

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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October 2, 2013
Start: 11:33 a.m.
Recess: 12:06 p.m.

HELD AT: Committee Room - City Hall

B E F O R E:

BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:

Rosie Mendez
Annabel Palma
Diana Reyna
Jumaane D. Williams

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

Mary Anne Szabo
Office of General Counsel
Administration for Children's Services

Kenneth Robinson
Office of General Counsel
Administration for Children's Services

2 CHAIRPERSON LANDER: Yeah... yes,
3 wonderful. Alright, great.

4 [gavel]

5 MALE VOICE: Quiet please.

6 CHAIRPERSON LANDER: Good morning; I'm
7 New York City Council Member Brad Lander, Chair of
8 the City Council's Land Use Subcommittee on
9 Landmarks, Public Siting and Maritime Uses; very
10 please to be joined this morning by Council Member
11 Annabel Palma from the Bronx and Council Member Rosie
12 Mendez from Manhattan and we are gonna go ahead and
13 open today's hearing.

14 I will note that we are not voting on any
15 items today; we're gonna lay items over for a vote
16 and consideration, but we're gonna hold our public
17 hearing on two items, Land Uses Number 0938 and 0939,
18 both in Bushwick, in Council Member Diana Reyna's
19 district.

20 So let me please... let me invite the
21 Administration up to present them; we're first gonna
22 hear Land Use Number 0938, the UTD Bushwick Early
23 Learning Child Care Center and 0939, also the
24 Bushwick Early Learning Child Care Center from... being
25 presented by the Administration for Children

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2 Services. Oh, okay... okay. So... I'm sorry; we are
3 wait... we are also... maybe we can wait just one... go
4 ahead and sit down; we're gonna wait one minute; I
5 think Council Member Reyna in whose district these
6 are is just next door, so she's gonna come join us
7 and I think we're also gonna be joined by Council
8 Member Williams shortly as well, so... and here she is.
9 Good. Alright, my... I was gonna have to start doing a
10 soft shoe routine, so.

11 Anyway, welcome Council Member Diana
12 Reyna from Brooklyn and let me turn it over to the
13 Administration. Alright, go ahead and push your mic
14 button.

15 MARY ANNE SZABO: Thank you. Good
16 morning Chair Lander and members of the Subcommittee
17 on Landmarks, Public Siting and Maritime Uses.

18 My name is Mary Anne Szabo and I work in
19 the Office of the General Counsel at the
20 Administration for Children's Services. I'm here
21 today with my colleague, Kenneth Robinson, who also
22 works in that same unit.

23 Thank you for the opportunity to testify
24 before you regarding the two land use applications we
25 submitted in January 2013.

2 Since the early 1970s New York City has
3 leased space at both locations that are the subject
4 of our application, 600 Hart Street and 200 Central
5 Avenue and... [interpose]

6 [background comment]

7 MARY ANNE SZABO: and contracted with the
8 early care and education organizations to provide
9 child care services to serve families in the Bushwick
10 and Bedford-Stuyvesant neighborhoods in Brooklyn.

11 On January 17th, 2013 ACS submitted the
12 required ULURP applications to extend our leases at
13 600 Hart Street and 200 Central Avenue in order to
14 continue providing early care and education services
15 to the community.

16 On May 20th, 2013 the City Planning
17 Commission certified both applications and on July
18 23rd, 2013 Brooklyn Community Board 4 and Borough
19 President, Marty Markowitz granted approval for both
20 applications.

21 As the Council is aware, New York City is
22 a leaseholder for many buildings in which city-funded
23 services are provided. In 2012 New York City
24 introduced Early Learn NYC, a model of early care and
25 education that merges the funding for quality child

2 care and early education to create a single seamless
3 system with a uniform set of standards.

4 Of these 365 Early Learn NYC program
5 locations 87 are located in City-leased sites. 600
6 Hart Street and 200 Central Avenue are both City-
7 leased locations in which subsidized early care and
8 education services have been and continue to be
9 provided. ACS sought to extend these leases in order
10 to continue providing those services.

11 600 Hart Street. On September 9th, 2011
12 the Bushwick United Housing Development Fund Corp.
13 applied for an Early Learn NYC contract to serve
14 children at 600 Hart Street in Brooklyn. Bushwick
15 United was recommended for an award to provide early
16 care and education services and has been located at
17 this site since October 2012.

18 Bushwick United's program at 600 Hart
19 Street serves up to 100 preschoolers and 10 toddlers.
20 Preschool children may attend the program full-time
21 from 8 a.m. to 6 p.m. Monday through Friday. The
22 children are taken to and from the Center by their
23 parents, enabling the parents to work, attend school
24 or acquire vocational training.

2 Program staff at this child care center
3 consists of approximately 24 individuals, including 6
4 teachers, 6 assistants, 6 aides, 4 kitchen staff and
5 2 custodians.

6 The site is located in Brooklyn Community
7 District 4. The facility is a one-story building
8 with a cellar and a rooftop play area. The building
9 contains approximately 22,419 square feet of interior
10 floor space and a rooftop play area of approximately
11 8,257 square feet, totaling approximately 30,686
12 square feet.

13 The Center is accessible by public
14 transportation, specifically the J, the 3, the M, the
15 A and the C trains, as well as the B54 bus.

16 200 Central Avenue. On September 9th,
17 2011 the Bushwick United Housing Development Fund
18 Corp. also applied for an Early Lean NYC contract to
19 serve children at 200 Central Avenue in Brooklyn.
20 Bushwick United was recommended for an award and has
21 been located at this site, which has the capacity to
22 serve up to a 130 preschoolers since October of 2012.

23 At 200 Central Avenue preschool children
24 may attend the program full-time from 7:30 a.m. to
25 5:30 p.m. Monday through Friday. The children are

2 brought to the Center by their parents, enabling the
3 parents to work, attend school or acquire vocational
4 training.

5 The program staff at this child care
6 program consists of approximately 28 staff members
7 and this site is also located in Brooklyn Community
8 District 4.

9 The facility is a three-story building
10 with a rooftop play area and a grade play area. The
11 building contains approximately 24,500 square feet of
12 floor area, include 4,660 square feet of rooftop area
13 and 1,200 square feet of grade level play area. The
14 child care center uses the cellar, first floor,
15 second floor, third floor and the rooftop as a play
16 area. This center is also conveniently accessible by
17 public transportation, including the M train and the
18 38 bus.

19 In closing, ACS is committed to providing
20 quality early care and education to children and
21 families from low-income communities that will
22 prepare them to enter kindergarten and beyond. We
23 thank the Council for providing us with this
24 opportunity to discuss our lease extension
25 applications for these two child care centers.

2 Ken and I would be happy to address any
3 questions you may have regarding the land use
4 applications. Thank you.

5 CHAIRPERSON LANDER: Thank you very much
6 for your testimony and I see we've been joined by
7 Council Member Jumaane Williams from Brooklyn and let
8 me turn it over to Council Member Reyna for questions
9 and comments.

10 COUNCIL MEMBER REYNA: Thank you so much,
11 Mr. Chair and I wanna just thank General Counsel for
12 coming to testify and as I call this application up I
13 just wanted to clarify some questions that I had not
14 had the opportunity to do so in meetings. I know
15 that this has gone before Community Board 4 and there
16 was concern that the sponsor did not show up at the
17 Community Board 4 hearing, so they didn't have an
18 opportunity to ask questions to the sponsor either.
19 Is the sponsor prohibited from speaking to anyone at
20 this moment?

21 MARY ANNE SZABO: Not that I know of.

22 COUNCIL MEMBER REYNA: Okay. And the
23 sponsor is not here today, correct?

24 MARY ANNE SZABO: The prior sponsor or
25 the current sponsor?

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2 COUNCIL MEMBER REYNA: And that's a very
3 good follow-up question... [crosstalk]

4 MARY ANNE SZABO: Sorry.

5 COUNCIL MEMBER REYNA: This is a new
6 lease or an expired lease?

7 MARY ANNE SZABO: This was a lease
8 renewal.

9 COUNCIL MEMBER REYNA: This is a lease
10 renewal... [interpose]

11 MARY ANNE SZABO: Yeah.

12 COUNCIL MEMBER REYNA: with a new sponsor
13 or an... or...

14 MARY ANNE SZABO: A new sponsor...
15 [interpose]

16 COUNCIL MEMBER REYNA: A new sponsor.

17 MARY ANNE SZABO: is now in the space
18 since October of 2012.

19 COUNCIL MEMBER REYNA: So this is a lease
20 renewal of City-owned property...

21 MARY ANNE SZABO: City-leased property.

22 COUNCIL MEMBER REYNA: City-leased... owned
23 by whom?

24 KENNETH ROBINSON: By a private... by a
25 private owner, if you'd bear with me a second. There

1 SUBCOM ON LANDMARKS/PUBLIC SITING/MARITIME USES 11
2 are two private owners, if you bear with me; it's...
3 each property is privately owned; City is leasing
4 from them; if you'd bear with me I can give you the..

5 CHAIRPERSON LANDER: I'm sorry; can you
6 also go ahead... [interpose]

7 KENNETH ROBINSON: Okay.

8 CHAIRPERSON LANDER: and restate your
9 name for the record first? I know you did before,
10 but go ahead and just say your name... [crosstalk]

11 KENNETH ROBINSON: Oh, Kenneth Robinson;
12 I'm also with General Counsel's office. Okay, the
13 owner of... [interpose]

14 CHAIRPERSON LANDER: While you're... while
15 you're looking I up...

16 KENNETH ROBINSON: of 200... I got... I got
17 that information... is Central Cedar Management
18 Corporation.

19 COUNCIL MEMBER REYNA: Central Cedar...

20 KENNETH ROBINSON: Management
21 Corporation.

22 COUNCIL MEMBER REYNA: Management.

23 KENNETH ROBINSON: And the owner of 600
24 is an entity known as Central Management Corp.

25

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2 COUNCIL MEMBER REYNA: Central
3 Management.

4 CHAIRPERSON LANDER: Maybe if I could
5 just clarify so that the Committee and the public
6 understand and make sure I understand...

7 KENNETH ROBINSON: 'Kay.

8 CHAIRPERSON LANDER: So what you're
9 bringing to us as the discretionary action that we
10 need to approve or opine on is the lease renewals
11 with those two private owners... [interpose]

12 KENNETH ROBINSON: Right.

13 CHAIRPERSON LANDER: over which the
14 Council has discretion and our approval is required;
15 separate from that land use action you have, through
16 the Early Learn process, which as you know, many of
17 us raised concerns about change site operators
18 through a contract, an ACS contract, which is not... it
19 is not those contracts that are before us today; we
20 debated those, but what is before us today is the
21 lease renewal, which also obviously has to take place
22 and that's why we're here and that's why... I'm gonna...
23 [interpose]

24 MARY ANNE SZABO: Yes and...

25

2 CHAIRPERSON LANDER: turn it back to
3 Council Member Reyna for her questions.

4 COUNCIL MEMBER REYNA: Thank you, Chair.
5 And as far as the lease renewal is concerned, was the
6 lease expired with the Early Learn contract RFP was
7 awarded?

8 KENNETH ROBINSON: No.

9 COUNCIL MEMBER REYNA: So why is there a
10 need for a lease renewal?

11 KENNETH ROBINSON: Because the lease had...
12 the lease, I believe, would have expired by now; the
13 lease... we give about 6 to 10 months lead time...
14 [interpose]

15 COUNCIL MEMBER REYNA: Okay.

16 KENNETH ROBINSON: to try to get the
17 approval to renegotiate the lease before it expired...
18 [interpose]

19 COUNCIL MEMBER REYNA: Sure.

20 KENNETH ROBINSON: the process has been
21 taking so long that... [interpose]

22 COUNCIL MEMBER REYNA: I just wanted to
23 understand; what is the... do we have a copy of the
24 lease?

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2 KENNETH ROBINSON: No, the lease...

3 [interpose]

4 COUNCIL MEMBER REYNA: from... I'm sorry.

5 KENNETH ROBINSON: Oh.

6 COUNCIL MEMBER REYNA: The sponsors
7 before Early Learn had a lease of how long at 600 and
8 a lease for how long at 200?

9 KENNETH ROBINSON: No, the... the lease is
10 with New York City...

11 COUNCIL MEMBER REYNA: That's why I
12 wanted clarification... [interpose]

13 KENNETH ROBINSON: Right.

14 COUNCIL MEMBER REYNA: So there was no
15 need for a renewal.

16 KENNETH ROBINSON: There is, because the
17 lease... the prior lease... [interpose]

18 COUNCIL MEMBER REYNA: So what was the
19 amount of years for that prior lease... [crosstalk]

20 KENNETH ROBINSON: That was 20 years.
21 That was 20 years.

22 COUNCIL MEMBER REYNA: That was a 20-year
23 lease for 200?

24 KENNETH ROBINSON: Yes, also for 600,
25 both... for both sites.

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2 COUNCIL MEMBER REYNA: For both sites 20-
3 year leases?

4 KENNETH ROBINSON: And that was in 1993.

5 COUNCIL MEMBER REYNA: Since 1993 on
6 both?

7 KENNETH ROBINSON: Right.

8 COUNCIL MEMBER REYNA: Okay. And as far
9 as the new lease is concerned, it's for how many
10 years?

11 KENNETH ROBINSON: Five years.

12 COUNCIL MEMBER REYNA: Why is there a... oh
13 an I apologize... the 20-year lease was for how... what
14 was the annual payout for that lease?

15 KENNETH ROBINSON: Bear with me a second;
16 I have that information. I just have to look it up
17 online here... Okay, for 200... [interpose]

18 COUNCIL MEMBER REYNA: Uhm-hm.

19 KENNETH ROBINSON: the current lease is
20 annually \$325,900...

21 COUNCIL MEMBER REYNA: \$395,000...

22 KENNETH ROBINSON: 900.

23 COUNCIL MEMBER REYNA: 900.

24 KENNETH ROBINSON: And... [interpose]

25 MARY ANNE SZABO: It's 325.

2 KENNETH ROBINSON: That's what I said,
3 325.

4 COUNCIL MEMBER REYNA: 325...

5 KENNETH ROBINSON: Right.

6 COUNCIL MEMBER REYNA: 900. Uhm-hm.

7 KENNETH ROBINSON: And for 600 it's
8 \$512,488 dollars.

9 COUNCIL MEMBER REYNA: And you said
10 that's the current lease... [interpose]

11 KENNETH ROBINSON: That's the... under the
12 least that expired or expiring.

13 COUNCIL MEMBER REYNA: Okay. And the new
14 lease is for five years...

15 KENNETH ROBINSON: Right.

16 COUNCIL MEMBER REYNA: each?

17 KENNETH ROBINSON: Yes.

18 COUNCIL MEMBER REYNA: At how much?

19 KENNETH ROBINSON: for 200 it would be
20 \$410,900 upon execution of the lease...

21 COUNCIL MEMBER REYNA: \$410,900?

22 KENNETH ROBINSON: Right.

23 COUNCIL MEMBER REYNA: And 600?

24 KENNETH ROBINSON: Will remain the same
25 as is.

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2 COUNCIL MEMBER REYNA: Remain as same.

3 Why is that one not changing?

4 KENNETH ROBINSON: I can't speak to that.

5 COUNCIL MEMBER REYNA: You can't speak to
6 that... [interpose]

7 KENNETH ROBINSON: I don't have the
8 answer for that.

9 COUNCIL MEMBER REYNA: I would like that
10 to be communicated.

11 KENNETH ROBINSON: Okay.

12 COUNCIL MEMBER REYNA: The amount of
13 money... this is per year?

14 KENNETH ROBINSON: Per year, yes.

15 COUNCIL MEMBER REYNA: \$410,900; no
16 guarantee of an additional option for leasing... it's
17 just a 5-year with an option to... [interpose]

18 KENNETH ROBINSON: Five-year... and then
19 we'd come back... and then we would renegotiate a new
20 lease after the five years.

21 COUNCIL MEMBER REYNA: Why would we do
22 that and why would that be a... it seems to be in the
23 best interest of the City of New York to save money
24 for a long-term lease; why five years as opposed to a
25 10-year with an option for an additional 10?

2 KENNETH ROBINSON: Well that may be the
3 case, but basically in the 20-year leases the owners
4 would commit to do many of the major repairs and...
5 [interpose]

6 COUNCIL MEMBER REYNA: I've heard that in
7 the past, Mr. Robinson and... [crosstalk]

8 KENNETH ROBINSON: in the past and...

9 COUNCIL MEMBER REYNA: the... this
10 particular site had a lot of issues... [interpose]

11 KENNETH ROBINSON: Yes; those were...

12 COUNCIL MEMBER REYNA: prior to and...
13 [interpose]

14 KENNETH ROBINSON: Yes.

15 COUNCIL MEMBER REYNA: it's not like the
16 City of New York did a very good job holding back
17 rent. So for us to negotiate a lease for more money
18 or the same amount of money and only for five years
19 seems to leave the City of New York vulnerable for an
20 additional increase at no upgrade to the building and
21 very little maintenance and possible displacement of
22 what would be child care services. So I just want to
23 get all of this information. Is there a rider with
24 all of the commitments for maintenance attached to
25 this?

2 KENNETH ROBINSON: No, because the
3 complete terms of the lease have not yet been
4 negotiated because we can't really negotiate, or
5 rather DCAS can't really negotiate the new lease
6 until the ULURP application is approved that gives us
7 the authority to negotiate the new lease.

8 COUNCIL MEMBER REYNA: So I have to give
9 you the authority to negotiate for a five-year lease?

10 KENNETH ROBINSON: Precisely. If we
11 don't get... and if...

12 COUNCIL MEMBER REYNA: And that does not
13 guarantee any maintenance, any upgrade and no
14 security long-term for more money?

15 KENNETH ROBINSON: Those conditions can
16 be negotiated and we intend to.

17 COUNCIL MEMBER REYNA: Again, you know, I
18 have a long history in my own neighborhood and I know
19 the issues as far as the market is concerned; is only
20 putting further pressure on private sites like this
21 where the City has had sweetheart deals with
22 landlords for 20 years and we don't do a good job
23 enforcing what would be maintenance and upgrades and
24 security of paying off mortgages and, you know,
25 living very well off of City taxpayer dollars. So I

2 don't think that this is in the best interest of what
3 would be the City of New York, on behalf of the
4 community in Bushwick and on behalf of these kids who
5 need... and families who need the security of what
6 would be a site that merits what would be a lease
7 that's in the best interest of all three parties. So
8 if we can just continue to discuss this; I'm not... you
9 know, there's no small business that can survive with
10 a five-year lease; we always advise businesses to
11 sign more than a five-year lease. Clearly we had a
12 20-years lease and that gave us security in the
13 community; gave the City of New York security, so we
14 have to do better than that. And I don't know if
15 further discussion here is necessary; I think we can
16 do... have this discussion beyond today to see how we
17 can assist each other in reaching that goal.

18 MARY ANNE SZABO: I'm sure that ACS would
19 be more than happy to set up a meeting, Council
20 Member... [interpose]

21 COUNCIL MEMBER REYNA: I would appreciate
22 that. Thank you so much.

23 CHAIRPERSON LANDER: Thank you, Council
24 Member. I guess there's just one thing I think at
25 the general level that might be helpful for us to

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2 understand, because you know we had a lot of hearings
3 in Chair Palma's General Welfare Committee about the
4 whole Early Learn process and there was a slightly
5 complicated overlap between the decision about
6 providers and the decision about spaces and there
7 were some spaces that were deemed either too
8 expensive or not appropriate for the continued
9 provision of child care separate from the evaluation
10 of their operators and so I wonder if you could just
11 say a word about the agency's evaluation of spaces
12 for continuing the lease program; what... you know, you
13 made, in some cases, decisions that a lease did not
14 make sense to renew and in other cases, such as this
15 one you made decisions that a lease did make sense to
16 renew and if you're not prepared... if you have some...
17 if you can help us understand why you made those
18 decisions in some cases and not others and are
19 bringing us this one, that would be helpful and if
20 not, then we would like to figure out the appropriate
21 space to make sure we better understand that
22 question... [interpose]

23 MARY ANNE SZABO: 'Kay. I mean obviously
24 ACS is committed to the success of Early Learn NYC
25 and all our child care programs; unfortunately today

2 we were only prepared to address these two, but I'm
3 sure ACS would be more than happy to set up meetings
4 to address any specific concerns about the sites...
5 [interpose]

6 CHAIRPERSON LANDER: Well let me ask one
7 thing and then I'll turn it over to Council Member
8 Palma. I guess I would like to ask that if ACS could
9 send us in writing the evaluation criteria that it
10 uses in considering lease renewals of City-leased
11 spaces for day care, which are... it's a separate issue
12 from Early Learn and how you decide about providers
13 and in some ways even not entirely overlapping
14 decision on what communities... I mean it's related to
15 what communities there'll be child care in, but these
16 leases come up for renewal periodically and in some
17 cases we've seen ACS renew them and in some cases
18 we've seen ACS not renew them; it would be helpful to
19 us if we could see in writing the criteria that you
20 use for making the decisions about lease renewal,
21 because we're only getting two of them here, but
22 obviously there's a broader set of policy questions
23 that would better inform our understanding of
24 decision-making.

25 MARY ANNE SZABO: Okay.

2 CHAIRPERSON LANDER: Thank you. Council
3 Member Palma.

4 COUNCIL MEMBER PALMA: I... I just... I mean,
5 you raised the point that I wanted to make in terms
6 of this particular site and this particular lease and
7 I'm just... I would like to understand and I don't
8 think I'm getting the full picture here on why these
9 two sites... you're before us asking us to renew... or to
10 get authority to renew the leases to be able to
11 negotiate with them, but clearly there's concerns
12 about what the site... the issues at the site and I
13 think, you know with... ACS has not been consistent in
14 these leases and how much they will pay for leases;
15 one of the arguments we heard during the whole Early
16 Learn process was that some of the leases were too
17 expensive and clearly this is; I mean in my view and
18 I think the point that Council Member Reyna brings up
19 today is that these two... you know, almost half a
20 million dollars for five years, in our eyes and our
21 view is all so... or \$500,000 a year; it's clearly an
22 expensive lease to give to a site that has issues
23 within its walls and property, so I too want to be
24 able to get the criteria and I believe you can
25 submit, because you're before this Committee... to this

2 Committee to understand the inconsistency in lease
3 renewals and for each individual provider and what we
4 then need to do as a Council to set some sort of
5 guidelines to make sure that ACS continues to be
6 consistent and that when we are giving authority to
7 renew some leases that we're doing it in a manner
8 where it's not gonna cause the City, you know
9 millions of dollars. But it's going... you know, it's
10 sort of gonna create some sort of stability through
11 these lease agreements for the City of New York.

12 CHAIRPERSON LANDER: Final word to
13 Council Member.

14 COUNCIL MEMBER REYNA: Thank you; I'm
15 sorry, Mr. Chair. I just wanted to express to
16 General Counsel, both General Counsel that Central
17 Cedar Management and Central Management Corp. have
18 not ever come to the table around these issues. I
19 don't know if the City has ever brought them to the
20 table in the past concerning issues of building
21 footprint and necessary upgrades. Is this in fact,
22 you know, only local issue or has the City of New
23 York brought them to the table in the past?

24 KENNETH ROBINSON: Actually, in the
25 process of these renewals we have insisted that they

2 make significant repairs to the roof playground
3 areas...

4 COUNCIL MEMBER REYNA: Under the 20-year
5 lease?

6 KENNETH ROBINSON: Yeah, under... yes.

7 COUNCIL MEMBER REYNA: And that was done?

8 KENNETH ROBINSON: That was done.

9 COUNCIL MEMBER REYNA: And the Central
10 Cedar Management and Central Management Corp.; are
11 they... is it a Community Development Corporation?

12 KENNETH ROBINSON: No.

13 COUNCIL MEMBER REYNA: Who are they?

14 KENNETH ROBINSON: They are private
15 owners who own... who happen to own the properties.

16 COUNCIL MEMBER REYNA: But an LLC or just
17 a single entity?

18 KENNETH ROBINSON: Really... Well Central
19 Management is just listed as a corp; not as an LLC
20 and neither is the other... the other owner.

21 COUNCIL MEMBER REYNA: Do we have any
22 further information concerning who these people are
23 or who this person is, as far as the corporation is
24 concerned?

2 KENNETH ROBINSON: We have... well... I don't
3 think we were prepared to address that particular
4 issue, so we didn't investigate the background, but
5 we have had contact with the principals of these
6 entities.

7 COUNCIL MEMBER REYNA: If that
8 information can be made available as well, you know,
9 it's important that communication all around..

10 KENNETH ROBINSON: Yes.

11 COUNCIL MEMBER REYNA: is consistent.

12 KENNETH ROBINSON: Okay.

13 COUNCIL MEMBER REYNA: And I find it
14 troubling because when we had issues with previous
15 sponsors it was very difficult to address them and
16 you know, the City of New York would have to step in
17 in order to take further action, you know and at
18 times successful; at times not and we just wanna make
19 sure that there is no issues here and again, I want
20 to stress a five-year lease is not what I would
21 consider sustainable for the City of New York; I
22 don't think that's a starter for any particular
23 tenant, especially when it makes the stability of a
24 day care vulnerable. And is this particular dollar
25 amount for the lease calculated into the contract?

2 KENNETH ROBINSON: I have to get back to
3 you on that.

4 COUNCIL MEMBER REYNA: Okay. So those
5 are very important key points that I just wanna make
6 sure we discuss when we meet. Thank you very much.

7 KENNETH ROBINSON: Just one final point;
8 getting back to the sponsors not appearing at the
9 Community Board meeting; the... one of the principals
10 of the sponsor had been in touch with the district
11 manager and asked if a letter would suffice; she said
12 it would; she was apparently satisfied with a letter,
13 but some of the board members, as well as members of
14 the community were not, but they did respond and the...
15 and part of their resolution included regular
16 consultations with the... between the sponsor and the
17 Community Board.

18 COUNCIL MEMBER REYNA: And therefore, you
19 know not being here today and not having any
20 communication with my office, I want to just share
21 with you... [interpose]

22 KENNETH ROBINSON: Yes.

23 COUNCIL MEMBER REYNA: you know; I have
24 the same resolution; I just want to make sure that in
25 the best interest of our community that we have what

2 would be a greater ability to security what makes the
3 best sense for families in relationship to this lease
4 and the sponsor and the City of New York. Thank you.

5 KENNETH ROBINSON: Thank you.

6 MARY ANNE SZABO: Thank you Mr. Chair.

7 CHAIRPERSON LANDER: So thank you and
8 I'll just conclude by saying, first I appreciate that
9 you came here, you know, solely to ask for extension
10 of the lease on these two buildings, but it has
11 opened up a broader set of questions about the direct
12 lease program and how you make decisions about what
13 you renew and don't renew; I know there are many
14 fewer of these than there use to be; obviously when
15 you present one council member with a choice, of
16 course we don't wanna lose child care in our
17 districts and so the pull on a council member to just
18 say fine, good; I'll approve it, is strong, but for
19 the Council as a whole, which is what we're supposed
20 to be doing in this Sitings Committee; you know,
21 whether we're getting the bang for the buck; you know
22 whether the dollars are right relative to the
23 condition of the buildings, relative to the cost per
24 seat, relative to the location; that's really the
25 information we need to make a responsible, broader

2 set of choices, so I'm just gonna actually reiterate
3 and slightly expand my request for some information,
4 because I feel like what we really need to feel
5 comfortable in our decision-making is the criteria
6 that you use for deciding whether to extend or not
7 extend a lease and then we need to see, and I know
8 you've provided us at least parts of this information
9 when we've done the budget process, the catalog of
10 leases; you know, where do we have these leases, the
11 range of cost per seat, which would range from
12 neighborhood to neighborhood, 'cause our
13 neighborhoods have very different rents, but still,
14 so it's not that they all should be the same, but we
15 need to understand cost per lease, you know and some
16 information on when they expire and if there is
17 appropriate, you know, existing information on
18 building conditions; you know, the information both
19 on how you make those decisions and the portfolio, at
20 least some basis information on the portfolio of
21 properties would be very helpful to us as we consider
22 this, but also just try to do our jobs as a whole.
23 So I know there's only 90 days in the Administration,
24 but is that something that you can get... is that...

2 that's information you can get to the Council in a
3 reasonable period of time?

4 MARY ANNE SZABO: We'll do it.

5 KENNETH ROBINSON: We'll do our best.

6 CHAIRPERSON LANDER: Alright; how... what
7 do you... how long do you think this will take?

8 KENNETH ROBINSON: Okay. We... Okay, we'll
9 do our best to have it by the end of the month.

10 CHAIRPERSON LANDER: Great. Wonderful.
11 That's great.

12 KENNETH ROBINSON: What'd she say?

13 MARY ANNE SZABO: I was just told that
14 we'll get back to you with that information.

15 CHAIRPERSON LANDER: Okay. Okay. But it
16 sounds like you said you thought you could have it by
17 the end of the month... [interpose]

18 MARY ANNE SZABO: We can try.

19 KENNETH ROBINSON: We'll...

20 CHAIRPERSON LANDER: which will be great;
21 I know you've got a lot of tasks to achieve and we're
22 just trying to do our best to make appropriate
23 decisions, so thank you very much for your testimony
24 today; thank you Council Members for raising these
25 good questions and with that, because no one else has

1 SUBCOM ON LANDMARKS/PUBLIC SITING/MARITIME USES 31
2 signed up to testify, we'll close the public hearing
3 on these items and we're laying over three items;
4 these two that we just heard, Land Use Number 0938
5 and 0939 and we're also laying over Land Use Number
6 0918, the West End Collegiate Historic District
7 Expansion, which we heard at our last meeting and
8 laid over; there's still some time on the clock
9 before we have to vote on that item and we are
10 therefore laying it over again. Thanks very much and
11 with that this hearing is adjourned.

12 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date _____ October 14, 2013_____