearing with me. The
5 Departments proposed fiscal 2022 expense budget
6 totals 699.2 million, including 171.2 million in city
7 funding to support 1824 full-time positions. The
8 budget also includes 528 million other than personal
9 services of which 248 million is allocated to
10 contract role services. In the preliminary plan,
11 DOITT's current year, fiscal 2021 budget of 887.4
12 million is 188 million more than in its fiscal 2022
13 budget. This variance and funding between years is
14 driven by the recognition of additional non-city
15 funding in the current fiscal year, a large portion
16 of which is related to Covid 19 expenses. We hope to
17 examine many components of the department's budget at
18 today's hearing, including the department savings
19 program, new needs, miscellaneous revenue, and
20 capital programs. I would also like to hear about
21 the department's response to the pandemic and receive
22 a status update on the many citywide tech projects
23 the department is currently working on, in particular
24 that IT Infrastructure Modernization Project, 5G
25 broadband expansion, and next GEN 911 and more. City

2 investments in technology should provide long-term
3 benefits for the city to make our city more
4 productive, efficient, and safer. The decision we
5 make or the decisions we make now will be critical to
6 how efficiently government operated moving forward.
7 So we look forward to working with DOITT to make sure
8 the choices we all make with investments in the
9 city's IT infrastructure and operations on the
10 correct ones. I want to welcome DOITT's
11 Commissioner, Jessica Tish and her team. After the
12 testimony, members will have the opportunity to
13 follow up with questions for the Commissioner. After
14 that, I hope that the Commissioner and staff remained
15 to listen to the public to testify. We are joined--
16 I would like to recognize Council members who are
17 present. Adams, Barron, Borelli, Diaz Senior,
18 Grodenchik, Moya, Perkins, Riley, and Yeger. In
19 closing, I would like to thank committee staff for
20 working on putting this hearing together, including
21 Florentine Gabor, Jon Russell, Irene Byhovsky,
22 Charles Kim, and my Chief of Staff, Daniel Christina.
23 I will now turn it over to our committee counsel,
24 Irene Byhovsky, to go over some procedural items.

2 COMMITTEE COUNSEL: Thank you, Chair

3 Holden. I'm Irene Byhovsky, the counsel to the
4 Committee on Technology and I will be moderating this
5 portion of the hearing today. Before we begin, I
6 would like to remind everyone that you will be on
7 mute until you are called on to testify. At which
8 point, you will be on muted by the host. During the
9 hearing, I will be calling on panelists to testify.
10 Please listen for your name to be called. I will be
11 periodically announcing the well-being next panelist.
12 We will first be hearing testimony from the
13 administration, followed by testimony from the
14 members of the public. During the hearing, if
15 Council members would like to ask questions of the
16 administration or a specific panelist, please use the
17 zoom raise hand function and I will call on you. We
18 will be limiting Council member questions to three
19 minutes. We will next call representatives of the
20 administration to testify. We will be hearing
21 testimony from Jessica Tish, Commissioner of the
22 Department of Information Technology and
23 Telecommunications. Additionally, the First Deputy
24 Commissioner, Janine Gilbert, Deputy Commissioner
25 Joseph Antonelli, Deputy Commissioner Richards,

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2 assistant commissioner Robin Levine, the Chief of
3 Staff Ryan Miller will be present to answer any
4 questions. At this time, I will administer the
5 affirmation to each representative of the
6 administration. I will call on each of you
7 individually for our response. Please raise your
8 right hands. Thank you. Do you affirm to tell the
9 truth, the whole truth, and nothing but the truth
10 before this committee and to respond honestly to
11 Council member questions? Commissioner Tisch?

12 COMMISSIONER TISCH: I do.

13 COMMITTEE COUNSEL: Deputy Commission
14 Antonelli?

15 DEPUTY COMMISSIONER ANTONELLI: I do.

16 COMMITTEE COUNSEL: Deputy Commissioner
17 Richards?

18 DEPUTY COMMISSIONER RICHARD: I do.

19 COMMITTEE COUNSEL: Assistant
20 Commissioner Levine?

21 ASSISTANT COMMISSIONER LEVINE: I do.

22 COMMITTEE COUNSEL: Mr. Miller?

23 RYAN MILLER: I do.

24 COMMITTEE COUNSEL: Thank you. Thank
25 you, Commissioner Tisch. You may begin when ready.

2 COMMISSIONER TISCH: Thank you. Good
3 afternoon, Chairs Salamanca and Holden and members of
4 the city Council Committees on Land Use in
5 Technology. My name is Jessica Tisch and I am the
6 Commissioner of the Department of Information
7 Technology and Telecommunication, also known as
8 DOITT, and New York City's chief information officer.
9 Thank you for the opportunity to testify today about
10 DOITT's fiscal 2022 preliminary budget. With me is
11 Janine Gilbert, DOITT's, first Deputy Commissioner,
12 Joseph Antonelli, are Deputy Commissioner of
13 management and budget, and Tonya Richard, our Deputy
14 Commissioner of Legal Matters. The past year has
15 been the most professionally challenging and
16 productive year of my career. I became citywide CIO
17 in December 2019 and, three months later, the
18 pandemic hit, bringing tech to the forefront of so
19 many services the city offers. Preparing this budget
20 testimony has given me an opportunity to reflect on
21 all the work of my agency over the past 12 months and
22 the scale, the range, and the breath of what this
23 team of professionals accomplished are quite
24 emotional for me. That is because the team at DOITT
25 immediately kicked into high gear. They worked not

2 just nights and weekends, but every night and every
3 weekend, not for days or weeks, but all year. Excuse
4 me one second. One second. Sorry. Not for days,
5 weeks, or months, but for the past year. And today
6 it is my great honor to share with you what DOITT has
7 been doing since the pandemic hit. We transitioned
8 much to the city's workforce to at home rather than
9 in office work. To make this possible, DOITT rolled
10 out a brand-new remote access environment and rolled
11 out Web X and Teams citywide. We also purchased and
12 distributed tens of thousands of laptops and tablets
13 for city agencies. We purchased and provisioned
14 500,000 iPads with the Department of Education for
15 New York City public school students who will act in
16 Internet connected device at home to support remote
17 learning. These iPads that included unlimited
18 cellular data plans, doubled as hotspots, and came
19 loaded with the apps required for schoolwork. We
20 oversaw the development of the cities contact tracing
21 system which is the centerpiece of the Test and Trace
22 Corps effort to track and contain the spread of the
23 virus in New York City. We built the systems that
24 support the Get Food program which, at its peak,
25 delivered 1 million meals a day to New Yorkers in

2 need and recently delivered its 200 millionth meal.

3 We built the PPE donations portal, the AUC track
4 system, the Covid 19 zone finder, and the DOE mobile
5 student testing application, as well as an entire
6 enforcement system that supports the city's multi
7 agency Covid 19 inspection efforts. We built both
8 the city clerk's online marriage license platform,
9 allowing New Yorkers to obtain online marriage
10 licenses for the first time in our city's history,
11 and, unfortunately, funeral director portal which
12 connected funeral directors with the deceased when
13 the city's morgues became overrun. We have enabled
14 virtual arraignments and virtual family visits for
15 the incarcerated, as well as online OATH and CCRB
16 hearings and we deployed new contact centers for
17 dozens of agencies. We helped EMS implement
18 telemedicine for low acuity EMS calls to take
19 pressure off of the 911 system. We deployed the
20 Tenant Resource Portal which connects New Yorkers
21 facing eviction with resources to help keep them in
22 their homes. We deployed dozens of new service
23 requests and knowledge articles in the 311 system for
24 Covid related issues including social distancing and
25 face coverings and we are managing a massive

2 infrastructure buildout in all city homeless shelters
3 that serve families with children to install Wi-Fi in
4 each apartment. Now, as we have discussed
5 previously, in the middle of January, we were called
6 in to overhaul the IT that supports the city's
7 vaccination efforts. That has become my passion and
8 obsession over the past eight weeks. A tremendous
9 amount of progress has been made, but I am also very
10 clear on what is left to be done and I assure you I
11 impatient about getting it done. I understand the
12 old adage that you don't get a second chance to make
13 a good first impression, but if you look at the
14 current state objectively, it is clear that New York
15 City is now leading the way and pushing forward in
16 all the right directions on vaccination technology.
17 Let me walk you through it. The first thing we did
18 was replace the Department of Health and Mental
19 Hygiene's vaccine scheduling system. The new one,
20 which can be found at www.NYC.gov/vaxforNYC, is
21 intuitive and easy to use. We have seen New Yorkers
22 consistently schedule themselves for vaccination
23 appointments in three minutes using this new site.
24 It is also human translated into 10 languages for
25 accessibility, but the system is far more than an

2 online scheduling tool. It manages every aspect of a
3 patient's vaccination from the time they created the
4 initial appointment through to completion of their
5 second dose. That is because the other piece to the
6 system powers all of the operations at the
7 vaccination clinics, including patient check-in,
8 screening, sending of the record, a record of the
9 vaccination to the city's immunization registry, and
10 scheduling of second dose appointments, but we didn't
11 stop there. As I previewed at last month's
12 vaccination oversight hearing, we are now expanding
13 this platform and offering it as a servant to all
14 vaccine providers citywide. We are doing this for
15 the sole purpose of streamlining the process for New
16 Yorkers to sign up for vaccinations. The goal is to
17 consolidate the scheduling of as many vaccination
18 locations as possible onto a single online platform
19 to take out the guesswork for New Yorkers and I'm
20 pleased to say we've made real progress. Today we
21 are scheduling for more than 30 different locations
22 on a single platform, including all of the cities
23 mass vaccination sites with the exception of Yankee
24 Stadium which comes online soon. This includes sites
25 run by DOHMH, FDNY, H&H, Capsule, North well,

2 Hospital for Special Surgery, Affiliated Physicians,
3 among others and we have a pipeline of approximately
4 40 additional vaccination sites coming online in the
5 coming weeks run by a number of different providers
6 including city block, I crowd, my munities, daybreak,
7 somos, and all of the FQHCs. We have also made the
8 offer to New York State to put their New York City
9 sites on our platform. Still no word on that, but a
10 girl can dream. Our new platform is also powering a
11 number of temporary vaccination locations with
12 targeted outreach at houses of worship and NYCHA
13 developments and it also hosts dozens of community-
14 based organizations which schedule residents of the
15 hardest hit communities through reserved appointments
16 and with this new platform, we are also able to make
17 thousands of appointments each week through our
18 vaccine call center, 877-vax4nyc, so that lack of an
19 Internet connection does not disadvantage or prevent
20 people from the scheduling appointments. Last week
21 alone, the call center made more than 11,000
22 appointments for New Yorkers. But that is not
23 enough. We know that there will always be providers
24 who decide not to, on to our platform and continue to
25 schedule through their own silent scheduling systems.

2 At a minimum, we are asking large providers who make
3 this choice to give us real-time information about
4 appointment availability at their locations. And we
5 have updated our vaccine finder to include that
6 information. To date, we have real time information
7 on the availability of appointments for 300 sites
8 citywide including all Walgreens pharmacies, CVS, all
9 the New York State and FEMA sites, DOHMH pods, H&H
10 hospitals, and make Gotham clinics. We are expecting
11 right aid the pharmacies to come online next week.

12 And, yet, despite the pandemic, and all the work and
13 challenges that came with it, general work of DOITT
14 has not stopped for a second over the past year.

15 This past June, we made our commitment to the city
16 Council and New Yorkers, including the deaf and hard
17 of hearing community and survivors of domestic
18 violence when we launched text to 911, which has been
19 running smoothly since that went live. As you know,
20 just text to 911 system is an interim solution
21 designed to bridge the gap between where we are today
22 with an entirely legacy analog 911 system and where
23 we will be in 2024 when we roll out NexGen 911. The
24 purpose of NexGen 911 is to allow voice, photos,
25 videos, and text messages to flow seamlessly from the

2 public to 911 on modern, digital infrastructure.

3 Make no mistake about it, NexGen 911 has the
4 potential to be hands down the most impactful new
5 public safety system in the city of New York over the
6 next decade. As a woman who has public safety IT
7 running through her veins, I can tell you it is
8 absolutely imperative that we get it right. So, what
9 progress have we made? This year we registered
10 contracts for three key systems that are fundamental
11 to the development of NexGen 911. These contracts
12 are with Vesta Solutions to build out the core
13 backend in geographical information systems and Nyce
14 [sp?] Systems to build out the new logging and
15 recording system. The city team, which includes
16 members of DOITT, NYPD, FDNY, TCAS, and cyber command
17 is hard at work with the vendors and all is on track
18 to be fully implemented in 2024. We are also
19 building on the partnership we developed with
20 advocates from the deaf and hard of hearing community
21 during our work on text to 911 to ensure that they
22 have a hand injury me not been designing some of the
23 key aspects of the NexGen 911 system. Likewise, we
24 made good on our commitment to decommission the
25 NYCWIN network by June 2020. I am pleased to report

2 that DOT, DSNY, DEP, NYPD, DCAS, DOHMH, Parks, FISA
3 [sp?], and DOB were all completely migrated to
4 commercial carriers and the NYCWIN network was
5 powered down. We have already begun the work of
6 closing out the North Drummond contract by removing
7 the NYCWIN infrastructure from rooftops and restoring
8 facilities leased for this purpose.

9 Now let me transition into our franchise
10 portfolio. We recently launched a major push in
11 partnership with the telecom carriers to build out 5G
12 equitably across New York City. 5G is the network of
13 the future, and its buildout across all five boroughs
14 will be key to the City's recovery efforts. Last
15 week, the Mayor announced that the City will be
16 making 7,500 street poles available to the telecom
17 industry for the buildout of 5G. This represents the
18 single largest number of poles ever made available
19 for telecom purposes, and a doubling of the current
20 number of poles on which 4G technology lives. To get
21 to this point, a bunch of things had to come
22 together. First, we got all of the major carriers to
23 agree on a single, unified design for the shrouds
24 that will house the 5G radios and antennas. This
25 design was reviewed by every community board in the

2 City, as well as the Department of Transportation,
3 and it was approved by the Public Design Commission.

4 As I announced last year, we also registered 12

5 Mobile Telecom Franchise agreements with companies

6 who will be performing these installations. These

7 franchise agreements contain worker protection

8 clauses, which will be a model for all new franchise

9 agreements going forward. We are also working with

10 our franchisees to ensure that MWBEs benefit from

11 this buildout. And we overhauled the system and

12 processes that govern these installations to remove

13 red tape and inefficiency, so that 2021 will be the

14 Year of 5G in New York City. As you know,

15 CityBridge, the franchisee who runs the LinkNYC

16 program, owes the City tens of millions of dollars.

17 We were poised to default them days before the

18 pandemic hit, but in light of the public health

19 emergency and the fact that we have been using Links

20 for public service messaging throughout, we held off.

21 We have been discussing options for repayment with

22 CityBridge. If not, default remains a card we can

23 and will play. I hope to have an update for the

24 Council soon and I will brief you when I do. Now, I

25 believe that one of the keys to ending the digital

2 divide in New York City is bringing down broadband
3 prices by encouraging competition. Right now, the
4 three cable companies hold a virtual monopoly on
5 broadband in New York City. That is because the
6 cable franchise agreements they hold with the City
7 allow them to provide broadband, in addition to
8 cable, because both run over the same wire. The
9 cable companies have taken unfair advantage of this
10 position. And in particular, this year, they have
11 not done nearly enough to make broadband accessible
12 throughout New York City. At best, their offers to
13 New Yorkers have been insufficient to meet the
14 moment, and at worst, veiled marketing attempts or
15 promotions designed to build a customer base amidst a
16 pandemic. But I'm not telling you anything I haven't
17 told them myself. Unfortunately, federal law
18 preempts the city from regulating franchisees based
19 on consumer pricing. But, thanks to the City
20 Council's recent passage of Authorizing Resolution
21 1445-A, constraints on our ability to promote,
22 encourage, and frankly, pull in companies to compete
23 in the broadband space against the big cable
24 providers, have been lifted and that's what we are
25 doing - to bust this triopoly head on. In accordance

2 with the AR, we will soon be putting out a
3 solicitation inviting companies that seek to provide
4 low cost broadband in New York City to enter into
5 franchise agreements that will allow them to use the
6 City's rights of way to build out their networks. In
7 franchise agreements, it is typical for a franchisee
8 to compensate the City based on the linear footage of
9 the franchisees' plant installed. But we're thinking
10 outside the box here. To increase competition in
11 underserved areas of the city, we are considering
12 counting only linear footage in Manhattan below 96th
13 Street for a period of several years when determining
14 compensation requirements. Further, we are
15 considering discounted compensation rates for
16 franchisees with less than a specified number of
17 linear feet of fiber in the city's rights-of-way, to
18 give small providers a leg up. We expect to utilize
19 franchise fees, in part, for digital literacy and
20 community based organization grants. This year, we
21 settled long-standing litigation with Verizon arising
22 from the company's failure to meet its commitments
23 under its 2008 cable franchise agreement. Rather
24 than allow the litigation to wind its way through the
25 courts and drag on for years to come, we decided to

2 seize the opportunity to make real progress for New
3 Yorkers afflicted by the digital divide. Under the
4 settlement, Verizon will build out its FIOS footprint
5 to 500,000 additional households, making high-speed
6 broadband available to more New Yorkers. Verizon is
7 compelled to prioritize the least-connected Community
8 Districts and ensure connectivity for every NYCHA
9 residential building. One of the greatest joys of my
10 job over the past year has been leading the 311 team.
11 To my mind, they are, hands down, among the unsung
12 heroes of this pandemic, who remained onsite to serve
13 their fellow New Yorkers in need. Every single day
14 they showed up. And they connected New Yorkers to
15 City services that in many cases saved or changed
16 their lives - be it access to meals, healthcare,
17 testing, or remote learning devices. To put the
18 enormity of what the 311 team has done in context for
19 everyone, there are 8.2 million New Yorkers and, in
20 2020, 311 took over 24 million calls - that's the
21 highest volume in 311's 18 years of operation. That
22 means in 2020, 311 took three calls for every New
23 Yorker. And the average wait time, under 33 seconds.
24 But that's not all they did. When I went to visit
25 the 311 call center a few months ago, one of the Call

2 Center Representatives told me something that moved
3 me. She said that throughout the pandemic, some New
4 Yorkers called 311 not because they were looking for
5 information or a City service, but because they were
6 lonely, isolated from the world, and wanted to hear a
7 human's voice on the other end. The compassion,
8 warmth, professionalism, and dedication the 311 team
9 has shown over the past year is awe inspiring and
10 their work was supported by massive improvements in
11 the 311 system over the past year, many of them
12 responsive to feedback from the City Council,
13 including enabling photo and video attachments for
14 more types of service requests, adding additional
15 service request types available via the mobile app,
16 and emailing alerts for all service requests,
17 regardless of whether the customer has signed up for
18 an account.

19 Coming soon are improved location
20 selection and accuracy, which is planned to start in
21 April and customer satisfaction surveys in ten
22 languages, in accordance with recently passed
23 Introduction 1525, which will be rolled out in April.
24 In the interest of time, I will now take the
25 Committees through our FY22 budget as it stands

2 today. DOITT's Fiscal 2022 Preliminary Budget
3 provides for operating expenses of approximately
4 \$699.2 million, allocating \$171.2 million in
5 personnel services to support 1,824 full-time
6 positions and \$528 million for other than personnel
7 services, or OTPS. Intra-City funds transferred from
8 other agencies account for \$139.5 million, or about
9 20 percent of our total budget allocation.

10 Telecommunications costs represent the largest
11 portion of the Intra-City expense, projected at
12 \$100.5 million for fiscal 2021. For fiscal year 2021,
13 the expense budget appropriation increased by \$74.4
14 million from the fiscal year 2022 November Financial
15 Plan to the Preliminary Financial Plan. The increase
16 to the fiscal year 2021 Preliminary Budget is largely
17 attributed to the funding that DOITT has received for
18 Covid related costs, funding for expense costs
19 associated with approved capital projects, and Intra-
20 City funding transfers from agencies that have been
21 reflected in the January financial plan. For fiscal
22 year 2022, the expense budget appropriation increased
23 by \$10.9 million from the fiscal year 2022 November
24 Financial Plan to the Preliminary Financial Plan.

25 The increase to the Fiscal Year 2022 Preliminary

2 Budget is largely attributed to the funding that
3 DOITT has received for expense costs associated with
4 approved capital projects. With that, I want to
5 thank the Committees for this opportunity to update
6 you on DOITT's important work and I am now happy to
7 take your questions.

8 COMMITTEE COUNSEL: Thank you.

9 CHAIRPERSON HOLDEN: Go ahead. Sorry.

10 COMMITTEE COUNSEL: I will now turn it
11 over to you, Chair Holden, for questions. And I just
12 want to say, panelists, please stay on muted if
13 possible diagnosis question and answer period. Thank
14 you.

15 CHAIRPERSON HOLDEN: Okay. Well, thank
16 you, Commissioner. That was great testimony. Very
17 thorough and it's really sad to hear about the 311
18 operators and just people just wanting to talk to a
19 human voice. That is quite moving and as was much of
20 your testimony. Then I know the challenges that your
21 agencies must have had in your agency certainly rose
22 to the occasion and I want to thank you for that and
23 your commitment. By the way, we've just been joined
24 by Council members Constantinides and Vallone. So,
25 just talking about the franchisees in the competition

2 that you mentioned and certainly we hope that it will
3 benefit customers, broadband customers in New York
4 City. Do you have any idea of what-- in comparison
5 what New York City customers pay for broadband versus
6 other cities and how much-- I guess of how much it
7 would come down, the price of broadband in the
8 future?

9 COMMISSIONER TISCH: Well, I don't have
10 the comparison to other cities, but what I can say is
11 there is a wide range of costs depending on what type
12 of broadband plan you have and also depending on how
13 much competition there is in your neighborhood. So,
14 the whole idea is to bring on additional competitors
15 in the market, in particular, in areas or parts of
16 the city where there is only one provider and no
17 competition to bring down the cost of all of the
18 plans, not just the lowest cost plan. But I
19 apologize that I can't give you more specificity just
20 because there is such a big range.

21 CHAIRPERSON HOLDEN: Yeah. I mean, we
22 all know that we pay the most in New York City for
23 everything, almost, right? We know that compared to
24 other cities when you travel around the country. We
25 pay a lot for all services, but it would be-- our

2 cable bills and, you know, broadband keeps going up.

3 Everything is going up. Every year we see an

4 increase. We never see a decrease. So, it would be

5 great. It would be refreshing to feel that, yes,

6 with the more competition and, finally, we are going

7 to get that, that we can realize a 50 percent

8 savings, a 25 percent savings because New Yorkers get

9 hit over the head all the time with costs of

10 everything from just transportation to everything.

11 Electricity, heat, everything. Taxes. So, it would

12 be nice to see that the city is actually working for

13 as on competition to bring our broadband costs down.

14 So, I thank you for that. But I just want to get

15 into the couple questions and you mentioned some of

16 this in your testimony, but DOITT's budget includes

17 tens of millions in funding related to DOITT's

18 response to the pandemic, as you mentioned. Most of

19 which to expand remote access for municipal employees

20 and resources to securing the 311 call center and

21 NYC.gov, but the plan going forward does not assume

22 Covid related spending and fiscal year 2022. Do you

23 think working remotely will become a common practice

24 in the way municipal employees will conduct business?

25

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2 And, if so, how is your department planning for this
3 change?

4 COMMISSIONER TISCH: So, I don't know if
5 it is going to become a common practice. That is
6 sort of above my pay grade, but what I can tell you
7 is that last March we built out all of the
8 infrastructure to support it, so we can support, you
9 know, 100,000+ city workers working remotely, so that
10 investment has been made and am very pleased to say
11 that that remote access capability has been working
12 fairly stably for the past year and is one of the
13 reasons that the city was able to so seamlessly
14 continued offer so many of the services that the city
15 offers despite the transitioned to home lot more
16 remote work.

17 CHAIRPERSON HOLDEN: So, we really don't
18 know as a city whether many of our employees will
19 have the option to work remotely yet because we are
20 still in the pandemic, obviously.

21 COMMISSIONER TISCH: I'm telling you and
22 will have the answer to that question.

23 CHAIRPERSON HOLDEN: No. No. I get
24 that. Just getting to the next part which is has the
25 pandemic led to any long-term changes in DOITT's

2 budget planning? Because that is the key. We have
3 to plan for, obviously, if we do are still-- if we
4 still are on a pandemic going forward.

5 COMMISSIONER TISCH: So, a few things to
6 point out here. First, the long list of the Covid
7 related projects that I gave you in my testimony,
8 those were funded by federal grants from FEMA, from
9 the CDC, from different federal programs. So, those
10 costs-- and we made sure, you know, if we were
11 spending money on something Covid related, that those
12 contracts had the provisions necessary to be FEMA
13 reimbursable. So, that was an important piece of
14 making sure everything we did was reimbursable and
15 would not be charged to the city. In terms of what,
16 you know, the experience of the past year means going
17 forward and for our budget at DOITT, what I would say
18 is a lot of the things that we talked about last year
19 and that the Council funded last year, in particular
20 around this notion of modernization both for the
21 cities IT infrastructure generally and for NexGen
22 911, you know, that was funded last year. Those are
23 multi-year programs that those are the things that we
24 have already started building out very aggressively
25 and those are, for sure, the right investments to

2 make heading into a world of 2021 and beyond where so
3 many things have moved online and that is not going
4 to change.

5 CHAIRPERSON HOLDEN: Right.

6 COMMISSIONER TISCH: So, I do think that
7 the modernization efforts that you had the foresight
8 to fund last year are going to be in proved to be
9 very wise investments, you know, for the new world
10 ahead.

11 CHAIRPERSON HOLDEN: Okay. I want to
12 talk about the 311 system and securing a 311 system.
13 So, the preliminary plan includes 10 million in
14 fiscal 2020 14 additional contract costs related to
15 311 and NYC.gov operations to deal with the
16 additional demand due to the ongoing Covid 19
17 pandemic. Can you talk about how the pandemic has
18 affected 311? Like how many permanent staff has the
19 311 system added during the pandemic and things like
20 that. Like what edition you needed to make to
21 address the pandemic in a little bit more detail?

22 COMMISSIONER TISCH: Sure. So, I took
23 over 311 operations last April and at the time, 311
24 just got a huge onslaught of Covid related calls and
25 we didn't know how long that volume was going to

2 last. It turns out it lasted quite some time. It is
3 still very high and, as I said in my testimony, like
4 the 311 system last year got like 24.6 million calls.
5 If you compare that to, you know, the previous year,
6 2019, it was 19 million calls. So, like 5 million
7 more calls, almost 6 million more calls this year
8 than last year. All of that driven by Covid. Two
9 and a half million calls for the Get Food program and
10 people calling 311 to request meals. So, in order to
11 deal with that onslaught of calls immediately, we had
12 to bring in temporary staff to increase the number of
13 call takers that we had. So, unconditionally, we
14 brought in the NYPD cadets who were working from home
15 at the time and they were an available resource and
16 they did a wonderful job. They came to the 311 and
17 they worked with us and we also worked with and MW BE
18 a bring on additional staffing beyond the 311 cadets
19 just because volume was so large. I also, keep in
20 mind it was a really important to us to treat people
21 calling 311 with respect. It was an incredibly
22 difficult time for New Yorkers and I didn't want
23 them-- none of us wanted them hanging on the phone
24 five minutes, 10 minutes waiting for someone to pick
25 up. So, that 33 second, you know, wait time is

2 something that we are really proud of and it is
3 something that we measure every single day of what
4 was the average wait time yesterday. So, anyway, we
5 ended up losing the NYPD cadets when they had to go
6 back to their jobs, so we brought on more additional
7 temporary staffing to deal, in particular, with the
8 Covid calls. I want to be really clear that the
9 surge staffing, those call takers cannot do the full
10 range of what at 311 call center representative can
11 do. They handle really Covid related calls and it
12 actually ended up being incredibly useful during a
13 few weather events this year because we were also
14 able to plan in advance and have those surge call
15 takers handling those weather related calls.

16 CHAIRPERSON HOLDEN: Yeah. And I just
17 want to talk about when the vaccine rollout came in--
18 I guess that was December. Mid-December. And people
19 were-- couldn't maneuver through Vaccine Finder and
20 they couldn't get an appointment, and that burden get
21 onto 311? It was kind of probably, I would imagine,
22 overwhelming at that point where you had to even hire
23 more people.

24 COMMISSIONER TISCH: So, blessedly, no.
25 and it was actually something that I was really

2 concerned about and planned for and I will explain
3 why. So, for vaccinations, I was very clear in my
4 own heard that if you added the onslaught of vaccine
5 calls to 311, that that was going to slow down the
6 response time or increase the wait time for all, you
7 know, general 311 calls. So, what we decided to do
8 was set up a completely separate number for
9 vaccinations which is 877-vax4nyc and we made a real
10 point of publicizing that number and making that
11 number easy to remember so that the service that we
12 provide at 311 wouldn't get killed by the onslaught
13 of vaccine related calls. Now, that is not to say
14 that 311 didn't take vaccine related calls. If you
15 call 311, the first thing you will get is, for
16 vaccine information, press one. And that will
17 transfer you to 877-vax4nyc. So, we tried to make
18 sure that people calling 311, if they were confused
19 and calling 311 for vaccination like information and
20 scheduled appointments, they could still easily get
21 there without really knowing they were leaving 311.
22 But then we also took some of the load off of the 311
23 system and sent it direct to this vax4nyc call center
24 that was set up just for this purpose.

2 CHAIRPERSON HOLDEN: So, you are
3 confident that the 311 system is now stable and
4 you're past the really difficult times?

5 COMMISSIONER TISCH: Oh, yes.

6 CHAIRPERSON HOLDEN: You were overrun at
7 one point. So--

8 COMMISSIONER TISCH: So, I look at the
9 311 wait times twice a day every day. In the morning
10 and in the evening and we manage our routing and
11 everything with a real focus on keeping those wait
12 times and, I should say, the abandonment rates, low.
13 What I don't like to see is an abandonment rate over
14 four percent where people are hanging out before they
15 get to an agent and so, yes. This is something that
16 we in the 311 team managed very, very closely.

17 CHAIRPERSON HOLDEN: Okay. Not just
18 want to say that we were joined by Council member
19 Eric Ulrich. Let me talk about the citywide IT
20 efficiency savings. The city spends hundreds of
21 millions of dollars on technology services and I'm
22 sure your department has been looking at ways in
23 which the city can save money through citywide IT
24 savings initiatives. Can you talk in general about
25

2 ways the city can reduce costs through improved IT
3 efficiencies?

4 COMMISSIONER TISCH: Sure. And I think
5 in the list of Covid related projects that I sat out
6 for you at the beginning of my testimony, you know,
7 one thing I didn't say but I hope is clear is that
8 DOITT has really become an agency that other agencies
9 go to when they have a really big tech program that
10 they need to roll out and I think that that's really
11 key to efficiency in terms of like managing the
12 city's spend on IT because what we're able to do is
13 reuse things that we've already built from different
14 agencies for different purposes. So having DOITT as
15 this center for excellence that other agencies call
16 on when they have a problem-- there happen to be a
17 lot of big challenges that agencies-- or services
18 that agencies needed to provide quickly over the past
19 year that require tech solutions. Having them call a
20 centralized place allowed us to reuse investments
21 we've already made. We're also able to better
22 leverage our buying power doing that. So, for
23 example, when we rolled out laptops citywide in
24 March, instead of every agency calling the different
25 laptop companies to see if they could secure devices

2 and getting markups, we arranged for a big deal of
3 tens of thousands of laptops at discounted costs
4 based on bulk. One thing that's really important is
5 for the city to be able to leverage its buying power
6 and we have so much scale that we really can. I
7 mean, we're much bigger than any other city in terms
8 of what we buy. We're more like a federal agency and
9 in the past year being able to do that, I believe,
10 has saved the city and the feds who have paid for a
11 bunch of this, a lot of money and it's something we
12 should continue to do going forward.

13 CHAIRPERSON HOLDEN: I just have a few
14 more questions and then I'll turn it over to my
15 colleagues and cochair. Let's talk hiring an
16 attrition management. In fiscal 2021, DOITT will
17 generate budgetary savings of 1.9 million in fiscal
18 2021 through the city's hiring and attrition
19 management program which allows for one replacement
20 for every three employees lost to attrition and it's
21 anticipated to reduce headcount by 83 positions
22 across the department. How would this reduction in
23 headcount impact operations and add to it?

24 COMMISSIONER TISCH: So, this is
25 something that every agency is working through and

2 what I can say is we are making sure that we staff
3 the most critical programs responsibly. So, for
4 example, public safety and 911. I do not anticipate
5 that, as a result of these reductions, that NextGen
6 911 or the 911 system will lose, you know, its
7 staffing. So, two parts, really. Mostly trying to
8 find efficiencies in terms of what people are
9 spending their time on and prioritization.

10 CHAIRPERSON HOLDEN: Okay. Just one
11 more or two more questions and I'll come back to my
12 other questions, but can you just talk about the
13 DOITT enterprise online services capital funding?
14 DOITT's capital budget includes 143 million for the
15 purchase of software licenses as part of the
16 enterprise online services project. What is the
17 enterprises online service project and what will it
18 achieve?

19 COMMISSIONER TISCH: I think that you're
20 talking-- if you're talking about the capital
21 funding put in place for the modernization efforts--

22 CHAIRPERSON HOLDEN: Yes.

23 COMMISSIONER TISCH: So, that really is
24 an investment in the city's IT future and making sure
25 that we are modernizing everything from our network

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2 to our servers to our storage. The other piece to it
3 is our enterprise license agreements where we buy
4 license agreements for things like Microsoft Word,
5 Teams, for all city agencies and we recently
6 negotiated a new enterprise license agreements that,
7 again, allow us to leverage the city's buying power
8 instead of having every agency and every office
9 negotiating their own.

10 CHAIRPERSON HOLDEN: Okay. All right.
11 I'll turn it over to committee counsel if Council
12 members have any questions. My cochair might have
13 some questions. Thank you.

14 COMMITTEE COUNSEL: Yes. Cochair
15 Salamanca, please, has a few questions.

16 CHAIRPERSON SALAMANCA: Irene, thank you so
17 much. Commissioner, it was great seeing you and-- I
18 see my colleague, Chair Holden, he really honed in on
19 311 and had some questions on that, so I won't be
20 repetitive. During this pandemic, we saw, you know--
21 we had remote learning and blended learning. In
22 communities such as mine and low income communities
23 throughout the city saw the digital divide between
24 wealthier communities and communities of color that
25 are predominantly [inaudible 02:43:59]. In my

2 Council district alone, I have over 50 homeless
3 shelters. You know, I'm one of the Council members
4 that's housing the most homeless shelters and, as a
5 result of that, I have certain schools where 60
6 percent-- I have a school where 60 percent of the
7 student population lives in transitional housing and
8 one of the challenges that we saw was that homeless
9 shelters do not have internet access or Wi-Fi in
10 their buildings. And so, the preliminary plan
11 includes a 13.9 million dollars in fiscal 2021 and
12 baseline funding of 2.6 mil beginning in fiscal 2022
13 to upgrade Internet connections at homeless shelters.
14 So, my question to you, Commissioner, is how many
15 shelters will this initiative cover and what is the
16 cost to cover all homeless shelters in the city of
17 New York?

18 COMMISSIONER TISCH: Okay. So, this
19 initiative covers the approximately 240 shelters
20 citywide that serve families with children. As you
21 know, the majority of those shelters are run by the
22 Department of Services, but there are an additional
23 40 that are run by HRA or overseen by HRA. So, it
24 covers all of them. And I want to be really clear
25 about what this is. This puts a dedicated Internet

2 connection in every apartment, and every shelter that
3 serves families with children. So, we are not
4 rolling out a shared Wi-Fi service where kids have to
5 compete for bandwidth with someone else watching a
6 movie. This is a proper Internet connection as I
7 have in my home in each apartment in each of these
8 shelters that serve families with children. There
9 are over 10,000 such apartments and each one is
10 getting its own Internet connection. Now, that
11 project is very large because a lot of these
12 buildings did not have the necessary infrastructure
13 in place to support running the cables and the wires
14 into each apartment. So, it's not like I could just
15 show up and throw a modem in each apartment. Each
16 one was its own and remains its own sort of large
17 construction project. So, we pay a monthly cost for
18 each apartment. For the service in each apartment,
19 but a lot of the year one funding, \$13 million, is
20 for the construction buildout of the infrastructure
21 in those shelters to support dedicated Wi-Fi in each
22 apartment and I'm very pleased to tell you we have
23 made a lot of progress. We have completed Wi-Fi and
24 95 facilities. In each of the apartments and 95
25 facilities. We have another priority or 50 shelters

2 that are going to be coming online Wi-Fi in the
3 coming four or five weeks. So, a lot is underway and
4 this was an initiative that was started in September.
5 So, we have really been very much focused on it. I
6 also want to say, you know, just in response to the
7 question. As you heard me say in my testimony, back
8 in March, as soon as possible he saw that schools
9 were about to go remote, we were on the phone-- I
10 was on the phone with the CEOs of the telecom
11 companies, all the companies that produce tablets and
12 laptops trying to secure devices with an Internet
13 connection for New York City school students who
14 lacked an Internet connection. At the time, we
15 estimated that it was approximately 300,000. I
16 called Verizon, AT&T, T-Mobile, Apple, Google, Dell.
17 Everyone. And if you remember, at the time, the
18 world was shut down, right? Supply chains were shut
19 down. China, world the factories are, was shut down.
20 We got Apple to prioritize New York City's school
21 students and ship us 300,000 iPads to New York City
22 where we received to them all, provisioned them,
23 loaded them up with the apps to support remote
24 learning, and, importantly, included in each one was
25 an unlimited data plan so that even students who

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2 didn't have Internet connections would have a device
3 that they could connect to the Internet to support
4 remote learning. This school year we added
5 additional 200,000 based on requests DOE got from
6 other students.

7 CHAIRPERSON SALAMANCA: Okay. What is the
8 timeline for completion for these 240 family
9 shelters? And I'm curious. These 240 family
10 shelters, do you have a number, like a breakdown of
11 how many are in the Bronx and how many are in every
12 borough?

13 COMMISSIONER TISCH: I do. I have a
14 breakdown of that single shelter. I do not have that
15 with me today, but I can get that to you very easily
16 right after this. What was the first--

17 CHAIRPERSON SALAMANCA: The timeline for--

18 COMMISSIONER TISCH: Oh. The timeline
19 for completion.

20 CHAIRPERSON SALAMANCA: The timeline for
21 completion.

22 COMMISSIONER TISCH: Sure. So,
23 everything is going to be done by this summer. I
24 know that that may sound tone deaf because the school
25 year will be over by the summer. We wanted to start

2 this last March. I was asked to build out Wi-Fi in
3 shelters last March. We couldn't. We asked every
4 company if they could do it, but everyone was shut
5 down. The whole city was shut down. Everything was
6 in lockdown. We couldn't send these companies to do
7 these construction projects in people's apartments
8 which is why it started a few months later when we
9 responsibly could do it. But, again, I was impatient
10 to get Wi-Fi rolled out in the shelters, but I also
11 was somewhat comforted knowing that back in April, we
12 had given every student, starting with the students
13 and homeless shelters, and Internet connected device.
14 And just to address the question head-on that I know
15 I'm going to get, we heard reports starting in
16 September that certain students were having problems
17 with their Internet connection on their iPads. As
18 soon as we heard those reports, we offered every
19 student in all shelters the ability to let us know
20 that they were having a problem with their Internet
21 connection and, within 24 hours, we swapped out any
22 of those iPads from T-Mobile service to Verizon
23 service. Furthermore, in our construction timeline
24 for the Wi-Fi, we prioritized the shelters where we

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2 were getting more reports of the problems with the T-
3 Mobile service.

4 CHAIRPERSON SALAMANCA: Okay. All right.

5 So, the timeline for completion, any--

6 COMMISSIONER TISCH: Oh. By this
7 summer.

8 CHAIRPERSON SALAMANCA: I this summer.

9 Okay. All right. When we were going over the
10 preliminary budget and when we were going over your
11 requests, something that I found extremely
12 interesting and I know that this may predate you, but
13 I just need to ask. The Mayor's Office of Media and
14 entertainment falls under DOITT.

15 Commissioner Tisch: Yes.

16 CHAIRPERSON SALAMANCA: It makes no sense
17 to me why it falls under DOITT and I have-- So, you
18 know, I have two movie studios in my Council district
19 and so, you know, the challenges that I have with
20 them is that they are these big studios. One of them
21 has a huge parking lot, yet, they want to take so
22 that they can have, you know, their productions, but
23 it is my understanding that the Mayor's Office of
24 Media and Entertainment has its own director,
25 correct? Or its own Commissioner. So, can you

2 explain to me why is the Mayor's Office of Media and
3 Entertainment under DOITT? Does it make sense?

4 COMMISSIONER TISCH: So, I can explain
5 to you why it's under DOITT. The Mayor's Office of
6 Media and Entertainment, the Civic Engagement
7 Commission, Cyber Command. There are a bunch of
8 smaller offices that fall under DOITT and the reason
9 why is largely to do, again, with government
10 efficiency. So, as a larger agency, we provide all
11 of the administrative functions for these smaller
12 offices so that you don't need to have in each of the
13 smaller offices, for example, the human resources
14 office or the legal team. So, for those-- I called
15 them child agencies. The non [inaudible 02:54:01]
16 DOITT provides for their budget, their legal
17 services, their HR services, and the like.

18 CHAIRPERSON SALAMANCA: I think that is a
19 waste for your agency to oversee. I think that
20 division should be under the Mayor's office. It
21 shouldn't be under DOITT, but I will move on. I just
22 needed to ask that. Last year's hearing we spoke
23 about City Bridge, the operator for the Link NYC
24 kiosks and on March 3 of 2020, during last year's
25 preliminary budget hearing, you stated, as the new

2 Commissioner of DOITT, I am poised to take any and
3 all necessary actions against the multiple breaches
4 of contract to collect the money that the city is
5 owed. And so, the fiscal year 2022 revenue budget
6 anticipates zero revenue from The link NYC kiosks.
7 So, can you just explain what actions have you taken
8 since March 2020 to recoup that money owed by City
9 Bridge and approximately how much do they of the city
10 now?

11 COMMISSIONER TISCH: So, absolutely.
12 And thank you for that question. As I said in my
13 testimony, we were poised to default City Bridge when
14 I testified in front of the Council last year and a
15 few days later, as we were getting ready to do it,
16 the pandemic hit and we decided that, given
17 everything that was going on in the city, the fact
18 that we were using the Link Kiosks for public service
19 messaging, that it was bad timing to default City
20 Bridge and that we would wait to do it until things
21 calm down. Now, in the interim, we have been working
22 very closely with City Bridge on options for
23 repayment and if those options don't come through
24 soon, the same thing I said at last year's hearing,

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2 default absolutely remains on the table as something
3 that we will pursue because we will be paid back.

4 CHAIRPERSON SALAMANCA: So, how much does
5 City Bridge currently to the city of New York as of
6 today?

7 COMMISSIONER TISCH: I think it is
8 something like \$90 million. I can get you the exact
9 number.

10 CHAIRPERSON SALAMANCA: Wow. Okay. All
11 right. That is a lot of money. Okay. All right.
12 And then, finally, my last question. I was really
13 excited when I last spoke with you. We worked
14 together on the cable franchise agreements.
15 Basically, you know, these three companies have a
16 monopoly over cable throughout the city of New York
17 and, basically, we took actions that came out of the
18 Land Use Committee and, I believe, but the Council
19 passed to give your agency the approval to open up
20 these franchise agreements to other companies. So,
21 can you just explain the status? Where are we with
22 that? How many have applied? When is the city of
23 New York going to have options other than those three
24 providers that are providing cable services?

25

2 COMMISSIONER TISCH: Thank you for that
3 question. So, the solicitation to invite new
4 franchisees to come in and get broadband or
5 information service franchise agreements pursuant to
6 the authorization-- authorizing resolution that you
7 passed should be going out a minute later. We have
8 city planning approval on it now and the law
9 department approval, so it will be out this month.

10 CHAIRPERSON SALAMANCA: And so when do you
11 anticipate that your agency, the city of New York,
12 will approve these providers and New Yorkers would
13 have other options? That timeline do you think?

14 COMMISSIONER TISCH: so, we have to go
15 through the whole process, right, where the
16 franchisees submit their bids. So, this is not
17 something-- I don't want to leave you with the
18 expectation that this is something that New Yorkers
19 are going to see next month a dozen new Internet
20 service providers, but it is definitely something
21 that will fully take shape over the next year.

22 CHAIRPERSON SALAMANCA: All right.
23 Commissioner, thank you very much. Chair Holden,
24 thank you very much for the opportunity to speak.

2 CHAIRPERSON HOLDEN: Thank you, Chair
3 Salamanca. Committee counsel, do we have any other
4 Council members?

5 COMMITTEE COUNSEL: Thank you, Chair
6 Salamanca and Chair Holden. I will now turn to
7 cochair Moya-- I apologize-- for questions.

8 CHAIRPERSON MOYA: Okay. Thank you so
9 much. Thank you, Chair Salamanca. Thank you, Chair
10 Holden. Commissioner, good to see you. I just have
11 two very quick questions here. One, what is DOITT
12 doing to ensure that there is no lost revenue to the
13 city and the CAO's as the cable companies switch over
14 to broadband?

15 COMMISSIONER TISCH: So, the cable
16 franchises that like Verizon, Charter, and LTease
17 [sp?] hold with New York City allow them to provide
18 both cable and, because broadband is brought over the
19 same wire, also broadband to New Yorkers. Revenue to
20 for the cable franchise agreements has gone down over
21 the past few years and will continue to go down over
22 the next several as cord cutting continues, but the
23 introduction of broadband doesn't impact our ability
24 to collect revenue as part of the cable franchise
25 agreements.

2 CHAIRPERSON MOYA: So, when they switch
3 over to broadband, the same cable companies? We are
4 not going to see any revenue from that switchover?

5 COMMISSIONER TISCH: No. They pay us
6 for the wire.

7 CHAIRPERSON MOYA: And I think you
8 mentioned this earlier in your testimony. I'm not
9 sure. I might've missed it, but can the city charge
10 a reasonable fee to the cable companies for use and
11 occupation of the public rights of way in connection
12 with their broadband services--

13 COMMISSIONER TISCH: Yeah.

14 CHAIRPERSON MOYA: so that the city is
15 fairly compensated for such use and is such use
16 currently free?

17 COMMISSIONER TISCH: No. The
18 franchisees pay us franchise fees associated with
19 their use of the city's rights of way. So,
20 generally, like you heard me speaking about this in
21 my testimony. Generally, the model we use to charge
22 a franchisees is based on how many linear feet of
23 cable they have run through the city streets. What
24 we are thinking about-- So, that exists today. That
25 is part of the franchise model. That is how we

2 collect the franchise revenues. What we are
3 considering to encourage more companies to come into
4 the broadband market in New York City is for this new
5 type of franchise agreement that you have authorized
6 us to enter into four broadband, the information
7 services franchise agreements. Changing that
8 franchise speed model to look at things like coldly
9 charging these companies for the number of linear
10 feet that they run through like Manhattan south of
11 96th Street and not charging them for linear feet
12 that they were on, you know, in some of the hardest
13 hit communities where the digital divide is most
14 problematic. So, we are looking at that model now
15 for the information services franchise agreement, but
16 that won't change for the cable companies.

17 CHAIRPERSON MOYA: Got it. Okay. Thank
18 you, Commissioner. Thank you, Chairs, for the
19 opportunity to ask a few questions. Thank you.

20 COMMITTEE COUNSEL: Thank you, Cochair
21 Moya, and I now turned back to Chair Holden for
22 additional questions.

23 CHAIRPERSON HOLDEN: Thank you, Chair
24 Moya, and I just have a few more questions,
25 Commissioner. Last year, New York City residents and

2 visitors finally got text option to the 911 which is
3 essential to our hard of hearing community and
4 victims of domestic violence and I want to
5 congratulate you on this achievement. As you
6 mentioned had our last budget hearing, the purpose of
7 NexGen 911 is to allow voice, photos, and text
8 messages to flow from the public to 911 digital
9 infrastructure. Does the system or will the system
10 have the capabilities of receiving and responding to
11 images or photos sent via text messages?

12 COMMISSIONER TISCH: Yes.

13 CHAIRPERSON HOLDEN: All right. And
14 does it work on every cell phone provider? Like
15 Verizon, T-Mobile, AT&T?

16 COMMISSIONER TISCH: It will. So, right
17 now I think what you're referring to is right now and
18 our intro text to 911 solution, the only carrier that
19 supports picture messages is, weirdly, Sprint and the
20 other major carriers to support picture messaging to
21 non-NexGen 911 systems. So, when we get to NexGen
22 911, all the carriers will support picture messaging
23 to 911 and what we are doing now is we are working
24 with some of our advocate partners and the telecom

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2 industry you to see if we can't get them to support
3 picture messaging no before we get to the NexGen 911.

4 CHAIRPERSON HOLDEN: So, the city is
5 expected to complete the transition to NexGen 911
6 system by 2024. I am I correct?

7 COMMISSIONER TISCH: Yes.

8 CHAIRPERSON HOLDEN: Okay. According to
9 the NexGen report that the administration released a
10 few months ago, the program is now in the design
11 phase.

12 COMMISSIONER TISCH: Yep.

13 CHAIRPERSON HOLDEN: Can you give us
14 like a status update on this project and do you
15 anticipate that this project will be on time?

16 COMMISSIONER TISCH: I do anticipate
17 that this project will be on time and the status
18 update is this year we registered three contracts.
19 So, basically, all of the contracts that support the
20 NexGen 911 system that are broken out into three
21 classes. So, class one is the IP network and the
22 core services. Class two is the logging and recording
23 system, and class III are the GIS, the geospatial
24 systems. So, all of those contracts are registered.
25 All of those vendors are on board. The city, through

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2 NYPD, DOITT, FDNY, cyber command are all working with
3 the vendors to come up with a detailed technical
4 design by the end of May. I think it is May 28. And
5 then, after the design phase, we move into the
6 implementation phase. But, for me, what is going on
7 right now, the design phase, is the most important
8 part of getting this right because if you don't
9 design it well, that whatever you build doesn't work.

10 CHAIRPERSON HOLDEN: So, the budget is
11 sufficient for the project to be completed, right,
12 you said?

13 COMMISSIONER TISCH: The budget is a
14 quarter of \$1 billion. Yes.

15 CHAIRPERSON HOLDEN: It's sufficient.
16 Yeah. Have the pandemic impacted the progress of the
17 project at all?

18 COMMISSIONER TISCH: No.

19 CHAIRPERSON HOLDEN: That's nice to
20 hear.

21 COMMISSIONER TISCH: And the reason it
22 hasn't is because we have, as I told you, a dedicated
23 public safety team that is run by a new position that
24 I created which is Deputy Commissioner of Public
25 Safety. And so that Deputy Commissioner of Public

2 Safety has-- you know, we shielded that team, and
3 not from all of the Covid efforts, but from many of
4 them so that we could keep the NexGen 911 system on
5 pace.

6 CHAIRPERSON HOLDEN: Okay. I just want
7 to say that we have been joined by Council member
8 Rosenthal. And I just have a couple questions and
9 then I will turn it over to my colleague, Council
10 member Barron. NYCWIN, decommissioned and
11 transitioned. DOITT's budget includes over 30
12 million in fiscal 2021 and 40 million in 2022 for
13 NYCWIN which was decommissioned last year. These
14 amounts roughly match the annual cost of maintenance
15 for the system when NYCWIN was fully operational.
16 Now, I understand that there is a cost related to the
17 breakdown of the system and, you know, transition
18 costs associated with moving agencies off the system,
19 however, do you anticipate that the costs related to
20 the NYCWIN decommissioned and transition will total
21 over 70 million for this year and next door can we
22 expect a reduction in this budget?

23 COMMISSIONER TISCH: So, last June we
24 met our commitment to the Council to shut power down
25 the NYCWIN network which took away like a nice chunk

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2 of costs off of our book and those were the costs
3 associated with licensing the bandwidth that the
4 NYCWIN network used. Right now, the other chunk of
5 costs is associated with the leases for the equipment
6 that is on building citywide that supported the
7 NYCWIN network. So, according to those leases, we
8 need to either remove the equipment or buyout the
9 lease-- or buyout are leases and that is what is
10 going on right now. We are moving equipment and
11 buying out the leases where we can to get all of
12 those costs off of our books.

13 CHAIRPERSON HOLDEN: Because last year
14 you testified that DOT, sanitation, DEP should be
15 fully migrated by the committee deadline of June
16 2020.

17 COMMISSIONER TISCH: Yeah. All of the
18 agencies. There were like 10 agencies. They were
19 all fully migrated by June 2020 and so, you know, on
20 commercial carriers on other networks, that NYCWIN
21 network was powered down and now we are doing
22 construction projects throughout the city to remove
23 the NYCWIN equipment from rooftop so that we get out
24 of the leases as quickly as possible.

25

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TECHNOLOGY 136

2 CHAIRPERSON HOLDEN: But DOT is not--
3 did they transition? I'm sorry?

4 COMMISSIONER TISCH: Yeah. Everyone is
5 off of NYCWIN.

6 CHAIRPERSON HOLDEN: Everybody.
7 Everybody. Okay.

8 COMMISSIONER TISCH: NYCWIN is no
9 longer.

10 CHAIRPERSON HOLDEN: All right. That's
11 good to hear. All right. Thank you, Commissioner.
12 Back to committee counsel.

13 COMMITTEE COUNSEL: All right. Thank
14 you, Chair Holden and I see that Council member
15 Barron has a question.

16 COUNCIL MEMBER BARRON: Thank you. I've
17 learned more about technology--

18 SERGEANT-AT-ARMS: Starting time.

19 COUNCIL MEMBER BARRON: in a year than what
20 I've known through my lifetime and still have so much
21 more to understand and I think that Chair Holden just
22 asked a question. I was in and out with some other
23 business. Were you talking about those structures
24 that were on rooftops? Is that what you were talking

25

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TECHNOLOGY 137

2 about? Are those a part of the system and how do
3 they function?

4 COMMISSIONER TISCH: Chair Holden asked
5 me a question about the NYCWIN network which was a
6 dedicated network for New York City agencies that we
7 decommissioned in June. So, none of the agencies use
8 it anymore. We have transitioned them all off of it.
9 It was really legacy technology and so now we are
10 removing those structures on the buildings so that we
11 can get out of the lease payments associated with
12 them.

13 COUNCIL MEMBER BARRON: And does that mean
14 all of the structures? Were you responsible for all
15 of those structures or other some that are privately
16 managed?

17 COMMISSIONER TISCH: No. The city puts
18 up-- The city is responsible for all of the
19 equipment that supported the NYCWIN network. Now,
20 there is lots of other equipment on buildings
21 citywide that has nothing to do with NYCWIN that we
22 are not responsible for, but the NYCWIN equipment I
23 am responsible for.

24 COUNCIL MEMBER BARRON: Okay.

25

2 COMMISSIONER TISCH: And I hope for it
3 to be gone soon.

4 COUNCIL MEMBER BARRON: Thank you. Are
5 there any health implications of any kind of
6 emissions from that type of equipment that should
7 concern our residents? Have there been studies done
8 to get an assessment of that?

9 COMMISSIONER TISCH: Thank you for that
10 question. I think that what you are likely referring
11 to is 5G and 5G is really-- it's the network of the
12 future which we are building out and in many
13 instances, you know, as we are moving agencies off of
14 the NYCWIN network, they're going onto 4G and soon to
15 be 5G solutions as role 5G out citywide. In terms of
16 the health concerns that you hear people discussing
17 related to 5G, 5G and their emissions are regulated
18 by the feds and we do not have the ability or the
19 authority. We are preempted by the feds in terms of
20 regulating 5G technology and emissions. What we do
21 do is we check to make sure that all installations of
22 5G infrastructure in New York City, that they comply
23 with the radio frequency emissions standards set by
24 the FCC. So we are not allowed to slow down, stop,
25 prevent the rollout of 5G based on health and safety

2 concerns, but we are allowed to check and make sure
3 that the installations are in line with federal
4 standards.

5 COUNCIL MEMBER BARRON: Okay. Thank you.

6 I was pleased to hear of the attention that you're
7 giving to family shelter-- shelters that have
8 families in them. That's very important.

9 Disappointed that it's taking so long, but

10 understanding now that you have to actually go in and

11 build out the infrastructure. So that is somewhat of

12 an understanding, but still very concerning that it

13 will, in fact, be more than a year that some students

14 would not have been able to have relied on a steady

15 Action. But my other question is what are you

16 doing-- it may have been asked. I don't know. What

17 are you doing in NYCHA developments to expand what

18 the services that they have to connect to the

19 Internet?

20 COMMISSIONER TISCH: So, a few things.

21 If we want to start, first, with the iPads that came

22 with their own, you know, cellular data plan, the

23 first iPads that we had ready back in early April,

24 they went to students in NYCHA housing and they went

25 to students in shelters. So, they were the first to

2 get the iPads back in April as they came available
3 and, as I said, those all came with their own
4 Internet connection which also doubles as a hotspot
5 which was something that we realized we could do
6 later, which was great. But in terms of similar
7 efforts to build out broadband in NYCHA, I want to
8 connect you to my colleague, Jon Paul Farmer who runs
9 the Mayor's Office of Chief Technology Office who is
10 leading the city's efforts to expand broadband in
11 NYCHA in much the same way I am leaving those efforts
12 in Wi-Fi the homeless shelters.

13 COUNCIL MEMBER BARRON: Okay.

14 COMMISSIONER TISCH: It's a slightly
15 different approach because the scale is larger, but
16 he can give you a full briefing on it.

17 COUNCIL MEMBER BARRON: Okay. Thank you.
18 Thank you, Mr. Chair. I appreciate the opportunity.
19 Oh. One other question. What is the connection-- I
20 heard you talking about intracity transfers. How is
21 cutie involved in helping to supply a workforce or
22 connections with that? Is there a relationship that
23 you have with CUNY that will be able to look for,
24 perhaps, jobs being offered to students as they
25 complete their training?

2 COMMISSIONER TISCH: So, at--

3 COUNCIL MEMBER BARRON: And is your
4 headcount-- what are the titles within your
5 headcount as opposed to what gets contracted out?

6 COMMISSIONER TISCH: Okay. Two
7 different questions related. I'm going to start with
8 CUNY. Some of the most talented, energetic, go-
9 getter employees we have at DOITT came from CUNY and
10 were-- I'm going to get the word wrong, but CUNY
11 fellows assigned to [inaudible 03:17:11] and they are
12 fabulous and I-- every time we have an opportunity
13 to work with CUNY to bring in CUNY staff, it's
14 wonderful for the agency and I hope a very good
15 learning opportunity for those students. That some
16 real-world tech experience. Now, in terms of your
17 question about what is done in-house versus what is
18 contracted out--

19 COUNCIL MEMBER BARRON: Yes.

20 COMMISSIONER TISCH: I appreciate this
21 question because sometimes people say dollar figures
22 and they say, well, why don't you do this yourself?
23 When we have big programs like, for example, next-
24 generation 911 that is going to be, you know, a few
25 years-- NexGen 911 is a longer one, but sometimes

2 you have these tech projects and it's going to take
3 like six months to develop it and then once it is
4 developed, you know, it's done. You know, you move
5 on to the next thing in the system is up and you
6 operate it. It doesn't make sense and all of those
7 cases for the city to expand its headcount to deal
8 with those programs because the build phase of those
9 programs doesn't last forever. He usually lasts a
10 few months. In the case of something like NexGen
11 911, but truly could go either way. You know, it
12 lasts a few years. So, we contract out work that is
13 not-- two cases. One, work that is not going to be
14 permanent where it doesn't make sense to bring people
15 on like full-time forever into city jobs to do
16 because the work will be done in a matter of months
17 or a year and then we also contract out another type
18 of work where we need like very specific types of
19 expertise that we don't have in-house. Those are the
20 two real circumstances under which city IT work is
21 contracted out.

22 COUNCIL MEMBER BARRON: Thank you. Thank
23 you so much. You've been very pointed in answering
24 my questions and I appreciate that. And to the

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2 chairs, thank you for the extended time to ask my
3 questions.

4 COMMITTEE COUNSEL: Thank you so much,
5 Council member Barron, for your questions and at this
6 point I do not see any additional questions from
7 Council members and I want to turn it back to Chair
8 Holden.

9 CHAIRPERSON HOLDEN: Thank you so much.
10 And thank you, Commissioner. I just want to just say
11 how great the testimony was today and the questions
12 that I appreciate all of the hard work you put in to
13 DOITT and thank you for a very informative. And
14 there's no more questions. I thought Councilman
15 Rosenthal had a question before, but I guess she
16 lowered the hand. Thank you so much, Commissioner
17 and your staff, for coming to the hearing today in
18 providing excellent testimony. Thank you.

19 COMMISSIONER TISCH: Thank you very
20 much, Chair Holden.

21 CHAIRPERSON HOLDEN: Okay.

22 COMMITTEE COUNSEL: Okay. We will now
23 turn to public testimony. Once your name is called
24 to testify, our staff will unmute you and the
25 sergeant-at-arms will set the timer to announce that

2 you may begin. We ask each panelist to limit his or
3 her testimony to three minutes. Council members will
4 have an opportunity to ask questions after each
5 testimony. I would like now to welcome Mr. Noel
6 Hidalgo from Beta NYC to testify.

7 SERGEANT-AT-ARMS: Starting time.

8 NOEL HIDALGO: Hello. My name is Noel
9 Hidalgo. We are a civic organization dedicated to
10 improving all lives in New York through civic design,
11 technology, and data. Several years ago, we wrote
12 this document called The Peoples' Roadmap for New
13 York City and it's oriented around four digital
14 freedoms: the freedom to connect, the freedom to
15 learn, the freedom to innovate, and the freedom to
16 collaborate. My testimony will follow along these
17 lines. In regards to the freedom to connect, the
18 past year has been a testament to high-speed
19 bidirectional Internet. Our city must require a
20 robust digital backbone or our city requires a robust
21 digital backbone that is ready for the 21st-century.
22 BetaNYC agrees that we must invest in this
23 opportunity per the internet master plan and we
24 should build out a public network for the 21st
25 century and beyond. as part of the city's technology

2 budget, we hope that the Council will investigate and
3 put in items so that way the city can find a public
4 option for an Internet master plan. In regards to
5 learn, we are currently hosting NYC's open data week
6 with the Mayor's Office of The data Analytics. On
7 Monday, we launched a new Intro to Open Data course
8 and, as of today, we have trained over 200 people in
9 the last 72 hours in regards to open data. On
10 Thursday, we will be launching our very first Intro
11 to Open Data in Spanish which is, of course,
12 exclusively delivered in Spanish. In the last three
13 years, we have received Council funding that has
14 supported our digital inclusion and literacy
15 programing and in the last three years, we've engaged
16 over 2000 New Yorkers and 1400 of them have attended
17 open data classes. We ask that the City Council
18 continue to fund its digital literacy and inclusion
19 initiative grants so that way we can continue to
20 provide for the needs of your colleagues and
21 constituents. Second, we ask that Council develop a
22 funding framework to help nonprofit organizations
23 like Beta NYC provide literacy and career development
24 for all New Yorkers. Lastly, we also ask the CUNY
25 service corps, which was one of our dear partners in

2 our civic innovation fellows program, is funded to
3 ensure career opportunities exist for the next
4 generation of public interest technology,
5 technologists, designers, and analysts. We also just
6 want to very briefly end on innovation and
7 collaboration. Sadly, community boards are still
8 demonstrating that they have significant challenges
9 getting across the digital divide. Not only do they
10 need to continue technology literacy training, they
11 need more than one DOITT tech support person to
12 address their hardware, software, and training needs.
13 Lastly, we would also like this particular Council to
14 start exploring what needs to be done to reorganize
15 the city's technology leadership. We are--

16 SERGEANT-AT-ARMS: Time expired.

17 NOEL HIDALGO: thank you. Just 30 more
18 seconds, please. This reorganization must start with
19 reorganizing DOITT and the CTO. A complete inventory
20 of the city's computing systems. We really need the
21 cities IT infrastructure to work for the 21st-century
22 and we need this particular Council to start doing
23 so. I will submit the rest of my testimony in
24 written format. Thank you very much.

2 COMMITTEE COUNSEL: Thank you very
3 much, Mr. Hidalgo, and I will turn to Chair Holden if
4 he has any questions or remarks.

5 CHAIRPERSON HOLDEN: Noel, it was nice
6 to see you again and thank you for all that you do in
7 the tech world. I just want to reinforce one thing
8 you mentioned. You mentioned a number of things that
9 are very, very important, but with the tech help for
10 community boards which we see time and time again--
11 I cover for community boards and they all say the
12 same thing. They need tech help and they don't get
13 it. But your organization is certainly helping along
14 with CUNY, but it should be established as a regular
15 budgetary item, like you mentioned, where the
16 community boards to have tech support. Automatic
17 tech support and not just rely on obviously a few
18 CUNY students for your organization. It should be
19 built into the budget because just this year Queens
20 County went to an online application system for
21 community board members and some people got dropped
22 by the wayside who couldn't apply online, didn't know
23 how to do it, couldn't maneuver and, as a result, may
24 not get reappointed because, obviously, the
25 application did not go in. But there is so much more

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2 to providing tech support with community boards and
3 communicating with the public and helping just in
4 general support that you had mentioned. So, I agree
5 with you we are working the city Council to try to
6 make this happen, but, again, I congratulate you for
7 all your work, obviously, in spreading the wealth on
8 tech support in New York City. Thanks, Noel.

9 COMMITTEE COUNSEL: Thank you, again.

10 CHAIRPERSON HOLDEN: No. you can
11 unmute.

12 COMMITTEE COUNSEL: Thank you, again.

13 CHAIRPERSON HOLDEN: No. Noel has a
14 response. Can we get--

15 NOEL HIDALGO: Yeah. Chair Holden,
16 thank you very much. I do want to commend a DOITT
17 staff member, Joe Caputo or I am sorry if I
18 mispronounced his last name. He is fondly known as
19 St. Joe across a number of community board district
20 offices and staff. He has a Herculean effort as the
21 primary tech support person for all community boards.
22 All 59 community boards. Joe has done-- I really
23 want to speak highly of Joe for the work that he
24 helps coordinate, but he is the only one for 59
25 agencies and as we are looking at, you know, building

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2 a technology budget for the 21st-century in light of
3 the pandemic when community boards are completely
4 remote and agencies are asking that to do more with
5 digital services, as we just heard through DCP, there
6 needs to be more resources put aside and invested for
7 community boards. The land use conversation was very
8 instrumental in talking about how much training there
9 is for community boards in regards to the ULURP
10 process. I mean, that are needed not only for the
11 district staff and district managers, but also for
12 the committee members themselves. And so, there
13 needs to be a more robust support for technology
14 services at the community board level. We wrote a
15 whole report about it two years ago and this pandemic
16 has continued to highlight the iniquities inside of
17 community boards and we just want to make sure in
18 this particular conversation today. Thank you.

19 CHAIRPERSON HOLDEN: Thank you.

20 COMMITTEE COUNSEL: Thank you, again.

21 I will next be calling on Mr. Kevin Jones to testify.
22 Mr. Jones, before you begin, please state your name
23 and affiliation for the record.

24 SERGEANT-AT-ARMS: Starting time.

25

2 KEVIN JONES: Good afternoon, Chairman

3 Holden and city Council members. My name is Kevin
4 Jones. I am the associate state director of advocacy
5 for AARP New York. We represent 750,000 members of
6 the 50+ community in New York City. So, I just want
7 to thank you all for giving me the chance to testify
8 today. As some of you may know, New York City's
9 population of older adults is one of the fastest
10 growing demographic in all five boroughs and will
11 continue to make up a greater portion of the city's
12 population in the coming years which will require
13 greater attention from the city in addressing the
14 needs of this population. Prior to the pandemic, at
15 home broadband access had already been a growing
16 issue for older New Yorkers as a significant portion
17 of the city's aging population lacked access to high-
18 speed Internet in their households. In the 2015
19 report conducted by the Office of the New York City
20 Comptroller, they found 42 percent of New Yorkers
21 aged 65+ lacked access to the Internet at home. In
22 addition, they found that 44 percent of low income
23 New Yorkers also lacked Internet access in their
24 homes, particularly black and Hispanic households
25 which disproportionately lack access to broadband

2 when compared to white households in New York City.

3 The Covid 19 pandemic has further highlighted the
4 stark disparities in Internet access and created new
5 challenges for the livelihoods of New York City's
6 aging residents. As so much of our work services and
7 programming has transitioned to the Internet and
8 online platforms, older adults who lack access to the
9 Internet in their home have faced serious gaps in
10 accessing vital services and critical information
11 during the pandemic. Without reliable Internet,
12 older adults are struggling to access home delivered
13 meals, routine healthcare, telemedicine, and other
14 services such as refilling their medication and
15 grocery deliveries. Older adults are also struggling
16 to sign up for their vaccine appointments without
17 Internet access at home and have a more difficult
18 time accessing critical information about the
19 progress of the Covid 19 pandemic and related
20 protocols to protect themselves from contracting the
21 virus. Without sufficient access to the Internet,
22 older adults are also missing out on opportunities to
23 participate in online programs to connect with family
24 and friends remotely throughout the pandemic. These
25 issues have caused significant increase in incidence

2 of social isolation among older adults which have a
3 real and tangible impact on the physical and mental
4 health of individuals. In addition to many of these
5 issues related to broadband access, they been
6 compounded by the fact that a large portion of the
7 cities older adults do not have sufficient
8 technological literacy or training to remain
9 connected to vital city services or their friends or
10 loved ones. As the city Council and the mayor begin
11 to formulate their FY 22 budget, AARP New York calls
12 on the city to make critical investments into
13 broadband infrastructure and related technological
14 services in order to bridge the digital divide and
15 keep the city's 50+ connected to the Internet and the
16 surrounding world. AARP commends the mayor's recent
17 actions to begin delivering on his Internet master
18 plan to deliver affordable and universal high-speed
19 Internet to New Yorkers across all five boroughs. We
20 believe this plan will aid in closing the digital
21 divide and connecting underserved areas with
22 affordable access to the Internet which is especially
23 critical amid the current pandemic. AARP calls on
24 the Mayor and the city Council to fully fund this
25 initiative and all--

2 SERGEANT-AT-ARMS: Time expired.

3 KEVIN JONES: broadband infrastructure in
4 the Internet master plan. We also call on the city
5 to expand discretionary funds and other pools of
6 funding for nonprofits such as older adults,
7 technology services in order to reach more clients
8 and improve technological literacy of older adults
9 across the boroughs. Thank you for this opportunity
10 to testify today and I am happy to take questions if
11 anyone has them.

12 COMMITTEE COUNSEL: Chair Holden,
13 Angelina Martin as Rubio taking over as committee
14 counsel. I don't see any questions from your
15 colleagues. Unless you have any questions for this
16 witness?

17 CHAIRPERSON HOLDEN: Well, I just want
18 to echo what Mr. Jones said about obviously during
19 the pandemic the problem was exposed. Obviously, the
20 older adults not being-- you know, not having
21 broadband, not knowing how to use technology, and it
22 cost lives. There is no doubt about that and this
23 kind have-- what Mr. Jones said is we do have to
24 invest in our seniors and certainly in technology and
25 we are doing that, you know, on the Council level,

2 but the city has to really get serious about, you
3 know, really investing in the education of our older
4 adults with technology, otherwise, they are left
5 behind, like he mentioned. And this time it cost
6 lives. It wasn't just an inconvenience. It did cost
7 lives, especially, and we saw that exposed, obviously
8 in the rollout of the vaccine. Our older population
9 could not get appointments at all and that was the
10 biggest complaint we had in the Council office, at
11 least my counsel office, was when the rollout came
12 out in December. But I want to thank you, Mr. Jones,
13 for that and certainly bringing that up. And I think
14 it is one of the most important topics that we
15 discussed today. Thank you.

16 KEVIN JONES: Thank you.

17 COMMITTEE COUNSEL: Chair Holden, our
18 next speaker is Jim Hamlin.

19 SERGEANT-AT-ARMS: Starting time.

20 JIM HAMLIN MCLEOD: Hello. Good
21 morning. Correction. Good afternoon, Chair Holden
22 and city Council members. My name is Jim Hamlin
23 McLeod. I am a representative of Local 1549 and it
24 is 14,000 members under the leadership of local
25 president Eddie Rodriguez and we covered the CCR's

2 which is the call center representatives under DOITT.

3 311 and DOITT plays a critical role in the life of

4 the city by providing information needed to the

5 public. The usage of the system increased during the

6 Covid pandemic remains high. Usage has increased

7 over the past four years overall. The current

8 staffing levels have remained the same the last two

9 years at the call center, however, the number of

10 calls has jumped 15 percent since 2016, 10 percent in

11 2020 from 2019 alone. Texting increased by 68

12 percent from 2019 to 2020, yet staffing remains the

13 same. As you heard Commissioner Tisch mention

14 earlier that they took over 24 million calls, which

15 is about 5 million additional calls than their

16 average year. So, therefore, staffing is an

17 important issue there, as well. There are desks

18 empty right now in the main center in Manhattan due

19 to spacing for Covid, but, however, the satellite

20 position was made in Brooklyn to house more personnel

21 there in their cubicles. The staff is burnt out due

22 to the volume of calls. They have worked tirelessly

23 throughout this crisis. We are requesting an

24 increase of staffing of 25 or more CCR's. This is an

25 appropriate proportion from the increase of the

2 amount of people that's needed. Also, we would like
3 to talk about the need for interpreters. The city
4 has civil service interpreters titled that they don't
5 use. Instead, they use a private low wage phone line
6 for interpretation servicing. Private contracts
7 interpreter phone line services at times leads to
8 delays and ending calls and confusion and proper
9 information disseminated to the public. It would be
10 better to have interpreters in place at the center--
11 at this center that would be city employee trained
12 and city government and servicing information
13 disseminating verbiage and terminology. The number
14 of Spanish speaking calls rose by 25 percent and 36
15 for calls in English or Spanish speaking people. We
16 would expect these numbers to either stay the same or
17 increase. But the time used for these calls are
18 greater than English calls also. We would like the
19 city council to support the increase for CCR titles
20 and staffing for 311. I thank you for you time. Any
21 questions, you let me know.

22 CHAIRPERSON HOLDEN: Yeah. So I just
23 have a question. In the height of the pandemic, were
24 the CCR's working double shifts and, you know, a lot
25 of overtime? Was that the norm?

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2 JIM HAMBLIN-MCLEOD: Yeah. So, the
3 CCR's work overtime on a volunteer basis, but there
4 was some overtime. Yes. We had a lot of members who
5 worked overtime to help out with the call volume, but
6 also, like Commissioner Tisch said, they had to use
7 outside resources such as the cadettes, as well as
8 another agency that she mentioned, to help out with
9 the call volume. So, therefore, the CCR's are
10 definitely needed and we ask you for your support and
11 to increase those numbers. Members also had their
12 own issues with their families as having-- being a
13 victim of Covid and also lost loved ones and stuff
14 like that and still was able to do the job and still
15 come to work and provide the services the city
16 needed.

17 CHAIRPERSON HOLDEN: Yes. Thank you.
18 Thank you for that.

19 COMMITTEE COUNSEL: I don't see any
20 other Council members with questions for Mr. Hamblin.
21 Chair, we can move on to the next witness and the
22 next witness will be Paula Segal.

23 SERGEANT-AT-ARMS: Starting time.

24 PAULA SEGAL: My apologies. That came up
25 real quick. We just changed topics. So, good

2 afternoon. I am changing topics. I'm actually here
3 to return to the conversation about the city's
4 commitment to land use and to testify in support of
5 the community land trust initiative. I'm here today
6 speaking as the senior attorney in the equitable
7 neighborhood practice of Take Root Justice. Thank
8 you so much for holding this hearing and I also just
9 feel like I learned a lot about technology. As you
10 know, Take Root works with grassroots neighborhood
11 organizations and community coalitions to help make
12 sure people of color, immigrants, and other low
13 income residents [inaudible 03:39:04] of our city are
14 not pushed out in the name of progress. Take Root
15 and 17 partner organizations are part of a citywide
16 community land trust initiative that seeks 1.5
17 million in City Council discretionary funding in 2022
18 to develop community land trusts and permanently
19 affordable housing, commercial, and community spaces
20 in all five boroughs of the city. In the context of
21 the Covid 19 pandemic, community land trusts have
22 played an especially critical role to stabilize
23 housing, combat speculation, and ensure a just
24 recovery in black, brown, and immigrant
25 neighborhoods. We ask that this committee, the land

2 use committee, recommend renewed funding for the
3 citywide community land trust initiative in the
4 fiscal 22 budget. I emailed supporting materials to
5 committee counsel this morning, but I'll just review
6 as much as I can in the time that I have. Launched
7 in 2020, the citywide CLT initiative has provided
8 crucial support to groups organizing CLTs in the
9 south and northwest Bronx, East Harlem, Jackson
10 Heights, Brownsville, East New York, and beyond. The
11 community land trusts our community control
12 nonprofits that own land and ensure that it is used
13 to provide permanently affordable housing and other
14 needs. Take Root, specifically, serves as a legal
15 services provider to community land trusts and groups
16 incubating community land trusts advising on
17 corporate form, developing regulatory and governance
18 documents supporting negotiations with tenants and
19 potential sellers of property and assisting CLTs in
20 complex closings with multiple parties, including the
21 city's Department of Housing Preservation and
22 Development. We have made major strides in the last
23 two years and Take Root, in particular, is very proud
24 to be counsel to the East Harlem El Barrio community
25 land trust and its closing on four buildings at the

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2 end of last calendar year since those buildings were
3 acquired from the city and we continue to represent
4 East Harlem El Barrio on necessary transactions as
5 renovations begin. We also represent the Bronx
6 community land trust and are pleased to aid in its
7 formation in the last year. In addition to providing
8 transactional counsel, Take Root supports grassroots
9 groups in the initiative and their policy campaigns,
10 as some members of the committee no, and councils
11 groups evaluating community land trusts as a strategy
12 on the process in consideration. And we would
13 welcome any referrals from Council members who
14 particularly have folks in their districts who are
15 thinking about whether CLTs are right for them.

16 SERGEANT-AT-ARMS: Time expired.

17 COMMITTEE COUNSEL: Thank you, Ms.
18 Segal. Chair Holden, I don't see any hands raised
19 for this witness. Unless you have questions, I can
20 call on the next witness.

21 CHAIRPERSON HOLDEN: You can call on the
22 next witness.

23 COMMITTEE COUNSEL: Okay. So just so
24 that we are ready, the next witnesses I'm going to
25

2 call on Deyanira del Rio and followed by John
3 Krinsky. So, Ms. Deyanira del Rio, you're next.

4 SERGEANT-AT-ARMS: Starting time.

5 DEYANIRA DEL RIO: Good afternoon,
6 everyone. Thanks so much for the opportunity to
7 testify today. My name is Deyanira del Rio. I'm the
8 codirector of New Economy Project. We are a citywide
9 organization that works with community groups around
10 New York, primarily in immigrant and neighborhoods
11 of-- and low income neighborhoods of color to
12 promote economic just as and to build community
13 controlled institutions like land trusts to support
14 accountable neighborhood led development. So,
15 echoing my colleague and previous testifier, we are
16 wanting to focus today on requesting support for the
17 citywide community land trust initiative for which we
18 are seeking this year 1.5 million to expand the
19 initiative to engage 14 community land trusts and
20 groups working to create them. So that's two more
21 land trusts just over the past year that have become
22 established and, you know, needs capacity building
23 support to carry on their work. We also were
24 planning to expand and bring on a new citywide
25 technical assistance provider to support this growing

2 landscape of CLTs that are now in all five boroughs
3 working in black, brown, and immigrant neighborhoods
4 to promote community control over land use
5 neighborhood development. So I just want to say that
6 in less than two years, this really groundbreaking
7 investment by the Council and the CLT initiative has
8 made major strides. It's the only example of its
9 kind with which we are familiar with around the
10 country and it's something that cities are looking at
11 as a model and just, you know, in terms of
12 investment, not a major bang for our buck and we feel
13 like it is the major cost-effective investment and
14 permanently affordable housing. It's a way to
15 protect public investment and subsidy that is put
16 into housing and other neighborhood development
17 because that is what CLTs are chiefly about is
18 retaining affordability and protecting the subsidy
19 and then engaging residents in the community and
20 other neighborhood and public stakeholders in making
21 sure that the development meets community needs and
22 that there is a real community decision-making and
23 stewardship over the development that happens in
24 their communities. So, in less than two years, there
25 are now CLTs in the South and northwest Bronx. The

2 Bronx is actually a major hub for CLTs in East Harlem
3 and lower East side, Brownsville, Jackson Heights,
4 East New York, and beyond and, you know, just again
5 want to thank the Council for helping to see this new
6 generation of institutions that are facilitating
7 equitable development and building community while.

8 I also want to thank the Council for its support of
9 worker co-ops and other models that are advancing
10 shared ownership over our economy as a whole. Again,
11 we wanted to just highlight a couple of activities
12 that are planned. You know, in New York City, the
13 CLTs that we work with are addressing a range of land
14 use needs. So not just permanently affordable
15 housing, whether it's limited equity housing or
16 mutual housing, multi-family, small one to four
17 family homes, but a whole array of other uses. And I
18 know you've heard some of that and will hear others.

19 SERGEANT-AT-ARMS: Time expired.

20 DEYANIRA DEL RIO: But I just want to say
21 groups you're looking at protecting small business
22 space, retail and other spaces, for local small
23 businesses that are at great risk of displacement,
24 providing spaces for worker-owned businesses, foot
25 cooperatives, financial cooperatives that are meeting

2 the needs of communities redlined by banks.

3 Community-owned solar energy and a whole array of

4 other uses that really can create thriving

5 neighborhoods, create jobs, meet, you know, all of

6 the needs that our community and our city have and,

7 you know, thanks so much, again, for the support of

8 this initiative. New Economy is a coordinator of the

9 initiative and one of the citywide technical

10 assistance providers and we hope that you'll continue

11 to support the investment in CLTs and also policy

12 making that helps them acquire properties for long

13 term protection and stewardship. Thank you much,

14 again, Chair and committee members.

15 COMMITTEE COUNSEL: Thank you, Ms. Del

16 Rio. Chair, I don't see any hands raised from your

17 colleagues, so if you don't have any questions, I can

18 call on our last witness for today.

19 CHAIRPERSON HOLDEN: Thank you.

20 COMMITTEE COUNSEL: Our last witness

21 will be John Krinsky.

22 SERGEANT-AT-ARMS: Starting time.

23 JOHN KRINSKY: Good afternoon,

24 committee Chair Salamanca and members of the

25 committee and subcommittee. Thank you for the

2 opportunity to testify. My name is John Krinsky. I
3 am a professor of political science and director of
4 the Community Change Studies program at City College
5 of New York and a founding member of the New York
6 City Community Land Initiative or NYCCLI on whose
7 behalf I'm testifying. So, NYCCLI has been working
8 for the last eight and a half to expand community
9 land trusts as a critical strategy for dealing with
10 the cities deep affordability crisis in housing and
11 the need for greater community control over other
12 land uses. You have heard now about the CLTs that
13 are involved in the Council initiative, so I will
14 spare you the details again, but it is, again, worth
15 mentioning that, you know, locally, CLTs are working
16 to develop not just-- develop and preserve not just
17 deeply affordable multifamily rental housing, limited
18 equity co-ops, and one to four family homes at risk
19 of foreclosure, but also commercial and cultural
20 community gardens, community owned solar, microgrids,
21 and other infrastructure reflecting the flexibility
22 of this community land trust model and its usefulness
23 for actual on the ground neighborhood level land use
24 and improvements. In the wake of Covid's
25 devastation, re-doubling the efforts towards bringing

2 out the real potential of CLT use across the city is
3 more important than ever and this is true for a
4 number of reasons. First, there are major private
5 equity backed firms that threatened to take even more
6 land and housing portfolios than they did in the wake
7 of the 2008 financial crisis. Both limiting the
8 options for affordability and exacerbating the
9 extreme resource inequality that characterizes not
10 just predominantly white communities on one side and
11 black and brown communities on the other, bur also,
12 coincidentally, the inequality across these
13 neighborhoods related to Covid related suffering
14 death and economic loss. So, empowering efforts to
15 bring at least some of this land and housing into
16 social ownership and long term community stewardship
17 is critical in preventing the further entrenchment of
18 plutocracy in New York. Second, the community groups
19 forming CLTs across the city have a clear sense of
20 community needs based on the long term relationships
21 built in these communities. In the South Bronx, for
22 example, the Mott Haven Port Mars community land
23 steward to focus less on housing for the moment and
24 more green space and converting an abandoned drug
25 treatment facility at Lincoln Hospital into a health

2 education and arts center based on community
3 visioning sessions in the communities [inaudible
4 03:48:52] process they facilitated over the last
5 several years. In Queens, Chiya CDC is exploring a
6 CLT to preserve affordable retail space. So while
7 housing remains a significant focus of the CLT
8 movement, the initiative, the Council initiative, has
9 been critical in keeping the stewardship of larger
10 land use issues in focus throughout the city.
11 Finally, after two years of the initiative, the
12 energy and understanding that CLT organizers across
13 the city are bringing to their work, the deep
14 understanding of organizing, engagement, training,
15 racial justice--

16 SERGEANT-AT-ARMS: Time expired.

17 JOHN KRINSKY: and what it means to
18 foster long term governance is inspiring and
19 absolutely informs the work of this initiative. If
20 the promise of CLTs is closer to realization, it's
21 largely because the energetic organizers and
22 activists involved in the CLT initiative groups have
23 together studied CLTs nationwide, maintain
24 communication among each other and with national CLT
25 networks and understand the tasks of development,

2 management, and organizing and their balance and are
3 working hard to convey this understanding to the
4 constituents of the growing CLTs around the city. So
5 my small team from City College is among the
6 technical assistance providers helping to structure
7 this process and develop the next generation of
8 workshops, training, and popular education materials
9 in collaboration with these groups. And so we urge
10 the Council to redouble its commitment to community
11 land trusts. Thank you for your commitment so far
12 and I believe, again, that it's a critical time to do
13 this and thank you for the opportunity to testify
14 today.

15 COMMITTEE COUNSEL: Thank you, Mr.
16 Krinsky. Chair Holden, for this witness and that was
17 my last witness at this hearing.

18 CHAIRPERSON HOLDEN: Well, thank you
19 very much for your great testimony. I am going to
20 turn it back to my cochair Salamanca. Thank you very
21 much for a great hearing.

22 CHAIRPERSON SALAMANCA: Definitely. Thank
23 you, Chair Holden and thank you, counsel, land-use
24 staff, for today's hearing in this meeting is hereby
25 adjourned.

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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 May 10, 2021