

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON RULES, PRIVILEGES, AND ELECTIONS

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B E F O R E:

BRAD LANDER
Chairperson

COUNCIL MEMBERS:

INEZ DICKENS
DANIEL GARODNICK
YDANIS RODRIGUEZ
MARGARET CHIN
DEBBORAH ROSE
JUMAANE WILLIAMS
RAFAEL ESPINAL
MARK LEVINE
MELISSA MARK-VIVERITO
STEVEN MATTEO

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

Shampa Chanda
Possible Appointee
Board of Standards and Appeals

Helen Arteaga
Possible Appointee
NYC Health & Hospitals Corporation Board of
Directors

Arva R. Rice
Possible Re-Appointee
Council to NYC Equal Employment Practices
Commission

2 [gavel]

3 CHAIRPERSON LANDER: Good afternoon and
4 welcome to the New York City Council's Committee on
5 Rules, Privileges, and Elections. My name is Brad
6 Lander. I'm honored to be the chair of this
7 committee. We're joined by several members of the
8 committee and other guests. Ad I think more will be
9 joining us as we go forward. Pleased to be joined
10 by our speaker Melissa Mark-Viverito, Steven Matteo
11 of Staten Island the Minority Leader and member of
12 the committee and we're also joined by Council
13 Member Julissa Ferreras and we'll recognize other
14 members of the committee as they come through. Oh
15 Margaret is hiding behind Stephen. I so apologize.
16 You even told me you were coming across the street
17 but then somehow I didn't see you behind Stephen.
18 And welcome to Council Member Margaret Chin from
19 Manhattan, a member of the committee. I'd also like
20 to acknowledge the counsel of the committee Jason
21 Attonyo [sp?], and thank the staff members who
22 helped prepare the excellent background materials
23 that we have, Chuck Davis our Director of
24 Investigations as well as Deandre Johnson and
25 Alysia Vassal [sp?]. Thank you very much for this

2 work. Today the Rules Committee will consider three
3 candidates, Shampa Chanda for appointment to the
4 New York City Board of Standards and Appeals, the
5 BSA, as the planner member, Helen Arteaga for
6 appointment to the New York City Health and
7 Hospital's Corporation, HHC, to the Board of
8 Directors from Queens and Arva R. Rice for
9 reappointment to the New York City Equal Employment
10 Practices Commission. I'll kind off as we introduce
11 each one say a little bit more but just note that
12 Ms. Chanda is nominated by the mayor and Ms.
13 Arteaga and Ms. Rice are nominated by the council
14 for their positions as per the charter. Madam
15 Speaker do you have any opening statement or should
16 we dive right in? Alright super. Okay so we're
17 going to go first to Ms. Chanda, the New York City
18 Board of... of Standards and Appeals, or the BSA,
19 consists of five commissioners each appointed by
20 the mayor for a term of six years. But the charter
21 provides that one of BSA's members shall be a
22 planner with professional qualifications and at
23 least ten years' experience as a planner which is
24 the position that Ms. Chanda is nominated for. No
25 more than two members may reside in any one

2 borough. Each member of the board receives a salary
3 an may not engage in any other occupation,
4 profession, or employment. The chair earns an
5 annual salary 200,847 dollars, the vice chair
6 165,307 dollars and the remaining members annual
7 salaries of 158,156 dollars. The BSA has the power
8 to determine and vary the application of the zoning
9 resolution and to issue special permits as
10 authorized by the zoning resolution. The BSA may
11 also consider appeals to vary or modify any rule or
12 regulation or the provisions of any law relating to
13 the construction use structural changes equipment,
14 alteration, or removal of buildings and structures,
15 or vaults on the sidewalk where there are practical
16 difficulties or unnecessary hardships in carrying
17 out the strict letter of the law so that the spirit
18 of the law shall be observed, public safety secured
19 and substantial justice done. Often those can be
20 contentious situations where the council members
21 here are from both the... the developers... seeking the
22 variance and members of our district who have
23 concerns about them. So it is a... a position and a
24 board that requires both substantial and
25 professional knowledge... to be thoughtful and

2 objective and to balance the range of interests
3 that we see in here. Ms. Chanda, would you please
4 raise your right hand to be sworn in?

5 COUNSEL: Do you swear affirm that you
6 will tell the truth, the whole truth, and nothing
7 but the truth in the testimony that you are about
8 to provide? Thank you.

9 CHAIRPERSON LANDER: So if you want to
10 go ahead and give your opening statement and then
11 we'll have some questions. And I'll point out for
12 members and let members of the public know that for
13 all three of these candidates their... their bios,
14 their answers to questions that were sent to them
15 in writing in advance, and their answers, their
16 opening statements, and the background report that
17 our staff have prepared are in the red binders
18 except that for Ms. Rice there's so many clips and
19 articles about her that they're in these two black
20 binders which if you want to read more about her we
21 can pass down the line. Ms. Chanda go ahead with
22 your opening statement. Thank you.

23 SHAMPA CHANDA: Thank you Chair Lander
24 and good afternoon to everybody here, Speaker Mark-
25 Viverito and the members of the Committee on Rules,

2 Privileges and Elections. I'm Shampa Chanda and I'm
3 greatly honored to be here today to present a
4 statement to... regarding my recommended appointment
5 as Commissioner for the New York City's... City's
6 Board of Standards and Appeals. As someone who has
7 dedicated my career to public service in New York
8 City for the past 25 years. I look forward to
9 embracing this new rule, its challenges, and
10 brining my experience and expertise in serving as a
11 Commissioner. Sorry. A city planner by training I
12 have a degree in both city planning and
13 architecture. I have extensive knowledge and
14 experience in the field of land use, zoning, and
15 urban policies including over five years in the New
16 York City Department of City Planning? Over the
17 last ten years I've used these tools to create
18 affordable housing in all five boroughs at the
19 Department of Housing Preservation Development. My
20 experience at HPD has afforded me an understanding
21 of the housing market and the challenges of
22 developing affordable housing. In various
23 capacities at HPD I worked on planning,
24 architectural, and environmental policies related
25 to affordable housing. As an Urban Planner I'm

2 interested in Neighborhood Character which is one
3 of the reasons for being a part of my local
4 community board. I was appointed by Borough
5 President Melinda Catz and Council Member Jimmy Van
6 Bramer to become a member of Community Board 2 in
7 Queens in 2013 where I'm currently serving. I
8 understand I will need to resign once appointed. As
9 a community board member I'm deeply respectful of
10 the perspective communities bring on issues
11 affecting them. Land Use and Zoning regulations are
12 critical tools in shaping the city and its
13 neighborhoods. The BSA, one of the primary land use
14 agencies, was created to provide relief to property
15 owners when zoning regulations impede development
16 and reasonable return on investment. It also
17 evaluates appeals cases where the board reviews
18 interpretation of zoning regulations made by the
19 Department of Buildings. The New York City zoning
20 resolution also grants the BSA jurisdiction over a
21 number of special permits. Decisions of the board
22 affect the growth and development and form and
23 character in neighborhoods throughout the city. I
24 believe that my professional experience as a city
25 planner with a thorough understanding of land use,

2 zoning, housing, and environmental regulations and
3 architecture will be critical in evaluating the
4 cases before the board and will enable me to strike
5 a balance between the need to allow growth in
6 diverse neighbors... in the diverse and unique
7 neighborhoods in the city. I'm confident that I
8 will be able to bring a rational planning
9 perspective and a keen understanding of the
10 development challenges. If appointed I would ensure
11 that the boards decisions are made with utmost
12 rigor, integrity, and care. It would be a privilege
13 to serve as a commissioner on the Board of
14 Standards and Appeals and I ask for your support
15 for my appointment. Thank you. I'm here to answer
16 any questions you may have.

17 CHAIRPERSON LANDER: Thank you very much
18 Ms. Chanda. Welcome to Council Member Debbie Rose
19 from Staten Island, a member of this committee. I
20 think we're going to break from our... our normal
21 practices to do one... one candidate at the time.
22 Have you do the statement and then do Q&A but in
23 part because I think some members are going to come
24 in and out who might have interest in talking to
25 all three of you. I think what I'm going to ask is

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2 that each of the three of you give your opening
3 statement and then those members who are interested
4 can... can ask direct... specific questions to you. So
5 thank you very much. So yes great why don't we go
6 to Ms. Arteaga next. Will you please raise your
7 right hand to be sworn in?

8 COUNSEL: Well we'll... we'll swear 'em
9 both in at the same time.

10 CHAIRPERSON LANDER: Wow, alright a dual
11 swearing we're going to have.

12 COUNSEL: So do you both swear or affirm
13 that you will tell the truth, the whole truth, and
14 nothing but the truth in the testimony that you're
15 about to provide?

16 ARVA RICE: [off mic] I do.

17 HELEN ARTEAGA: I do.

18 CHAIRPERSON LANDER: Okay you can go
19 ahead with your opening statement.

20 HELEN ARTEAGA: So good afternoon
21 Chairman, the speaker, and council members here
22 present today. Thank you for allowing me this time
23 and this opportunity to show my interest in being
24 part of the HAC Board. My name is Helen Arteaga.
25 I'm a Corona Queens resident. I went to school at

2 NYU on a full ride where I received my BA and BS in
3 the studies of chemistry and political science.

4 There I was honored to get a half scholarship to
5 Columbia University for my Masters in Public Health
6 and Epidemiology. In addition to my education I
7 worked at North Shore-LIJ Health System where I was
8 their first healthcare fellow in which their
9 program took scientists and future leaders and put
10 them in hospital roles to develop session planning
11 for their leadership. I'm proud to say I was
12 promoted right away as operational six sigma black
13 belt for North Shore... hospital after my fellowship.

14 In 2006 I partnered up with Paloma Hernandez from
15 Urban Health Plan Inc. and made my dreams of
16 opening a federally qualify health center in Corona
17 a reality. Those who know me well will inform you
18 that I'm very passionate about healthcare. Quality
19 access in Corona and in many of the communities I
20 served are very important to me. Corona in
21 particular was a community that was dying due to
22 the lack of primary care access in pacific
23 [phonetic] one man, my father. By the time he was
24 diagnosed it was too late for any treatment. That
25 pacific [phonetic] moment in my life was not only

2 the hardest but also the spark of my passion for
3 healthcare quality and access for all. Using my
4 knowledge of public health and epidemiology plus my
5 passion I began to figure out how to open a
6 federally qualified health center in Corona Queens.
7 I saw how many of my neighbors wouldn't have access
8 to care on time. When they did finally get access
9 to care it was usually too late. They usually began
10 to have diabetes, obesity, and other... I began to
11 work on the MUA which is the medically underserved
12 area application for Corona and will talk to
13 everyone and anyone who knew me that... who could
14 help me get primary care services Corona Queens.
15 North Shore-LIJ health system believed in my
16 ability and in my data. As the... as a result they
17 were the first to provide me the funds to secure
18 our first and second CON application which total
19 about an estimated million dollars. By the third
20 try I was about to give up when I met Paloma
21 Hernandez CEO and President of Urban Health Plan
22 where in 2006 she was able to take out third
23 semission [phonetic] and get it approved and secure
24 a four million dollars in capital projects for us.
25 Plaza del Sol Family Health Center Opening 2009

2 with 38 patients and I'm happy to say today we
3 serve about 22 thousand patients a year. At the
4 same time I continue my community work and was
5 involved in very several key projects in my
6 community which let me in 2010 to be selected for
7 the national Hispanic Leadership Institute and
8 Harvard Executive Program. This program selects 21
9 Latinas nationwide to provide them with the
10 necessary tools to achieve them... to achieve... to
11 achieve her full potential as executive leader in
12 the fields. In addition I'm a quality scientist at
13 heart. In 2011 I had the great honor to be selected
14 as a Malcolm Baldrige Award. The Malcolm Baldrige's
15 national quality award is the only award given by
16 the president for performance excellence in
17 organizations in business, healthcare, education,
18 and not-for-profit. Being examined is not an easy
19 task. Yearly I take a week long training which is
20 like getting an MBA for five days... in five days. In
21 addition I'm a senior examiner currently and
22 there's only 89 of us in the nationwide currently.
23 My connection to HHC has always been a positive one
24 even if it difficult times in my life I've seen how
25 HHC has been a safety net for healthcare access in

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2 our great city of New York. HHC's values and my
3 personal values are the same. We value excellence,
4 trust, safe environment for our communities, and
5 putting our patients first. Thank you for this
6 opportunity and I welcome questions.

7 CHAIRPERSON LANDER: Thank you very much
8 for your opening statement. Ms. Rice if you'll...
9 [cross-talk]

10 ARVA RICE: Good afternoon... good
11 afternoon Chairman Lander, Speaker Mark-Viverito,
12 and to the rest of the members of the committee. I
13 am Arva Rice, Commissioner for the Equal Employment
14 Practices Commission. In my full time position I
15 serve as president and CEO of the New York Urban
16 League. I was honored to be suggested to the EEP
17 Commission by City Council Member Inez Dickens in
18 2009 and hope to continue in this role. As you all
19 know pursuant to Chapter 36 of the New York City
20 Charter the equal employment practices commission
21 is responsible for monitoring and auditing the
22 equal employment practices, programs, policies, and
23 procedures of all city agencies. The charter
24 defines city agencies as local government entities
25 that are funded in whole or in part by the city or

2 has a board in which the majority of its members
3 are officers of the city or are appointed by the
4 mayor. There are approximately 160 city agencies
5 that meet this definition including mayoral
6 agencies, the city council, public advocate, city
7 comptroller, borough presidents, district
8 attorneys, community boards, and community
9 colleges. The EP... the EEPC is required to audit
10 these agencies at least once every four years to
11 ensure their compliance with the city's equal
12 employment opportunity policy and federal state and
13 city regulations. The New York Urban League has a
14 long history of working to ensure that people of
15 color have equal access to jobs and growth
16 opportunities within the service sectors. Sixty
17 years ago NYUL sponsored the community for
18 interracial voluntary hospitals that led to
19 opportunity for blacks to receive care and work in
20 local hospitals. 50 years ago NYUL negotiated with
21 brewing, airline, and baking industries to open
22 their ranks to African American workers. So it
23 seems fitting that the New York Urban League would
24 have an opportunity to take part in New York City's
25 Commitment to equal employment practices today. I

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2 came to New York City over 20 years ago as a New
3 York City Urban fellow, a program of DCAS designed
4 to encourage a talented and diverse group of recent
5 college graduates to become public servants. Since
6 that time I have headed a youth leadership program,
7 public allies New York that was dedicated to
8 recruiting a diverse group of New Yorkers to serve
9 as leaders and non-profit organizations. And now I
10 need.. lead the New York Urban League whose mission
11 is to work with individuals to provide equal access
12 in... in education employment and advocacy. Most of
13 my professional career has been focused in some way
14 shape or form in creating diverse workplaces. I
15 have used this experience to help EPC work
16 collaboratively with city agencies to become
17 compliant to help the agency streamlined its audits
18 functions to meet its charter mandate and host a
19 public hearing to discuss employment trends
20 affecting the current workplace. Thank you for
21 considering my reappointment at this time.

22 CHAIRPERSON LANDER: Thank you very much
23 Ms. Rice and to all of you for being here. And I
24 will note you know I guess perhaps pursuant to the..
25 the broader framework of equal opportunities that

2 it's wonderful to have a panel of such well
3 qualified women of color. And it's something I know
4 both the administration and the council under the
5 speaker's leadership have worked very hard to make
6 sure that many of the panels that make decisions
7 on... and... and about the city represent the city. And
8 so it's great to have you all here. I'm going to
9 hold my questions to the end. So... and I'll
10 recognize colleagues who have statements or
11 questions that they want to ask first. And I know
12 that Council Member Ferreras has some familiarity
13 especially with that work... the good work out in... in
14 Queens. So I'll recognize her first.

15 COUNCIL MEMBER FERRERAS-COPELAND: Thank
16 you Chair Lander and Madam Speaker. I just wanted
17 to you know acknowledge the fact that it was
18 mentioned earlier that these are three amazing
19 women of color and we've had the opportunity to
20 work with all three of them. But in particular I
21 wanted to speak and thank both Chairs Koslowitz and
22 former Chair Mark Weprin because we were able to
23 come in as a delegation and put forth the name of
24 Helen Arteaga to be the Queens representative for
25 the HHC Board and by such the council's

2 representative. Helen is actually... we both are a
3 product of the Summer Youth Employment Program.
4 That's where I first met Helen. She was a SYEP
5 worker at my beacon school. And since then I've
6 always known that she had the right star... the right
7 guspa [phonetic]... the right tenacity to do what
8 she's doing today. And for her to be able to usher
9 in quality healthcare to my district is something
10 that many in our district are very grateful. So I
11 think it appropriate. I'm very excited. She's more
12 than qualified and has more than earned this
13 position on the board and I think she will make us
14 very proud. I know she will make us proud. And
15 though she doesn't often boast so even in her
16 opening statement I know it was painful for her to
17 read. The fact that Helen has been to Cuba, to
18 South Africa, and to other countries to study
19 issues of health there and bring her expertise but
20 also identify what we need here in New York City,
21 something that I think is commendable. So again you
22 know we have a... an official process. But I urge my
23 colleagues to support just as I have fully the
24 nomination of Helen Arteaga and the other amazing
25 women on this panel. Thank you Chair.

2 CHAIRPERSON LANDER: Thank you Council
3 Member Ferreras. We have Council Member Rose
4 followed by Council Member Matteo.

5 COUNCIL MEMBER MATTEO: Good afternoon.
6 And I too am impressed with such an... body of... of
7 women. And I have a couple of questions for each of
8 you, is that okay? Or are we doing one... Okay. So I...
9 like to start with Ms. Arteaga. I... I'm... I'm proud
10 to say that... to hear of your... your background in
11 healthcare administration. And I don't know if
12 you're aware that Staten Island does not have an
13 HHC facility. And so what we have instead is a
14 mobile medical office. So I was wondering how you
15 would view the mobile medical office program which
16 exclusively operates on Staten Island. And if you
17 think that it's able to provide the same level of
18 holistic comprehensive care that a community or a
19 family health center could... could provide?

20 HELEN ARTEAGA: Yes. So I'm aware that
21 Staten Island doesn't have an HHC. I think they
22 should have one for the population that's there.
23 There is other federally qualified health centers
24 there... are there as well that can help with the
25 issue of access. Whether... the important thing is to

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2 have access whether it's in a mobile unit, an FQHC,
3 at a hospital, in a tent... the most important thing
4 is that people get there. Because once you're able
5 to staff wherever it is you're located with the
6 right staff, the right providers, and the right
7 equipment I think the actual structure of it
8 doesn't really matter. The important is that people
9 get access to healthcare because early diagnosis
10 can prevent so many disease. The moment you're able
11 to get earlier care... just prenatal care the fact...
12 studies and studies have shown over and over again
13 the earlier a woman gets to prenatal care we save
14 millions and millions in dollars in infant care.
15 And also on the social side we're able to provide
16 that woman with all the... the stuff that she needs
17 to be a better mother, a better woman, a better
18 professional, a better citizen. So the issue of
19 access... as long as we have access to that provider
20 the equipment... whether it's in a mobile unit, a
21 tent, a building, or something outside as long as
22 we are able to provide the access I think that's
23 what's most important.

24 COUNCIL MEMBER MENDEZ: You know I... I
25 agree with you in terms of access. However... and...

2 and that's really good when we're looking at
3 preventive care. However often times you can't
4 schedule when you're going to be ill.

5 HELEN ARTEAGA: Correct.

6 COUNCIL MEMBER MENDEZ: And if the
7 mobile unit isn't available then you're... your
8 access is limited. And so I would like to know how
9 you would work to balance the cost savings and the
10 need to efficiently allocate limited resources
11 while ensuring that New Yorkers who live in
12 chronically underserved, transportation isolated
13 areas... so it sounds like Staten Island right... with
14 relatively low populations still have access to the
15 same high quality care as the more densely
16 populated, well transportation oriented areas.

17 HELEN ARTEAGA: I'm very familiar with
18 something like that because Corona was in the same
19 situation... [cross-talk]

20 COUNCIL MEMBER MENDEZ: Uh-huh.

21 HELEN ARTEAGA: ...Corona was a medically
22 underserved area where we didn't have access to a
23 provider. The data show that a person living in
24 Corona to the ratio of providers were there was to
25 one to 100,000.

2 COUNCIL MEMBER MENDEZ: Uh-huh.

3 HELEN ARTEAGA: So the lack of that per...
4 that person living in Corona, likelihood of that
5 person getting access to any type of care, urgent
6 care, you name it was really small. And of course
7 you know HHC at Elmhurst really tried to help us
8 but at the same time our emergency rooms were being
9 used. So I think in that sense it's just getting
10 the data, sitting down, figuring it out. I deal
11 with you know short resources... all the time. I try
12 to make 50 cents into 10 dollars. I have to... that's
13 like my daily job. But I think it's sitting down,
14 looking at the data, where can we best service our
15 patient. Sometimes it's as simple as just the data
16 will usually will tell you.

17 COUNCIL MEMBER MENDEZ: Okay. And... I... I
18 just want to say that we're... HHC is supposed to
19 have a federally qualified... health qualified center
20 and we've been waiting a... a good number of years,
21 more than five years. So I hope that it becomes you
22 know something that you could sort of push along...
23 [cross-talk]

24 HELEN ARTEAGA: Yes.
25

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2 COUNCIL MEMBER MENDEZ: ...for us so that
3 we could you know really have a... a standing
4 presence you know... [cross-talk]

5 HELEN ARTEAGA: Yes.

6 COUNCIL MEMBER MENDEZ: ...in the... in the
7 community to provide equal access... [cross-talk]

8 HELEN ARTEAGA: I have many lessons
9 learned from our... [cross-talk]

10 COUNCIL MEMBER MENDEZ: Thank you. And
11 Ms. Chanda you know BSA on Staten Island is an
12 agency that the community board and others like to
13 malign. And it's because we have a... a traditional
14 idea of what zoning... when we're doing zoning
15 variances and maintaining the character of the
16 neighborhood. Could you tell me what criteria you
17 would use to sort of evaluate whether a variance
18 under consideration would not alter the... the
19 character of the neighborhood which is Section 72
20 21 in the zoning resolution. And how community
21 stakeholders can be involved in determine... or how
22 they are involved in determining what the essential
23 character of the neighborhood is.

24 SHAMPA CHANDA: I'll try my best to
25 answer I think that three part question...

2 COUNCIL MEMBER MENDEZ: Okay.

3 SHAMPA CHANDA: So... the Board of
4 Standards and Appeals was established as a quasi...
5 quasi-judicial body. And the rule of it is to
6 respond to situations and it's a measure of last
7 resort. It... it is... it has been developed to respond
8 to situations in individual cases where a property
9 is unable to utilize its full potential because of
10 the zoning or other code constraints. However it...
11 those finding... there... there are very series of
12 findings... five sets of findings as you mention in...
13 in the... as part of the variance and that has be met
14 and these are technical findings. One of them
15 though is neighborhood character. And... and the
16 neighborhood character is... is... is an important tool
17 that has to... that guides the board's decision in...
18 in evaluating a project on a case by case basis.
19 And it has to be balanced with the... with the
20 recommendations that the board gets from the
21 community that has... and I would... as a community
22 board member I can say that the community have...
23 have a pretty good understanding and the best
24 understanding of the community that they're living
25 in. And their input is critical in understanding

2 their issues. And that can help form BSA board
3 informing the decision and balancing that with the
4 remaining four findings and making a decision on...
5 on the case.

6 COUNCIL MEMBER MENDEZ: So on a scale of
7 one to 10 how important is maintaining the
8 community character? For example on Staten Island
9 before the tiny house phenomenon arrived we
10 actually have a tiny house that's about ten feet
11 wide you know very... very small on... on an odd shaped
12 lot. So how... which is not within keeping of the
13 character of the neighborhood. So on a... on a scale
14 of one to ten how important really is the character
15 of the neighborhood, maintaining the character of
16 the... [cross-talk]

17 SHAMPA CHANDA: It is a very important
18 factor to be considered in the decision making. I
19 think there is definitely a challenge in balancing
20 that with the findings and especially with the
21 mandate that the... the charter provides that is to
22 ensure that the return on the property is
23 reasonable and fair. So the decision that the board
24 has to make has to be reasonable and fair based on
25 the issues that you have laid out. And the

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2 neighborhood character is a critical one and I... I
3 hope that should I be appointed I definitely want
4 to factor that into the decision making and... and be
5 able to evaluate it with all the other issues at
6 hand.

7 COUNCIL MEMBER MENDEZ: Thank you and
8 when... Staten Island has a lot of manufacturing
9 areas particularly along our... Northwestern and our
10 west shore. And so when you're contemplating a
11 special permit in... in the manufacturing districts
12 we... we're seeing that there's a... a move toward
13 converse... converting them to residential lofts. How
14 would you balance the needs of manufacturing and
15 industry with the safety and wellbeing of residents
16 in these areas that are being converted...
17 manufacturing districts.

18 SHAMPA CHANDA: I believe that would be
19 under a special permit or... [cross-talk]

20 COUNCIL MEMBER MENDEZ: It's special
21 permits. Mm-hmm. [cross-talk]

22 SHAMPA CHANDA: ...special permit... [cross-
23 talk]

24 COUNCIL MEMBER MENDEZ: Mm-hmm.

25 SHAMPA CHANDA: ...change in use.

2 COUNCIL MEMBER MENDEZ: Mm-hmm.

3 SHAMPA CHANDA: That... there are a set of
4 findings that ensures that the use that is... that is
5 being considered is not going to be... that's going
6 to be consistent with the neighborhood and is not
7 going to create undue burden on the surrounding
8 neighborhood. I think there are sort of findings
9 related to environment transportation. So
10 definitely those are some of the factors to be
11 considered to ensure that the change of that use
12 for that specific site addresses the other issues
13 that may come about as a result of this
14 development. Now again this is a very... each one of
15 these are case specific. So it... what may apply to
16 one side may not apply to the other. So without
17 having a particular case I hand I will not be able
18 to... on it in clarity but generally these are some
19 of the principals and the findings that one would
20 have to meet and ensure that it would not create a
21 burden on the neighborhood or the traffic or... or
22 all the other...

23 COUNCIL MEMBER MENDEZ: Or you know... or
24 inhibit the manufacturing district from being you
25 know financially viable.

2 SHAMPA CHANDA: That is what I... my
3 understanding that's one of the findings that is...
4 is... is... so if it's a manufacturing use... [cross-
5 talk] but you know it... it's the existing use of
6 viable use and if a particular site is able to
7 demonstrate on... just on that specific site that it
8 is unable to use it as a viable manufacturing use
9 and therefore not able to realize its reasonable
10 return of... of the property than an alternate that
11 is reasonable will be considered. That is one of
12 the consideration factor and findings related that
13 will have to be met.

14 COUNCIL MEMBER MENDEZ: Okay thank you.
15 And my final question Ms. Rice hi... how are you... is...
16 I'm very familiar with EEPC and that you are the
17 auditor of a city agencies. Do you think that the
18 timeframe for auditing each of these agencies is...
19 is relevant or is... is timely... I... I know the cycle
20 is about once every four years. Do you think that
21 we're... we're capturing the diversity and... and the
22 statistics that we... we're looking to capture in
23 that range is...

24

25

2 ARVA RICE: Yes... it's a little bit of a
3 tricky question. When I first came to the EEPC we
4 were actually very behind in our audits.

5 COUNCIL MEMBER MENDEZ: Right.

6 ARVA RICE: And so we weren't even
7 getting to them every four years. It was more like
8 every five or six. Because as... as you heard... I mean
9 we go through all the city agencies as well as the
10 community boards and so it was... it was taking a
11 longer time even to get around. And so at that
12 point I would definitely say no. That by the time
13 we got to an organization.

14 COUNCIL MEMBER MENDEZ: Right.

15 ARVA RICE: By the time we got back to
16 an agency that it was... some of the information was
17 a little bit irrelevant. But I think that we've
18 been able to streamline some of our audits and so
19 we're able to get to agencies every three years at
20 this point.

21 COUNCIL MEMBER MENDEZ: Mm-hmm. Mm-hmm.

22 ARVA RICE: And so I think that that's
23 definitely stronger. And we were also able
24 thankfully OMB was able to give us the budget so
25 that we were able to... to hire a couple more

2 auditors and so we're now getting to agencies every
3 three years. And I do think that that is helpful at
4 that... that... at that time. If you have an orgaizate..
5 [phonetic] I'm sorry if you have an agency that has
6 particular issues like fire department we're going
7 to get to them more often. But for one who is able
8 to go through the compliance process every three
9 years I think is... is fine.

10 COUNCIL MEMBER MENDEZ: Do you feel that
11 the E... EEPC has the enforcement power to address
12 any noncompliance issues that they find during
13 these audits?

14 ARVA RICE: We have not had any issues
15 that had to be elevated beyond conversations with
16 the commissioner of that agency and going back and
17 finding a... you know a couple of things that they
18 needed to work on. They were able to... to make those
19 adjustments and we were able to... to issue a claim
20 audit. So I don't think that we've had to escalate
21 it at any point at this... in... during my tenure with
22 the EPC.

23 COUNCIL MEMBER MENDEZ: An are there any
24 city agencies that are in non-compliance?

25 ARVA RICE: At this point, no.

2 COUNCIL MEMBER MENDEZ: Okay thank you.

3 CHAIRPERSON LANDER: Thank you Council
4 Member Rose. We've been joined by Council Member
5 Mark Levine from Manhattan, Council Member Dan
6 Garodnick from Manhattan, Majority Leader Jimmy Van
7 Bramer from Queens and we were joined for a time by
8 Council Member Jumaane Williams from Brooklyn as a
9 member of the committee. For those who just came in
10 we are doing something a little different than our
11 normal practice in order that... people that are
12 coming in could ask questions of any of the
13 candidates rather than just doing one at a time
14 we've had them all give opening statements. So
15 they're available for questions. Any of you can
16 direct questions to any of them. And I have on the
17 list Council Member Matteo, Council Member Van
18 Bramer, and then Council Member Levine. Council
19 Member Matteo.

20 COUNCIL MEMBER MATTEO: Thank you Mr.
21 Chair. I want to commend you all on your... obviously
22 you're more than qualified and I welcome you to the
23 council and... and... and commend you on your desire
24 for public service. It's unfortunate or fortunate
25 depends how you look at it that the first two

2 members are from Staten Island and we're probably
3 going to be talking about the same issues. My two
4 questions... series of questions will be... I will
5 start with Ms. Arteaga in HHC and touching on a
6 little bit of... of my colleague Debby Rose I terms
7 of access and what HHC has provided to our borough
8 and my district. And you talked about as long as
9 there's access. So part of the problem and the
10 frustration for my constituents when in terms of a...
11 of a mobile van going up to communities are one...
12 it's tough with lack of notice. It... it doesn't show
13 up again for another week. Follow-up is... is often
14 very difficult. So while you know we do get some
15 like the mobile vans and... and... and... and access it's
16 problematic for Staten Island. It's problematic to
17 get to that certain neighborhood you know with...
18 with parents who have children and... so it... while
19 there is access... and the reality it's a tough
20 access... an access one that doesn't get followed up
21 on and then at the end of the day we're talking
22 about a parent or anyone who... who has an illness
23 that's just not getting followed up on and whether
24 they have to travel then to Brooklyn and then they
25 don't do it. So it... it's... it's... like I said it... the

2 reality is that the access is... is extremely
3 limited. And we... we without a doubt need more
4 access. Even some of the clinics, they close too
5 early. You know and there's just difficulty of
6 someone trying to plan their day and as my
7 colleague Council Member Rose said you don't plan
8 when you're sick. So if you can't... if a mobile van
9 was in an area on a Monday it's not coming back for
10 another week or whenever you know we're not solving
11 that problem. So I... I'd ask that you offer your
12 comments and...

13 HELEN ARTEAGA: Oddly enough while we
14 were trying to get the FQHC status for Corona we
15 did have a temporary mobile unit. So I'm very
16 experienced that the mobile unit... I don't know all
17 the fine details of the mobile program that HHC
18 currently has of the internal scheduling issues.
19 However when I was in charge of the mobile unit in
20 Corona one of the things that we did try was a lot
21 of phone calls. We tried to do all of our follow-
22 ups through that. We did a lot of talking. Me,
23 personally, I think I musta [phonetic] easy 30 40
24 50 sites making sure that people knew our schedule,
25 that people knew when we were there, what to do

2 when we weren't there. We set up a hotline, a
3 1(800) number that was an on-call service to our
4 provider so we could answer simple questions.
5 Sometimes a patient just needs to know what type of
6 medication to take. It's providing... it's trying to
7 be innovative and how to provide the access while
8 we're getting what we need to get to that pacific
9 [phonetic] community. We had the mobile unit in
10 Corona I want to say about two years because taking
11 building plaza del sol took two years by the time
12 all the inspections and stuff were done.

13 COUNCIL MEMBER MATTEO: Well I
14 appreciate that and we certainly need your
15 proactive... proactiveness in this. You know there...
16 there is... there is those in Staten Island who
17 believe we... we need an HHC standalone hospital.
18 There are those who say we don't... that our... our
19 hospitals are fine what we need is access to other
20 care and... and emergency service care because our...
21 our ER is... are inundated. On Staten Island
22 University Hospital and RUMC. And what we need is
23 to help... that to me is... is a primary... primary
24 function that HHC is not doing enough quite
25 frankly. And we need our ERs for those emergencies

2 and not for those who were seeking just follow-up
3 care or medical care. They should be going to a
4 facility that's open all the time, that is fully
5 staffed, that's fully resources, that have proper
6 equipment and quite frankly we don't have that. And
7 Council Member Rose and... and all of our colleagues
8 on Staten Island will... every one of them will come
9 here and say the same thing.

10 HELEN ARTEAGA: My husband's from Staten
11 Island so... [cross-talk]

12 COUNCIL MEMBER MATTEO: There you go...
13 [cross-talk] Alright so that's good. [cross-talk]

14 HELEN ARTEAGA: ...Staten Island so...
15 [cross-talk]

16 COUNCIL MEMBER MATTEO: We like that.

17 HELEN ARTEAGA: So I definitely know the
18 issue... [cross-talk]

19 COUNCIL MEMBER MATTEO: We like that.
20 So... [cross-talk] I... I ask you that you... you know
21 you come out and... and Council Member Rose will...
22 will surely love to meet with you and... and work on
23 this. And I'm not asking you for all the answers
24 now and I'm not asking you to defend HHC practices
25 and lack of service for Staten Island. What I'm

2 trying to come across to you is that there is a
3 huge need and we can argue about standalone
4 hospital but we'll... we... I think what we all can...
5 can agree on is we need that... that... those primary
6 care facilities so we can help our two ERs and
7 reduce those who are just going in for medical care
8 because that's what... that's what bogs down our ERs
9 and... and people are there for 10 12 hours and... and...
10 and... and that is... that's not working.

11 HELEN ARTEAGA: And I think that's what
12 I bring to the table... [cross-talk] half scientist,
13 public health advocate, community leader. I think I
14 bring the knowledge and data analysis. I'm a sixth
15 sigma black belt. Data will tell you... will tell you
16 more than the picture... will give you evidence for
17 whatever it is that you needed. The data is there...
18 you can't really fight with data. So I think that's
19 what I bring to the table. [cross-talk]

20 COUNCIL MEMBER MATTEO: ...great. [cross-
21 talk] data on the resources... [cross-talk]

22 HELEN ARTEAGA: So I can definitely...
23 [cross-talk]

24 COUNCIL MEMBER MATTEO: ...Staten Island
25 needs, thanks.

2 HELEN ARTEAGA: ...help with that.

3 COUNCIL MEMBER MATTEO: Great.

4 HELEN ARTEAGA: So that's what I bring
5 to the table.

6 COUNCIL MEMBER MATTEO: So the other
7 thing I just want to bring to your attention in my
8 district is the Sea View campus, the Sea View
9 rehab. We're doing great things teaming up with the
10 borough president and we were trying to make it a
11 health and wellness center. Recently we... we
12 rehabbed a building for the graze [phonetic]
13 foundation who handles and... and provides service
14 for autistic children. And we took them out of a...
15 a... basically a building that's the size of this
16 room into a two story wonderful home that they can
17 double their capacity and help more children on
18 Staten Island with autism. And we're going to be
19 doing a lot more on the campus. So one I'd love for
20 you to come to the campus, would love to see what
21 you know... for you to see what we're doing and to
22 join us in our vision for healthy vibrant health
23 and wellness campus at... at Sea View. You know
24 Angela... is the executive director is wonderful and
25 we've had a lot of success with meals on wheels

2 there. We have Camelot. We have a park lane 103 bed
3 senior... senior residents. So it's... it's getting
4 there. We need more work so I just want to put that
5 on your radar and hopefully you come down and we
6 can... we can discuss... [cross-talk]

7 HELEN ARTEAGA: If I'm appointed I'll
8 come and visit.

9 COUNCIL MEMBER MATTEO: Excellent.
10 Excellent. So Ms. Chanda I want to talk to you a
11 little bit about PSA. I know Debbie pretty much
12 talked about all the issues but I'd be remiss if I
13 didn't you know Staten Island... feel... and rightfully
14 so and especially my 11 years in government that
15 whenever an application goes to BSA it's just... fail
16 to complete... it's a fail to complete. And I believe
17 that's the reality you may not and that's okay. And
18 again I'm not asking you to defend BSA practices
19 over the 11 years that I've been government but I...
20 I... I want you to understand where the Staten Island
21 community feels that you know a builder will buy a
22 lot knowing the restrictions but the they get the
23 variance because they went to BSA. You know and
24 they tore down that one house and put four skinny
25 houses. Now we've helped out a lot with growth

2 management that was passed in '04 but it still
3 happens and that we talked about the 10... the 10
4 foot wide house. That's... that is not the character
5 of any neighborhood in Staten Island in... in my
6 opinion. And I... and I think anyone from Staten
7 Island can tell you that. So that reality you know
8 perception is reality. You know look to see if you
9 you know have any thoughts on that you know as... as
10 you go through this process if you heard that about
11 you know what we feel on Staten Island and just
12 offer your comments please.

13 SHAMPA CHANDA: Yes I've heard that. And
14 unfortunately not just from Staten Island but from
15 other boroughs also. So I'm aware of this issue.
16 With regards to the question that you mention about
17 somebody investing in a property knowing that BSA
18 is there to... to address their concern. My
19 understanding the... when evaluating cases on a case
20 by case basis one of the findings is reasonable
21 financial return. And in that when the evaluation
22 is done it is based on fair market value not what
23 the purchase of purchased ad with the expectation
24 of getting a relief. So the fair market value is a
25 kind of... it's looking at the even field of what the

2 market condition is, what the rents are going at,
3 what... what... what each property's being sold at per
4 square foot basis. All the basic market condition
5 is used in making that determination as to what
6 should be the fair market value. And that is
7 factored in... in the decision of... of determining
8 what is a reasonable financial return. So that's
9 one of the findings. With regards to the... the
10 neighborhood character I agree. I... I think
11 neighborhood character is something that should be
12 looked at and it is definitely in the findings and
13 it definitely helps the commission in making that
14 decision. I cannot speak to the particular case and
15 what were the situations but my understanding from
16 my experience on a few cases where at HPD there are
17 a few projects that I worked on that required BSA
18 variance. My... from that I do know that the
19 community's concern was taken into consideration in
20 ensuring that the building was compatible with the
21 neighborhood character. So I... I think it does help
22 the commission in making a decision. And I
23 definitely will factor that in.

24 COUNCIL MEMBER MATTEO: I appreciate
25 that. One more question Mr. Chair. You know BSA has

2 been such contentious. There are many bills that
3 have been drafted in the city council, this term
4 over the past terms about you know the city council
5 having a call up based on an appeal from BSA to
6 give the council a little bit more say, a little
7 bit more power. There was one where community
8 boards would... would have a 30 day appeal to... you
9 know for an objection... And I'm bringing this up
10 because there is that belief that there's a failure
11 to complete BSA. And that's why... now these bills
12 haven't moved and you know I don't know when the
13 last time there was a hearing on them but the point
14 is there are many members of the council who
15 believe that you know there should be another layer
16 to protect the communities against a BSA decision.
17 So I'm just going to leave you with that you know
18 just to understand where... where you know I think
19 Debbie and I are coming from. I know my colleagues
20 have other concerns for their districts. But I... I
21 think it's just important that as you go through
22 this process you hear what's on the ground. Ms.
23 Rice I... I don't have any questions for you I... don't
24 feel left out. But seriously public service is a
25 noble profession and... and the fact that you want to

2 enter and... and serve your community and the... and
3 the city is... is... is riotous and I commend you for
4 that. So thank you for your... your answers and your
5 comments. Thank you Mr. Chair.

6 CHAIRPERSON LANDER: Thank you Mr.
7 Minority Leader. And I have a question to follow-up
8 on that but I'll go ahead and first recognize our
9 Majority Leader.

10 MAJORITY LEADER: Thank you very much
11 Mr. Chair for allowing me to visit your... committee.
12 Today I wanted to first of all say it's great to
13 see Queens well represented on this panel. My
14 mother... I grew up in Corona and Council Member
15 Ferreras speaks very highly of you Ms. Arteaga.
16 And... and of course Shampa Chanda, thrilled to
17 represent her in Long Island City and to have
18 appointed to Community Board 2 a couple of years
19 ago. And I just want to say rarely do we have
20 someone with the kind of resume that you come
21 forward with. Shampa... that level of experience at
22 so many different city agencies and your expertise
23 in city planning so critically important. Like the
24 minority leader I too have had numerous pieces of
25 legislation put in on the BSA. And we spoke about

2 that when we met privately. And I think because of
3 your experience on Community Board 2 and your years
4 in city planning I know that you get how important
5 it is that communities, elected officials, and
6 others are heard in the BSA process. I know that
7 was a big part of our discussion when we met. So
8 I'd love to hear you talk about that. We're
9 obviously sad you're going to lose your seat on
10 Community Board 2 and you hopefully gain this
11 appointment. But I... I... I know that you've been an
12 active member of the board and... and an active
13 member of the Long Island City community. Needless
14 to say I'm... I'm thrilled that the Mayor de Blasio
15 has seen fit to nominate you for this position. The
16 BSA would be lucky to have you and I think you
17 would elevate the BSA in many ways. So obviously
18 I'm here to sing you praises and support you in
19 every way possible and... and anxious to have you
20 there as a voice for all of us through this process
21 as... as we seek to make the BSA an even better
22 entity that is more responsive to the voices in the
23 community to some of the concerns that the minority
24 leader expressed and... and that I have expressed in
25 multiple pieces of legislation on the BSA. So maybe

2 you could just talk a little bit about that... that
3 community input and... and... and... and the fact that
4 the voices on the ground matter so... so much.

5 SHAMPA CHANDA: Thank you so much for
6 your kind word. And I am going to miss being on my
7 favorite community board... [cross-talk]

8 MAJORITY LEADER: You can no longer have
9 a favorite though after you're appointed to the
10 position. [cross-talk]

11 SHAMPA CHANDA: But... I know. But I... I do
12 look forward to working with the community board
13 with all the... in all the community districts should
14 I be appointed. And as I mentioned you know those
15 who live in the community, they have a very good
16 understanding of the community issues and the
17 community concerns. They're... they're the eyes and
18 the ears. And that was one of the reason why I
19 wanted to be on the community board because I
20 wanted to be able to help guide some of those
21 decisions ground up. And so I completely respect
22 the vision the community members bring and it is
23 going to be a challenging task. I'm going to
24 dispute that. The... the balancing, the need for a
25 financially feasible housing especially under the

2 current housing market condition yet at the same
3 time you know allowing a development that is
4 compatible and representative of.. of its
5 neighborhood... surrounding neighborhood. So it is
6 going to be challenge but I believe my experience
7 at HPD where I worked on affordable housing has
8 prepared me for this challenge. I have.. I will do
9 my best to help shape the decisions of the.. of the
10 board, understanding the issues that the
11 communities bring and its elected officials to..
12 and.. and balancing that with all the other criteria
13 that we have to.. the board has to weigh in. I'm not
14 sure I.. I have the answer but I will definitely do
15 my due diligence in understanding those issues and..
16 and informing myself of that.. the conditions.

17 MAJORITY LEADER: Thank you.
18 Congratulations to all of you and thank you MR.
19 Chair and Shampa you are.. are making Long Island
20 City very proud through this process so thank you
21 very much.

22 SHAMPA CHANDA: Thank you.

23 CHAIRPERSON LANDER: Next up we have
24 Council Member Levine.

2 COUNCIL MEMBER LEVINE: Thank you Chair
3 Lander. Well great to see you all, particularly you
4 Arva. I've had the pleasure of knowing you for many
5 years including before your time at the Urban
6 League. I got to see up close your great work with
7 low income and low income entrepreneurs,
8 entrepreneurs of color, helping them gain access to
9 financial services. I think you're the perfect
10 person for this role. I'm very happy that you've
11 agreed to serve in this capacity. The name of the
12 commission it's... it's the equal employment
13 practices commission. That may be a relic of
14 another era I don't know but the word practice is
15 in the title. It makes me wonder whether your
16 charges restricted to looking simply at compliance
17 and not at outcomes. So there's... there are some
18 agencies like the fire department which has been
19 highlighted frequently by this body... we don't think
20 have adequate diversity today. They may in fact be
21 compliant to all the equal opportunity laws. Does
22 that mean it's outside the purview of this body or...
23 or... or should it be in your opinion?

24 ARVA RICE: Well the... the fire
25 department is an agency that we've been struggling

2 with for quite some time and they definitely fall
3 under the EEPG guidelines. So... so we're looking not
4 only at compliance but we are looking at outcomes.
5 We're looking at utilization within certain
6 categories of... of employment as well. And so issues
7 of... it... its issues of not only whether there's
8 diversity in the workplace but there's diversity at
9 certain levels, so at leadership and at different
10 government levels. And so that's what we're looking
11 at as well and tracking. And so it is a combination
12 of looking at practices as well as looking at
13 outcomes. And Council Member Rose asked the
14 question about whether our audits that we do when I
15 first came to the... to the agency we were able only
16 to do audits probably every five years just because
17 we had capacity issues. We just didn't have enough
18 auditors to get back around to the agencies. And so
19 now we do that every three years. And so I think
20 that it's increased the level of accountability
21 within organizations... I mean within agents... within
22 city agencies. And so I think that it is on both
23 sides. It's both about practice but it's also about
24 outcomes.

2 COUNCIL MEMBER LEVINE: Thank you very
3 much.

4 CHAIRPERSON LANDER: Okay thank you
5 Council Member Levine. Council Member Williams may
6 have questions when he comes back but I'll go ahead
7 and use this time to ask mine. And we may be joined
8 by a few... I see in fact Council Member Dickens is
9 walking down the hall. I'll start with... with... with
10 Ms. Chanda. I guess first following up on the
11 question that Council Member Rose and Council
12 Member Matteo asked you know you had a... a good
13 answer about the challenge of what price owners
14 bought the building at and therefore what's a fair
15 and reasonable return and it's good to know that
16 there's a look at comparables as opposed to just
17 what they paid so that if they simply overpay they
18 can't then they... oh I have a hardship. But in the
19 area variances to convert manufacturing properties
20 to residential properties in particular I think
21 even that often allows people... you know I mean
22 essentially what has happened for example in my
23 area around the Guanos Canal, and to some extent,
24 in Red Hook, and Sunset Park as well is essentially
25 a collective bidding up of the values. So we have

2 properties both in our IBZ or Industrial Business
3 Zones and the manufacturing zones near our
4 industrial business zones that are zoned for
5 manufacturing but there's a sort of expectation in
6 the marketplace that it will be possible to convert
7 those properties whether through BSA or eventually
8 through rezoning. And so you know properties that
9 were in an area that has been a vibrant
10 manufacturing area... where there's no doubt there
11 are manufacturers who want to rent that property at
12 the price manufacturers pay you know you wind up
13 out of whack. And I just wonder if you've given
14 thought to that or... or know how that might be how
15 you would look at that at the BSA and... and what we
16 can do so that we don't wind up setting off a kind
17 of feeding frenzy on our... on our manufacturing
18 spaces.

19 SHAMPA CHANDA: That's a tricky
20 question.

21 CHAIRPERSON LANDER: A tricky problem.
22 Which we're not expecting... [cross-talk]

23 SHAMPA CHANDA: And... and... and... [cross-
24 talk]

2 CHAIRPERSON LANDER: ...which we're not
3 expecting you to solve... [cross-talk]

4 SHAMPA CHANDA: ...a tricky problem.

5 CHAIRPERSON LANDER: ...but I... when they...
6 cases come to you at BSA I want to make sure you
7 you know are thinking about...

8 SHAMPA CHANDA: And I... I think this is...
9 since I've never worked on a situation like this I
10 do not have a full... I... I'm not sure how... how one
11 would address this issue. I'm just thinking of it
12 from the few projects that I worked at HPD and the
13 situations were much simpler. And I... I... again you...
14 the issue of the fair market value the... I... I... I
15 kind of feel like I need to talk to someone who has
16 a... who is going to do these fair market value
17 assessment to understand what other factors that
18 they've looked into in making that decision. Is it
19 the majority of the properties that call... that in
20 the surrounding area that determines the fair
21 market value or is it just what the mark... you know
22 the... the palpable feeling of what the market could
23 be that's determining... and... and that... that's a
24 technical issue that I really don't have a good
25 understanding of as to how the financial experts

2 who do these fair market assessment so I need to
3 understand that. And I think once I understand that
4 I... I may be able to give a better answer that and
5 should I be considered I... I definitely will look
6 into that to get a better understanding of how that
7 evaluation is made and... and work with Chair
8 Pulmater [sp?] to see whether that's reasonable or
9 not.

10 CHAIRPERSON LANDER: No I appreciate
11 that and I think you can hear from some members
12 that we're just asking you to really be sensitive
13 to this issue. We... we really see it... I... you know
14 there's a... there's a property for example I'm aware
15 of in the guanos canal in the industrial business
16 zone where we've been very clear... as clear as we
17 could possibly be publically that there's not a
18 rezoning coming, that people should expect to keep
19 that. That's going to stay a manufacturing area.
20 And yeah I know a developer bought it with the
21 belief that they'll eventually be able to do
22 residential. He now... genuinely has a hardship. He's
23 paid too much money for a piece of property that
24 we're not going to rezone to residential. So I mean
25 he's not lying when he says he has a hardship but

2 that does not mean that he should you know be
3 granted a variance or that we should rezone the
4 property and... and I just... we would ask you to... and
5 sometimes it's sort of that straight forward on one
6 property but sometimes it's a... I think a more
7 gradual creeping that the mark... you know the
8 speculation is a market phenomenon. So individually
9 a speculator is someone who's making a bet and we
10 don't have to honor it. But collectively if
11 everybody's speculating then you might show fair
12 market value was what they all were willing to pay.
13 But that should not be dictating our public and our
14 planning processes where we've said this is an area
15 we want to preserve. So we just ask... thank you for
16 being sensitive to that. One other question for
17 you... a lot of the variances are brought by
18 institutions; not-for-profits, private schools,
19 healthcare institutions, and I think those present
20 a different balance that's not the profit of a
21 buyer that's in... in most cases a public good that...
22 that is shared, that institution is trying to
23 educate or serve or provide healthcare for people.
24 You know but obviously that may or may not be what
25 the neighbors want. We've all had situations you

2 know we... I'll just give one small example here and
3 then ask how you think about it. There's... a private
4 school, I won't characterize it more than that,
5 that's put in a... a application for a variance on a
6 block in my district that's like R5. All the... all
7 the houses are one and two story houses. R5 already
8 contains a bonus for community facilities. So they
9 could build a three story building even though all
10 the other buildings on the block are one and two
11 story as of right. They want to build a six story
12 building on a block of all one and two family homes
13 with no other institutions on them. And of course
14 they can present a very compelling case about their
15 need to serve their students. But there's sort of a
16 mismatch between that and the residents of the
17 block who don't want a six story institution on
18 their one and two family homeowner block. So how do
19 you think about... have you given any time to think
20 about these institutional cases which aren't a
21 land... or developer looking for their... their private
22 profit but a kind of conflict between two different
23 public goods.

24 SHAMPA CHANDA: I'm going to take myself
25 back to days when I was at city planning where I

2 did work on various community facility projects.

3 And these were not through BSA but through the city

4 planning commission and those issues came... came to

5 front even in those situations as to how one

6 addresses the community benefit that the services

7 provide and... and the neighborhood character. And it

8 was a very... very difficult decision. And a lot of

9 these community facilities, at least the ones that

10 I work with... the programmatic elements are so

11 driven by the funding... so much driven by the goals

12 and objectives of the institutions. They become

13 very case specific. And sometimes give that we are

14 in a city with such limited land constraint trying

15 to balance the need of what the community needs and

16 deserves versus the neighborhood character is

17 always at... at the... and... and I... I think in the

18 instances that we work... I worked on projects we

19 were very aware of the community issues and it... we

20 had to work with the applicant kind of to scale the

21 building down to make sure that it was... if not

22 absolutely what the community wanted but as best as

23 it could represent the community's concern and be

24 able to serve the community's need to the best

25 extent possible and allowing for it to grow so that

2 it doesn't have to come back for a variance. This
3 was... Oh not a variance, I'm sorry, for a special
4 permit through the city planning commission. And...
5 and that's just a practicality of these operations
6 because the programs in need.. especially with
7 regards to have facilities that are constantly
8 changing. There's a growing demands for dry labs as
9 opposed to wet labs and the functioning and the
10 services that needs to provide. So there needs to
11 be some amount of flexibility building yet at the
12 same time it has to be balanced with what the
13 community needs immediately and.. and not be
14 disrespectful of the character. So I don't have an
15 answer but I think in my past practices we did.. we
16 were aware of the community concerns and we did use
17 that to scale down many of the projects to make
18 sure it was as best as possible in context.

19 CHAIRPERSON LANDER: Thank you. I am
20 going.. we've been joined by Council Member Inez
21 Dickens from Manhattan, welcome. And I'm going to
22 turn it over to Council Member Williams for his
23 question.

24 COUNCIL MEMBER WILLIAMS: Thank you Mr.
25 Chair. And thank you for everyone for being here.

2 It's a great array of folks that we're about to
3 appoint. Ms. Arteaga you have great background,
4 great resume for that, for the position you're
5 applying for. I'm most familiar with Ms. Rice.
6 Thank you so much for the work you do. I'm going to
7 be proud to vote to put you on when this vote...
8 reaffirm you when the vote comes up. I just have
9 some questions for Ms. Chanda, not really a
10 question. I think most people have said what I
11 wanted to say but I wanted to add my voice to some
12 of the frustrations that go through people applying
13 for variances and special permit to echo, I don't
14 know which one of my colleague said it, but people
15 do think it's a fail to complete. Once it gets to
16 BSA most folks I represent also lot are going to
17 family home owners. Most folks feel that they will
18 not be heard at BSA. It doesn't really matter what
19 they say or do. That special permit or the variance
20 may... is going to occur anyway and that people are
21 just flouting the rules. People say they're doing
22 one thing and completely change it and nobody is on
23 their backs to make sure that doesn't happen. They
24 have cases of people saying they're building green
25 houses and it is actually just an extra room. And

2 nothing happens. And so hopefully you'll be
3 bringing something in that brings a little bit more
4 to it and have people feel that the... that they're
5 being listened to by government. But the whole
6 process seems to get people up in arms so... so thank
7 you Mr. Chair. And congratulations...

8 CHAIRPERSON LANDER: Thank you Council
9 Member Williams. Council Member Dickens.

10 COUNCIL MEMBER DICKENS: Thank you Chair
11 and... and thank you for... the three of you for your
12 service. I apologize for my extreme lateness
13 however Landmarks... there was a Landmarks piece of
14 legislation that was at Land Use and we started
15 pretty much on time and we're still going on. And
16 so I just came over from that to... to come here to
17 show support. Arva of course I've known for years.
18 I work with her through the Urban League which is
19 located in my district and I know the fight that
20 she's had to... to do and I think she would con... to...
21 to continue to be a part of the equal opportunity
22 practice commission would service the... the citizens
23 of this great city extremely well because of the
24 fairness of... of how she thinks and her ability to
25 see through the frequent minutia that is thrown

2 before her. Ms. Arteaga I don't know you as well
3 but I... I have read your resume. I think the... that
4 you... your history and your work ethics as has come
5 through on... on the supporting evidence for your
6 appointment to HHC is... is a testament to... to what
7 you will bring to... to a... a system that is very very
8 difficult to operate. Ms. Chanda you I know also
9 for a number of years. And I have admired your
10 work. My question though about BSA is because of
11 your... the... the connections that you have with city
12 planning and with HPD and the fact that many of... of
13 the applications to BSA comes out of a result of
14 HPD. Will you have to recuse yourself from certain
15 cases because many are probably going to be
16 buildings or lots or... or... or developers that you
17 are very very familiar with and have worked with on
18 a positive way to create affordable housing? Will
19 you have to recuse yourself? And if so will you be
20 able to do so without impacting upon your
21 colleagues that would have to vote on it?

22 SHAMPA CHANDA: I will need to... I will
23 have to consult the conflict of interest board as
24 to if I need to recuse myself on specifically on

2 HPD projects that I have worked on. But I... I will
3 need to get back to them to answer your question.

4 CHAIRPERSON LANDER: And I'm advised by
5 our Director of Investigation to... about the most
6 extensive knowledge of some of these conflicts
7 questions of anyone in the city whose advises that
8 where you've worked on something in a government
9 capacity that wasn't a project that you had an
10 interest in you don't have a... a conflict from which
11 you must recuse yourself so...

12 COUNCIL MEMBER DICKENS: Alright because
13 I've admired your work. I have admired your work
14 over the years.

15 SHAMPA CHANDA: Thank you.

16 COUNCIL MEMBER DICKENS: But that was
17 just a concern that I had because of... of the fact
18 that you had a connection to city planning and HPD.
19 Thank you so much and thank you to all three of you
20 for agreeing to service the residents of this city
21 and the work that you do because the hours that you
22 put in are far greater than what is put down on
23 paper. So thank you.

24 SHAMPA CHANDA: Thank you.

25 [background comments]

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2 CHAIRPERSON LANDER: Council Member
3 here... come... the chair recognizes the esteemed
4 Council Member Rose from Staten Island.

5 COUNCIL MEMBER DICKENS: The loud mouth
6 council member.

7 COUNCIL MEMBER ROSE: Everyone claimed
8 someone on the panel today. Council Member Van
9 Bramer claimed Chanda. Council Member Copeland
10 claimed no Ms. Arteaga. And... and no one claimed
11 Arva so...

12 [background comments]

13 CHAIRPERSON LANDER: No she... she was
14 claimed. [cross-talk] No, no she had... Ms. Cha...
15 she's... Ms. Rice actually said in her opening
16 statement that she had been nominated by... [cross-
17 talk]

18 COUNCIL MEMBER ROSE: Right by... [cross-
19 talk] no no no... [cross-talk]

20 CHAIRPERSON LANDER: ...Council Member
21 Dickens.

22 COUNCIL MEMBER ROSE: Yes. But she
23 wasn't here...

24 CHAIRPERSON LANDER: Four years ago.

25

2 COUNCIL MEMBER ROSE: I... I just wanted
3 to say that Staten Island will claim you.

4 CHAIRPERSON LANDER: Ah... alright.

5 COUNCIL MEMBER ROSE: Ms. Rice.

6 COUNCIL MEMBER DICKENS: We... we... we
7 accept... we accept Staten Island as a second...
8 [cross-talk]

9 CHAIRPERSON LANDER: And... and also you
10 heard that... [cross-talk] Ms.... Ms. Arteaga's husband
11 was born there so Staten Island has got two assists
12 today. Actually no I'm going to use this because I
13 realize because we did the hearing slightly
14 differently and had you all available to all the
15 members for questions I actually spoke about the
16 BSA but I did not speak just about the kind of...
17 about HHC and the EEPCC and so just for the record
18 let me quickly make clear. Because there are three
19 different types of appointments. Ms. Chanda is
20 nominated by the mayor for one of five positions
21 which is essentially a full time job position on
22 the Board of Standards and Appeals and has a salary
23 as... as we discussed and we're acting in the
24 council's advice and consent role to the mayor's
25 nomination. Both the other two candidates are in

2 positions where the council has the nomination. For
3 Ms. Arteaga the HHC is a public benefit char...
4 corporation charged with the duty of providing high
5 quality dignified and comprehensive health care and
6 treatment to the public, especially those who can't
7 afford such services. HHC's board of director
8 consists of 16 members, five ex-officio members, 10
9 appointees of the mayor... oh I see so five ex-
10 officio members and then 10 appointees of the mayor
11 five of whom are designated by the council for
12 consideration by the mayor. And it has been our
13 practice though I don't think it's required by
14 charter that those be one from each borough. And
15 this is Queens unofficial seat essentially. The
16 term of office for HHC Directors is five years with
17 a vacant seat filled under the terms of the
18 original appointment. And those directors are not
19 compensated but are reimbursed for expenses and we
20 had a hearing not that long ago where we gave
21 advice and consent to the... the new chair of the
22 board Doctor Raju [sp?]. And then for Ms. Rice the
23 EEPC under the charter is charged with the duties
24 of reviewing, evaluating, and monitoring the
25 employment practices, procedures, and programs of

2 city agencies and department as we heard to
3 continue in effective affirmative employment
4 program of equal employment opportunity for members
5 of... for women and people of color employed by or
6 seeking employment with city agencies and that
7 includes as we heard the audits and follow-up. EEPC
8 consists of five members; two appointed by the
9 mayor, two appointed by the council, and the mayor
10 and the speaker jointly appoint the chair. And as
11 with HHC compensation is on a per diem basis. Okay
12 so that's a little house keeping I should have done
13 at the beginning. But I'm glad to do it now. Now
14 just to close us out I do have one question each
15 for... for Ms. Arteaga and Ms. Rice. I wonder given
16 that you've had... Ms. Arteaga, such grass roots
17 health experience in a community are there things
18 that you as a result of that want to see HHC be
19 doing differently? You know what are... what are you
20 bringing to HHC areas that you've you know thought
21 in the past we really need to change that or... you
22 know just things that your experience says we need
23 to be... you'd like to see a... change at HHC?

24 HELEN ARTEAGA: As you many of you guys
25 know that healthcare is changing a lot now with all

2 the changes that are coming in. Our payment system
3 is changing. And I think right now it's such an
4 exciting time. It's a little scary but so exciting.
5 It's... and now it's really where I want if I could..
6 if I could help HHC be a true innovator and really
7 set the tone of where we can change healthcare for
8 the next generation. I think we can... now is the
9 time to make those changes, all those calculated
10 risks, that we really could drive where healthcare
11 should be, especially for New York City. Because
12 HHC's role is so important... And I think that's what
13 I could bring to the table is show where those
14 opportunities are or like show with the data, show
15 with analysis and say hey guys look this is a good
16 opportunity for us to take.

17 CHAIRPERSON LANDER: Now I wonder if you
18 could... that's a... that's a... a great frame...
19 perspective to bring especially when you have HHC
20 which does such important work. And obviously in
21 low income communities especially. But one thing
22 that will always stick with me is that in the... in
23 the weeks and months after hurricane Sandy the Park
24 Slope Armory in my district was converted to be a
25 special needs backup shelter and we housed 500

2 frail elderly adults on the drill floor for a
3 month. And it was HHC doctors who became really the
4 peoples' doctors, the city's doctors in that moment
5 of crisis and need. But you know you've got an
6 organization that's had a very substantial... I mean
7 you can think of it as a budget gap or not it...
8 it's... its revenues don't meet its expenses. That's
9 why we have to put a lot of money in. You have all
10 these changes going on in health care especially
11 around compensation you know I... I think you have to
12 get in there and dig in but do you have any
13 thoughts based on your experience on the ground of
14 ways that we can be starting to either as a result
15 of changes that you mentioned in... in the healthcare
16 field or mindful about some of this... the budget
17 challenges that we're facing and the need to expand
18 those services to... to meet some of those... [cross-
19 talk]

20 HELEN ARTEAGA: I don't know the
21 internal numbers of... within HHC or of each of the
22 hospitals but personally... so one of the things that
23 we do is you know the... if you do the right care the
24 money will always come. Because if you do right by
25 your patients and right by your community the money

2 comes no matter... no matter what structure's in
3 place. So I think that's one way to look at it. If
4 we have confidence as the HHC organization that we
5 give good care always and we're there when the city
6 needs us the money will come. I think what we
7 really have to focus on is what do we need to do,
8 what do we need to change. And the only way to
9 really realize is sit down, take all the books, all
10 the data, and really take a hard look at the
11 numbers and really be honest with each other and
12 transparent both on the clinical side, technology
13 side, what the community needs. We really need to
14 sit down and really look at the data. And once you
15 look at the data I think that's when you can say
16 okay we can go this direction or this direction or
17 that direction and really figure it out.

18 CHAIRPERSON LANDER: Thank you. And then
19 Ms. Rice you know we... most of the appointments that
20 this... we've considered in the Rules Committee in
21 the last year and a half have new appointments.
22 Most... it's a credit to you, most of the people
23 that... whose terms have ended and were appointed in
24 the prior council or the prior administration new
25 people have been appointed to take those positions.

2 So it's obviously a credit to you that there was
3 desire on the part of this body to... to reappoint
4 you and not seek someone new for the position. That
5 puts you in the... in the position of having
6 experience now having been there. And I... I wonder
7 you know the EEPC itself, is it creature of the
8 charter, it's created by law. Are there things that
9 come from your time in the EPC that you think we
10 should be paying attention to? You know are there
11 some... you know is there legislation that's needed
12 either specifically for EEPC or as we relate to the
13 challenges of diversity and opportunity and
14 employment in this city that... that you've learned
15 from your experience there... anything you want to
16 encourage the council to be mindful of and to be
17 acting on in this shared goal and mission that we
18 have?

19 ARVA RICE: As I mentioned the EEPC,
20 when I first came to the... to the commission was
21 really about trying to complete the... the charter
22 number of audits in the given year and had never
23 done that ever since its... its... its creation. And so
24 now it is able to do its number of charter audits.
25 And so I would like to see the commission be seen

2 more as a value add for city agencies rather than
3 this punitive auditing organization that comes and
4 it just... just checks the numbers and makes sure
5 that people are... are being compliant. I think that
6 as we move into a you know changing demographic,
7 working with more millennials... As I mention I came
8 to New York City as a New York City urban fellow.
9 And so I was recruited to New York City to work in
10 city government and I saw it as this wonderful
11 fabulous place to work in. And I just think that
12 the EEPC could do more in terms of positioning
13 government is a... a great place for individuals and
14 smart folks to come and work. And so I look forward
15 to helping the commission move more in that
16 direction, to continue to do our audits and do that
17 efficiently and well. But we've been able to hire
18 research... and we've been able to bring more people
19 into the commission and hopefully will be able to
20 be more of a value add to New York City.

21 CHAIRPERSON LANDER: And... yeah... say a
22 little more about what... what... kind of what you have
23 in mind by that. How is... how... you know what are the
24 ways that the city can you think be doing better
25 and add value agency by agency or for the city as a

2 whole or... or for the council in our... I mean I think
3 it's a goal we all share so passionately. It is
4 hard work to... to do well and I wonder what thoughts
5 you...

6 ARVA RICE: Right. I think that
7 concretely you know commission... working
8 specifically with commissioners, letting them...
9 having be part of the orientation about the work at
10 the EPC and that we are there in order to help them
11 in creating a diverse work force... be more
12 supportive of their EEO officers so the person who
13 is there who is positioned to make sure that
14 they're interviewing and... and looking at the number
15 of applicants that come from the diverse pool
16 looking at... and being more conscious of the people
17 who serve in leadership roles. So it's not only
18 that you have people of color in... within your
19 agency but where are they working within your
20 agency. Are they all at the very entry levels or
21 are they moving up to assistant commissioner and
22 other types of position which also can be tricky
23 because those aren't... they are appointed positions
24 rather than being part of the civil service. And so
25 I think that there's... it's... it can be tricky but I

2 think that there's work that can be done within
3 those areas. For the first time this year we were
4 able to have our first public hearing. And so we
5 were able to bring together some of the EEO
6 officers and to talk about some of the trends in
7 employment. Looking at things like unconscious bias
8 and some of the things that come into our hiring
9 practices. What are the things that make people
10 hire that look and sound like them rather than
11 hiring somebody that's diverse. And so being able
12 to talk to EEO officers about that and how that
13 manifests itself in its... in its hiring processes.
14 And then also speaking to individuals about where
15 they're placing the information about job openings
16 right. So do job openings come out and people find
17 out about them from people who are already working
18 within the... in... within the agency. And so then
19 that... that encourages you to repeat those who are
20 already there and/or how you diversify that pool.
21 So I think that that's a... a little bit of the
22 concrete ways in which we can... can work more in
23 that... and work more to... to support the EEOC. And I
24 do think that there is sometimes the... there... the...
25 there's not a common... there's not a common way

2 which people are responsible within... to... there's
3 not a common way in which people are responsible
4 for listening to the... the implementations and the
5 ideas of the EEO officer. And so I think that there
6 could be strengthening there as well.

7 CHAIRPERSON LANDER: That... that leads to
8 one other question that I hadn't thought of before
9 but I'm going to ask. It sort of steps a little bit
10 back just from the EEPC. But I've... I've gotten to
11 know some city council members in Seattle. And
12 Seattle has this wonderful thing called the race
13 and social justice initiative which is... was created
14 just a few years ago to take a real comprehensive
15 look at all public policies that raise issues of
16 racism and... and... and raise an... an equity. And they...
17 you know they look at the budget. They look at
18 legislation. We hear... we... we keep these things
19 separate. So we have the EEPC and the EEO
20 specifically to do employment. And then we have our
21 MWBE legislation and the MWBE officer and an agency
22 that's looking at procurement. And then you know if
23 it's the housing agency then we have the people
24 that do the fair housing. And then if it's the
25 police department we have the people that do

2 training. You know you mention unconscious bias.
3 So... but we don't have those things sort of... we
4 don't look at them in a comprehensive way and I... I
5 don't know whether you've given any thought to
6 whether it might elevate those things in agencies
7 if they were linked or if it's... you know I can see
8 the value... work just to do the employment work and
9 that having EEPC to do it is important and that if
10 you had a lot more to do that would... But I wonder
11 if you have any... you know we've thought of... talked
12 with some people about whether something like the
13 Seattle race and social justice initiative would be
14 valuable in New York City. And I think part of the
15 reaction has been well we already have you know the
16 EEPC doing the employment piece and MWBE doing
17 procurement and you know fair housing approach and..
18 So we don't... we know... there's been sort of
19 resistance to looking at it in the somewhat more
20 comprehensive way that Seattle does. That's out of
21 left... you know kind of a... it's not specifically
22 related to EEPCs but I'm curious your thoughts on
23 it.

24 ARVA RICE: No I mean I think that would
25 be... to be able to have the political will to take

2 it on the way that Seattle has done I think would
3 be amazing. I think that the data as you... as you
4 talked about more than once would be very revealing
5 and it would be a matter of whether the city
6 council and the mayor were... were willing to... to
7 step back and really take a hard look at the city.
8 But I... I think that an approach like that could be
9 very telling.

10 CHAIRPERSON LANDER: Thank you. Alright
11 thank you all for your time. We had a good
12 opportunity to hear from of a lot of members and
13 have a lot of questions. We're not going to hold
14 the vote today. We'll recess this hearing and we'll
15 reopen it. Do we have it calendared yet? Next week
16 at some point before our stated meeting next
17 Thursday we'll resume from recess and hold the vote
18 at that time. So thank you very much for your time
19 and your thorough answers to all our questions.
20 This hearing stands at recess.

21 [gavel]

22

23

24

25

C E R T I F I C A T E

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



Date September 11, 2015