

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FINANCE
COMMITTEE ON TECHNOLOGY
COMMITTEE ON TRANSPORTATION

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May 29, 2012
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HELD AT: Committee Room
250 Broadway, 16th Floor

B E F O R E:
DOMENIC M. RECCHIA, JR.
FERNANDO CABRERA
JAMES VACCA
Chairpersons

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Fernando Cabrera
James Vacca
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A P P E A R A N C E S (CONTINUED)

Rahul Merchant
Commissioner
NYC Department of Information Technology and
Telecommunications

James M. Fowler
First Deputy Commissioner
NYC Department of Information Technology and
Telecommunications

Brett Robinson
Deputy Commissioner for Financial Management and
Administration
NYC Department of Information Technology and
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John Winker
Associate Commissioner for Financial Services
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CHAIRPERSON CABRERA: Good morning.

It is with pleasure that I welcome you all here today for the Fiscal Year 2013 Executive Budget hearing for the Department of Information Technology and Telecommunications. My name is Fernando Cabrera, and I am the Chair of the Committee on Technology, and glad to be co-chairing today's hearing with my colleague, Domenic Recchia, Chair of the Finance Committee.

First off, I would like to congratulate the new DoITT commissioner and the City's Chief Technology Officer on his recent appointment. I look forward to working with you.

We are eager to hear about the many aspects of DoITT's Fiscal 2013 budget, and further discuss some of the department's most notable projects that include the city's plans to centralize the technology infrastructure of more than 40 agencies, known as CITIServ, and the city wireless network, known as NYCWiN, and the emergency communications transformation project.

There is a lot of talk about, so let's get started. Commissioner Merchant, we look forward to your testimony. Before you start, let

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2 me just acknowledge the Council Members that are
3 here. Council Member Ignizio, Council Member
4 Ferreras, Council Member Comrie, Council Member
5 Brewer. Please feel free at this moment to
6 prepare remarks whenever you're ready.

7 RAHUL MERCHANT: Thank you. Thank
8 you, Chair Cabrera and good morning to everybody.

9 I am Rahul Merchant, New York
10 City's Chief Information and Innovation Officer.
11 Thank you for the opportunity to testify about the
12 Department of Information Technology and
13 Telecommunications' Fiscal 2013 executive budget.
14 With me today are Jim Fowler, our First Deputy
15 Commissioner, Brett Robinson, our Deputy
16 Commissioner for Financial Management and
17 Administration, and John Winker, our Associate
18 Commissioner for Financial Services.

19 Before I begin, I would like to
20 quickly outline my background for the committee.
21 An engineer by trade, I began my life in the
22 United States some 32 years ago with two
23 suitcases, a college degree and an interest in
24 math and science. I have been blessed since that
25 time to build a successful career as a

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2 technologist, earn two advanced degrees, raise my
3 family, and contribute my professional energies to
4 some of the most successful companies in the
5 world. As an IT executive, I have had the
6 opportunity to build, reform, and oversee major IT
7 operations, as well as help organizations
8 streamline and innovate their efforts using
9 technology.

10 Among the most important lessons I
11 have learned through all these experiences is that
12 no one accomplishes much of anything alone. I
13 hope to spend the next 18 months building on the
14 important gains DoITT has made and lending my
15 expertise to an ambitious technology agenda that
16 has become a hallmark of the Bloomberg
17 Administration.

18 DoITT's Fiscal 2013 Executive
19 Budget provides for operating expenses of
20 approximately \$442 million. This is an increase
21 of \$24 million from the Fiscal 2013 January
22 Budget, and a net decrease of \$27 million from the
23 Fiscal 2012 current modified budget.

24 The increase is largely due to the
25 extension of Inter-Fund Agreement positions

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2 totaling \$13 million; funding of \$11 million added
3 to cover new maintenance costs, associated with
4 the various projects that are being managed by
5 DoITT.

6 The Fiscal 2013 budget appears less
7 than the current Fiscal 2012 budget primarily due
8 to the one-time grant funding, including Broadband
9 Technology Opportunities Program, called BTOP,
10 stimulus and Department of Homeland Security
11 funding that was reflected in Fiscal 2012. The
12 unspent portion of this funding will be rolled to
13 Fiscal 2013.

14 DoITT's budget for the coming year
15 includes \$91 million in Personal Services to
16 support 1,111 fulltime positions, and \$351 million
17 for Other Than Personal Services. Of the \$351
18 million, 34 percent, or \$119 million, represents
19 Intra-City funds to be transferred from other
20 agencies to DoITT for services it provides.
21 Telecommunications costs represent the largest
22 portion of the Intra-City expense; Fiscal 2012
23 Intra-City telecommunications expenditures are
24 budgeted at \$98.5 million, while total
25 telecommunications costs are budgeted at \$120

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million.

While this is my first appearance before the City Council, DoITT has continued progress on a number of programmatic initiatives since its preliminary budget hearing in March, as follows.

DoITT provides for the sustained, efficient and effective delivery of IT services, infrastructure and telecommunications to enhance services delivery to New York City's residents, businesses, employees and visitors. .

Presupposing virtually all of our work is access to what can be considered the indispensable infrastructure of the 21st Century: broadband technology. And DoITT leads the city efforts to promote sustainable broadband adoption and extend broadband infrastructure in underserved communities across the five boroughs.

By tapping the City's regulatory authority over cable franchise providers, we help bring free and low-cost wi-fi and other tech improvements, valued at more than \$60 million, to public parks, community centers, and commercial sectors. And by securing \$42 million in federal

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2 stimulus monies, we are helping increase broadband
3 access for public school students and families,
4 and to launch new, free public computing centers
5 citywide.

6 Last month, for example, DoITT
7 joined the New York City Housing Authority, and
8 Department of Youth and Community Development, and
9 local elected officials to open a Time Warner
10 Cable Learnings Lab at the James Weldon Johnson
11 Community Center in Harlem. The state-of-the-art
12 facility will serve as a vital community service,
13 providing children and adults with access to
14 computers, e-learning programs and high-speed
15 internet.

16 While we strive to build a more
17 connected city through expansion and adoption of
18 broadband technology, we are also building a new
19 digital face of City government on NYC.gov. Known
20 as "Reinvent NYC.gov," this initiative includes
21 re-architecting the site's decade-old platform as
22 well as redesigning its navigation structure and
23 look and feel. Updates will enable the site to
24 support modern interactive web applications for a
25 better user experience and provide a more scalable

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environment for future growth.

They will also include improvements to the search capability and more targeted, local information to help the site's more than 25 million annual visitors find relevant information and services faster than ever.

Infrastructural work is now underway and will be in place by year's end, while the public-facing aspects, including modernized content taxonomy, user interaction, and the new look and feel, should be in place by early 2013.

While NYC.gov is the virtual front door to city services and information, DoITT also houses the consolidated, backend technologies that power agency systems and applications. Through the Citywide IT Infrastructure Services, CITIServ initiative, we are providing agencies with secure and recoverable data centers through a shared infrastructure that will reduce costs, space, energy consumption, and improve overall IT service quality.

In 2011, DoITT opened the City's new data center in downtown Brooklyn, which will allow the city to centralize the technology

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2 infrastructure of more than 40 agencies.
3 Migrations for seven agencies are now complete,
4 with an additional ten agencies currently underway
5 and scheduled for completion by end of 2012. An
6 additional 18 agencies are expected to be migrated
7 in 2013.

8 The process of centralized email
9 hosting also continues for all city agencies. To
10 date, DoITT has completed migration of more than
11 50,000 email accounts with the final in-scope
12 agencies planned for completion by the end of
13 2012.

14 Finally, from backend servers to
15 front-end services, DoITT also assists agencies in
16 developing and hosting public-facing applications.
17 Since we last testified before these committees,
18 the following, the following milestones have been
19 achieved.

20 Green Book Online: earlier this
21 month, the Green Book, the city's official
22 directory of personnel and government office
23 information at the city, county and state levels
24 since 1918, launched for the first time online as
25 a free, searchable, continually updated digital

1 application, hosted by DoITT at NYC.gov/greenbook.

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3 New York City Municipal Archives
4 Online Gallery: in April, the City's Municipal
5 Archives online gallery, providing free, public
6 access to more than 800,000 items digitized from
7 the city's word-class collection, including
8 photographs, maps, motion pictures and audio
9 recordings. DoITT worked with the Department of
10 Records on design and implementation of the
11 gallery.

12 eCertification Tool: the Department
13 of Housing Preservation and Development's
14 eCertification tool is now being used by 3,500
15 residential buildings across the city to certify
16 that a housing code violation has been corrected
17 by the owner or manager within the legally
18 required timeframe. Initially launched last June,
19 DoITT built eCertification's backend systems
20 allowing HPD to authenticate landlord's identity;
21 to assign digital postmarks to submitted
22 certification documentation to ensure chain of
23 custody; and to store, organize and retrieve the
24 electronic documentation as necessary.

25 With the sampling of innovative

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2 programs I have updated the Committees on this
3 morning, and many more underway, DoITT looks
4 forward to continuing the Bloomberg
5 Administration's modernizing agenda for the next
6 generation of New Yorkers.

7 This concludes my prepared remarks.
8 Thank you again for your time this morning. My
9 colleagues and I would now be pleased to address
10 any questions you have. Thank you.

11 CHAIRPERSON CABRERA: Thank you,
12 Commissioner. Let me recognize we've been joined
13 by Council Member Koslowitz.

14 I have a few questions before I
15 turn it over to my colleagues. We're not going to
16 have the clock on, colleagues, so please be
17 cognizant of that, in terms of time. But I do
18 want to give you as much time as possible to ask
19 your questions.

20 I wanted to ask you, Commissioner,
21 I know you just started about six weeks ago, and
22 congratulations again. Can you share with us your
23 thoughts regarding how the department is
24 structured and managed and what aspects of DoITT
25 you would like to see change?

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RAHUL MERCHANT: Thank you.

Currently, as we see, DoITT is structured across direct reports that I have. Jim today runs infrastructure and applications, which is a centralized technology utility. Brett Robinson, he runs all of our administration. And we have an individual running NYC.gov, and we have a couple of other folks who direct report in to me the various different programs.

As I move forward, I am looking forward to restructuring some of the responsibilities and as time goes by I will update the committee and the city in its restructured responsibility, given that I have two additional responsibilities. One, I'll be happy to chat about it, is to manage what we call the Center of Excellence, which is a citywide office of the CIO, allowing for governance of midsize to large projects. I would be happy to give you more details on that.

And also, the hat of chief innovation officer, which will allow me to maximize the use of our current assets the city have and also our partnership with the public and

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2 the private, the public-private partnerships as
3 well as with education institutions.

4 So, given the role I have, which is
5 larger than just being a DoITT commissioner, in
6 order to get the maximum bandwidth and contribute,
7 I will look forward to kind of slightly
8 restructuring DoITT as the time goes by.

9 CHAIRPERSON CABRERA: Very good,
10 Commissioner. Let me just switch gears here
11 because we only have an hour. Let me ask a
12 question regarding the 911 emergency call system
13 report. Have you had an opportunity to read the
14 report? What were your thoughts on the report?
15 Have you read an unedited report? And if so, what
16 parts were redacted?

17 RAHUL MERCHANT: During my first
18 four weeks, which is this is week number five,
19 I've had the opportunity to read the 911 report,
20 and I think there was only one copy that I was
21 briefed on. I'm not aware of any different copy
22 than what is made public. And I've just gotten a
23 briefing of it and there was not another copy that
24 I'm aware of.

25 CHAIRPERSON CABRERA: Yeah, they're

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2 sending an unedited version. This is the edited
3 version. I think there is 129 or 130 pages here.
4 The unedited version has 200. And so, I'm just
5 curious what happened to the 80 pages worth of
6 recommendations or input. That it seems to be a
7 very well presented, critical response to the 911
8 processing call center and system, and it was a
9 great review. So my recommendation is that you
10 will gain access to it and see what was unedited,
11 what part of it from the unedited report, you know
12 that part of the information was not given to you.

13 So, since you don't have in terms
14 of the unedited part, what part of this report are
15 you interested in implementing?

16 RAHUL MERCHANT: Again, as I said,
17 Chairman Cabrera, it has been four weeks. And
18 this, the 130-page report is what I was briefed
19 on.

20 CHAIRPERSON CABRERA: Right.

21 RAHUL MERCHANT: As I am getting
22 briefed on practically every other project or
23 every project that is out there, it will take me a
24 little bit longer than, you know, today to come
25 back and give you a full kind of recommendation as

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2 to what I am looking at. I'd suggest that I will
3 have a couple more conversations with Bruce
4 Gaskey, who is kind of doing most of the program,
5 day-to-day operation as well as implementation and
6 come back to you at a future date.

7 CHAIRPERSON CABRERA: That's very
8 fair, Commissioner. In terms of PSAC II--this is
9 my last question for now and then I'm going to
10 turn it over to my co-chair--in terms of PSAC II,
11 can you give us a status update regarding PSAC II?
12 Also, there was a newspaper article regarding--
13 matter of fact, let me back up over here.

14 There was a newspaper article done
15 in the *Daily News*, I don't know if you're aware of
16 it, done by Juan Gonzalez. He says city paid
17 Hewlett-Packard \$355,000 to install a few
18 electrical cables at the 911 communications center
19 in Brooklyn. And essentially at the heart of it,
20 they were paying workers three and a half times
21 the amount of the prevailing wage. The prevailing
22 wage run as \$100 an hour. We were paying \$374.
23 Actually, that was a bargain, according to the
24 article, because they were first asking \$600,000
25 something.

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2 But anyway, to make a long story
3 short, it's \$355,000 for a very few cables that
4 were installed. And the concern is that it's
5 going to keep ballooning the cost of the project.
6 Now it is at \$2 billion. And the Comptroller is
7 coming out with a report next week and referring
8 the case to the DA's office. It sounds pretty
9 serious.

10 So, can you give us an update as to
11 really what's at the core of what is taking place?

12 RAHUL MERCHANT: Chairman Cabrera,
13 what I can do is I can tell you what, so far what
14 I have been briefed. But the latest article that
15 you talked about, I would ask Chuck Fraser, our
16 counsel, to give you a little bit more details on
17 that. But in terms of what I've been briefed on
18 and what I have seen so far is the PSAC II
19 facility is to be operational by 2015. Again, the
20 work seems to be on track. But in terms of that
21 particular article that talked about some of the
22 wages or some of the contractors that were paid, I
23 would like Chuck to kind of address that.

24 CHARLES FRASER: My name is Charles
25 Fraser. I'm the general counsel at DoITT. The

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2 opinion piece that Mr. Gonzalez wrote was based on
3 a legal memorandum that a member of my staff wrote
4 about four years ago. Mr. Gonzalez unfortunately
5 made three factual errors in his account of it.
6 First, he interpreted that memo incorrectly. That
7 memo was done during the contract negotiations.
8 So at the time the memo was written, no money had
9 been paid to HP and in fact no contract existed.
10 The reason my attorney was involved is they were
11 negotiating a contract.

12 So therefore, that led into a
13 second mistake. The vendor's negotiation position
14 at that time was \$355,000. That's not what the
15 final contract was. The final contract was
16 \$260,000. That's why you have negotiations.

17 And third, his third mistake was
18 saying that it was a few cables. It was, in fact,
19 the entire PSAC I system, except for the Vesta
20 part that Verizon did separately. It was 488
21 workstations, 1,500 cables, 3,000 connections. It
22 was not just a few cables for \$260,000, I can
23 assure you.

24 CHAIRPERSON CABRERA: So what did
25 it come out to an hour? I'm just curious.

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CHARLES FRASER: I don't have the hourly rate. The electricians were, in fact, paid prevailing wages, as they have to be. And the vendor did get a markup. And I don't have the exact numbers but you can figure it out. It was approximately 888 hours, is my recollection, plus waste disposal time of another 60 or something like that. And the hourly rate for electricians, counting benefits, is in excess of \$100 an hour.

CHAIRPERSON CABRERA: Thank you. I'm going to turn it over to my colleague and co-chair. Thank you.

CHAIRPERSON RECCHIA: Thank you, Commissioner and good morning. I was in another meeting, working on the budget. I just want to follow-up on some of your answers that you gave. I just want to make sure I understand you correctly. The unedited report; is it your testimony that you're unaware of an unedited report?

RAHUL MERCHANT: I have not seen or am I aware of it, that's correct. An unedited report, I have not seen one as well as I'm not aware of one.

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CHAIRPERSON RECCHIA: Don't you

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read the newspapers?

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RAHUL MERCHANT: I'm--

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CHAIRPERSON RECCHIA: [interposing]

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The newspapers report that--

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RAHUL MERCHANT: --from the

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newspaper, but I have not been told officially by

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anyone within--

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CHAIRPERSON RECCHIA: [interposing]

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Did you ask?

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RAHUL MERCHANT: I have asked for

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it if there was one--

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CHAIRPERSON RECCHIA: [interposing]

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No, no, did you ask?

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RAHUL MERCHANT: Ask whom, sir?

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Yes, I did, I asked my counsel.

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CHAIRPERSON RECCHIA: [interposing]

19

Well, as the commissioner--

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RAHUL MERCHANT: [interposing] I

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did ask my counsel, yes.

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CHAIRPERSON RECCHIA: No, no, did

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you ask anyone over in City Hall? Did you ask

24

anyone if there is an unedited report?

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RAHUL MERCHANT: I have not asked

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2 anybody within the City Hall, but I have asked all
3 my deputies whether there is an unedited report.

4 CHAIRPERSON RECCHIA: And what did
5 they say?

6 RAHUL MERCHANT: There is nothing
7 that is available for me to see that--

8 CHAIRPERSON RECCHIA: [interposing]
9 That's not what I'm asking you. Did they tell you
10 was there one or wasn't there one?

11 RAHUL MERCHANT: There is not.

12 CHAIRPERSON RECCHIA: They told you
13 there was not?

14 RAHUL MERCHANT: That is correct.

15 CHAIRPERSON RECCHIA: And who did
16 they speak to?

17 RAHUL MERCHANT: I did not ask them
18 who they spoke to.

19 CHAIRPERSON RECCHIA: Don't you
20 think that's important?

21 RAHUL MERCHANT: Sir, I've been
22 here only four weeks and I've been briefed on so
23 many projects. For me to be briefed on every
24 project within--

25 CHAIRPERSON RECCHIA: [interposing]

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Commissioner, I understand you've only been here for four weeks.

RAHUL MERCHANT: Yes, sir.

CHAIRPERSON RECCHIA: I feel, but we have a job to do--

RAHUL MERCHANT: [interposing]
Sure, sir.

CHAIRPERSON RECCHIA: --for the taxpayers of the City of New York. If you're telling me that you're not prepared to testify today, then we will adjourn this and we can come back at another time when you are prepared.

RAHUL MERCHANT: As I said, I have--

CHAIRPERSON RECCHIA: [interposing]
You know, I just want to get--you know, we want to know. We're just trying to get to the--you know, of this.

RAHUL MERCHANT: Sure.

CHAIRPERSON RECCHIA: Okay. If you want, we could submit some questions to you in writing.

RAHUL MERCHANT: Please. I will appreciate that. Thank you.

CHAIRPERSON RECCHIA: Okay. We

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will give you some questions, since you are new.
A big issue, you know, with the 911, you know I
don't want to take up this whole hearing on it.

RAHUL MERCHANT: Sure.

CHAIRPERSON RECCHIA: But I think
it's something that you really have to look into.
I think it's something that, you know, with this
whole agency we have issues with the consultants,
the millions of dollars being paid out to
consultants and then those consultants hire
subcontractors and we never learn who these are.
We feel that you have a lot of people in-house
that could deal with these.

So my question to you is
approximately how many outside consultants does
your agency have?

RAHUL MERCHANT: I'm happy to
answer that question, sir, absolutely. I'm not
just talking of 911 but--

CHAIRPERSON RECCHIA: [interposing]
No, your whole agency. How many outside
consultants do you have?

RAHUL MERCHANT: I'll be happy to
answer that. Approximately 603 outside

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consultants.

CHAIRPERSON RECCHIA: Six hundred and three outside consultants.

RAHUL MERCHANT: Outside consultants.

CHAIRPERSON RECCHIA: And how much does that cost, approximately? I know you can't give us an exact because sometimes it goes up, some comes out but--

RAHUL MERCHANT: [interposing] Approximately \$50 million.

CHAIRPERSON RECCHIA: A year? Please keep your conversations down, it's very distracting. So \$50 million per year, and do you have a list of all of these outside consultants?

RAHUL MERCHANT: Yes, I do, sir.

CHAIRPERSON RECCHIA: Okay. We would like a copy of that.

RAHUL MERCHANT: Absolutely, happy to--

CHAIRPERSON RECCHIA: [interposing] We will follow that up, a list of all the outside-

RAHUL MERCHANT: [interposing] We will be happy to provide that to you.

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2 CHAIRPERSON RECCHIA: Okay. A lot
3 of my colleagues have questions. I just have one
4 question that I just want to go after. If you
5 know about this, you might not. The Film Office
6 incentive program, the preliminary budget includes
7 a proposal to baseline \$20 million for the Film
8 Office incentive program.

9 RAHUL MERCHANT: Yes.

10 CHAIRPERSON RECCHIA: This program
11 is being proposed by the Administration for \$20
12 million. Could you just go into that a little bit
13 on that?

14 RAHUL MERCHANT: I do not know the
15 detail on the \$20 million. Brett, would you have...

16 CHAIRPERSON RECCHIA: Just state
17 your name for the record.

18 BRETT ROBINSON: Brett Robinson,
19 I'm DoITT's Deputy Commissioner for Finance and
20 Administration. Of that \$20 million,
21 approximately \$5 million is to support the
22 development of digital media program for the
23 Graduate School of Cinema in Brooklyn. The
24 balance of the \$20 million, while we administer
25 budgetarily the funding on behalf of the Mayor's

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2 Office of Media and Entertainment, it's probably a
3 question better directed to Commissioner Oliver of
4 that office.

5 CHAIRPERSON RECCHIA: All right.
6 We will follow up with Kathy Oliver. I saw it in
7 the budget. Okay, we see Council Members that
8 have questions. We have been joined by Mark
9 Weprin, Lew Fidler, and Oliver Koppell. We'll
10 have Leroy Comrie, followed by Gale Brewer and
11 Vincent Ignizio. If anybody else wants to ask
12 questions, have Tanisha Edwards get your name.

13 COUNCIL MEMBER COMRIE: Thank you,
14 Chairs. I wanted to ask about the payphones and
15 what has happened with the request I made at the
16 budget hearing. I talked about what you were
17 doing with the payphones and new generation of
18 payphones. I saw there was a release in the paper
19 where DoITT was announcing a payphone program.
20 But I don't see anything in your testimony about
21 what they're doing with the payphones.

22 RAHUL MERCHANT: I'm happy to brief
23 you on that. We have granted as a pilot program
24 about 250 locations to a company called City 24x7,
25 and it will be a pilot program. And I'll be happy

1
2 to give you a lot more detail on it. The pilot
3 program leverages basically current city's
4 infrastructure that is already installed. There
5 will be smartscreens will be installed in the
6 pedestrian-centric locations in all five boroughs.
7 The feedback, as we receive feedback, we will tune
8 the program. At the same time, final
9 determination of--you know there'll be an RFI and
10 then RFP that will go out. So we're just starting
11 to pilot this new payphone applications and there
12 is a company that is involved that will do this
13 pilot for us at 250 locations.

14 COUNCIL MEMBER COMRIE: At 250
15 locations?

16 RAHUL MERCHANT: That's correct,
17 sir.

18 CHAIRPERSON CABRERA: Will we be
19 able to see or have an idea or any input on where
20 these locations would be? Can you give us an idea
21 on what type of touchscreens or what it would be
22 able to offer?

23 RAHUL MERCHANT: Again, we'll be
24 happy to provide you with a lot more details as we
25 learn more. But this is going to be a touchscreen

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2 type of technology across 250 locations. We'll be
3 happy to provide you with the locations that are
4 going out with. And, we are also going to ask a
5 lot of folks from city, again from all five
6 boroughs in terms of what they would like to see
7 as enhancements and as the features for the new--
8 what we call is the future payphones, as we go
9 forward. But we are just beginning this program,
10 so this has not gone very far yet.

11 COUNCIL MEMBER COMRIE: And how was
12 this pilot chosen? Did they make any contribution
13 ala Citibank? Did they pay the city any money to
14 do this pilot or are they giving--who picked this
15 group to do the pilot? I know that happened
16 before you came onboard, but can any of your team
17 give us any feedback on how that was chosen?

18 RAHUL MERCHANT: Absolutely, sir.
19 Jim, would you?

20 COUNCIL MEMBER COMRIE: Everything
21 has to go through your counsel.

22 CHARLES FRASER: Unfortunately I
23 supervise--not unfortunately, fortunately I
24 supervise the Franchise Administration Division.
25 Unfortunately, that selection was made before I

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started, so I don't know who made the selection.
What I know is that--

COUNCIL MEMBER COMRIE:

[interposing] When did you start?

CHARLES FRASER: I started just
about a year ago.

COUNCIL MEMBER COMRIE: A year ago,
okay.

CHARLES FRASER: And what I do know
is that City 24x7 came to us with the pilot
proposal, which anybody can do, and they were
selected based on that proposal, based on the
vetting of that proposal. I don't know who was
involved in the selection.

COUNCIL MEMBER COMRIE: And they're
undergoing all the costs and responsibilities for
installing--

CHARLES FRASER: [interposing]
Correct, there's no cost to the city.

COUNCIL MEMBER COMRIE: No cost to
the city.

CHARLES FRASER: That's right.

COUNCIL MEMBER COMRIE: And they're
going to use existing payphone stands?

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CHARLES FRASER: That's right.

COUNCIL MEMBER COMRIE: Are they putting up their own advertising?

CHARLES FRASER: I don't think they're putting up any additional advertising, no.

COUNCIL MEMBER COMRIE: Okay. So we're not deriving any revenue from this opportunity at all, as far as you know?

CHARLES FRASER: Since it's a pilot program, no, we're not deriving any revenue beyond what we collect on the franchise payphone themselves. We are using the pilot to evaluate the success of it for purposes of our future payphones. As you know, the current payphone franchises expire toward the end of 2014.

COUNCIL MEMBER COMRIE: Right. I was drilling into that because I wanted to get an idea on how you selected your vendors and what process is DoITT using to select vendors and what's your MWBE policy with selecting vendors. Do you have a list of the vendors that you've chosen within the last three years that you can share with the committee?

RAHUL MERCHANT: In terms of list

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2 of the vendors that we have chosen over the last
3 three years, we'd be happy to provide you with the
4 list.

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BRETT ROBINSON: So we can
6 certainly provide you with the vendors that have
7 been selected over the past three years. Our MWBE
8 policy is consistent with the city's policy.
9 Obviously we look to utilize MWBE vendors where
10 that's appropriate, and we can certainly provide
11 you with our statistics on--

12

COUNCIL MEMBER COMRIE:
13 [interposing] Do you have those statistics with
14 you today?

15

BRETT ROBINSON: I do.

16

RAHUL MERCHANT: I'm happy to give
17 them--if you want.

18

BRETT ROBINSON: You've got it,
19 okay.

20

RAHUL MERCHANT: The statistics are
21 during the year 2012, we're at 26 percent
22 contracts were awarded to MWBE. Yeah, that's
23 correct, 26 percent.

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COUNCIL MEMBER COMRIE: Twenty-six
25 percent, that sounds--

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BRETT ROBINSON: [interposing]

Fiscal year to date.

COUNCIL MEMBER COMRIE: Fiscal year
to date.

BRETT ROBINSON: Of the total
number of contracts awarded in the MWBE
categories, we've awarded 26 percent to minority
and women owned business enterprises.

COUNCIL MEMBER COMRIE: You can
give us a list of who those contracts went out to
and all the vendors that you said earlier you
could provide us a list of the vendors that you've
used in the last three years.

BRETT ROBINSON: We can provide
that to you.

COUNCIL MEMBER COMRIE: Okay.
Also, you already said earlier that you're going
to provide a list of all of the people that you're
doing, the consultants that you're contracting
with for the different programs. Are you required
to find out who their subcontractors are?

BRETT ROBINSON: Yes. For every
contract that's let, subcontractor approval is
required. That's the city's policy--

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COUNCIL MEMBER COMRIE:

[interposing] You can provide the committee that information as well?

BRETT ROBINSON: Uh-huh.

COUNCIL MEMBER COMRIE: We wanted to take a harder look at that. Then, also, just to be brief and stay focused, in regards to the oversight, what is being done to ensure that these contracts are being held to a certain price point and that they don't go over budget? Is there an audit or monitoring that's being done in-house to do that, to ensure that these contracts don't go over budget?

BRETT ROBINSON: Ensuring that a contract doesn't go over budget is a mix of certainly vendor management and project management as well.

COUNCIL MEMBER COMRIE: So are you looking to improve those systems since PSAC II and all these other projects that you have are going way over budget estimates? Can you give us an idea on how that's being done? I would imagine that your new director was brought in to try to help with those issues?

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2 BRETT ROBINSON: Certainly, we're
3 always looking to improve the way that we manage
4 our projects and our contracts. The second half
5 of the statement, the PSAC II overruns, I'm sure
6 there's some difference of opinion on the exact
7 level and the Comptroller's audit will speak to
8 some of that. But as far as what we're doing to
9 manage project costs, always looking to improve.

10 COUNCIL MEMBER COMRIE: Okay. All
11 right, I don't have any other questions other than
12 how long has this team been in place now? It
13 seems like every time we have a hearing we have a
14 new director. I recognize the gentleman on the
15 end. How long have you been working there? No, I
16 know you just came in April. But the gentleman I
17 was just speaking to.

18 BRETT ROBINSON: Two years for
19 myself.

20 COUNCIL MEMBER COMRIE: Two years.

21 JAMES M. FOWLER: Jim Fowler, First
22 Deputy Commissioner, I've been here a year and a
23 half.

24 COUNCIL MEMBER COMRIE: A year and
25 a half. And the gentleman that just took off his

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glasses?

JOHN WINKER: I'm the veteran of the group. My name is John Winker. I'm Association Committee for Financial Services. I've been with DoITT since 1995 in various capacities on the financial side of the agency. So I started with this agency as the budget director and I'm now associate commissioner.

COUNCIL MEMBER COMRIE: And you've moved up in the agency or do you just--

JOHN WINKER: Yes, I did. I started as the budget director and now I'm the associate commissioner. I have various units that report up to me.

COUNCIL MEMBER COMRIE: Okay. All right, thank you.

CHAIRPERSON RECCHIA: Thank you. Council Member Brewer, to be followed by Council Member Ignizio and the Weprin.

COUNCIL MEMBER BREWER: Thank you very much. Just following up on Council Member Comrie on the payphones. All of my community boards want to make sure that there will be hearings to analyze the pilot and then to go

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forward. Is that correct?

RAHUL MERCHANT: We'll ensure that that does happen.

COUNCIL MEMBER BREWER: Because otherwise there will be mutiny.

RAHUL MERCHANT: We will make sure.

COUNCIL MEMBER BREWER: Number two is the issue, we're all very interested in the ECTP and PSAC I and II. My question is it's a \$2 billion project. A couple of questions, how many lead contractors for ECTP have been replaced since the project began? If you know the answer to that, and then who's the lead contractor now? And is there any opportunity to recover any money? If there is, you feel, money to be recovered from contractors who have over billed.

Let me tell you why I'm concerned. Number one is my understanding, from talking to people who work at Metro Tech, is that project is not done. So we need to get a breakdown of what does it cost at I, capital and expense and what is it going to cost at II, which I never thought should exist, but I know Ray Kelly wants it, at II for capital and expense. Or can you give that to

1
2 us now? PSAC I is not completed. They're still
3 having arguments between the Police and the Fire.
4 Are you in charge of settling those?

5 RAHUL MERCHANT: What I can suggest
6 is I will look into it and come back to you with
7 the answers, because today I don't have the
8 details--

9 COUNCIL MEMBER BREWER:
10 [interposing] Okay, because we've never been able
11 to get, to be very honest with you, this \$2
12 billion project breakdown in a way that makes
13 sense. Either they're lumped together, I and II,
14 or they are not clearly identified. I think it
15 would set a great precedent for the entire agency
16 and the city if you clarified that.

17 RAHUL MERCHANT: I'd be happy to
18 take that with me and come back to you.

19 COUNCIL MEMBER BREWER: Okay.
20 Number two is the issue of NYCWiN. Can you tell
21 us how many agencies are using the network and can
22 you talk about the budget for those agencies? How
23 is NYCWiN recovering whatever you spent for
24 Northrop Grumman? Are there other vendors
25 involved with the maintenance and what's their

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cost?

RAHUL MERCHANT: I can give you quite a bit about NYCWiN in terms of what it is doing. It is kind of spread across several agencies across the city. It does everything from what you would call doing automated meter reading for the water as well as for transmitting and streaming of videos for the New York City Police.

NYCWiN, and I think if I can take a couple of minutes to just give you a little bit of an idea about NYCWiN, because one of the areas that a lot of folks feel that NYCWiN is a network that can take a lot of traffic. Unfortunately, that is not the case. Today, NYCWiN is utilized, and that was the first thing, in fact, I'd asked quite a bit of detailed briefing on, at between 35 and 40 percent.

What it means in real network term, once you go above 50 percent, if you are in a public safety network, one needs to kind of stop overloading the network itself. So we are utilizing it and we are also getting closer and closer to a point where we won't be able to light up a lot of buildings using NYCWiN. What we can

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2 definitely is add more discrete devices, like the
3 traffic signals and like the water meters. What
4 we cannot do is take another set of buildings and
5 use NYCWiN as what we call the last mile to
6 connect--

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COUNCIL MEMBER BREWER:

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[interposing] I understand.

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10 RAHUL MERCHANT: --the buildings to
11 our backbones. So we have a lot of capacity on
12 the backbone but not enough on the last mile.

12

13 COUNCIL MEMBER BREWER: So has it
14 been cost effective to build it with the contract
15 for Northrop Grumman? Has that been cost
16 effective? I think it was half a million at the
17 very beginning.

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RAHUL MERCHANT: Again, if you--

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COUNCIL MEMBER BREWER:

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20 [interposing] I mean half, 500--\$500 million was
21 the initial expense.

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JAMES M. FOWLER: That's correct.

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23 COUNCIL MEMBER BREWER: I have it
24 memorized.

24

25 JAMES M. FOWLER: The ongoing
expenses are \$40 million a year. We are very

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2 close if not over the recovery point in terms of
3 the cost we've offset by using NYCWiN to read over
4 800,000 water meters for the residents of New
5 York. We control through the NYCWiN facilities
6 about 6,500 of the 10,000 traffic signals in the
7 city. There is extensive use by both Police and
8 Fire for incident management for streaming video
9 and those kinds of things. There are, in fact, 22
10 separate agencies that use NYCWiN today and there
11 are about 40 different applications that are part
12 of that.

13 COUNCIL MEMBER BREWER: Okay.

14 JAMES M. FOWLER: We are going
15 through the exercise to calculate what the costs
16 would have been to use commercial carriers for
17 those, and we think we're very close to the annual
18 recovery point.

19 COUNCIL MEMBER BREWER: Okay. So I
20 guess originally it was built for public safety.
21 That was the original. So are the Police and Fire
22 using it in a way that makes sense or are they
23 going to have to build something else for their
24 needs?

25 JAMES M. FOWLER: No, they are

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2 using it and they're using it extensively. Their
3 use grows continually. That was, you're right,
4 the foundation for the system. We have used--

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COUNCIL MEMBER BREWER:

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[interposing] I've been around a long time.

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JAMES M. FOWLER: We've used the

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9 capacity to try and find other benefits and cost
10 savings for the city.

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COUNCIL MEMBER BREWER: All right.

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13 So maybe we can have more discussion about that.

14

JAMES M. FOWLER: Certainly.

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COUNCIL MEMBER BREWER: The

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17 question is you also have NYC TV under DoITT, is
18 that correct? NYC TV?

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BRETT ROBINSON: We administrator

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21 their budget. The direct management of it is

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23 under Katherine Oliver, the Commissioner of the

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25 Mayor's Office of--

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COUNCIL MEMBER BREWER:

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[interposing] All right. So do you have issues

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29 about any revenue shortfalls regarding NYC TV or

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31 is that something that only Katherine Oliver can

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33 answer?

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RAHUL MERCHANT: I would ask that

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it be answered by Katherine Oliver.

COUNCIL MEMBER BREWER: Okay. My other question is dot NYC. What's going on with dot NYC?

RAHUL MERCHANT: I'm happy to--

COUNCIL MEMBER BREWER: [interposing] It's a very expensive proposal. You're paying for it private sector is paying for it?

RAHUL MERCHANT: No, we are not paying for it. Right now, we have just started the program. Again, there is a vendor that was selected, called News Talk. They are paying for the initial approval and all the paperwork. We are not paying for any of that. Once we get the approval for the top level domain name, what will happen is we will then put it out and there will be a revenue sharing agreement between us and the vendor. But we are not paying anything from our pocket.

COUNCIL MEMBER BREWER: Okay. The call center 311 you are in charge of. Can you give us an update on the plans that will be put in place to reduce wait time? We have CUNY students,

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2 we have a company out of Texas, I believe, and we
3 have upset union members who feel that there are
4 too many nonunion people administering 311.

5 RAHUL MERCHANT: Today, what we
6 have done, I'll give you some stats. The wait
7 time has increased, compared to last--

8 COUNCIL MEMBER BREWER:
9 [interposing] We know. We call. We listen to all
10 this garbage.

11 RAHUL MERCHANT: There are two
12 things we are doing. First is upgrade the
13 application as well as infrastructure to kind of
14 ask people to do as much texting as well as self
15 services through streaming so as to ask--you know,
16 reduce the load on the call takers. That's number
17 one.

18 COUNCIL MEMBER BREWER: I
19 understand that. You know most people are going
20 to call.

21 RAHUL MERCHANT: Number two, we
22 have had to go through a little bit of a cost
23 reduction last year. So compared to what we had,
24 the number of folks, call taker, has gone down
25 from 223 to 176. So that is a reduction of--

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COUNCIL MEMBER BREWER:

[interposing] The 176 are the fulltime union employees or does that include the CUNY students and the contracted agency?

BRETT ROBINSON: That's the fulltime employees.

COUNCIL MEMBER BREWER: That's the fulltime employees.

BRETT ROBINSON: In addition, as you mentioned, there is a cohort of CUNY students as well as the overflow vendor, which is based in Brooklyn, not Texas.

COUNCIL MEMBER BREWER: Oh, I thought it was Texas. All right, so 176, so you're not going to be able to reduce the call time. People are not going to text; people call 311. You can produce and push as much as you want. Who calls? Older people, people who are fussers, they're going to call.

BRETT ROBINSON: There are also some advancements we're looking to make in the interactive voice recording system essentially to enhance, to streamline the amount of time a call taker needs to spend on the phone with a customer.

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2 And the hope is that that will also reduce wait
3 times.

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COUNCIL MEMBER BREWER: All right.

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I know my time is up. The final thing is the

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issue of Digital Divide. You mentioned the issue

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of partnerships. Just generally, are you going to

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allocate any funding towards looking at

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underserved areas? It could be what are we going

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to do when BTOP ends? That's one underserved area

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between the seniors and the students and the low

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income families. There are underserved areas. Do

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you have any ideas, budget wise or otherwise how

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are we going to continue and initiate serving

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underserved areas?

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RAHUL MERCHANT: That is one area I

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am very actively looking at, and there is

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something personally that is my goal is to figure

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out once BTOP ends how we are going to sustain it.

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That is being looked at as we speak. I'm very

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committed to going and increasing especially what

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you would call the broadband and computing power

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for the underserved area. That is a project I'm

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personally going to take a look at.

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COUNCIL MEMBER BREWER: And you're

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going to look at open data too. You're staff was great. They come to all the hackers and we love the hacker meetings.

RAHUL MERCHANT: Yes.

COUNCIL MEMBER BREWER: We have a great time. Thank you. I could go on and on, but thank you.

CHAIRPERSON RECCHIA: Okay. Thank you, Council Member Brewer. We've been joined by Council Member Jackson, Council Member Oddo and Council Member Diana Reyna. Council Member Ignizio?

COUNCIL MEMBER IGNIZIO: Yes. I have just a couple of very brief questions. Good morning, first of all, or actually good afternoon, right at 12. I wanted to ask you, overall, when you began the process of DoITT taking on information for the rest of the city, there was some pushback from commissioners who ran their respective agencies and there were some territorial issues that commissioners did not want to give what they felt was their proprietary information to DoITT to house and to be able to be referenced. Has that issue been worked out with

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the agencies to your knowledge?

RAHUL MERCHANT: Councilman, so far I have had various meetings with quite a few commissioners across different agencies. And I have not seen that as an issue except when the information that these folks are looking at, which is more of a proprietary nature for within the agencies and the information has to be restricted outside of the agencies. We have talked about several projects across different agencies so we can put a good governance structure going forward so as to be able to get, leverage each other's technology, each other's projects as well as each other's resources. I have found all the commissioners that I have talked to so far have been extremely open and quite, in fact, cooperative than what I would have even thought of.

COUNCIL MEMBER IGNIZIO: That's great, Commissioner, because that is a shift. I can tell you from speaking to many of them personally there was a concern about DoITT being the repository of all information housed with one agency and them losing their territory, so to

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2 speak, and their information to the agency. Well,
3 let me continue on because I want to make best of
4 my time. With regards to PSAC, with regards to
5 emergency response overall, the taxpayers of the
6 City of New York are going to spend \$2 billion at
7 the end of the day. Will this finally solve the
8 radio, the communications, the 911 system problems
9 that we have? Can I look at my constituents in
10 the eye and say "Yeah, there were issues in the
11 past. We learned some tragic lessons throughout
12 the recent history about it. But this is the
13 solution." Is this the solution?

14 RAHUL MERCHANT: I have looked at
15 the overall program and read all the reports. I
16 have seen the reports on details of the technology
17 that is being used. I'm a believer, I'm a strong
18 believer that after this program is completed, I
19 think we will solve all the issues that were
20 outlined. But I think, you know, the proof of
21 this thing is as we move forward and as we see
22 programs complete one at a time, you know, one
23 phase at a time, I think we will receive the
24 benefits, absolutely.

25 COUNCIL MEMBER IGNIZIO: Can

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2 anybody on the panel sort of give me a primer on
3 what is built in the system that as not built in
4 prior, just in case there is an emergency, a
5 hurricane, an earthquake, some natural or manmade
6 disaster, what is there now that wasn't there
7 prior? Thank you. That's my final question, Mr.
8 Chairman. I'll just await the answer.

9 BRETT ROBINSON: The specifics, I
10 think you'll probably get more sophisticated
11 answers speaking to Bruce Gaskey, the head of the
12 Mayor's Office of Citywide Emergency
13 Communications. But I think one of the key
14 takeaways is that it's scaled to accept more calls
15 now than it was previously. So you won't run into
16 the same issues we've had in some of the major
17 events of the past where you're not able to get
18 through.

19 CHAIRPERSON RECCHIA: Okay, thank
20 you. Council Member Lewis Fidler?

21 COUNCIL MEMBER FIDLER: Thank you,
22 Mr. Chairman. Good afternoon, Commissioner.

23 RAHUL MERCHANT: Good afternoon.

24 COUNCIL MEMBER FIDLER: We talk
25 about a lot of things here at City Hall. Some

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2 things people care about, some things people don't
3 care about. I want to go back to something
4 Council Member Brewer brought up briefly that I
5 know everybody cares about and that's cable TV.
6 Everybody cares about TV. The cable TV franchises
7 that exist in the city now, do they all expire
8 simultaneously? How do they work?

9 RAHUL MERCHANT: To the best of my
10 knowledge, I think the franchise agreements expire
11 simultaneously, but I would ask Chuck, who kind of
12 administers the whole program, to give you a lot
13 more details on that.

14 CHARLES FRASER: It's 2020. I
15 think it's July 2020 that current cable TV
16 franchises expire.

17 COUNCIL MEMBER FIDLER: 2020?

18 CHARLES FRASER: Yes.

19 COUNCIL MEMBER FIDLER: Does the
20 city derive revenue from these agreements, and if
21 so, how?

22 CHARLES FRASER: We are capped by
23 federal law at 5 percent of their gross receipts
24 and we get 5 percent of their gross receipts.

25 COUNCIL MEMBER FIDLER: So then

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2 it's fair to say that we represent 5 percent of
3 everybody's cable bill goes directly to the City
4 of New York. Is that what you're saying?

5 CHARLES FRASER: Correct. Correct.

6 COUNCIL MEMBER FIDLER: Okay. And
7 there is no opportunity between now and 2020 to
8 impact on those franchise agreements?

9 CHARLES FRASER: That's right.
10 Time Warner and Cablevision were renewed just last
11 year and Verizon a few years before that, but all
12 three expire in 2020.

13 COUNCIL MEMBER FIDLER: Maybe I'm
14 asking a really stupid question. Did the Council
15 play a role in approving that agreement last year?

16 CHARLES FRASER: Yes. And of
17 course the--

18 COUNCIL MEMBER FIDLER:
19 [interposing] It was pretty quiet.

20 CHARLES FRASER: --FCRC must
21 approve all franchises, so yes.

22 COUNCIL MEMBER FIDLER: Okay. So
23 there would be no opportunity then to change any
24 revenue agreements by say, perhaps, reducing the
25 revenue and insisting that consumers get some kind

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2 of benefit. That's done. We're finished. We
3 missed that opportunity.

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CHARLES FRASER: We would have to
5 renegotiate the agreements and get a new approval
6 from the FCRC. So it is possible to do. You can
7 amend an agreement.

8

COUNCIL MEMBER FIDLER: Then it is
9 unfortunate. I mean there was so much going on
10 last year and really, to tell you the truth, I was
11 taking this someplace entirely different. I was
12 kind of hoping to see consumer participation in
13 the process because I think consumers have been
14 absolutely abused by the cable TV system in the
15 City of New York and actually in the country. And
16 I thought this might be an opportunity. But
17 clearly, we missed that.

18

CHARLES FRASER: I think our view
19 of it is that competition is the primary answer to
20 that, particularly given the constraints that
21 federal law places on our ability to deal with
22 some of these issues.

23

COUNCIL MEMBER FIDLER: And I think
24 there's another view to that as well, which is
25 that when a city has the power to say you and

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2 can't compete in our city, that you have the
3 opportunity to stick your nose in, federal law
4 notwithstanding.

5 CHARLES FRASER: We actually don't
6 have the ability to say they can't compete,
7 unfortunately. Well maybe it's not unfortunate.
8 That's the state of the law. We don't have that--

9 COUNCIL MEMBER FIDLER:
10 [interposing] You do. This is the wrong forum and
11 I'm not going to do it here, but clearly we have a
12 disagreement about that. I'm just sorry that we
13 missed the opportunity. I guess I'm just as
14 negligent in that as anybody. I think it was a
15 terrible opportunity that we missed on behalf of
16 consumers in the city. So I'll pass then, thank
17 you.

18 CHAIRPERSON CABRERA: Council
19 Member Jackson?

20 COUNCIL MEMBER JACKSON: Thank you.
21 I was thinking about your response to our
22 colleague Vincent Ignizio when you referred to
23 that the capacity of the calls that the 911 center
24 can carry now, compared to before. But you didn't
25 give enough details. So, by what percentage of

1

2 the capacity can it handle? For example, can it
3 handle a million phone calls in a day? 500,000?
4 What did the bandwidth, in essence, increase by
5 and what did that cost us?

6

BRETT ROBINSON: I'd be happy to
7 get back to you with specifics. I don't have them
8 here in front of me.

9

COUNCIL MEMBER JACKSON: Okay,
10 what--

11

BRETT ROBINSON: [interposing] But
12 I do have those answers.

13

COUNCIL MEMBER JACKSON: In your
14 opinion, what percentage? Ten percent more,
15 twenty percent more, fifty percent more, a hundred
16 percent more? You must have some sort of--I mean
17 you all negotiated the contract where you
18 increased I guess the capacity of the system. So
19 approximately, I don't want to walk away with I'll
20 get back to you. Give me a percentage.

21

BRETT ROBINSON: Sure. It's not 10
22 percent; it's many times over the capacity
23 previously.

24

COUNCIL MEMBER JACKSON: By what?

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BRETT ROBINSON: I don't have it.

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COUNCIL MEMBER JACKSON: Fifty

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percent, commissioner?

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RAHUL MERCHANT: Again, I would

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say, having not seen the statistics, again I'm

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wearing my technology hat and not giving you any

7

numbers I have read or seen, it could be quite a

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few folds. So I would definitely more than 50

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percent I would think.

10

COUNCIL MEMBER JACKSON: Was that

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due to increase in technology, your hardware, or

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was it the software? Obviously, I think you had

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to put on more staff in order to handle the

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volumes, is that correct?

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RAHUL MERCHANT: I would, again,

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wearing my technology hat again, I think it's both

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hardware as well as software.

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COUNCIL MEMBER JACKSON: Okay, and

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what about staff?

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RAHUL MERCHANT: I don't know what

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the staff level details.

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COUNCIL MEMBER JACKSON: Because

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when you're dealing with 911, you're talking about

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people answering the phone.

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RAHUL MERCHANT: Sure.

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COUNCIL MEMBER JACKSON: So you have your experts up here.

BRETT ROBINSON: I think we have to defer question on staffing the call center to the New York Police Department and the Fire Department. They're the ones who manage that.

COUNCIL MEMBER JACKSON: Okay.

BRETT ROBINSON: But in terms of throughput, it's more than 100 percent. I just don't want to quote whether it's a hundred or a thousand. It's a very large percentage--

COUNCIL MEMBER JACKSON:
[interposing] So you'll get back to--

BRETT ROBINSON: [interposing]
We'll get back with specifics.

COUNCIL MEMBER JACKSON: Okay.
With respects to I think a response to a college, you talked about 5 percent of total revenue in response to Lew Fidler because of the cap by the federal government. How much is that? How much money is that? How much are we getting with respect to that 5 percent total of cable capacity?

BRETT ROBINSON: We collect approximately \$124 million from the franchise.

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COUNCIL MEMBER JACKSON:

Approximately 124. Now, I believe a response to my colleague was--there always is, to the best of my knowledge, a clause to reopen negotiations. Is that correct?

BRETT ROBINSON: That's correct.

COUNCIL MEMBER JACKSON: I mean normally, you know, you have a right within 30 days or 60 days to eliminate the contract or renegotiate it. Obviously, I know that negotiations mean that both parties will come to an agreement but there is a reopen clause. Is that correct?

BRETT ROBINSON: That's correct. We could renegotiate. I just want to clarify one point. When I talk about revenue that the city receives which is capped, that's--

COUNCIL MEMBER JACKSON:
[interposing] The federal government.

BRETT ROBINSON: --the federal government. What we're also able to negotiate, however, is additional in-kind benefits that the franchisees provide to the city. I think we've put the number at approximately \$60-\$65 million

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worth of in-kind. We can get you the list of those things after the hearing.

COUNCIL MEMBER JACKSON: You said 65 percent or \$65 million?

BRETT ROBINSON: \$65 million worth of--

COUNCIL MEMBER JACKSON:
[interposing] Of in-kind?

BRETT ROBINSON: Correct.

COUNCIL MEMBER JACKSON: Okay. But I think in response one of you said that if in fact we would renegotiate something, we would have to get permission or approval from the NCRC, is that correct? The FCRC?

CHARLES FRASER: The FCRC has to approve all franchise agreements in the city, the Franchise and Concession Review Committee.

COUNCIL MEMBER JACKSON: Approve?

CHARLES FRASER: Yes.

COUNCIL MEMBER JACKSON: So basically if the parties renegotiate something and they agree, more than likely approval would be a no-brainer. Would you agree?

CHARLES FRASER: I wouldn't

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speculate on the FCRC's votes. I--

COUNCIL MEMBER JACKSON:

[interposing] Well, has the FCRC ever denied anything in the City of New York before?

CHARLES FRASER: I really can't answer that. I've been doing this for a year. The FCRC has been since 1989. I don't know that.

COUNCIL MEMBER JACKSON: Oh, you don't know. You have no knowledge? Okay. So with respects to the number of employees, I think in response to our colleague Gale Brewer, you talked about employees that are employed by the city but also CUNY. Now the CUNY students, they're on a contract based on their, I guess, being in school for a certain period of time. Isn't that correct? What percentage of the workforce, as far as you depend on CUNY students to handle that type of work?

BRETT ROBINSON: I'd have to get back to you on the specific number of CUNY interns we have at any given moment in the call center. But you're right, it is a program. They work 18 hours a week. They're required to maintain their grade point average, you know, be good students as

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well as--

COUNCIL MEMBER JACKSON:

[interposing] And isn't there a maximum time that they can work? For example, I think a year or a year and a half, something like that?

BRETT ROBINSON: I don't know that

offhand. Certainly, many of the people who come through the CUNY program do end up becoming full call takers, they're employed by the center at the end of that. So it has served as a good source of talent for us as well.

COUNCIL MEMBER JACKSON: Is that a

contract that you have with CUNY at this point in time? Who is the contract with and how long is it for?

BRETT ROBINSON: It's with the City

University of New York. I'd have to get back to you on the specific closure date of it. I'm not sure whether it's held by specific end dates or not.

COUNCIL MEMBER JACKSON: Okay. Do

you know, so would you get back to our staff concerning those particular details? Okay. So overall the executive budget has increased, but

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2 due to a couple of things that I believe has been
3 cited in our briefing document, the number of
4 staff though are going to decrease. Is that
5 correct?

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7 RAHUL MERCHANT: That is correct,
8 yes. That is correct, yes.

8

9 COUNCIL MEMBER JACKSON: And those
10 are fulltime civilian employees? Or are they part
11 timers but they're equal to fulltime positions?

11

12 BRETT ROBINSON: The 1,111 is our
13 fulltime authorized headcount, correct.

13

14 COUNCIL MEMBER JACKSON: Okay. But
15 it says here in our briefing document you're going
16 to be losing 68 fulltime positions. Is that all
17 civilians?

17

18 BRETT ROBINSON: Yes, we only have
19 civilian employees. We don't have any uniformed
20 employees in the agency, so yes.

20

21 COUNCIL MEMBER JACKSON: Okay. But
22 you do have contracts though, right?

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23 BRETT ROBINSON: Yes, correct.

23

24 COUNCIL MEMBER JACKSON: Can you
25 tell me as far as MWBE, I'm sorry, I came in late,
I don't know if questions--

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COUNCIL MEMBER REYNA: [off mic] It was asked.

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COUNCIL MEMBER JACKSON: It was asked already? Okay, my colleague, the chair of the Small Business--

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BRETT ROBINSON: [interposing] Twenty-six percent of the total number of contracts that are let in the MWBE categories.

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COUNCIL MEMBER JACKSON: All right, thank you.

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BRETT ROBINSON: I'm happy to repeat that one.

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COUNCIL MEMBER JACKSON: It's okay, you don't have to. Thank you.

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CHAIRPERSON RECCHIA: Thank you. Council Member, before we have Council Member Diana Reyna go, we've been joined by Helen Diane Foster. Council Member Diana Reyna?

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COUNCIL MEMBER REYNA: Thank you, Mr. Chair. I want to just take a moment to ask--I appreciate that members had been asking prior to myself coming, the MWBE question, and 26 percent is outstanding and hopefully next year you'll exceed those percentages. What is the dollar

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value of the 26 percent?

RAHUL MERCHANT: Again, the dollar value I will have to come back to you on that. I think it's approximately \$4.4 million. But I'll, again, confirm it and come back to you.

COUNCIL MEMBER REYNA: And this is out of a total of what budget?

RAHUL MERCHANT: It's about \$69 million.

COUNCIL MEMBER REYNA: Okay. I wanted to--

RAHUL MERCHANT: [interposing] And I also have the stat for the last year if you would--

COUNCIL MEMBER REYNA: [interposing] Of course.

RAHUL MERCHANT: Last year we were at 34 percent.

COUNCIL MEMBER REYNA: And that was a dollar value of?

RAHUL MERCHANT: I don't have the dollar value, but I just have the percentage of contracts.

COUNCIL MEMBER REYNA: And for the

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26 percent, do you have the number of contracts?

RAHUL MERCHANT: Yes, I'm happy to give you that. It's about 64 out of 248.

COUNCIL MEMBER REYNA: And out of the 64, how many were women?

RAHUL MERCHANT: I don't know the exact number, but I'll be happy to come back to you on that.

COUNCIL MEMBER REYNA: I would appreciate that very much.

RAHUL MERCHANT: Yes, absolutely, happy to do that.

COUNCIL MEMBER REYNA: The second portion of my questions, I wanted to understand what are the number of complaints that have been filed at DoITT regarding Equal Employment Practice Commission?

BRETT ROBINSON: That's not a statistic that we have in front of us at the moment.

COUNCIL MEMBER REYNA: So is that figure that you have but you don't have on you?

BRETT ROBINSON: Correct.

COUNCIL MEMBER REYNA: So you will

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get back to us regarding that particular question.

BRETT ROBINSON: At the moment, I don't know what I'm allowed to tell you about EEO complaints or not, given EEO law, but certainly we'll share whatever we can.

CHARLES FRASER: My understanding is your asking for the number of EEOC filings.

COUNCIL MEMBER REYNA: It's the Equal Employment Practice Commission.

CHARLES FRASER: Oh, EEOC? They do not take complaints on discrimination. They're an auditing entity.

COUNCIL MEMBER REYNA: That audit the city agencies.

CHARLES FRASER: Sure, yeah.

COUNCIL MEMBER REYNA: And you wouldn't happen to know that figure?

CHARLES FRASER: As I say, as far as I know they do not accept complaints of discrimination. I thought you were asking the federal Equal Employment Commission, the EEOC. I could get you that number.

COUNCIL MEMBER REYNA: Okay. I just wanted to understand, you know it's come to

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2 our attention that there are certain complaints
3 that are under investigation that have not
4 concluded. And we wanted to just monitor these
5 complaints. And understanding the confidentiality
6 issues regarding EEOC, I wanted to understand
7 whether or not the Equal Employment Practice
8 Commission has audited your agency.

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CHARLES FRASER: Yes, they have.

10

COUNCIL MEMBER REYNA: And what was
11 the result of that audit?

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CHARLES FRASER: I don't think the
13 audit is completed, is it? I don't think the
14 audit is done.

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COUNCIL MEMBER REYNA: Okay.

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CHARLES FRASER: In other words,
17 they've done the audit and I don't think the
18 report is out.

19

COUNCIL MEMBER REYNA: Right. When
20 was the audit completed?

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CHARLES FRASER: I don't know
22 exactly when. They started it and completed it
23 within the last year because I've been here a year
24 and they started it after I got there. So I don't
25 know the exact dates but within that timeframe.

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COUNCIL MEMBER REYNA: But you are aware that it has concluded?

CHARLES FRASER: I'm pretty sure that the audit is done and I'm pretty sure that a report has not been issued, but I'll get back to you on both of those.

COUNCIL MEMBER REYNA: Okay. If it is possible, consulting with your legal department, the number of EEOC complaints in relationship to what would be DoITT. We happened to ask the Human Rights Commission whether or not they have and a particular document that would give the overview number of complaints within each department and they were not able to because that's not something that they keep track of, so we--

CHARLES FRASER: [interposing] I can tell you that we have no complaints pending at the City Human Rights Commission.

COUNCIL MEMBER REYNA: Okay. Thank you very much, Mr. Chair. And I would appreciate the follow-up to this question.

CHAIRPERSON RECCHIA: Thank you. Okay. Council Member Cabrera has a follow-up

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question.

CHAIRPERSON CABRERA: No, go.

CHAIRPERSON RECCHIA: Okay, I have some follow-up questions. You testified before you had 603 outside consultations, correct? And that totals about \$50 million per year.

RAHUL MERCHANT: That's correct.

CHAIRPERSON RECCHIA: Okay. Does that include subcontractors?

RAHUL MERCHANT: Yes.

BRETT ROBINSON: That's every consultant in the agency, whether it's through the prime or a subcontractor correct.

CHAIRPERSON RECCHIA: Okay. And when you give out these contracts and hire these consultants, and they hire subcontractors, do you keep a list of those subcontractors?

BRETT ROBINSON: Yes.

CHAIRPERSON RECCHIA: All right. Those subcontractors that you have issues with didn't perform up to what they were contracted, do you keep a file of them or a record so you don't hire them anymore?

BRETT ROBINSON: Every city agency

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2 is obligated to approve subcontractor. So if
3 there's a subcontractor we have particular
4 problems with at the point of which the next prime
5 vendor looks to hire them to perform work, we
6 would disallow them to be a subcontractor on that
7 project. In terms of the city's performance
8 management program, I believe that it is only at
9 the prime contractor level, so you're only filling
10 out evaluations based on that prime contractor.
11 But again, we approve the subs and so if they're
12 a particular difficulty or we never wanted to do
13 business with them again, we would simply not
14 allow the prime to hire.

15 CHAIRPERSON RECCHIA: And that 603
16 consultants that you testified to as the number,
17 does that include consultants that go through you
18 for other city agencies?

19 BRETT ROBINSON: No. That is just
20 the consultant population within--

21 CHAIRPERSON RECCHIA: [interposing]
22 Within DoITT?

23 BRETT ROBINSON: Correct.

24 CHAIRPERSON RECCHIA: That doesn't
25 include if you hire consultants for other

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agencies.

BRETT ROBINSON: That's correct.

CHAIRPERSON RECCHIA: Okay. Do you have a list of other city agencies that you hire consultants for?

BRETT ROBINSON: What we have is for the agencies that make use of some of our requirements contracts, we function like DCAS in some ways in that we provide contracts that other agencies can purchase against. We have statistics on the utilization of those contracts. What we don't have is the entire populations of consultants in city agencies. Many of them don't use out contracts. There are many mechanisms.

CHAIRPERSON RECCHIA: So they hire their own outside consultants.

BRETT ROBINSON: Correct.

CHAIRPERSON RECCHIA: They don't go through DoITT.

BRETT ROBINSON: For some purposes, yes. But other projects, no. It depends on the type of project and the type of--

CHAIRPERSON RECCHIA: [interposing]
How many city agencies go through you right now?

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BRETT ROBINSON: Most of them to some extent. Yeah, certainly the 40 or so mayoral agencies use us in some respect, whether it's for the telecommunications contract--

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CHAIRPERSON RECCHIA: [interposing] Okay. So the 603 outside consultants don't include those 40 agencies. Does not include?

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RAHUL MERCHANT: That's correct. I think that number is about 294 consultants.

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CHAIRPERSON RECCHIA: So those other 40 agencies--

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RAHUL MERCHANT: [interposing] Yes, those are the ones we hold, not--

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CHAIRPERSON RECCHIA: [interposing] Right, 294 consultants.

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RAHUL MERCHANT: That's correct.

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CHAIRPERSON RECCHIA: And about how much dollar wise? Do we have a dollar figure on that?

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RAHUL MERCHANT: I don't have the dollar figure but...

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BRETT ROBINSON: We can get that--

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CHAIRPERSON RECCHIA: [interposing] We can follow up. We'll follow up. All right, so

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2 there's 40 other agencies. I want to be clear on
3 this. So there's 40 other agencies that go
4 through you and they have approximately 294
5 consultants and we're going to try to figure out
6 how much that cost is. Okay. All right, I'm
7 going to pass it on to Council Member Cabrera and
8 then I'll come back.

9 CHAIRPERSON CABRERA: I have a
10 question. I want to go back to the 311 call
11 center. I didn't hear the answer to this
12 question, and if I did, I apologize. But what
13 plans will be put in place to reduce the current
14 wait time? Do you have a plan in place so people
15 don't have to wait so long on the 311 calls? In
16 light of the fact of what you just mentioned
17 earlier about staff.

18 RAHUL MERCHANT: You want to take
19 that one?

20 BRETT ROBINSON: So there are a
21 couple of different strategies that we're
22 employing. The first, as Commissioner Merchant
23 pointed out earlier, is to drive traffic to other
24 mechanisms, so 311 online, for example, the text
25 service, and if each of you would be kind enough

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to advertise those services, that there are other channels to get your information--

CHAIRPERSON CABRERA: [interposing]

But people are not going to go to that, I don't go to that. I'm just being real. I don't go to that because I want to pick up the call, I want to pick up my phone, dial 311, it's the fastest, supposed to be the fastest possible way.

BRETT ROBINSON: Sometimes it's

faster to use the app.

CHAIRPERSON CABRERA: I hear you,

but a lot of people in my community don't have smart phones. And since they don't have smart phones they don't have an app. They don't have an app, they can't get to it.

BRETT ROBINSON: So there's two

paths. The first is to provide technology improvements that would improve the non call taker experience that you might want to use the online service. And the second is to improve the call taking experience itself. So we're looking to make some improvements in the interactive voice recording system that will help answer many of your questions before you have to talk to a live

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call taker, so you get it right--

CHAIRPERSON CABRERA: [interposing]

So you're telling me now people are going to have to wait? You know how you call some times an institution, "hello, this is such and such, if you want this, press one." I hate those, to be honest with you. I want a live person. I want a living being.

BRETT ROBINSON: You will always be able to get to a live person.

CHAIRPERSON CABRERA: First.

BRETT ROBINSON: But there are certain questions you may not want to sit and wait for an operator to answer. For example, is alternate side street parking--

CHAIRPERSON CABRERA: [interposing]

I'm sorry for interrupting, because we're running out of time. We've only got four minutes. I just want to foresee the future here. When I call 311 and I'm waiting, is it going to be--do I have to go through a barrage of options, or is it going to be a live person there always, at first? And then, the 311 caller could say would you like to hear about this? You know, I just want to

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understand the process here.

BRETT ROBINSON: Today when you call there's a series of announcements it makes while it's finding an operator to direct you to, the next available operator. And so that will continue. Certainly, it'll tell you about alternate side of the street parking. That's the most common call. And so we want to answer that one immediately for you.

CHAIRPERSON CABRERA: Which is good, which is good.

BRETT ROBINSON: And the idea is essentially to tune that process so we're answering more of the most common questions before you even need to speak to a call taker. To the extent that you want to speak, you'll always have that option and it'll always be available for you.

CHAIRPERSON CABRERA: I'll tell you what you need. You need to hire more people. There is no substitute. There comes a saturation point and anyway, my bottom line is we do need to hire more people. The population in New York City is only about to increase. So that means the volume of calls are only going to increase.

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2 RAHUL MERCHANT: Chairman Cabrera,
3 one thing I would ask you to is let me come back
4 to you in terms of hiring people. If we can't
5 solve the problems the way we are looking to
6 solve, we are here to serve the residents of New
7 York City and we'll just make sure we do what it
8 takes to get us over the hump. So give me a
9 little bit of time to come back and let's go
10 through the automated routes that we are taking
11 today. If that doesn't help us, I think as I said
12 we are here to serve the city folks and we'll do
13 whatever it takes to try and get us over the hump.

14 CHAIRPERSON CABRERA: Okay. All
15 right, Chairman.

16 CHAIRPERSON RECCHIA: Okay. We're
17 going to follow up with you with some more
18 questions. We wish you luck, Commissioner.
19 You're new, you have four weeks. We'll be
20 expecting, we're going to get a letter out to you
21 today. If we could have an answer with those list
22 of those contracts, those consultants by the end
23 of the week, because we definitely need them
24 before the beginning of next week. I want to
25 thank you for coming.

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2 We're going to take a two minute
3 recess and then we're going to begin
4 transportation.

5 RAHUL MERCHANT: Thank you.

6 CHAIRPERSON RECCHIA: Thank you
7 very much, a two-minute recess.

8 [Pause]

9 CHAIRPERSON VACCA: Everyone please
10 take their seats and please turn any electronic
11 devices to vibrate. Can we turn on the tape
12 please? Are we ready?

13 [Pause]

14 CHAIRPERSON RECCHIA: The
15 commissioner is late because she can't find a
16 place to park her bike.

17 [Laughter]

18 [Pause]

19 CHAIRPERSON VACCA: Can I have your
20 attention please? We all take our seats. This is
21 the joint hearing of the Committee on Finance and
22 the Committee on Transportation. It is May 29th.
23 It is 12:40 p.m. We thank you for your patience.
24 We ask that all electronic devices be shut off and
25 you put your phones on vibrate so that this

1 hearing can be conducted in an orderly fashion.
2
3 Let me first introduce the chair of the Finance
4 Committee, Domenic Recchia, who will make a
5 statement.

6 CHAIRPERSON RECCHIA: Thank you,
7 Council Member Jimmy Vacca, co-chair. We'll now
8 resume the City Council hearing on the Mayor's
9 Executive Budget for Fiscal Year 2013. The
10 Finance Committee has been joined by the Committee
11 on Transportation, chaired by my colleague Jimmy
12 Vacca.

13 Before we hear from Commissioner
14 Janette Sadik-Khan, I'd like to introduce all
15 those members who have joined us. We have Joel
16 Rivera, Lewis Fidler, Robert Jackson, Leroy
17 Comrie, Dan Garodnick, Peter Koo, Diana Reyna,
18 Oliver Koppell and Gale Brewer.

19 I just want to remind everyone that
20 the public hearing is on June 6th at approximately
21 4 p.m. We encourage all the public to please come
22 and testify. If you cannot be available that day,
23 you could submit your testimony to my attorney,
24 sitting to my right, Tanisha Edwards. You could
25 fax in your testimony and it will become part of

1
2 the public record. Her number is (212) 788-7061.

3 Thank you.

4 At this time, I will turn it back
5 over to Council Member Jimmy Vacca to make his
6 opening statement.

7 CHAIRPERSON VACCA: I thank you all
8 for coming. Let me first indicate that this is a
9 continuation of our recessed hearing of May 23rd.
10 So we're continuing in that vein. I thank you all
11 for your attention.

12 Good morning, I'm James Vacca and
13 I'm chairman of the City Council Transportation
14 Committee. Today, we are here to discuss the
15 Department of Transportation's FY 2013 Executive
16 Budget. DOT's Fiscal 2013 Executive Budget
17 includes an increase in fines for contractors and
18 utilities who open up our city streets without
19 proper permitting. DOT expects these increases to
20 net an additional \$1.5 million in revenue for FY
21 13. My colleagues in the Council and I have
22 expressed serious concerns about the lack of
23 coordination between DOT and other contractors and
24 utilities who open the streets. I am hopeful that
25 these increased fines will deter this activity

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with proper enforcement.

DOT's budget also includes \$4.7 million in capital funding and \$700,000 in expense budget funding for expansion of the city's bike network. I hope the commissioner will be able to provide us with an update on the number of lane miles completed so far. I am also interested to learn if the city stands to gain any revenue from the Citi Bike program to be rolled out this summer. I also hope to hear the department's progress in meeting with community boards and gathering input on the location of those docking stations that are needed.

Muni-Meters are also coming to all five boroughs by the end of the year. DOT expects this conversion to result in savings of \$8.5 million in FY 13 and expects an additional \$7 million in revenue.

In the interest of time, I'm going to wrap up. But before I introduce my colleagues, I just want to note for the record that this is a very important hearing, Commissioner. I missed a bike safety program given by Bike New York in my district to be here today with you. So you rate,

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and I thank you for coming.

Did I mention Council Member Van Bramer? Council Member Van Bramer is here, and Council Member Ydanis Rodriguez. Without further to do, I'd like to introduce the Commissioner of the Department of Transportation.

JANETTE SADIK-KHAN: Thank you very much. Good afternoon, Chairman Recchia and Chairman Vacca and members of the Finance and Transportation Committees. I'm Janette Sadik-Khan, Commissioner of the New York City Department of Transportation. With me today are Lori Ardito, our First Deputy Commissioner, and Joe Jarrin, our Deputy Commissioner for Finance Contracting and Program Management.

Thank you for inviting us to testify on DOT's executive budget for FY 13.

In March, I provided the Transportation Committee with a comprehensive update on the department's continued effort to make New York City's streets safer and bring our vital transportation infrastructure into a state of good repair. DOT pursues these goals through a variety of programs and initiatives, from traffic

1
2 calming projects to capital investment in bridges
3 and roadways, and we are pleased by the results we
4 have seen throughout the five boroughs.

5 Today, our roads are in better
6 condition than they were five years ago; only two
7 of our bridges are rated poor and both are being
8 rehabilitated; and last year traffic fatalities
9 were at the lowest level in history. These
10 achievements speak volumes about the hard work and
11 dedication of DOT's employees, as well as the
12 department's ability to deliver on its promises
13 despite the challenges posed by fiscal uncertainty
14 and a struggling national economy.

15 DOT's capital program for FY 12
16 through FY 21 totals \$7.6 billion, including \$1.7
17 billion in FY 13 alone. Our robust capital
18 program continues to strengthen the city's
19 transportation network and ensure the state of
20 good repair of our infrastructure.

21 While we've invested heavily in
22 such improvements over the past five years,
23 continued funding of reconstruction projects is
24 essential, especially for bridges in most need of
25 repair. To that end, we are making great progress

1
2 with a \$1 billion program to rehabilitate seven
3 bridges along the Belt Parkway, and \$430.1 million
4 of that will be committed over the next year.

5 Construction is already 50 percent complete for
6 the bridges over Rockaway Parkway, Fresh Creek,
7 and Paerdegat Basin, and we expect that this first
8 set of projects will be completed in 2014.

9 In the coming fiscal year we will
10 commence the next group of projects, including the
11 \$135.5 million replacement of the bridge over
12 Gerritsen Inlet. We will also replace the Mill
13 Basin Bridge at an estimated cost of \$219.5
14 million. The new bridge will be a fixed structure
15 with a 60-foot clearance, eliminating the need to
16 open or close it in order to accommodate tall
17 vessels.

18 All of these projects involve the
19 complete replacement of existing structures and
20 will improve traffic alignments and bring this
21 section of the Belt Parkway in line with current
22 design standards. Taken together, the massive
23 rehabilitation program will enhance safety, reduce
24 congestion, and improve air quality along the Belt
25 Parkway and will serve New Yorkers for generations

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to come.

The FY 13 capital budget also includes \$30.4 million for the Select Bus Service, SBS, program to improve bus speeds and reliability of two of the most traveled bus lines in the city. On 34th Street, which serves 34,000 riders a day, we will fund \$8 million of capital enhancements along the existing 34th Street SBS route, supplementing an additional \$15 million in expense monies for this vital transit corridor.

On First and Second Avenues, which serves 55,000 riders a day, we have begun installing bus bulbs for the M15 SBS to enhance pedestrian safety and reduce crowding at bus stops. In addition, we look forward to adding a new SBS route on Nostrand and Rogers Avenues in Brooklyn. This ambitious project will not only enhance bus service for over 44,000 daily riders, it will also include necessary roadway reconstruction and resurfacing work as well.

The department's plans for FY 13 also include notable street reconstruction projects throughout the city, including the \$41.3 million reconstruction of Times Square. I am

1
2 pleased to announce that DOT has secured a \$9.8
3 million federal grant to help complete the funding
4 needed for this important project. The roadways
5 in Times Square, which serve tens of thousands of
6 pedestrians and motorists each day, have not been
7 structurally repaired in decades.

8 DOT will bring the roadway,
9 sidewalk, and utility infrastructure of the
10 Crossroads of the World into a state of good
11 repair, while also enhancing pedestrian safety and
12 creating a balanced space for all street users.
13 Upon the project's completion, Times Square will
14 feature a world-class plaza with ample seating, a
15 new roadway surface, and underground
16 infrastructure able to accommodate its signature
17 events.

18 Other critical street
19 infrastructure projects in FY 13 include the \$20.3
20 million reconstruction of the Grand Concourse
21 service roads from East 166th Street to East 171st
22 Street to reduce speeding, widen medians, and
23 provide other mobility enhancements to improve
24 safety and quality of life for Bronx residents.

25 In addition, we will begin the

1
2 \$14.5 million reconstruction of three
3 intersections in Staten Island: Victory Boulevard
4 at Clove Road, Victory Boulevard at Manor Road,
5 and Forest Avenue at South Avenue. These
6 improvement projects will provide much needed
7 congestion relief to motorists who use these
8 intersections.

9 We will also implement a \$42.3
10 million improvement project of Broadway from Ann
11 to Rector Streets in Manhattan.

12 These planned capital improvements
13 for bridges and streets in FY 13 will add
14 substantially to the \$5 billion in investments
15 made in the last five years to the city's
16 transportation infrastructure.

17 Let me now turn to DOT's FY 13
18 expense budget, which totals \$710.9 million and is
19 \$25.5 million more than the January plan. The
20 increase can be attributed to several adjustments,
21 including a baseline of \$5.3 million for Staten
22 Island Ferry security contracts as required by
23 United States Coast Guard maritime security
24 levels. It also contains \$21.6 million in federal
25 and state funds for the second phase of the 34th

1
2 Street SBS project, bus lane markings, and bridge
3 inspection contracts.

4 In addition, we expect our
5 operating budget to increase further throughout
6 the course of the fiscal year to include federal,
7 state and private grants that support a myriad of
8 DOT programs. With these grants, we anticipate
9 that DOT's FY 2013 expense budget will grow by
10 another \$135 million to the level currently
11 budgeted in FY 2012, \$845.4 million.

12 Some of the most important expense
13 program initiatives are our safety programs,
14 including the Safe Routes to Schools and the
15 installation of pedestrian countdown signals
16 throughout the city.

17 Another initiative that we are
18 excited about is our Neighborhood Slow Zone
19 program, which I highlighted during my testimony
20 in March and was pleased to make an announcement
21 with Council Member Vacca on several months ago.
22 The program aims to calm traffic and make
23 residential streets even safer and more welcoming
24 for local residents by reducing the speed limit to
25 20 miles per hour and installing speed bumps,

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along with other enhancements.

In November, we launched an application process to allow communities to request this treatment and the response was overwhelming. We received over 90 applications from neighborhoods in all five boroughs, and will soon announce the selected groups and our plans to install slow zones starting this year and continuing through next year.

Another key component of our expense program is the street improvement projects that transform intersections and corridors in all five boroughs. Once again, DOT has an ambitious agenda of projects this year and work is already underway to help calm traffic, enhance safety and make our streets friendlier for pedestrians.

For example, on Classon Avenue in Brooklyn we are resurfacing the roadway and reducing the number of travel lanes where feasible in order to discourage speeding and improve traffic flow approaching Atlantic Avenue.

In the Bronx, we have started work on Louis Nine Boulevard in order to calm traffic, improve pedestrian safety, and increase the public

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space by expanding an existing traffic triangle.

We are also constructing five landscaped pedestrian safety islands at key locations along Hillside Avenue in Queens, which will help reduce speeding and create safer pedestrian crossings over a 1.5 mile stretch of this high crash corridor.

And to improve traffic flow on Staten Island, we recently installed two new left turn signals at several intersections and we will continue to look for additional opportunities.

These are just a few examples of projects that are being implemented throughout the city in order to make our streets safer and reduce speeds and congestion.

In addition to our traffic safety projects, DOT continues to improve the condition of our roadways. Pothole complaint numbers today are far fewer than they were at this time last year: this past Friday the number of pending 311 requests related to potholes was 108, compared to 4,096 on the same date in 2011. In fact, the city's roads are in better condition than they have been in five years, and the resurfacing work

1
2 being performed by DOT's roadway crews in all five
3 boroughs will help to increase street ratings even
4 further.

5 Another notable expense funded
6 project for FY 13 is our ground-breaking cost and
7 energy savings LED program. As announced last
8 week with Speaker Quinn and Council Member Lappin,
9 work has begun to replace all metal halide
10 fixtures in Central Park, which is expected to
11 achieve an energy savings of up to 62 percent.
12 DOT will also install LEDs along Eastern Parkway
13 and the FOR Drive, along underpasses in Manhattan,
14 and on all of our East River Bridges. The LED
15 program is expected to achieve \$300,000 in annual
16 energy and maintenance savings. DOT is also
17 currently looking at a prototype of an LED for
18 city lights so that we may one day bring the same
19 energy and cost savings to all city streets.

20 While we make progress on these
21 important capital and expense funded projects, we
22 continue to keep a close eye on the budget
23 situation in Washington. Federal funding remains
24 a critical and growing part of our program, and I
25 would like to thank Chairman Vacca for his

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2 advocacy efforts on the city's behalf and the City
3 Council for passing a resolution supporting public
4 transportation in the federal bill.

5 Our Congressional delegation had
6 steadfastly opposed the passage of the House bill
7 that would have slashed public transportation
8 funding. That resolve is now being tested in the
9 Conference Committee in Congress, where the House
10 and Senate are debating many of these same issues
11 again.

12 The overall prospect for a federal
13 bill in the near future is murky. The Senate is
14 standing behind its bipartisan bill while the
15 House was never able to pass a full bill on the
16 floor. Instead, the House passed a 90 day
17 extension, with several amendments related to
18 environmental issues, and is now at the
19 negotiating table. Existing law runs out at the
20 end of June, so we expect some type of action
21 before then.

22 While we wait for the overall
23 federal bill to pass, we continue to aggressively
24 pursue funding opportunities. And we have scored
25 notable successes in this arena, obtaining federal

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2 funding for projects such as Nostrand Avenue SBS,
3 Fordham Plaza, Times Square, and various
4 improvements to Staten Island Ferry facilities.

5 In addition, the Department
6 received federal funding for the new City Bench
7 program, an aggressive initiative to expand public
8 seating in all five boroughs. Over the next three
9 years we will install 1,500 new benches on
10 sidewalks where there are few or no places to sit,
11 especially at bus stops, in commercial districts,
12 or in areas with a high concentration of seniors
13 and persons with impaired mobility. The first
14 batches of the new City Bench are being installed,
15 providing a useful addition to New York's
16 streetscape, particularly for our older residents.

17 Finally, as Mayor Bloomberg
18 announced earlier this month, installation of the
19 city's brand new bike share program called Citi
20 Bike will start in July, giving New Yorkers access
21 to an affordable 24/7 transportation option.

22 By next year, the bike share
23 network will feature 600 stations and 10,000
24 bikes, allowing residents to pick up a bike close
25 to home or work, ride, and then return it to any

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2 of the stations located throughout the city.
3 Notably, this program will run at no expense to
4 the city taxpayers, and we are optimistic that it
5 will prove very popular.

6 Before I conclude my testimony, I
7 would like to thank the City Council for its
8 partnership on a number of important initiatives.
9 I am pleased to announce that today we are adding
10 a parking regulations layer to DOTMap, making it
11 easy for New Yorkers to check the location of
12 parking signs throughout the five boroughs. This
13 map fulfills a requirement of Local Law 32 of
14 2011, and I would like to thank Council Member
15 Garodnick for working closely with us on that
16 legislation.

17 We were also happy to support Intro
18 784, which the Council passed earlier this month,
19 and would clarify the transferability of Muni-
20 Meter receipts and make on street parking easier
21 for New York City's motorists.

22 Also, thanks to support from
23 Chairman Vacca, we will be partnering with local
24 Council Members to fund and host bicycle helmet
25 giveaway events throughout the city.

1
2 We are also grateful for the Reso A
3 funding contributed by Council Members toward
4 important safety and reconstruction projects as
5 part of the capital budget.

6 By working together on these and
7 other issues, we have been able to make real
8 improvements to the city's transportation network,
9 and we look forward to continuing this partnership
10 moving ahead.

11 Thank you again for inviting us to
12 discuss DOT's executive budget, and we're happy to
13 answer any questions you may have.

14 CHAIRPERSON RECCHIA: Thank you,
15 Commissioner. We have lots of questions to ask
16 you. I'm going to pass my questions on to Jimmy
17 Vacca and then we'll go to the members. Council
18 Member Vacca?

19 CHAIRPERSON VACCA: Thank you. I
20 should mention we're joined by Council Member
21 Lappin and I think someone else? No? Okay.
22 Commissioner, thank you. Thank you for the
23 initiatives you've been launching, especially when
24 it comes to speeding. I appreciate that. And I
25 appreciate your agency supporting the

1
2 transferability of the muni-meter receipt
3 legislation which the Mayor is going to be signing
4 this week. We worked together on that to make
5 sure that that bill was exactly what the city
6 wanted and needed. I thank you and your deputies
7 for their assistance.

8 I did want to go into metering,
9 though, and namely the privatization of metering.
10 What would that involve? There was an RFI that
11 was due to come out and I don't think the RFI has
12 come out yet, but my question is what are we
13 looking at via the RFI? Are there layoffs which
14 we could expect? Are we looking at variable
15 pricing of meters? What are we looking at as part
16 of this strategy or part of this proposal?

17 JANETTE SADIK-KHAN: Well, what we
18 are doing right now is we are in the process of
19 issuing an RFQ to study this issue. At all times,
20 what we look to do is to see whether we are
21 providing the best services we can to New Yorkers.
22 So, the benchmark for assessing whether or not to
23 proceed with this, with any proposals that come in
24 the door will be whether or not a private operator
25 can provide better service than is currently

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2 provided by the New York City Department of
3 Transportation.

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CHAIRPERSON VACCA: So therefore,
5 this could involve people who are now doing this
6 job no longer doing the job?

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JANETTE SADIK-KHAN: Well, we are
8 always looking for ways to improve the service to
9 New Yorkers and we've agreed to study the
10 possibility of a public-private partnership for
11 our parking program to see if there are
12 opportunities for further improvement. But I
13 would say that we run the most efficient and
14 effective system in the country. We have a 99
15 percent uptake in terms of operability of our
16 muni-meters, so we're thrilled with the
17 performance of our programs to date. But again,
18 we are checking to see if there are other
19 potential ways to provide this service, if there
20 are other options that could provide better
21 service for New Yorkers. Again, the benchmark is
22 a high one because we have such an effective
23 program.

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CHAIRPERSON VACCA: Do you feel
that since we're at 99 percent that we have to go

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this route? Don't you think something in this case may be being fixed that is not broken?

JANETTE SADIK-KHAN: We are constantly looking for new ways and better ways to serve New Yorkers and that is what we're in the process of doing. In some instances, maybe there are ways to make the program more customer friendly. Maybe there are some new technologies that could be provided that would be more efficient. So at this point what we're doing is the feedback from the RFQ will determine whether the city moves forward with an actual procurement. We're not in actual procurement stage now.

CHAIRPERSON VACCA: I did notice that your budget does not include any increase in parking meter rates for the coming fiscal year, and that includes the municipal garages and the parking muni-meters. Am I correct?

JANETTE SADIK-KHAN: You are correct.

CHAIRPERSON VACCA: Does the RFQ or RFI, whatever we call it, does that envision variable pricing where on one block you could pay 25 cents for 15 minutes but on the next block pay

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2 25 cents for 5 minutes, depending on what stores
3 were there or what turnover there was? Are we
4 looking at variable pricing within--

5 JANETTE SADIK-KHAN: [interposing]

6 No, the--

7 CHAIRPERSON VACCA: --commercial
8 strips?

9 JANETTE SADIK-KHAN: No, the RFQ is
10 just to solicit anybody's ideas. We don't know
11 what is in there. The private sector will come to
12 us with their ideas. And then based on what they
13 come to us with, we will make a determination as
14 to whether to proceed or not proceed with an
15 actual procurement.

16 CHAIRPERSON VACCA: Is this a
17 revenue producing measure that you are--are you
18 doing this with an eye towards the city increasing
19 its revenue?

20 JANETTE SADIK-KHAN: We are looking
21 to see whether there are ideas out there that we
22 don't know about, in terms of how to better manage
23 and operate our system. There is no intent in
24 terms of looking at this as a way to bring
25 additional revenue. If additional revenue is

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2 brought, then obviously that would be a positive
3 thing. But again, there are technologies that may
4 be out there that would allow us to interface with
5 the public more effectively.

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7 Again, we're really just opening
8 the door to see what's out there. There is no one
9 particular thing that we're looking for, Mr.
10 Chairman that comes from this RFQ. The city
11 issues RFQs all the time to get ideas in terms of
12 how to manage operations, and this is the latest
13 one in that line.

14

15 CHAIRPERSON VACCA: But have you,
16 in-house, established a rubric of what you would
17 be looking for, vis-à-vis, a successful bidder?

18

19 JANETTE SADIK-KHAN: We are looking
20 for--the bottom line is to understand better what
21 kinds of innovations and improvements the private
22 sector thinks it can provide and assess their
23 technical and operational and financial ability to
24 do so.

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26 CHAIRPERSON VACCA: But you must
27 know what the city is looking for.

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29 JANETTE SADIK-KHAN: What we are
30 looking for--I think I've explained where we

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stand.

CHAIRPERSON VACCA: In general terms you have, but there must be things you're looking for. Like you must be looking for someone, I think, who has a history of success, but I'm sure you're looking for someone who is going to be able to do it in a certain amount of time, someone is going to reduce the workload of the city, I mean there must be a rubric.

JANETTE SADIK-KHAN: Based on the initial expressions of interest that we've had from private operators and the analysis that we've made of other parking systems, including privately operated systems, we believe that it's prudent to explore whether a private operator could deliver an enhanced customer experience as well as provide financial results that are better than what we do, over and above the city's current high level of service and financial performance.

CHAIRPERSON VACCA: All right. I think that covers it. I wanted to go into the muni-meter issue for a minute. Right now, with muni-meters, you can pay by money, debit or credit card. I wanted to know what the breakdown was.

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2 Do you have a breakdown of how are people using
3 the technology--

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JANETTE SADIK-KHAN: [interposing]

5

I think 70 percent is by parking card, credit card
6 rather.

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CHAIRPERSON VACCA: Really?

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JANETTE SADIK-KHAN: Yeah.

9

CHAIRPERSON VACCA: So most people

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have stopped using quarters?

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JANETTE SADIK-KHAN: You have to

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carry a lot.

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CHAIRPERSON VACCA: Yeah, yeah, on

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that's interesting, 70 percent are using credit

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cards. Okay. I just wanted to know, was curious.

16

Have you made an inventory of how

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many additional spaces you've created through the

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muni-meters? Do you have a knowledge about how

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many--I know that was one of the objectives of

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muni-meters, to increase available parking, and I

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just don't know--

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JANETTE SADIK-KHAN: [interposing]

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Yeah, I don't have the number, but I can get back

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to you on that.

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CHAIRPERSON VACCA: Yes, I'd like

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2 to know if people are cooperating mainly also,
3 because they have to move their cars closer
4 together in order for those additional spaces to
5 be created. But that was one of the objectives of
6 muni-meters.

7

Okay, I'll go to my committee.

8

Chairman Recchia?

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CHAIRPERSON RECCHIA: Yeah, I just
10 have some questions, just following up on a
11 question that Council Member Vacca asked you. In
12 your executive budget, there are two existing
13 highway inspection quality assurance violations,
14 to increase fines on those. One is for non-
15 emergency work on critical streets and utility
16 cover opening without a permit. You'll be raising
17 that from \$1,000 to \$2,000.

18

JANETTE SADIK-KHAN: Right.

19

CHAIRPERSON RECCHIA: How much are
20 you raising the other one for? There are two of
21 them there.

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JANETTE SADIK-KHAN: Well, I think
23 one was increased 30 percent and one was doubled.
24 The idea it to basically do what we can to take
25 back our streets and ensure that our streets are

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2 in the best possible condition and that
3 contractors that do work on the streets do what
4 they're supposed to do.

5 So what we've done is the policy
6 that we've done, and this is on an inter-agency
7 basis, because this is with the Department of
8 Buildings and Finance and the ECB and DEP, we
9 really are now refusing permits to the most
10 egregious folks who are working in the streets.
11 We also refuse new permits to contractors who have
12 left their sites in disrepair until they fix them.
13 Then the final piece that we've been working on is
14 working with the Law Department to cut through the
15 corporate veil of those companies that have
16 changed their names and have open balances at ECB.

17 So the bottom line is that in many
18 instances we've got contractors who are basically
19 flaunting the rules of the road. If we're going
20 to spend the money that we're spending to keep our
21 roads in a state of good repair, we need to ensure
22 that the private sector operators that are in the
23 roadway and doing this work do what they're
24 supposed to do, restore our roadways to the
25 condition they're supposed to be.

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CHAIRPERSON RECCHIA: Who goes out there to check up to see if these--

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JANETTE SADIK-KHAN: [interposing]
Our highway unit goes out there.

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CHAIRPERSON RECCHIA: The highway unit.

7

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JANETTE SADIK-KHAN: Yeah.

9

CHAIRPERSON RECCHIA: Okay. Do you plan to increase that unit?

10

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JANETTE SADIK-KHAN: We have no plans to increase that at this time.

12

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CHAIRPERSON RECCHIA: Okay. In your budget, you have to lay off 62 workers under the meters I believe, is that correct?

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JANETTE SADIK-KHAN: I think it's going to be closer to 30. But we're expecting that the majority will be reassigned or will attrite.

17

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CHAIRPERSON RECCHIA: Well, it's very important to this Council that we save as many jobs, considering the unemployment rate in New York is high. We would definitely like to talk to you about it and see how we could keep those 30 people and not lay them off.

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2 Let me go to Council Member Fidler,
3 followed by Council Member Leroy Comrie, followed
4 by Council Member Brewer.

5 COUNCIL MEMBER FIDLER: Thank you,
6 Mr. Chairman. Commissioner, I want to first of
7 all say thank you to the agency. Quite frankly, I
8 don't always get the answer I like from DOT, but
9 we get a lot of answers from DOT and they're very
10 responsive, your agency. Your Brooklyn office
11 continues to be a very responsive one. The work
12 that's been done on the Belt Parkway, as you
13 probably know, is almost entirely in my council
14 district. I will say that for a project of that
15 size to have gone on, without my getting repeated
16 complaints from constituents, that says something
17 all by itself, and the work that's been completed
18 looks really good. I want to start off by saying
19 that.

20 In addition, I want to indicate
21 you're going to make a lot of personal injury
22 lawyers unhappy when you get rid of the rest of
23 those bridges, because they are a nightmare. Am I
24 right about that, Domenic?

25 CHAIRPERSON RECCHIA: That's right.

1
2 COUNCIL MEMBER FIDLER: Actually, a
3 billion dollars it will probably save the city,
4 and I know that's something that is hard for
5 people to understand but it is probably true, in
6 the long run.

7 Along the Belt Parkway and
8 obviously the fact that the city is investing a
9 billion dollars in Belt Parkway is an indication
10 that DOT understands its critical importance to
11 moving traffic along in southern Brooklyn. We
12 have a little problem along the Belt Parkway and
13 I'm surprised it hasn't come to your attention
14 because it also involves a bike path. At Plum
15 Beach, the Belt Parkway is going to fall into the
16 water. We have been spending the last three years
17 arguing with the Army Corps of Engineers, working
18 with the city, trying to get over the goal line to
19 have the beach itself properly replenished.

20 Now, there is a bike path that has
21 collapsed that is in between the Belt Parkway and
22 the beach. No one seems to be willing to say this
23 is our responsibility for maintenance. Do you
24 have any idea at DOT what's going on with that? I
25 have pledged to get that bike path redone because

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2 I'm building a park at the terminus of it,
3 together with the Parks Department. Parks says
4 they're not responsible. The federal government
5 is not responsible. We're going to have the
6 highway fall in if we don't get this job done, and
7 it's all wrapped up together. It seems that no
8 one agency is willing to take charge and you're a
9 take charge kind of commissioner, so I'm putting
10 it to you.

11 JANETTE SADIK-KHAN: Okay.

12 CHAIRPERSON RECCHIA: Especially
13 with bike lanes, Lew, I can't believe she's going
14 to fall in the ocean.

15 COUNCIL MEMBER FIDLER: I'm going
16 for it, you know.

17 CHAIRPERSON RECCHIA: You got to
18 stop that, Commissioner. Come on.

19 JANETTE SADIK-KHAN: We are a
20 multi-modal agency and we believe in providing a
21 multitude of choices for how New Yorkers get
22 around and it is one of the things that makes New
23 York City great.

24 So I appreciate the frustration
25 that comes from having multiple agencies say that

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2 they're not on point or they're not in charge. It
3 is my understanding that it is a Parks issue, but
4 it is, from what I'm hearing from you, critical
5 that we pull the affected parties together and get
6 some clarity on what's going on here. I think
7 there may be a funding issue that's there. But it
8 is part of the Parks' property.

9 We don't think there's an issue on
10 the roadway at this time, but I am happy to, after
11 this hearing, place a call to Adrian Benepe and
12 get our teams together to see what can be done.

13 COUNCIL MEMBER FIDLER: Well I
14 think the teams need to get together. It's not
15 just about the bike path. Certainly, I can tell
16 you that Parks has told me directly they're not
17 rebuilding the bike path. That's for sure. I'm
18 building this park and we're going to have this
19 park going right past the bike path. The bike
20 path is not going to be rebuilt.

21 JANETTE SADIK-KHAN: I pledge to
22 you that I will in a call to Adrian and we will
23 see what--

24 COUNCIL MEMBER FIDLER:
25 [interposing] All right. So I'd be happy to work

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2 with you on that. I know that Parks is working on
3 this problem, so I don't want to be unfair to
4 Commissioner Benepe. But clearly we have a
5 problem there that, you know, you're going to
6 spend a billion dollars building bridges and the
7 middle of the road is going to fall into the
8 ocean. And that is not an overstatement and
9 everyone in southern Brooklyn who drives by it
10 know it and anyone who has looked and can see that
11 the ocean is now approaching the Belt Parkway, as
12 we come to hurricane season again, knows that this
13 is not, you know, craziness.

14 JANETTE SADIK-KHAN: Okay. Again,
15 we don't believe there's an issue with the
16 roadway. We are happy to sit down to get the
17 issue--

18 COUNCIL MEMBER FIDLER:
19 [interposing] I hope there's not going to be. The
20 other subject I just wanted to go over with you
21 briefly is the City Bench program. You're going
22 to be installing 1,500 benches. These locations
23 will be selected how and with what kind of
24 notification to the Council Members and to the
25 communities and community boards.

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2 JANETTE SADIK-KHAN: Actually we've
3 been working with the New York Economy of Medicine
4 in this regard and we've been working with DFTA on
5 this to identify locations that have either a high
6 percentage of seniors, a high percentage of areas
7 that do not have places to sit down. So whether
8 it's working with seniors, working with areas with
9 kids, again working with areas that don't have a
10 lot of public seating that need it, around bus
11 stops, we've got a whole application process for
12 people to apply for city benches. That's
13 generally the criteria that we use--

14 COUNCIL MEMBER FIDLER:
15 [interposing] What's the application process?

16 JANETTE SADIK-KHAN: It's like a
17 page, it's not--

18 COUNCIL MEMBER FIDLER:
19 [interposing] No, but what's the process and who's
20 applying? You say there's an application process.

21 JANETTE SADIK-KHAN: Well people--

22 COUNCIL MEMBER FIDLER:
23 [interposing] I want a bench. I mean who files
24 the application.

25 JANETTE SADIK-KHAN: You can go

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online to our City Bench program and--

COUNCIL MEMBER FIDLER:

[interposing] And ask for one. And is there a notification to the Council Member or community board when that happens?

JANETTE SADIK-KHAN: I don't think--

COUNCIL MEMBER FIDLER:

[interposing] How about NYPD?

JANETTE SADIK-KHAN: No, it all goes through the community boards.

COUNCIL MEMBER FIDLER: It all goes through the community boards.

JANETTE SADIK-KHAN: Yeah.

COUNCIL MEMBER FIDLER: Okay. All right, because not every location, you know I can ask for a bench but it doesn't mean that it's well suited. It might be outside of a school, a trouble area.

JANETTE SADIK-KHAN: Right.

COUNCIL MEMBER FIDLER: A local bad spot. So, not every bench is welcome and that's--

JANETTE SADIK-KHAN: [interposing] Well that's why we go through the community board process.

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COUNCIL MEMBER FIDLER: Okay.

That's good to hear. How much capital dollars are involved in the City Bench program?

JANETTE SADIK-KHAN: I think it's \$2 million.

COUNCIL MEMBER FIDLER: Okay.

Thank you very much.

CHAIRPERSON RECCHIA: Thank you, Council Member Fidler.

JANETTE SADIK-KHAN: I might add, that's all federal money.

COUNCIL MEMBER FIDLER: That's even better.

JANETTE SADIK-KHAN: Yeah.

CHAIRPERSON RECCHIA: That's good. Commissioner, your reputation is on the line about getting that bike path fulfilled.

JANETTE SADIK-KHAN: So noted.

CHAIRPERSON RECCHIA: I mean, you know, you could ask Lori Ardito, she used to be the Brooklyn commissioner, and we miss her in Brooklyn. She does a great job.

JANETTE SADIK-KHAN: Maybe we should actually ask her.

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2 CHAIRPERSON RECCHIA: Plum Beach is
3 a big issue. Council Member Leroy Comrie to be
4 followed by Council Member Brewer.

5 COUNCIL MEMBER COMRIE: Thank you,
6 Chairman.

7 CHAIRPERSON RECCHIA: We've been
8 joined by Council Member Karen Koslowitz.

9 COUNCIL MEMBER COMRIE: Good
10 afternoon, Commissioner and team. Grand Central
11 Parkway just before it splits to go to either the
12 Grand Central Long Island or the Van Wyck, can you
13 give us an update on what's being done to improve
14 that intersection. Is that DOT property? I'm not
15 even sure.

16 JANETTE SADIK-KHAN: That's the
17 State Department of Transportation.

18 COUNCIL MEMBER COMRIE: That's
19 state?

20 JANETTE SADIK-KHAN: Yeah.

21 COUNCIL MEMBER COMRIE: Oh, okay,
22 unfortunately that intersection is consistently
23 backing up and water is flooding again.

24 JANETTE SADIK-KHAN: I'm happy to
25 send a note to Commissioner McDonald at NYSDOT.

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2 COUNCIL MEMBER COMRIE: I just
3 wanted to bring that up. Also, you talked about
4 Hillside Avenue and the safety improvements there.
5 I think they're a good thing. I think they need
6 to be extended. We need to put one down by 199th
7 Street and Hillside Avenue. I believe that's
8 where Pat Dolan was crossing when she lost her
9 life, so near the community board there.

10 Also, the job to do the water flow
11 blockages along Hillside Avenue was never
12 completed. There are about five locations that
13 were never completed. They have wood on top but
14 they never did the subway gratings, the new subway
15 gratings that would prevent water from running
16 down in there. There are about five locations.
17 There was an MTA/DOT project. There are five
18 locations that weren't done. I know the one by
19 the Radio Shack is one that comes to mind, 178th
20 and Hillside on the north side. There are two,
21 right near Archer and Hillside on the north side
22 also that weren't done. I can't recall where the
23 other ones were.

24 I also want to congratulate you on
25 improving the efficiency of response.

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2 Commissioner McCarthy is very good. The project
3 that was done to improve the traffic flow along
4 Archer Avenue, the one-way signage is doing really
5 well and we have some help there. But what I need
6 to do is get the parking allowance at 153rd
7 between Archer and Jamaica. There was supposed to
8 be a designated van pickup signage there. That
9 was agreed upon and then it wasn't agreed upon and
10 then it was agreed upon. It's in limbo. We need
11 to try to get that corrected.

12 Then, just on my list of small
13 things, the paving time for the crews to come out,
14 after the roads are stripped. You know, we've
15 gotten some paving done in the area but there is
16 some roadway, the time that it takes to come back
17 and do the paving after they do the stripping have
18 been like three to four weeks. That seems to be
19 unnecessary in this time and age. The boulevard
20 was stripped and it hasn't--right by the LF, by
21 the--and it's been there for like three or four
22 weeks. So I think that's unnecessary for that to
23 happen.

24 So if we could get someone to check
25 on that, and there are some other locations that

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2 haven't been done, but that's the one that I
3 passed this morning. I couldn't believe that it
4 hadn't been done yet. I know that they're
5 normally pretty good at getting back.

6 Finally, I just want to know, the
7 Citibank money that's being used for the bike
8 share, that \$40 million, is that going where
9 exactly? How is that being used?

10 JANETTE SADIK-KHAN: It's actually
11 \$47.5 million and it is going to pay for the
12 purchase of the bikes, the stations, the operator
13 that is going to be servicing the bikes 24/7,
14 rebalancing the bikes, moving them around the
15 city. So, all of that money is going to pay for
16 the operation of that system.

17 COUNCIL MEMBER COMRIE: So the
18 build-out of the bikes, it's going to pay for that
19 as well or just the--

20 JANETTE SADIK-KHAN: [interposing]
21 It pays for 10,000 bikes and the 600 stations.

22 COUNCIL MEMBER COMRIE: For the
23 daily operations of the stations, and the
24 maintenance of the stations as well?

25 JANETTE SADIK-KHAN: Correct.

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That's all, it's all in there.

COUNCIL MEMBER COMRIE: So the income that's derived from that, that'll be just from the income that you derive from the usage of it?

JANETTE SADIK-KHAN: Correct. And we will split the profits with the operator 50/50.

COUNCIL MEMBER COMRIE: But none of that Citibank money gets to come into the General Fund, it's all being used for--

JANETTE SADIK-KHAN: [interposing] No, that's to pay solely for the purchasing of the bikes, the equipment, the installation and then the operation.

COUNCIL MEMBER COMRIE: The manufacturer that's putting the bikes together, have you been speaking to them about where they're going to do the work and who's going to be involved and what kind of hiring they're doing?

JANETTE SADIK-KHAN: Yes. The initial launch site will be in the Brooklyn Navy Yard and then we will be doing the permanent facilities will be located at Sunset Park, 53rd and Third. We expect 200 jobs to be generated.

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2 The operator has an extensive outreach program to
3 recruit people for the program. We're very much
4 looking forward to the opportunities that will be
5 associated with the bike share program.

6 COUNCIL MEMBER COMRIE: And also,
7 just I've been asking all of the agencies, the
8 MWBE and your opportunities to contract out to
9 vendors, can you give us where you are with your
10 MWBE stats?

11 JANETTE SADIK-KHAN: Yeah. We have
12 exceeded all of the targets from last year, I'm
13 happy to report. So we've made good progress
14 there. There was one area, with small purchases,
15 while we were 2 percent below where we thought we
16 were going to be, we were recognized, one of four
17 agencies recognized by the city for the work that
18 we're doing there. We continue to do outreach and
19 training, working with industry to make sure that
20 we continue to see success in that arena.

21 COUNCIL MEMBER COMRIE: Okay. You
22 can give us a list of the vendors that you've been
23 working with. So if you could provide that--

24 JANETTE SADIK-KHAN: [interposing]
25 Certainly.

1
2 COUNCIL MEMBER COMRIE: --to the
3 committee. Thank you. Again, I want to thank
4 Commissioner McCarthy and her Queens team.
5 They've been very responsive. Even when we don't
6 like the answers, they're still getting back to
7 us.

8 You talked about the speed bumps
9 and the increased need for speed bumps. In
10 Queens, we have a lot of folks that want speed
11 bumps but they don't have the 100-foot driveway
12 separation that's necessary. If we could, look
13 into a program to do some modifications of that,
14 so that they could have an opportunity maybe for a
15 different type of speed bump. We have, especially
16 around some of our parks, people would like to see
17 speed bumps so they wouldn't fly through there,
18 but their driveways don't meet that 100 foot
19 separation. Thank you.

20 CHAIRPERSON RECCHIA: Thanks a lot,
21 Council Member.

22 COUNCIL MEMBER COMRIE: Thank you.

23 CHAIRPERSON RECCHIA: I'd just like
24 to remind all Council Members that we have to be
25 finished by 2:00. There's a caucus at 2:30. So

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2 Council Member Brewer, to be followed by Council
3 Member Koo then Council Member Reyna then Council
4 Member Garodnick. We've been joined by the
5 Council Member from Brooklyn David Greenfield.

6 COUNCIL MEMBER BREWER: Thank you.
7 First of all, Margaret Forgione rocks, as we know
8 already. Working on the West Side transportation
9 study and the commercial bikes and the community
10 board has been working on benches, so I appreciate
11 all of that.

12 We have on the West Side a lot of
13 seniors and a lot of pedestrians. The accessible
14 traffic signals, thanks to Council Member Vacca
15 and to you, but more are coming. I want to get a
16 little bit of an update on those and also the
17 countdowns. They're very, very popular. They do
18 give people some hope they can get across the
19 street safely. So on the countdowns, can you give
20 us an idea of how they're being paid for and when
21 the whole city will be rolled out or where you are
22 in terms of rolling them out?

23 JANETTE SADIK-KHAN: We have
24 installed about 1,700 so far. We will get to
25 2,000 by the end of this calendar year. So we

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2 will have 2,000 countdown signals installed. We
3 expect to have another 2,000 installed by FY 13,
4 bringing us to a total of 4,000 out of the 12,000
5 roughly signalized intersections in the city. So
6 we are very happy with the progress that we've
7 made and we will continue to work to identify
8 funding for FY 14 and beyond. That's not really
9 our purview but I think it's really important that
10 we continue to look for funding for these
11 important programs.

12 COUNCIL MEMBER BREWER: All right.
13 Then how do you decide where they go? Is that
14 based on pedestrian participation in the
15 intersection or is there some other way?
16 Obviously everybody in my neighborhood wants them
17 and we have a lot of pedestrians. So I'm just
18 wondering how do you decide, or how do you
19 publicize that? People think that when it's down
20 the block it's going to come to their area.

21 JANETTE SADIK-KHAN: Our deployment
22 plans reflect our experience using NYPD provided
23 crash data. So that's basically how we do it.
24 The precincts supply us with these traffic
25 intelligence reports which we use. We're also

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there at their regular traffic stat meetings.

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Then specific locations are prioritized there.

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Then we did a 2010 pedestrian safety and action

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plan which identified all of the who, what, why,

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where, how of crashes and then we use that as

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well.

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COUNCIL MEMBER BREWER: Okay.

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JANETTE SADIK-KHAN: So it's a

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multi-layered--

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COUNCIL MEMBER BREWER:

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[interposing] And the accessible, can we exceed

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even what we're suggesting, Council Member Vacca

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and I, I think it was 25 per year. Can we

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actually do more than that do you think in terms

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of the traffic signals that are helpful to those

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who are blind?

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JANETTE SADIK-KHAN: I think we're

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going to be able to get to the 25. It's a lot of

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work that goes into that, and we continue to work

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with the Mayor's Office of People with

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Disabilities on that. I thank you and the

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Chairman for that important legislation. But we

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are working very, very hard to get that done.

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COUNCIL MEMBER BREWER: All right.

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2 Riverside Park and I'm sure elsewhere, the lights
3 are on all the time because they can't be turned
4 off. So needless to say, West Siders complain
5 because they think that we want to be energy
6 efficient. My understanding is DOT is responsible
7 for lights in parks. Is that correct?

8 JANETTE SADIK-KHAN: Basically,
9 yes.

10 COUNCIL MEMBER BREWER: Yes, I know
11 it's correct. So now my question is what are we
12 going to do to perhaps have--you mentioned the
13 LEDs, something similar to Central Park, Brooklyn
14 Navy Yard. We need to replace these lights
15 because you cannot turn them off.

16 JANETTE SADIK-KHAN: I'd be happy
17 to sit down with you to talk about that going
18 forward.

19 COUNCIL MEMBER BREWER: Okay. The
20 other question I have is the potholes. What is a
21 pothole? Because to me the streets are still
22 bumpy, so even though you only have 108 or some
23 miraculous number, I'm just wondering does that
24 include--in other words, that includes people who
25 are bringing the 311 or the issue to your

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2 attention. That doesn't include the potholes,
3 like we did a survey of every little bump we could
4 find. How do you determine what a pothole is,
5 just out of curiosity? Because it still seems
6 bumpy, not that I know, I'm usually on the subway,
7 but it does seem bumpy in a cab. Maybe it's just
8 the taxi that's bumpy. What's a pothole?

9 LORI ARDITO: Lori Ardito, First
10 Deputy Commissioner for the Department of
11 Transportation. Council Member, a pothole is
12 generally an open hole. What you're feeling,
13 again I think what you're describing to us is not
14 that here's a pothole on every single hit that
15 you're making in a car. You know, you hit a
16 utility cover, you're hitting--

17 COUNCIL MEMBER BREWER:
18 [interposing] I'm familiar.

19 LORI ARDITO: So ultimately I think
20 that, you know, the potholes that are being, the
21 numbers that are being generated are from 311
22 complaints. You know, we have inspectors out
23 there that also provide us with this information.
24 So in general I think the roadway conditions are,
25 you know, are not always considered--

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COUNCIL MEMBER BREWER:

[interposing] Smooth.

LORI ARDITO: Yes, they're not always smooth.

COUNCIL MEMBER BREWER: All right. And we did a survey. At some point, could somebody let us know the update to that survey of out potholes and holes?

LORI ARDITO: Absolutely.

COUNCIL MEMBER BREWER: Okay. Finally, there's an issue with Engineering Audit Office. Can you give us the status that they're moving and then they're concerned about the professional integrity with their operations? They're moving I think from one office to another, out of 55 Water to somewhere else.

LORI ARDITO: Yes. They're moving to 55 Water from 59--

COUNCIL MEMBER BREWER:

[interposing] They don't like that.

LORI ARDITO: Yes, but the Commissioner and I work in the same environment that they would be expected to work in. The integrity of our work is the same as the integrity

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2 of their work. They will be in a secure
3 environment as the Commissioner and I are also in.

4 COUNCIL MEMBER BREWER: And you've
5 told them that. The final question is regarding
6 the bikes that are not going to be able to be the
7 bike share, not understandably done this fall,
8 when will they be done next spring? In other
9 words, the next group of bikes that are coming,
10 part of bike share? We're not going to go all the
11 way up to 79th Street. We're going to go to 59th
12 Street. What is the timing for next year, because
13 I think bike share is wonderful?

14 JANETTE SADIK-KHAN: They should be
15 in, we're looking at June next year.

16 COUNCIL MEMBER BREWER: June of
17 next year.

18 JANETTE SADIK-KHAN: Yeah.

19 COUNCIL MEMBER BREWER: Okay, thank
20 you.

21 CHAIRPERSON VACCA: Thank you,
22 Council Member Brewer. Council Member Koo?

23 COUNCIL MEMBER KOO: Thank you,
24 Chairman. Thank you, Commissioner for helping to
25 make New York City one of the greatest city in the

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2 world, transportation wise. It is really
3 convenient. All the visitors from all over the
4 world is that New York is really convenient, they
5 don't have to drive. They can take subway to move
6 of the places.

7 My question is I was informed in a
8 recent BID meeting in Flushing that the assistant
9 commissioner from Queens informed me that Flushing
10 is the second busiest downtown area in New York
11 City, after 42nd Street. So during the last
12 Memorial weekend when I was walking on downtown
13 Flushing, I found it very crowded. Even when I
14 walked to other areas, it's not that many people,
15 but Flushing downtown is always crowded,
16 especially during the holidays. I found the
17 sidewalks too narrow. We have too many people
18 walking. Plus if you have illegal vendors on the
19 streets, it make us even harder to use the
20 streets, the sidewalks.

21 So my question to the Commissioner
22 is do you have any long-term capital planning or
23 expense budget planning for downtown Flushing
24 area? I know before we're supposed to have a plan
25 to widen the sidewalks in downtown Flushing. When

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are you going to do that?

JANETTE SADIK-KHAN: Well, Council Member, you raise a really important point. I mean New York City is really one of the world's premier walking cities. You see that not only in Manhattan but you do see it all throughout Queens, places like Flushing. It's incredible to go down and see the throngs of people that are there and the ped lock that gets created on those very busy streets.

So we are in the design, we are right now in the planning and design for it's a \$3 million federal earmark that we're working for sidewalk expansion in that corridor. So my hope is that we will be done through that process and ready to go in two years. We're in the early stages of that. I couldn't agree with you more. We need to do as much as we can to provide additional capacity there on that very, very important part of the city.

COUNCIL MEMBER KOO: So I'm hoping that you can make this a high priority for the department. My second question is, you know, in Flushing, 162nd Street, you have road construction

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there for a long, long time now, over a year, maybe 18 months or something like that. And the business there are complaining because they lost a lot of business. 162nd maybe two blocks this direction--

JANETTE SADIK-KHAN: [interposing]

I'll check.

COUNCIL MEMBER KOO: You close off the roads so that they cannot park and they lost a lot of business.

JANETTE SADIK-KHAN: Yeah, it's difficult. The reconstruction work of the city is always very--

COUNCIL MEMBER KOO: [interposing]

So they were talking about how they can reimbursements for loss of business. They were talking about suing the city or suing somebody for the loss of revenues. So is there any way that you can advise them what to do?

JANETTE SADIK-KHAN: I can raise this with the Commissioner of Small Business Services, Rob Walsh and we'll send him and his team out there and see what can be done.

COUNCIL MEMBER KOO: Because they

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2 have sent petitions to my office, like 20 or 30
3 businesses there--

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JANETTE SADIK-KHAN: [interposing]

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Commissioner Walsh deals with the small business
6 community, so I think that would be certainly a
7 very good avenue to go down to see--

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COUNCIL MEMBER KOO: [interposing]

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Somebody advised them to meet the comptroller's
10 office for compensation.

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JANETTE SADIK-KHAN: I will contact

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Commissioner Walsh and have him contact you and
13 put together a meeting from there.

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COUNCIL MEMBER KOO: I have one

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more question. I know you are a strong advocate
16 for bicycle riding. But in downtown Flushing
17 area, I find a lot of bicycles chained to the
18 fence, chained to trees, light poles, everywhere.

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Is there a way we can find out what are the legal
20 bicycle parking places? I know online you can
21 find out where you can park, because you--

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JANETTE SADIK-KHAN: [interposing]

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Well it's not hard. It's at bicycle racks. So
24 there's no--but I think what's important is I'm

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not just the commissioner of bicycles, the idea is

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2 to try to create as many options as possible.
3 There is huge demand in the city, not only for
4 parking, bike parking, and thanks to the work of
5 the City Council, we passed legislation which now
6 allows cyclists to have parking in commercial
7 office buildings with freight elevators. That's
8 gone a long way to make a difference.

9 So, too, we have increased the
10 speed with which we're putting bike racks out
11 there. I think we have over 13,000 racks out
12 there right now and we continue to do more. There
13 are some parts of the city where if you stop
14 walking for a second, somebody is going to chain a
15 bike to you. So we clearly need to get some more
16 parking out there. I'd be happy to do a walk
17 through with you to see what we can do in parts of
18 your community.

19 COUNCIL MEMBER KOO: And the police
20 were talking about cutting those chains because
21 they're illegally parked--

22 JANETTE SADIK-KHAN: [interposing]
23 Yeah, well the--

24 COUNCIL MEMBER KOO: But before
25 that, we have to find a place for them to park.

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2 JANETTE SADIK-KHAN: Well, there's
3 actually a law that governs that. The Sanitation
4 Department posts stickers on the bikes and then if
5 they're abandoned after a certain number of days,
6 then they're cut and taken away.

7 COUNCIL MEMBER KOO: Is there a law
8 in every public garage they have to have bicycle
9 parking too?

10 JANETTE SADIK-KHAN: I believe so.

11 COUNCIL MEMBER KOO: I saw the sign
12 over there in my area, bicycle parking \$8. It's
13 really expensive. I mean you can take the subway
14 for \$5 a day. But if they use a bicycle, it's \$8
15 to park.

16 JANETTE SADIK-KHAN: Well, for
17 \$9.95 a day you can have a bike share bike. But
18 it is interesting talking to various parking
19 operators. They're seeing an uptick in demand for
20 the bike parking in the parking garages.

21 COUNCIL MEMBER KOO: So in the long
22 run, I hope you can provide more legal bicycle
23 parking places even in the public buildings,
24 library or even in new commercial buildings coming
25 up.

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2 JANETTE SADIK-KHAN: Actually,
3 that's a mandated part of the law according to the
4 new zoning code.

5 COUNCIL MEMBER KOO: Thank you very
6 much.

7 JANETTE SADIK-KHAN: Thank you.

8 CHAIRPERSON VACCA: Commissioner,
9 excuse me. You and I participated--

10 JANETTE SADIK-KHAN: [interposing]
11 Choked up about our meeting?

12 [Laughter]

13 CHAIRPERSON VACCA: Commissioner,
14 you and I participated on Arthur Avenue and 187th
15 Street with parking sensors and I know there was a
16 pilot program. I wanted to know how that was
17 being received, how it's going and whether you
18 intend to increase the use of parking sensors.

19 JANETTE SADIK-KHAN: Well it is a
20 pilot, so we're still midway through it. I don't
21 have an update for you at this time. I can sit
22 down and let you know where we are on it. After
23 the pilot, then we'll make an evaluation of how to
24 proceed. But I'd be happy to sit down with you.

25 CHAIRPERSON VACCA: You haven't

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finished that evaluation.

JANETTE SADIK-KHAN: We haven't finished the evaluation.

CHAIRPERSON VACCA: Also, in the West Village in Park Slope, you have something called Park Smart variable pricing. That's a pilot program and I wanted to know how that was going and how long is it expected to continue and are you looking to expand that program.

JANETTE SADIK-KHAN: We started the first pilot in Greenwich Village. Again, this is a program that is requested by communities. So they request to have increased parking at different times of the day, higher pricing, because they find that that turnover in front of their businesses is really important for generating additional revenue. So it's gone very well. We did the second pilot in Park Slope, as you mentioned, and it was effective at improving the turnover, and it was made permanent in the fall of 2010.

The third pilot began in May on the Upper East Side. And we found that the parking pricing did not change turnover at all. So at the

1
2 request of the BID, we are not moving ahead with
3 that but we are working on different innovative
4 strategies there.

5 You know, we continue to work with
6 local officials who are very interested in
7 soliciting support for the program, understanding
8 the importance of this to small businesses and we
9 are hoping to launch more in the fall. Again,
10 these are application-based programs coming to DOT
11 to ask for these variable pricing, parking pricing
12 programs.

13 CHAIRPERSON VACCA: Thank you.

14 CHAIRPERSON RECCHIA: Council
15 Member Reyna, followed by Council Member
16 Garodnick.

17 COUNCIL MEMBER REYNA: Thank you,
18 Mr. Chairs. I just wanted to take an opportunity
19 to just point out there was a tour that my
20 committee, Small Business Committee and Economic
21 Development Committee had taken to the Maspeth
22 Ridgewood IBZ, the industrial business zone. It
23 was brought to our attention that there is a lack
24 of transportation for its workforce. A few
25 hundred people have to organize around what would

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2 be carpooling from the LIRR to be able to walk,
3 rather be picked up by the company, who's giving
4 the courtesy of trying to carpool for them. Or
5 hire what would be for a few hours, a van to pick
6 up employees from a particular corner to the area
7 of the Queens Blvd--and forgive me, I don't have
8 the cross streets with me.

9 But it was very interesting to
10 understand that there is this void of
11 transportation in a heavily industrial area where
12 the workforce would have to otherwise walk a mile
13 and a half. I don't know how your department is
14 working with coordinating, trying to understand
15 some of the challenges that the industrial
16 business zones are going through in order to ease
17 and mitigate a lot of these issues. Does it have
18 conversations with City Hall to bring in, loop in
19 what would be the IBZ providers, the industrial
20 business zone coordinators?

21 JANETTE SADIK-KHAN: I believe that
22 would be done through EDC.

23 COUNCIL MEMBER REYNA: But to your
24 knowledge nothing has been coordinated--

25 JANETTE SADIK-KHAN: [interposing]

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I have not attended a meeting on that, no.

COUNCIL MEMBER REYNA: And no one has communicated otherwise.

JANETTE SADIK-KHAN: Nobody has raised that with me, no.

COUNCIL MEMBER REYNA: Okay. I'm going to be raising with you these issues.

JANETTE SADIK-KHAN: Okay.

COUNCIL MEMBER REYNA: I just wanted to make sure that I alerted you because it's a travesty that, you know, during the winter months--thank God we had a better season this past year--but the issue of the lack of transportation is so apparent and we should be able to make sure that these are the hotspots of a lack of transportation that we should be focusing on and figuring out ways that we can do so.

In addition to that, I just wanted to just highlight what would be a very dangerous corner on the intersection of 49th and 56th Road and the LIRR that crosses through in the same area, where the actual LIRR meets this intersection and numerous accidents have occurred. So I point out those two particular issues

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2 regarding the industrial business zone with
3 further follow-up after today's hearing.

4

JANETTE SADIK-KHAN: Thank you.

5

6 COUNCIL MEMBER REYNA: And I just
7 wanted to thank you, Commissioner, for the opening
8 and willing efforts in making the bike share a
9 very friendly program to the neighborhood. I know
10 that many neighborhoods, many residents of the
11 neighborhood are very excited. You know, a little
12 nervous, making sure that everything runs
13 smoothly. But we're very excited to see our
14 community, Williamsburg-Greenpoint become a part
15 of this pilot program.

15

JANETTE SADIK-KHAN: Thank you.

16

17 COUNCIL MEMBER REYNA: I want to
18 just note that the map that was shown to me
19 disregards south of Broadway and that has been
20 brought to my attention. We want to just make
21 sure that the community board, as far as what
22 would be the connections of the Schaefer Landing
23 area takes that into consideration as far as the
24 bike share is concerned. The mode of
25 transportation from the waterfront to the M Line--

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JANETTE SADIK-KHAN: [interposing]

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Connection, yeah.

COUNCIL MEMBER REYNA: --is a great distance.

JANETTE SADIK-KHAN: Right.

COUNCIL MEMBER REYNA: The ferry service, as far as the East River is concerned, who oversees the ferry line?

JANETTE SADIK-KHAN: Well, EDC is managing that contract. We oversee the private operators, but EDC is managing the East River Ferry contract.

COUNCIL MEMBER REYNA: There's a ferry I took this weekend with my two young boys. The loud speaker didn't announce that the stop was coming up, and I'm walking safely down the top level and the captain apparently thought I was taking too long to get off. I didn't hear the announcement because the announcer, there was no speaker that was working on the actual ferry. But it was already moving, and the captain was not very amenable to the fact that he had to waste a few more minutes so that we could get off safely.

I just wanted to understand, what are the inspections? Who inspects these ferries

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2 so that they're optimizing what would be, you
3 know, safety regarding announcing, you know, that
4 the stop has been reached, that people should get
5 off, that there's a finite amount of time. It's
6 the first time I took the ferry and I was
7 concerned because if it happened to me, and I
8 asked who the captain's name was, Captain John,
9 and--

10 JANETTE SADIK-KHAN: [interposing]

11 Of course.

12 COUNCIL MEMBER REYNA: Just to make
13 sure. You know, it was an enjoyable ride up until
14 that very moment.

15 JANETTE SADIK-KHAN: Okay. Well
16 EDC, as I said, oversees the provision of service
17 there. We do the safety piece, making sure that
18 the docks and the vessels are operating the way
19 they should. But I'm happy to raise that to EDC
20 to let them know that that was an issue that
21 occurred.

22 COUNCIL MEMBER REYNA: I appreciate
23 that. I will do the same just to make sure.
24 Lastly, you know I just wanted to continue our
25 conversation regarding the BQE green, the decking

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2 of what would be making sure that we are reducing
3 the pollutant issues of what is a highway gaping
4 hole running and separating our community and the
5 options that we have available to us in a third
6 round of grants.

7 I understand that the Sheridan is
8 one of the identified projects from the past. I
9 do hope that there's room this year, and we're
10 starting to reach out to you as early as now to
11 make sure that we continue our conversations and
12 support around that project. The Sheridan is
13 something that has been raised with the IBZ in the
14 Hunts Point area. There's a lot of concern
15 regarding the mode of transportation to connect
16 the Hunts Point. I hope that that's something
17 that in addition to what I was raising before that
18 the IBZ coordinators are being plugged in with
19 your department to take this into consideration.

20 JANETTE SADIK-KHAN: Yes. Yes,
21 they are.

22 COUNCIL MEMBER REYNA: Fantastic.

23 JANETTE SADIK-KHAN: Great.

24 COUNCIL MEMBER REYNA: Thank you.

25 JANETTE SADIK-KHAN: Thank you.

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CHAIRPERSON RECCHIA: Thank you.

CHAIRPERSON VACCA: Commissioner, I just quickly want to say that as you know I've been working with your office regarding commercial bicycle and we're looking to put together a package. I'm determined to do something to make our streets safer for everyone, but I view many of the things that commercial bicyclists are doing, I view them very seriously and I think much is dangerous. Oftentimes, they are flying through red lights, going the wrong way on one-way streets.

I know they're in a hurry but it's unacceptable to me. I do think that there has to be accountability and a responsibility taken for these individuals who think that they can do as they wish on very crowded streetscapes in our city.

I've had some ideas for some period of time. I've spoken to your office. You've had ideas. I'm hoping in the weeks ahead that we can be brought together, because I think that those in the bicycling community who do the right thing are negatively portrayed based on those who do not do the right thing. There are too many commercial

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2 cyclists that are not doing the right thing. I
3 see it constantly here in Manhattan and I'm sure
4 it's true in other places. I think it's a danger
5 and I think there has to be an accountability from
6 their perspective, from the business perspective,
7 those who employ them. And I think that there are
8 laws on the books that we could better enforce.

9 JANETTE SADIK-KHAN: Well, I
10 couldn't agree with you more. And, you know, both
11 in response to actual and perceived conflicts,
12 we've been working on legislation, and we've
13 actually already started doing outreach on a pilot
14 we've been working with Council Members here, with
15 Council Member Brewer and Council Member Garodnick
16 and Council Member Lappin. We started a kickoff
17 for an outreach on what we would want to see done.
18 We're starting to have inspectors begin visiting
19 businesses to apprise them of what the law is.
20 Then what we want to do is work with you and it's
21 been a terrific partnership.

22 And as you point out, you've had
23 serious ideas about this for a long time. I think
24 that collaborating on this will go a long way to
25 ensuring that people who should be accountable,

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2 some of the business owners, will be accountable.
3 And that we actually have safety vests that are
4 functioning and that we're actually able to ticket
5 and enforce as necessary. So thank you for your
6 support.

7 CHAIRPERSON VACCA: I thank you,
8 Commissioner. I'm concerned about it. We have
9 some of the commercial cyclists may think that
10 this is the wild, wild west, and this is the City
11 of New York and they have an awakening if they
12 think that they're going to continue to do what
13 they do unimpeded. I think that your agency and
14 this council have to come together. I do see the
15 outlines of that coming together and I think we
16 are both on the same wavelength, and I hope to get
17 there very soon. It's a priority with my
18 committee. I want something done. I'm tired of
19 hearing about it. I shouldn't say I'm tired. I
20 am frustrated about hearing about it and I think
21 it's something that's evaded us that now the time
22 has come to put our arms around it. I think that
23 we should. I think that we have no choice. But I
24 thank you as well, Commissioner.

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CHAIRPERSON RECCHIA: Thank you,

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Council Member--hold on.

CHAIRPERSON VACCA: I should mention that we've been joined by Council Member Tish James. Next is Council Member Greenfield.

CHAIRPERSON RECCHIA: No, Dan Garodnick.

CHAIRPERSON VACCA: I'm sorry. Council Member Garodnick.

COUNCIL MEMBER GARODNICK: Close enough. Thank you, Chairman. Commissioner, I wanted to just ask you very quickly about the SBS stats that you gave in your testimony. You noted that there is a considerable sum being invested to improve speeds and reliability, both on the First and Second Avenue corridor and also on the newer 34th Street corridor, which by the way are serving an impressive number of passengers every day. Can you just help us understand what those, and it looks to me like it's \$38.4 million between the two of them, what that will be going toward on both 34th Street and First and Second Avenues.

JANETTE SADIK-KHAN: Well it's not just for those corridors, it's for actually every--well it is for both of those corridors and some

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2 additional bus markings, et cetera. So what we're
3 looking to do up there is this will be the first
4 line that actually has the build out, the bus
5 bulbs there, which will make it not only easier
6 for pedestrian passage but make the boarding,
7 loading and unloading much, much faster.

8

9 So we're very excited about this.
10 We're looking at also bringing green
11 infrastructure to those bus bulbs. So we've been
12 working very, very closely with Commissioner
13 Strickland at DEP on that. So we'll be greening
14 up the corridor, capturing stormwater runoff in
15 more effective ways to improve the sustainability
16 of the city going forward in that regard.

16

17 And then, again, having these new
18 bus bulbs will really help I think even further
19 and reduce the travel time along this
20 extraordinarily busy corridor.

20

21 COUNCIL MEMBER GARODNICK: So just
22 on speed and reliability it's the bus bulbs which
23 you are--

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24 JANETTE SADIK-KHAN: [interposing]
25 Yeah, it's a big piece. We're also working with
the Transit Authority on transit signal

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2 prioritization so that the buses, the traffic
3 signals will read the buses, hold the light for
4 the buses, make them pass through the network more
5 effectively and efficiently. So that package is
6 moving forward as well.

7

COUNCIL MEMBER GARODNICK: So the
8 dollars we talked about here, attributable to
9 speed and reliability are for the bulbs and for
10 the signal prioritization. Those are the two main
11 points to increased speed and reliability?

12

JANETTE SADIK-KHAN: Yes.

13

COUNCIL MEMBER GARODNICK: Okay.
14 Thank you. I also want to thank you, you
15 mentioned in your testimony the piece of that
16 legislation to put all of the parking regulations
17 online citywide.

18

JANETTE SADIK-KHAN: That's right.

19

COUNCIL MEMBER GARODNICK: We
20 appreciate that that is done. Of course, fair
21 credit belongs to my mother, who came up with the
22 idea in the first instance. So we thank you and
23 also we thank her.

24

JANETTE SADIK-KHAN: Thank you.

25

CHAIRPERSON RECCHIA: Thank you.

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2 Council Member Greenfield, then followed by
3 Council Member Tish James.

4 COUNCIL MEMBER GREENFIELD: Thank
5 you, Chairs. Thank you, Commissioner. I just
6 want to start, if I may, with just some, I guess,
7 technical questions. I have a bunch of parks, as
8 I imagine many people do, in my district and we're
9 always trying to do like traffic calming measures.
10 Like speed bumps in some occasions, or for
11 example, I have a park, Gravesend Park on 18th
12 Avenue and 56th Street and you have to cross sort
13 of a major thoroughfare to get across. We want a
14 stoplight. But it seems like they're very
15 difficult to come by. Do they follow the same
16 standards, when there's a park, does that follow
17 the same standards as a street or would that be a
18 different standard in terms of--

19 JANETTE SADIK-KHAN: [interposing]
20 I believe it follows the same standards.

21 COUNCIL MEMBER GREENFIELD: Okay.
22 I'm just thinking out loud. Would it make sense
23 potentially, especially because of I guess the
24 amount of children that you would have over there,
25 to perhaps treat parks differently when there are

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2 requests for either signage or in my case a
3 stoplight?

4

JANETTE SADIK-KHAN: Well, we
5 always follow the METCD in terms of the standards
6 and specs on the streets. So whether a street is
7 in a park or a street is outside of a park, you've
8 got the same rules. But what we do is if we've
9 got areas where you've got a lot of kids or you've
10 got a lot of seniors, you know, we try to work
11 effectively to find solutions. Even if it doesn't
12 meet the warrants for a stop light, there may be
13 other ways that we can calm a particular area.
14 I'd be happy to sit down and have our team sit
15 down with you and investigate what can be done in
16 the areas that are of concern to you.

17

COUNCIL MEMBER GREENFIELD: Okay.
18 Particularly 18th and 56th, the largest park in my
19 district, Gravesend Park, for something. We've
20 made multiple requests but it keeps on getting
21 denied because I guess it doesn't meet the
22 standards. But I guess from my perspective, when
23 it comes to the amount of children, as you point
24 out, I think it's different.

25

Another, and I'm just looking

1
2 through our council stat cases, another big
3 complaint that I get is ponding problems. I don't
4 know, this is what we've been told, the DOT fixing
5 ponding problems in the middle of the road but not
6 those next to the sidewalk. What we're told is
7 that if it's a ponding problem next to the
8 sidewalk it has to wait until the next time the
9 street is repaved, which obviously can be quite a
10 while. Are you familiar with this issue or are
11 any of your deputies familiar and maybe can speak
12 to that?

13 LORI ARDITO: Yeah.

14 COUNCIL MEMBER GREENFIELD: What
15 the problem is there and why we can't resolve.
16 Obviously, ponding is something that frustrates a
17 lot of New Yorkers.

18 LORI ARDITO: Yes, and we certainly
19 understand. I just want to clarify that we do
20 correct ponding conditions both in the middle of
21 the roadway and at the side of the roadway. I
22 think what you're being told is that in most cases
23 the only way for us to be able to solve the ones
24 that are at the curb line are through milling and
25 resurfacing. So that is why we look to the next

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2 time that we're going to mill and resurface to be
3 able to correct it properly. We can go there and
4 put some asphalt in it, but in most cases it's not
5 going to move the water to the appropriate
6 drainage area until we mill and resurface it.

7

COUNCIL MEMBER GREENFIELD: So, I
8 guess just to follow up, I'm not an engineer but I
9 understand that in many cases right after it's
10 resurfaced you'll see some ponding. That actually
11 happens on some blocks, and I've had constituents
12 complain and I've gone out and I've seen that a
13 few days afterwards. Is that something--I mean so
14 to wait until the next time it's resurfaced won't
15 necessarily solve that problem because when it go
16 resurfaced parts of the areas got ponded, shall we
17 say. So, I guess my question is when they're
18 initially resurfaced is there a way to then re-
19 inspect within a few weeks to see whether there
20 can be instant remedies, because it seems like
21 some of the ponding happens when the streets are,
22 in fact, resurfaced?

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LORI ARDITO: Yes. On those
situations, if they're reported to us, we will
certainly come out and reevaluate and make sure

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that we correct the condition.

COUNCIL MEMBER GREENFIELD: Okay.

The other question which I get a lot, in terms of complaints is that streets are resurfaced. I know there's supposed to be like a frozen time when they're not supposed to go back in, but apparently there are a lot of exceptions to that frozen rule and then the streets get sort of ripped up again. Can you sort of give us some more understanding about that? So is there a way to really just sort of freeze the streets? I mean is there no way to sort of tell the utilities, listen, right I mean my understanding is that the reason you mill first and then you pave is to give utilities an opportunity to come in and fix the streets. So can we just say, listen folks, you didn't come in, you know, too bad.

JANETTE SADIK-KHAN: Well, actually it's a great question. We've spent four years putting together a new procedure and it's called the Street Works Manual. It basically requires coordination of the work that's done on the street for the first time. And we've got actually a database of information to make sure that

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2 everybody that touches the street, we all are
3 coordinated. There is nothing more frustrating as
4 a New Yorker than to see your street paved finally
5 and then, you know, days later it's chopped up
6 again.

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8 And so, we have been working very,
9 very hard on that. And the period, I think is a
10 five year protected period for a protected street.
11 And we send inspectors out to make sure that the
12 inspections are done and that these people are
13 fined if they don't do the work that's supposed to
14 be done.

15

16 Council Member Recchia asked a
17 series of questions in this regard at the start of
18 the hearing on exactly how it is that we enforce
19 and what our inspection process is in this regard.
20 So I would love to review with you what our
21 procedure is, what the issues are and actually
22 give you a copy of the book if you're interested.

23

24 COUNCIL MEMBER GREENFIELD: Well,
25 I'd just like to make a suggestion. First of all,
26 congratulations and I'm pleased to hear that
27 you've managed to resolve or at least hopefully
28 resolve this intractable New York problem.

1
2 But I would like to recommend that
3 if there are emergencies and folks feel the need
4 to come in and rip up the streets that they should
5 then have to repave the entire street, rather than
6 just a small strip of the street. Because what
7 happens then is that's how you end up having
8 potholes and ponding, because you know the cable
9 company will come in and just make a small strip
10 along the side and then they'll just repave that
11 side and then the street is already bumpy.

12 My thinking is that there is a
13 financial incentive here. Right, because if you
14 know you can get in on an emergency basis, because
15 you can just say hey, I have an emergency, you're
16 always going to go in. If you know that you
17 actually have to now repave the street, you might
18 think a little bit harder the next time they're
19 saying hey, the street is open for three weeks
20 during milling before we repave it. So, it's just
21 something to throw out there potentially for you
22 to consider.

23 JANETTE SADIK-KHAN: Thank you.

24 CHAIRPERSON RECCHIA: The other
25 question I have is many complaints I get about

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2 this, and I don't know exactly who is responsible,
3 but we see, especially this time of year, a lot of
4 trees are blocking parking signs and they're
5 blocking street lamps. This happens both, in some
6 cases the trees are physically swallowing up the
7 signs. I don't know if you've actually seen this,
8 but I've had this in my district, and it just sort
9 of gets absorbed. In other cases, it's just you
10 can't see the parking regulation and so therefore
11 people are violating it, or a stop sign or
12 something like that. Who is responsible for that?
13 Is it you, is it Parks? I mean who--

14 JANETTE SADIK-KHAN: [interposing]
15 Parks.

16 COUNCIL MEMBER GREENFIELD: --is
17 responsible for trimming that and making sure that
18 it's viewable--

19 JANETTE SADIK-KHAN: [interposing]
20 That's Parks.

21 COUNCIL MEMBER GREENFIELD: Not
22 your department?

23 JANETTE SADIK-KHAN: Right.

24 COUNCIL MEMBER GREENFIELD: It's
25 Parks.

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JANETTE SADIK-KHAN: Right.

COUNCIL MEMBER GREENFIELD: Okay.

JANETTE SADIK-KHAN: But if you've got a list of locations that you think that that's an issue, we'd be happy to forward them on to Commissioner Benepe.

COUNCIL MEMBER GREENFIELD: Got it. I want to just move over to a couple quick questions I have regarding cycling. Congratulations on the new cycling initiative. I just was curious, it seems a tad expensive. My recollection is that in London, I think they call it Barkley Cycle [phonetic] or something like that, and they charge around a pound a day. Which I'm not great with the exchange rate but I think it's like \$1.60 or \$1.70, and I think here we're charging like ten bucks a day. I'm just curious; did we compare the prices to other cities throughout the world in terms of what the costs are?

JANETTE SADIK-KHAN: Well, we're comparable but we are also--this is a privately operated system. Barkley's is not a privately operated system, so they have a different model

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than we have. But this is certainly in line with other systems and in fact no other system has a 45 minute grace period. So you have 45 minutes to--

COUNCIL MEMBER GREENFIELD:

[interposing] Yeah, they only give you 30 minutes. That's correct.

JANETTE SADIK-KHAN: So for annual members--

COUNCIL MEMBER GREENFIELD:

[interposing] It's more--

JANETTE SADIK-KHAN: Right. For an annual member you can get around. But you can get around pretty far with 30 minutes or 45 minutes, you can get within six miles. So most of the trips in New York are under two miles. So it's a great, as you pointed out, it's a great--

COUNCIL MEMBER GREENFIELD:

[interposing] I know. Just ten bucks, you know ten bucks just seems like a lot of money for a lot of people. I'm just wondering in terms of the price point comparison, just because I'm familiar with the London system--

JANETTE SADIK-KHAN: [interposing]

Right.

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COUNCIL MEMBER GREENFIELD: --you know the pound seems cheaper.

JANETTE SADIK-KHAN: It's actually quite comparable, yeah.

COUNCIL MEMBER GREENFIELD: Well not with London, you're saying but with other places.

JANETTE SADIK-KHAN: Yeah. Well, even with London, they don't have the same sort of--they have it structured differently and Barkley's only paid for half of the system, not the full system. So it's a very different model. Their system was actually more expensive to construct because our system is solar power and wireless, so we can move the stations around. Theirs is dug into the street. So the overall cost of that system was much more expensive than the overall cost of ours is.

Again, what we're trying to do is encourage the turnover of these bikes, because we've found that that's one of the most important factors in terms of making the system successful, along with the density of the stations.

COUNCIL MEMBER GREENFIELD: I

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agree. I was just wondering about the price point.

CHAIRPERSON RECCHIA: Can you sum up, Council Member?

COUNCIL MEMBER GREENFIELD: I guess my final question regarding one of my biggest complaints I get is bike riding on sidewalks. I'm sure you hear that as well. I have seniors who come over to me. I had a senior recently who told me her husband, you know, his hip was broken when he got run over by someone riding on the sidewalk. What more can we do? Obviously I think we all agree we don't want people, right, except for little kids, we don't want folks riding on the sidewalk. What more can be done to prevent this? It seems like something that happens sort of everywhere across the city and obviously there are serious consequences to that.

JANETTE SADIK-KHAN: Well, we are doing what we can in terms of both public education campaigns--we have the "don't be a jerk" campaign running--and we are also going to be working with the Council on legislation on commercial cyclists. A lot of the problem has to

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do with commercial cyclists on the sidewalk.
Everybody wants their food delivered really fast
and they don't want to wait ten minutes more for
it. But, you know, so a lot of times you find--

COUNCIL MEMBER GREENFIELD:

[interposing] They don't want grandma getting run
over though.

JANETTE SADIK-KHAN: Right, so--

COUNCIL MEMBER GREENFIELD:

[interposing] So if it's your food being two
minutes late or grandma getting a hip replacement--

JANETTE SADIK-KHAN: [interposing]

Right, no exactly. So what we're doing right now
is we're going to be working with you on
legislation--

COUNCIL MEMBER GREENFIELD:

[interposing] Have you--

JANETTE SADIK-KHAN: --that would
allow us to enforce--

COUNCIL MEMBER GREENFIELD:

[interposing] Have you considered, speaking of
enforcement, have you considered allowing traffic
enforcement agents to maybe give tickets to those
people who ride on sidewalks?

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JANETTE SADIK-KHAN: Yes.

COUNCIL MEMBER GREENFIELD: That's
under--

JANETTE SADIK-KHAN: [interposing]
We look forward to working with you on
legislation--

COUNCIL MEMBER GREENFIELD:
[interposing] It's under consideration now.

JANETTE SADIK-KHAN: --that we're--

COUNCIL MEMBER GREENFIELD:
[interposing] Okay, great. Thank you very much.

JANETTE SADIK-KHAN: Great.

CHAIRPERSON VACCA: I want to
clarify. I thank you Councilman Greenfield and I
thank the Commissioner. Part of this thing with
the commercial bicyclists is education, yes. But
I think that we have all, I know I have gotten to
the point where I want civil and criminal
penalties, whatever is strongest from our vantage
point to be used. Education is wonderful, we
always need education. I advocate that all the
time. But when it comes to the crisis, and it is
a crisis of people's safety, pedestrian safety,
that many of the commercial bicyclists do not have

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2 regard for, then this city has a legal obligation
3 to protect the law-abiding citizen who only wants
4 to cross a street.

5 I've seen on Broadway, right near
6 City Hall here, I have seen people turned around
7 on the sidewalk by people delivering food on the
8 sidewalk on their bicycles. That's unacceptable.
9 Somebody could get killed. People have been hurt.
10 So I'm looking forward.

11 My committee has passed 22 bills
12 since I took over, but I'm looking forward to 23,
13 24, and I'd like those to be dealing with
14 commercial bicyclists with your support,
15 Commissioner, your help because we are both
16 concerned about this topic. I'm not going to let
17 this one go. I feel strongly we have an
18 obligation.

19 CHAIRPERSON RECCHIA: Council
20 Member Vacca, I'm very disappointed. The last
21 chairman passed 50 bills. I'm only joking.

22 [Laughter]

23 CHAIRPERSON VACCA: That's not
24 true. I challenge him to a duel.

25 CHAIRPERSON RECCHIA: Council

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Member Tish James has one question.

COUNCIL MEMBER JAMES: She has several.

CHAIRPERSON RECCHIA: Hold on. We've been joined by Council Member Darlene Mealy.

COUNCIL MEMBER JAMES: The last chairman passed bills that didn't have any criminal sanctions, but we won't go there. So Commissioner--

CHAIRPERSON VACCA: [interposing] If there are those who deserve criminal sanctions, I will pass bills that have criminal sanctions, let me tell you.

COUNCIL MEMBER JAMES: I understand that. It depends upon the circumstances. Anyway, so let me just give a shout out to Chris Rones [phonetic] from Brooklyn and Lori Ardito, obviously who is here, and Joe Palmeri [phonetic]. They're doing a great job in my district.

Commissioner, I want to thank you for all the docking stations in my district. I want to thank you for the bike share program. I want to thank you for using my picture, my image on your website, on the bike. It's absolutely

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2 fabulous. Thank you for the plazas in my
3 district. Thank you for Fowler Square. Thank you
4 for Putnam Plaza. Thank you for all of the street
5 renovations on Lafayette Avenue, Classon, Eastern
6 Parkway, the list goes on.

7 Thank you for the bike lanes.
8 Thank you for recognizing that we all have to
9 share the space and that no one is entitled to a
10 city street. I hope that we continue to extend
11 the docking stations in Community Board 3, 8 and 9
12 that obviously are looking forward to docking
13 stations in their district. Thank you for all of
14 your great work.

15 With regards to the LEDs on Eastern
16 Parkway, obviously the issue there on Eastern
17 Parkway is making sure that the flow of traffic
18 runs safely but also that the street be
19 appropriately lit at night, because it is a public
20 safety concern. Will the LEDs have the same
21 wattage?

22 JANETTE SADIK-KHAN: They'll have
23 the same lighting, yeah.

24 COUNCIL MEMBER JAMES: Okay,
25 excellent. I also would like for you to

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2 reconsider or to consider Park Avenue between Navy
3 to Classon Avenue. Last year, as you know, I had
4 a press conference. There were a number of car
5 break-ins. I know that you addressed the lighting
6 on Park Avenue. I would hope that you would
7 continue to improve the lighting on Park Avenue to
8 address some of those quality of life issues.

9 The SBS service on Nostrand and
10 Rogers. Again, I support it. I'm just concerned
11 about the impact on small businesses. I believe
12 you've created a task force and a number of
13 businesses have come forward and as of the last
14 conversation that I had with the businesses on
15 Nostrand, I believe most of their issues were
16 concerned. Can you verify that? Is that true?

17 JANETTE SADIK-KHAN: Yes, it is.
18 The last CAC went very, very well that way.

19 COUNCIL MEMBER JAMES: Excellent.
20 Sidewalk improvements: thank you for all the
21 sidewalk improvements, working with a lot of my
22 BIDs and my merchant associations. The question
23 that I have is specifically I'm focusing on plazas
24 and near parks. Can we incorporate some chess
25 tables, those little--

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JANETTE SADIK-KHAN: [interposing]

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I don't see why not.

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COUNCIL MEMBER JAMES: Okay. Will

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that come out of your budget or mine?

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JANETTE SADIK-KHAN: Probably

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yours.

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[Laughter]

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JANETTE SADIK-KHAN: I haven't

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budgeted for chess tables.

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COUNCIL MEMBER JAMES: I love the

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chess tables. I played chess over the weekend at

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one of your plazas. Now, some of my constituents

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want more chess tables, particularly around Fort

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Greene Park. If you would consider chess tables,

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you'd get a certificate from me.

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[Laughter]

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COUNCIL MEMBER JAMES: That's all,

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but--

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CHAIRPERSON RECCHIA: [interposing]

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She needs more than that. Se needs the shekels.

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COUNCIL MEMBER JAMES: If we could

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have a conversation. This morning, Council Member

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Levin and I had a press conference, I'm sure

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you've heard about it by now, regarding the

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2 Atlantic Yards project, again. We put forward a
3 neighborhood protection plan, and incorporated in
4 that plan was RPP, residential parking permits.
5 What is the status of RPPs for the residents who
6 will be overburdened by over 10,000 cars coming
7 into their district for a project which was once
8 billed as transit oriented, but unfortunately
9 there are no incentives built into the plan for
10 individuals to take the train as part of the
11 ticket price, as was originally promised.

12 JANETTE SADIK-KHAN: We are, as you
13 know, working on the RPP report. We expect to
14 have this done shortly and we'll be setting up a
15 meeting with your office to brief you on that.
16 But I would note that even if we were to find this
17 program to be beneficial, it still requires state
18 legislation. So it wouldn't be in place in time
19 for the fall. But we're looking forward to
20 briefing you on the findings of the report.

21 COUNCIL MEMBER JAMES: So not in
22 place in time of the fall, in the time of the
23 opening when Jay-Z has his concert?

24 JANETTE SADIK-KHAN: Correct.

25 COUNCIL MEMBER JAMES: How about

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Barbara Streisand?

JANETTE SADIK-KHAN: Correct. It would take at least nine months to implement such a program.

COUNCIL MEMBER JAMES: So if we can just do a pilot program just in and around the Prospect Heights/Park Slope/Fort Greene and Boerum Hill that would be greatly appreciated. It's going to be needed. Have you had a conversation with Forest City Ratner or ESDC about why it is not a transit oriented plan, why ticket prices do not include an incentive, some sort of discount when you ride the train?

JANETTE SADIK-KHAN: I have not.

COUNCIL MEMBER JAMES: Is that something that you would consider? Since it was billed as a transit oriented plan and there are 13 subway stations. This is what they marketed it as. Thirteen subways going in and out of Atlantic Yards, yet there is no discount if in fact you take the subway. There is nothing on their website. There is nothing in their marketing plan. There is nothing related to the subway system, which again I might add was supposed to be

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2 a transit oriented plan. But from what I
3 understand, it cost \$2 million and they pulled
4 back on it.

5 JANETTE SADIK-KHAN: I've been
6 focusing on the maintenance and protection of
7 traffic and what we need to do to get the
8 infrastructure in place. Again, the traffic
9 mitigation is very, very significant. And so,
10 working on the issues of getting the bridge done
11 in time for--

12 COUNCIL MEMBER JAMES:
13 [interposing] The Carlton Avenue Bridge?

14 JANETTE SADIK-KHAN: Yeah. So all
15 of that, we've been really focusing on that part
16 of the hard core infrastructure there. But I'm
17 happy to raise that, your concerns.

18 COUNCIL MEMBER JAMES: I want to
19 protect your infrastructure. So with 10,000 cars
20 estimated to come into the neighborhood, I would
21 hope that you would, again, make sure that they
22 reaffirm their commitment to a transit oriented
23 plan and that they somehow give a discount to
24 individuals as a disincentive to drive to this
25 arena for Jay-Z or for any other act.

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2 Do you know if metering is going to
3 be incorporated into the transportation management
4 plan?

5 JANETTE SADIK-KHAN: I do not.

6 COUNCIL MEMBER JAMES: Do you know
7 whether or not variable parking is going to be
8 incorporated into the plan?

9 JANETTE SADIK-KHAN: I do not.

10 COUNCIL MEMBER JAMES: Okay.

11 Again, if we could have a conversation with all of
12 the stakeholders, with Forest City Ratner, ESDC,
13 the transportation management plan that they
14 released last week is totally inadequate and
15 again, is not consistent with their billing of the
16 project being transit oriented. Yeah, it misses
17 the mark by a huge amount.

18 Your consultant contracts--oh,
19 before I got to consultant contracts, one of the
20 bridges, is the Kosciuszko Bridge one of the
21 bridges that's going to be renovated?

22 JANETTE SADIK-KHAN: No, that's a
23 state bridge.

24 COUNCIL MEMBER JAMES: Okay. Do
25 you have any information with respect to when

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they're going to renovate the Kosciuszko Bridge?

JANETTE SADIK-KHAN: I do not.

COUNCIL MEMBER JAMES: Okay.

Consultant contracts, how many consultant contracts does DOT engage in or have as part of their capital plan?

JANETTE SADIK-KHAN: I can get back to you on that. I don't have that.

COUNCIL MEMBER JAMES: Okay. And if you can get back to me on whether any of those consultant contracts are over budgeted at this point in time, that would be greatly appreciated.

JANETTE SADIK-KHAN: Okay.

COUNCIL MEMBER JAMES: Thank you, Commissioner and thank you, Mr. Chairs.

CHAIRPERSON RECCHIA: Thank you very much. I just have on question. The caps for different sewers and in the ground, they've been stealing them. Where do people call up to get them replaced?

JANETTE SADIK-KHAN: They call the Department of Environmental Protection.

CHAIRPERSON RECCHIA: All right. Because the little square ones in my district,

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they've been grabbing them up and I don't know who to call. I've been trying to--

JANETTE SADIK-KHAN: [interposing]
I will follow up with the DEP commissioner and make sure we get a number to you.

CHAIRPERSON RECCHIA: Yeah, could you do that?

JANETTE SADIK-KHAN: Sure.

CHAIRPERSON RECCHIA: In my district they've been stealing them.

COUNCIL MEMBER JAMES: Council Member, may I get one follow-up question?

CHAIRPERSON RECCHIA: One follow-up. No adding, no nothing. Okay, one quick question or else I'm going to jump back. Go ahead.

COUNCIL MEMBER JAMES:
Commissioner, you heard the story several months ago in my district. The Navy Street Overpass which connects Ingersoll and Whitman public housing, where some individuals were throwing things from the overpass, hit a cyclist in the head, suffered a concussion. The question is--and I know that DOT came in, you built a safety ramp

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2 so individuals would, you know, not throw things
3 from the overpass.

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I have, just on my own, re-
5 designated that overpass as a peace bridge. And
6 now I would like to renovate it and I would like
7 to educate the young people at the public housing
8 on the benefits of cycling. I want to do a mural
9 and I want to renovate it and I want to bring some
10 cyclists in and I want to bring some of the young
11 people from the Ingersoll/Whitman public housing.

12

The question is the overpass or
13 bridge hasn't been renovated in a very, very long
14 time. Can that be added to your capital list? I
15 would love to do a mural, love to do some
16 programming, love to do some programming with the
17 young people there to talk to them about the
18 benefits of cycling.

19

JANETTE SADIK-KHAN: I'll check on
20 the state of good repair where it is on the
21 condition list, but I'm sure there's some painting
22 or something we can do there.

23

COUNCIL MEMBER JAMES: Thank you.
24 There are a number of cyclists who unfortunately
25 have been injured as a result and I really want to

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2 engage the children in some constructive ideas as
3 opposed to using the criminal justice system. Oh
4 he's not here. Thank you.

5 CHAIRPERSON RECCHIA: Okay.

6 [Laughter]

7 CHAIRPERSON RECCHIA: Okay. Thank
8 you very much, Commissioner. This concludes the
9 hearing for today. Tomorrow, the Finance
10 Committee will resume the Executive Budget hearing
11 for Fiscal Year 2013 at 10:00 a.m. The hearing
12 will be located in the City Council Chambers at
13 City Hall. Tomorrow, we will hear from the
14 Department of Education, DCAS, the Board of
15 Elections, the Office of Administrative Trials and
16 Hearings, the Law Department and the Campaign
17 Finance Committee. It will be a very long day, so
18 please come prepared.

19 As a reminder, the public will be
20 allowed to testify on the last day of budget
21 hearings on June 6th, beginning at approximately
22 4:00. The members of the public who wish to
23 testify on June 6th but cannot make the hearing,
24 you can fax your testimony to my counsel Tanisha
25 Edwards. She will make it part of the official

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record. Her fax number is (212) 788-7061.

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The hearing is now adjourned.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Donna Hintze

Date June 29, 2012