# New York City Economic Development Corporation New York City Council Oversight Hearing: South Brooklyn Marine Terminal Master Lease Zac Smith, Chief Operating Officer December 15, 2014

Good morning Chairman Koo and members of the subcommittee on Landmarks, Public Siting, and Maritime Uses. My name is Zac Smith, Chief Operating Officer at the New York City Economic Development Corporation. I'm joined by my colleagues Joshua Nelson, a Senior Vice President in NYCEDC's Asset Management group, and Andrew Genn, our Senior Vice President for Ports & Transportation.

At EDC, it is our mission to strengthen the city's economy and generate high-quality jobs for New Yorkers across the five boroughs. One important way we do that is by activating underutilized city assets to become hubs for quality jobs and industrial business. I am here today to request the Council's support for a master lease agreement between the City and EDC for 72 acres at the South Brooklyn Marine Terminal (or "SBMT"), a City-owned, maritime industrial facility in Sunset Park, Brooklyn.

SBMT is a property that has been significantly underutilized for several years. The City now has a fresh opportunity to bring it back to life, after EDC took legal action on the City's behalf to wrest control of it from a private operator that had gone bankrupt. A Master Lease to EDC will allow us to actively manage SBMT, just like the Navy Yard or Brooklyn Army Terminal are managed. It represents the best and most effective way for the City of New York to bring the site to life – and to bring new jobs and activity to the Sunset Park waterfront.

First, a few comments on what SBMT is. SBMT is an important maritime asset that's vital to employment in the neighborhood and the economy of the entire City SBMT was built in the 1960's to handle marine cargo. It was closed in the 1980's and put to use as a tow pound by

the Police Department, among other non-maritime uses. In recent years, NYPD vacated the facility, and EDC and the City have sought to reactivate it to create jobs and other public benefits. The site is located in an M-3 industrial area in Sunset Park. A small portion of SBMT is already leased to one of the city's primary municipal recycling facilities. Adjacent and surrounding uses include: industrial and warehousing space, a federal corrections facility, and Con Ed and NYPA facilities.

SBMT is the only maritime industrial site in Brooklyn, Queens, and Long Island with direct rail access. This is important because it allows for goods to be distributed by trains, rather than trucks that can disrupt communities by creating pollution and traffic. SBMT is also one of only two marine terminals in Brooklyn and Queens; the other is Red Hook Container Terminal, which is a Port Authority facility that does not have rail access. EDC currently administers SBMT on the City's behalf via the Maritime Contract, amended and restated July 1, 2014. In the last 5 years, EDC has spent over \$115 million to improve SBMT and ready it for occupancy by job intensive maritime and intermodal businesses.

Effective June 30 of this year, the City's prior tenant at SBMT, the Axis Group, terminated its lease after two years in court after its parent company declared bankruptcy. Now that the City has regained control of the facility on, we are seeking a Master Lease which will allow us to quickly activate the site with good jobs in the maritime industry.

Our vision for SBMT is one that activates the full potential of this site to support the economic vitality of the Sunset Park community and provides hundreds of good-paying, modern industrial jobs that are accessible to New Yorkers of all educational backgrounds. In the short term, we will place short term operators at SBMT to generate interest from the maritime community, and build a market for SBMT by re-establishing it as a viable and high-functioning

port. In the long-term, once SBMT has established its place as a competitive shipping port, we will RFP the site for one or more longer-term tenants who can operate at the site for a substantial period of time.

We believe reactivating the site as a maritime facility to be consistent with the desires that have been expressed previously by leaders in the local community. In December 2009, the Community Board and City Council Established the Sunset Park 197-A Plan, committing the City to preserve Sunset Park's legacy as a manufacturing community with high quality jobs. The local Community Board's 197-a plan notes that industrial infrastructure is one of the community's major assets. The report states that "The Sunset Park waterfront is well suited for continued maritime and/or industrial use. It has an extensive industrial infrastructure, developed over more than 100 years, that can potentially accommodate a broad range of industrial uses and a local rail freight transportation network that includes rail lines, rail yards and rail float bridges." The Plan highlights South Brooklyn Marine Terminal's vital role as a "break bulk cargo facility." The Development Plan attached to the master lease reflects our commitment to honoring the community's wishes for the future of SBMT.

Securing a Master Lease is imperative for three reasons: a flexible, well-managed SBMT port facility will provide good, high-paying jobs; reduce our city's environmental impact; and facilitate our Affordable Housing goals. First, Good Jobs: From New York City's founding days through the present, the maritime industry has been critical to our economic stability and growth. Some of New York's maritime companies have been pillars of our City for centuries, and a few of them have joined us today. Despite its age, the maritime industry is well situated to combat the income inequality that challenges modern New York City – a priority of both the City Council's and the Mayor's.

Waterfront employment is specialized, requiring all levels of skills from apprentice to master. Because of its unionized nature it also is a wonderful source of high-paying blue-collar jobs. Typical waterfront starting pay is \$40,000 for a warehouse worker with benefits. This typically grows as a worker gains skills. Unionized longshoremen's salaries start at \$50,000 per year, and average wage is typically \$80,000 with benefits. Supply chain jobs are plentiful and local colleges, most notably SUNY Maritime College in the Bronx, have nearly 100% placement rates for graduates.

We at EDC are working with McKee career and technical education high school on Staten Island and the Urban Assembly High School of Global Commerce to create pathways to job opportunities for more New Yorkers. A vibrant SBMT will support these efforts by creating new job opportunities for graduates. And we will continue to work with ILA, Teamsters, and other trade unions to bring good jobs on line, as we do on other waterfront projects. A stable, long-term user---for which a flexible lease-contract is pivotal---could generate upwards of 300 direct jobs, to say nothing of broader development in the community.

Second, environmental impact: Recently the Mayor with support from many of you committed the City to an 80% reduction in carbon emissions by 2050. Shipping by water is the most efficient method of freight transportation. One barge can eliminate 60 trucks from local roads. Shipping by water produces 7 times less carbon emissions per ton than trucking and 20 times less nitrogen oxide and sulfur dioxide. By water, a ton of cargo can travel nearly 500 miles on a gallon of fuel. An active SBMT also strengthens the city's environmental resiliency. In the aftermath of Sandy, we learned that port terminals would have helped provide crucial sea-based routes for emergency supplies and rebuilding materials to reach affected communities in Brooklyn and Queens.

Third, helping with the city's Affordable Housing goals: To realize the City's ambitious affordable housing goals, it will be helpful and more environmentally friendly to source import materials at water-based port facilities. Lumber, plywood, wallboard, cement, the vital ingredients of construction all arrive today by water and rail far more efficiently than if they were carried by truck.

Now, I want to turn to an important question: "Why a Master lease between EDC and the city? Why should we be the ones to lease the whole facility on behalf of the City instead of a private party?" We believe there are three main reasons:

First, as part of the government of the City of New York, we have an obligation to manage the site in a way that reflects the public interest – and to be accountable to the Mayor and to you. A private party cannot make that claim. In 2007, the council approved a private entity, the Axis Group, to manage SBMT. But was we all saw, the public's best interest became secondary to the larger bankruptcy issues of that private company who was granted control of the site, and as a result it lay largely vacant.

Second, the maritime industry is a uniquely fast-moving one. Maritime companies need to be able to set up operations quickly, sometimes in a number of days or weeks. By granting us authority to tenant the space quickly like we do at Brooklyn Army Terminal and other facilities, we can ensure that those companies set up and create jobs here – and do not flee to piers in New Jersey or ones owned by the Port Authority.

Third, a long term future for SBMT requires the ability to manage the whole site. Our long-term aim is to find and contract with a single, stable, "ideal sub-tenant." But we at EDC recognize that doing so may require constant adjustment—working with multiple subtenants until we identify and help shape the perfect one.

Therefore, EDC needs the flexibility to lease to multiple sub-tenants as needed; this flexibility is essential. If we go through a 45-day process each time we need to execute a lease, we know that in the maritime industry, that means we will lose tenants. That flexibility would also allow us to respond effectively in the event of a tenant's default, termination, or bankruptcy. In this, the Axis example is instructive.

Axis was a strong partner when EDC originally executed a lease with it for SBMT in 2007. Then the recession happened. Axis was subsequently forced into bankruptcy by its holding company. When Axis finally terminated its lease this summer, EDC was unable to capitalize immediately on the many unsolicited offers from the maritime industry it received.

Let me give you a concrete example that that hits close to home for the city: right now, a special-project company is seeking a 3-5 acre site to which it can move, store, stage, and distribute large pieces of the "New York Wheel" being constructed on Staten Island. The company publicly advertised for this work last month, and its deadline is this Wednesday. SBMT would be a great site for this project. But because EDC doesn't currently have the flexibility and speed it is seeking through this Master Lease, that project will go elsewhere, very likely to New Jersey. The Master Lease will put EDC and the City in a much stronger negotiating position, because EDC will be able to license vacant space out quickly while it prepares its procurement of a longer-term subtenant.

Finally, we need this Master Lease because the City faces stiff competition in the rest of the region. An inability to quickly respond to market demands will make it impossible to compete against New Jersey. With a Census-estimated population of 7.7 million, Brooklyn, Queens and the rest of Long Island is home to nearly 40% of New York State's population, making it the most populated island in the United States. Ninety-percent of imported goods

travel by ship and the amount of port commerce has more than doubled since the early 1990's. (source: Port Authority Trade Statistics, 1991-2011)

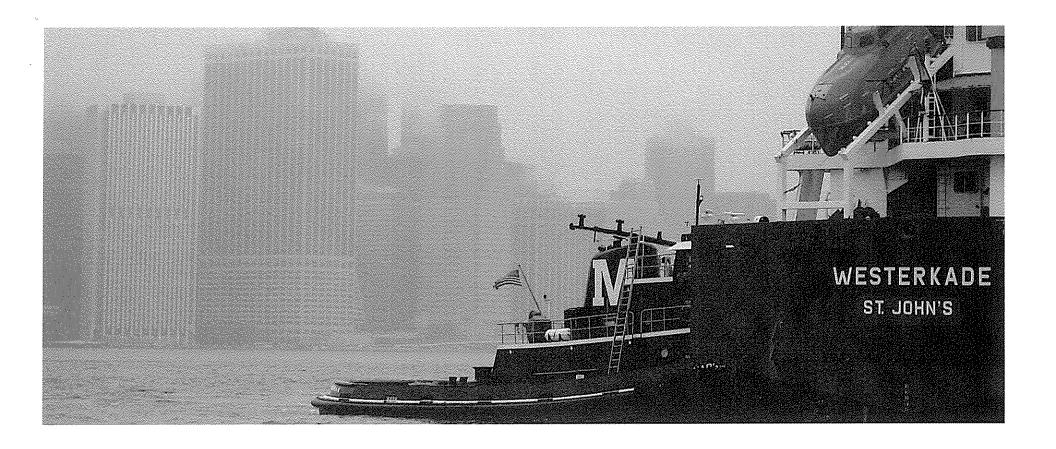
This trade is vital to the city's economy, yet this is a huge market that, over the last decades, has shifted to New Jersey. Today, the Port Authority of New York and New Jersey's facilities at Port Newark, Elizabeth, and Jersey City —consisting of 2,000 acres of container, dry bulk and liquid bulk facilities—handles more than 3/4 of the region's port activity. Further, port authorities in other cities, including Philadelphia and Baltimore, are working hard to draw business away from the Port of New York and New Jersey, with increasing success in certain niche markets, as we can see in the attached advertisement for the Port of Philadelphia. Ports compete on the basis of cost, time, and reliability.

To compete with both the New Jersey side of this harbor and with ports located in other cities hungry for the business, the City needs to be able to act quickly and creatively to execute deals. We must be able to sign leases quickly so shippers know that SBMT is a reliable option. The ports that react smartly to market needs always get the business. The Port Authority, which is the other major operator of maritime facilities of this scale in the region, doesn't need to go through public approvals processes to handle cargo moves of this sort, which makes their facilities more competitive. The City loses out on that business, and often pays the price: traffic congestion from trucks, air pollution, and lost jobs.

Just a few weeks ago, Deputy Mayor for Housing & Economic Development Alicia Glen articulated the city's vision for robust and inclusive economic development. It is a plan that aims to unlock our full human resource potential, invest in critical infrastructure that supports resiliency and access, leverage city-owned assets for public benefit, and provide innovative growth in legacy and emerging industries alike. The South Brooklyn Marine Terminal has the

potential to support all of those goals. But these goals can only be attained successfully with the City-EDC Master Lease, which enables flexibility in our management processes and increases our regional competitiveness, and most importantly, creates hundreds of good jobs with steady career-paths in the long-term.

We ask the Council to approve a master lease agreement for SBMT in Sunset Park. We want to get to work bringing this site back to life; the next step of realizing the future and the true potential of Sunset Park.



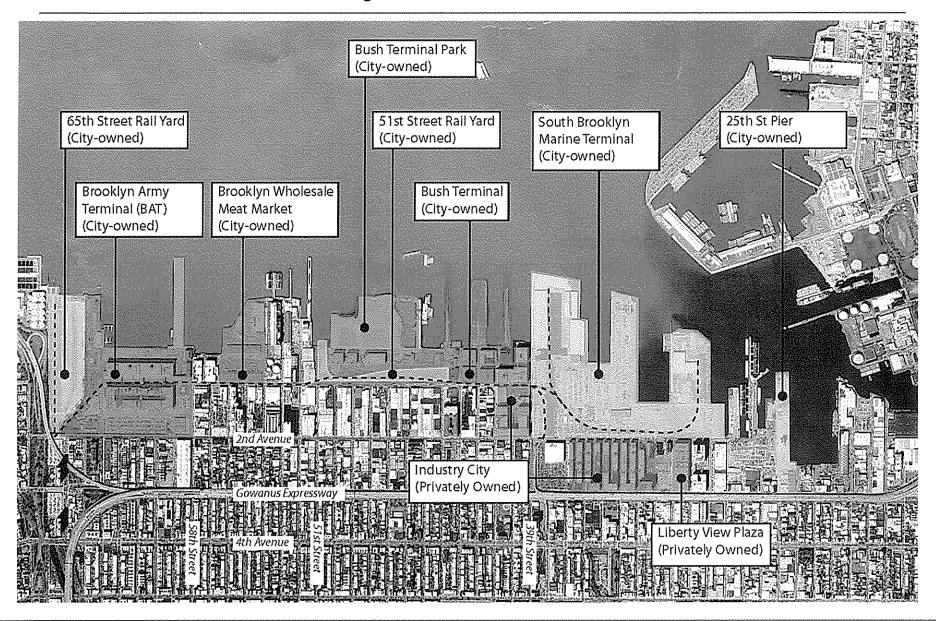
#### Master Lease for 72 Acres at SBMT

#### **Zachary Smith**

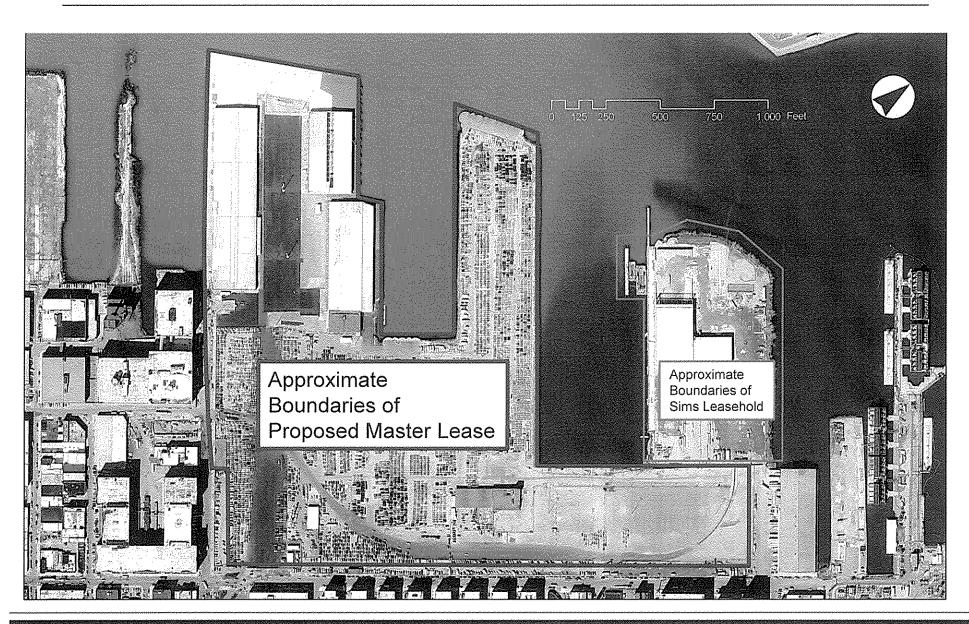
New York City Council Presentation December 15, 2014



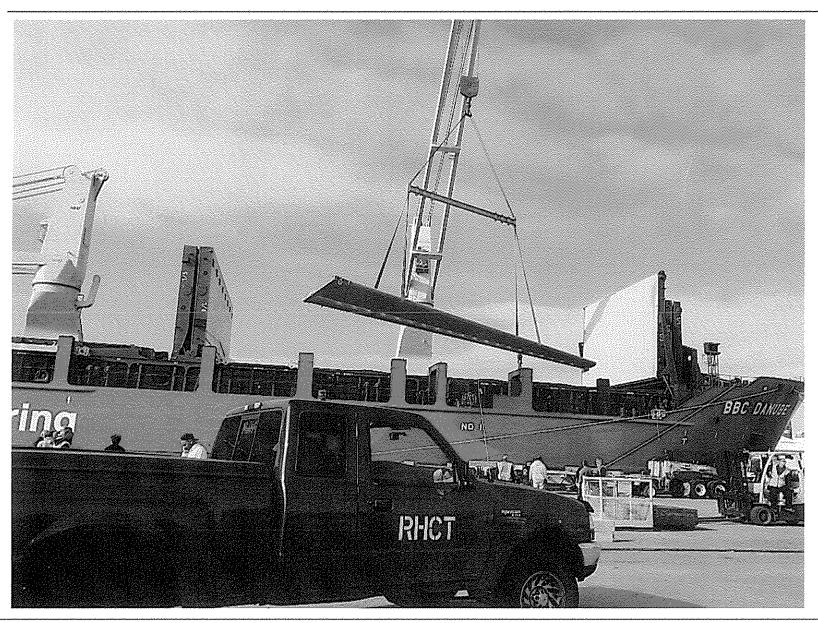
#### Sunset Park Brooklyn Industrial Waterfront



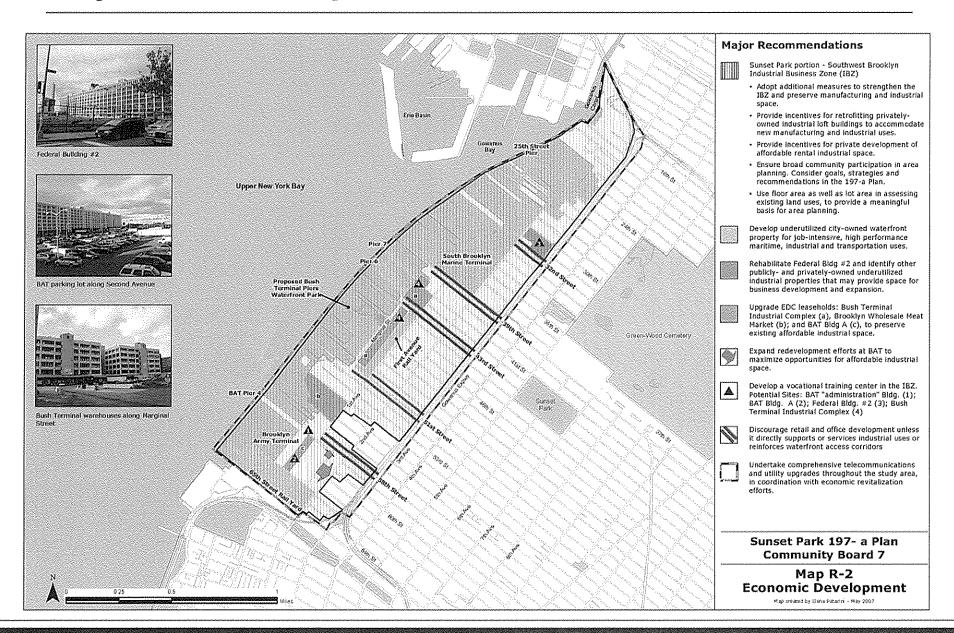
#### South Brooklyn Marine Terminal



### Vision for South Brooklyn Marine Terminal



#### City-Council Adopted 197-a Plan – CB7



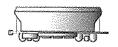
### Good, High-paying Jobs



#### **Environmental Benefits**

#### **CARGO CAPACITY COMPARISON**

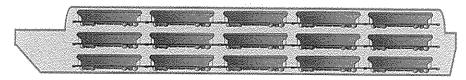




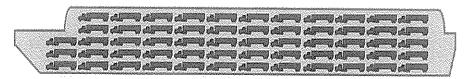
3.8 LARGE SEMI TRUCKS (26 tons each)



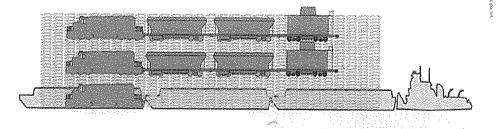
ONE BARGE (1,500 TONS) = 15 JUMBO HOPPER CARS



ONE BARGE (1,500 TONS) = 58 LARGE SEMI TRUCKS



15 BARGE TOW = 225 RAILROAD CARS OR 870 TRUCKS

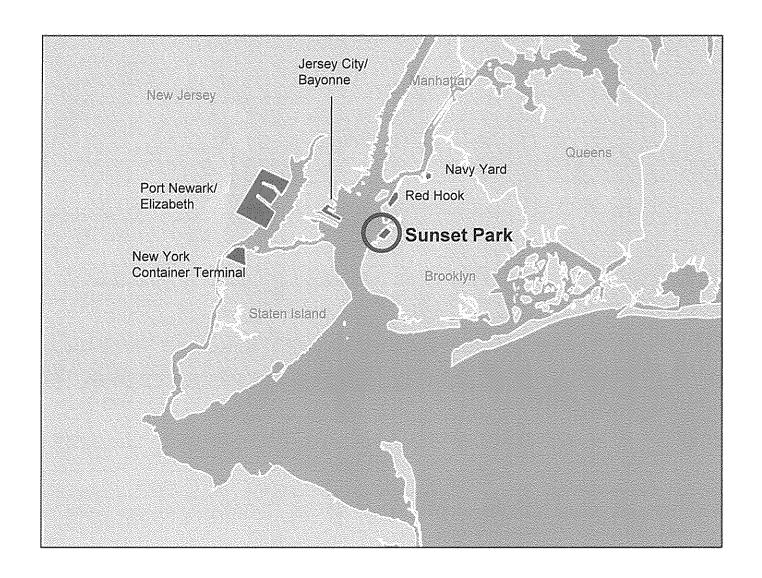




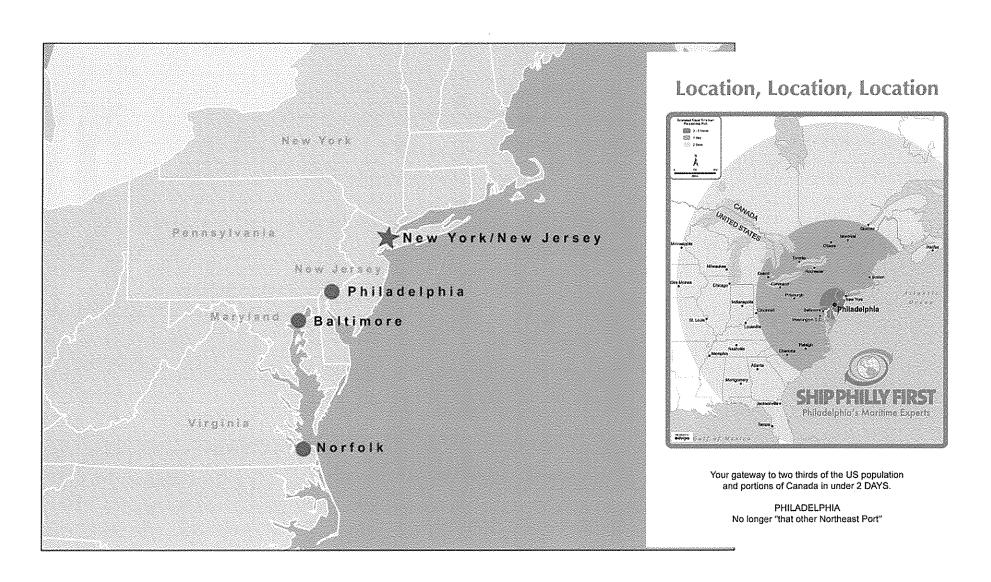
## **Facilitating Affordable Housing**



#### Port of New York and New Jersey



#### **Regional Competition**





[Subcommittee on Landmarks, Public Siting and Maritime Uses

Testimony of Michael Stamatis, President, Red Hook Container Terminal Regarding Lease of the South Brooklyn Marine Terminal (SBMT) between New York City Economic Development Corporation and New York City Department of Small Business Services

December 15, 2014

Good afternoon. My name is Michael Stamatis. I am President of Red Hook Container Terminal, a terminal operator and stevedore. We have been operating the container terminal in Red Hook and a terminal in Newark for almost 3 years.

Our company was originally formed to be a temporary operator for the Red Hook Container Terminal. However, over the subsequent years, we have signed an operating agreement with the Port Authority to operate the terminal both in Red Hook and Newark on a multi-year term.

I am here in strong support of the Master Lease agreement at SBMT.

By securing the lease, the City will be able to compete for shipping services that might otherwise go to ports outside of New York resulting in freight being trucked into the city.

The reason that a lease with the EDC is important is that it provides stability with an organization that is geared to maritime commerce. Our experience in stabilizing the terminal in Red Hook, and growing the joint business between the Red Hook and Newark terminals, was a multi-year lease with the Port Authority. This provided clarity to shipping lines, break-bulk shippers, project cargo shippers, and container customers that there would be stability and continuity in operations in Red Hook.

The importance of this cannot be understated. Shipping services, whether container, ro-ro, or break-bulk, need clarity and continuity at terminals. The assets that they are operating, ships, are expensive to purchase and even more expensive to operate. They cannot or will not accept missed calls or to have the possibility of a terminal shutting down and must find a new terminal mid-contract.

Because of the long-term nature of many of these contracts, it takes a long time to develop a viable terminal business and attract enough services to get the economies of scale needed to run a terminal. For instance, a cross harbor container barge, which has been talked about in Red Hook for more than a decade, has just become reality in the last 6 months. The alignment of terminal operators, shipping lines, and various government agencies has taken a long time to come to fruition. However, thanks to the PA, the EDC, Customs, and Congressman Nadler, this will become a reality in 2015. It is an example of how stability, continuity and public commitment have to come together to make projects viable. This is especially true in Brooklyn where the maritime industry has lost scale and needs to build it back up to become viable.

As far as scale is concerned, Red Hook is a small port facility, but has the advantage of being equipped with ship to shore cranes that handle container ships and barges. SBMT provides "swing" space so that as Red Hook gets busier, ships with non-containerized cargos like vehicles, salt, and certain oversized "project" cargos have a place to go.

SBMT also has the advantage of rail float service with connections to the national freight system. By approving this lease that "intermodal" link between water and rail transport can be activated sooner. The importance of having these shipping options cannot be overstated. For NYC businesses that distribute within the City, having a connection to international and domestic water and rail services is key to a successful business model. It makes sense from an environmental perspective because the modes are inherently more efficient.

It also makes sense because it keeps good quality blue collar jobs in the city. We have a work force that is almost entirely made up of NYC residents. Most are represented by the Longshoremen and have excellent wages and benefits.

Additionally, we have always worked closely with Congressman Jerrold Nadler who, through his tireless efforts has helped secure federal resources to modernize SBMT and its unique freight transportation infrastructure.

By approving this lease the Council will send a strong message to the shipping world that New York City believes in a working waterfront and is ready to compete.

Thanks for your time today and I am happy to answer any questions. ]

[Subcommittee on Landmarks, Public Siting and Maritime Uses

Testimony of Patrick Simeone, Director of Facilities Management, Phoenix Beverages. Regarding Lease of the South Brooklyn Marine Terminal (SBMT) between New York City Economic Development Corporation and New York City Department of Small Business Services

December 15, 2014

Good afternoon. My name is Patrick Simeone. I am the Director of Facilities for Phoenix Beverages, a distribution company that has operated at the Brooklyn Marine Terminal Pier 7 for almost five years.

Our company relies on direct maritime service and we have always worked very closely with the various stevedores that have operated Red Hook Container Terminal. Through our joint efforts we have been able to stabilize Red Hook's shipping business and are poised to inaugurate an innovative joint container barge service with Port Newark container terminal that will eliminate thousands of trucks from bridge crossings.

I am here in strong support of the Master Lease agreement at SBMT.

By securing the lease, the City will be able to compete for shipping services that might otherwise go to ports outside of New York resulting in freight being trucked into the city.

Before operating out of the Red Hook Container Terminal, Phoenix operated from two locations. One location in Long Island City and one, larger location, in Port Newark. The infrastructure, and continuity of service in Red Hook, allowed us to move our business back into New York City. We employ more than 600 people, and, thanks to the maritime infrastructure in NYC, all of these people are working in NYC and the Mid-Hudson Valley. This would not be possible without the commitment from the Port Authority and New York City Economic Development Corporation to sustaining and growing the maritime industry in NYC.

Stability is crucial in the shipping industry. Having one agency approve docking licenses in an efficient manner and knowing that a defined license/permit system is in place demonstrates to the supply chain managers that New York, whether it be Red Hook or SBMT is ready, willing and able to handle cargo. By approving this lease the Council will send a strong message to the shipping world that New York City believes in a working waterfront and is ready to compete.



Testimony of Roland Lewis, President & CEO New York City Council Subcommittee on Landmarks, Public Siting & Maritime Uses Oversight Hearing re: South Brooklyn Marine Terminal December 15, 2014

The Metropolitan Waterfront Alliance<sup>1</sup> (MWA) is a bi-state coalition of over 800 community and recreational groups, educational institutions, businesses, and other stakeholders committed to restoring and revitalizing the New York and New Jersey waterways. Our waterways have been revitalized with active recreation, environmental education, and waterborne transportation, but the harbor has for centuries been a vital conduit for commerce and an engine of economic development.

Unlocking the value of South Brooklyn Marine Terminal (SBMT) as an active working waterfront site is an important step forward to sustaining an economically productive harbor. The proposed Master Lease between NYC Economic Development Corporation (NYCEDC) and the City of New York will allow EDC to leverage the over \$100 million that have been invested to date to bring the facility to a state of good repair and activate the site with maritime uses more quickly and efficiently than under the current agreement.

SBMT is an underutilized public asset that can serve a wider variety of cargo ships and industrial maritime uses with streamlined oversight. Although NYCEDC manages SBMT, it cannot enter into short- or long-term agreements with potential users, limiting the options for delivery of important freight and cargo shipments that keep our regional economy afloat. This administrative obstacle can result in losing shipments to ports in northern New Jersey or even Philadelphia, creating additional truck traffic as well as a missed opportunity for good jobs for New Yorkers. Waterborne goods delivery is ten times more efficient than truck freight, and our tug and barge fleet already prevent 3.1 million truck trips per year.

SBMT is located within one of the city's six designated Significant Maritime Industrial Areas (SMIA), and its use as an active working waterfront site is consistent with the City's policy goals as part of the Waterfront Revitalization Program (WRP). The WRP stipulates that "public investment within the SMIAs should be targeted to improve...maritime and industrial operations" and that "activities which support industrial or maritime activity are consistent with this policy" (The New Waterfront Revitalization Program, pg 12). The 197-a community plan developed by Brooklyn Community Board 7, which represents Sunset Park, has also called for the revitalizing SBMT as a "job-intensive high performance maritime, industrial and transportation uses."

A partnership called DockNYC represents a strong precedent for the reactivation of City-owned waterfront assets with maritime activity. By entering into a contract with a private operating agent, BillyBey Marina Services, to facilitate docking and berthing at six City-owned piers and marinas, NYCEDC has helped facilitate water-dependent activity across a wide variety of uses: industrial, commercial, recreational as well as educational community programming. A Master Lease for SBMT will enable NYCEDC to immediately issue short-term licenses and permits for maritime activity while also pursuing the option to engage a long-term master tenant.

Shipping, marine transportation and maritime businesses are the economic engine of the city and provide thousands of jobs to New Yorkers. MWA calls on this Council and the administration to continue promoting key programs and facilities to ensure the viability of the working waterfront and preserve good jobs and infrastructure that must not be lost.

# FOR THE RECORD

## JOINT COUNCIL No.16 INTERNATIONAL BROTHERHOOD OF TEAMSTERS

265 WEST 14TH STREET... SUITE 1201 NEW YORK, NEW YORK 10011 (212) 924-0002 FAX (212) 691-7074

#### 12/15/2014

#### Subcommittee on Landmarks, Public Siting and Maritime Uses

#### **SBMT Master Lease**

My name is George Miranda, President of the Teamsters Joint Council 16, representing 120,000 working men & women in NY. Thank you for allowing me to submit testimony, Committee Chair Koo and Council Members of the Subcommittee on Landmarks, Public Siting and Maritime Uses. We currently have several hundred members working at Phoenix Beverage in Red Hook represented by Teamsters Local 812.

Union representation has been critical to maintain solid middle class blue collar jobs in Brooklyn and is an important partner to the community. For example, when Phoenix first moved in, the neighborhood raised legitimate concerns about truck traffic and trucks going off route. Community leaders, Teamsters, Phoenix, PANYNJ and NYC EDC worked collectively and resolved the issue.

We encourage the development of SBMT as critical for boosting economic activity in Brooklyn's ports. However, mechanisms need to be put in place in order to ensure both continued community input and local quality jobs. When Axis Group was chosen to operate SBMT, they negotiated a Memorandum of Understanding with the Teamsters for quality local jobs.

As we move forward, we strongly believe the City Council needs to protect their role in this process and that the long-term lease must be required to adhere to the former Memorandum of Understanding executed by the Teamsters & Axis Group. Additionally, labor protections must be incorporated into the master lease including labor peace language. Finally, Teamsters Joint Council 16 remains committed to have 100% local hiring.

As the site lacks a long-term tenant, granting the master lease agreement between EDC and the city will expedite the activation of SBMT and maintain NY's place within a competitive market until a long-term tenant is contracted.

As this long-term development proceeds, we need to take advantage of how essential the marine cargo industry is, allow for the expedition of deals to ship cargo in and out, maintain the City Council's critical role, and protect the rights and livelihoods of workers. This revitalization will benefit the surrounding communities, Brooklyn, and New York City as a whole.

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