

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE

Jointly with the

COMMITTEE ON ECONOMIC
DEVELOPMENT

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Friday, January 13, 2023

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HELD AT: COUNCIL CHAMBERS, CITY HALL

B E F O R E: Selvena Brooks-Powers, Chairperson
Amanda Farías, Chairperson

COUNCILMEMBERS: Joann Ariola
David M. Carr
Amanda Farías
Jennifer Gutiérrez
Ari Kagan
Linda Lee
Farah N. Louis
Lincoln Restler
Kevin C. Riley
Carlina Rivera
Rafael Salamanca, Jr.
Nantasha M. Williams
Julie Won

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

Christopher Ward
2008-2011 Executive Director
Port Authority of New York and New Jersey

John Williams
Chief Executive Officer
Autocase Inc.

Mikelle Adgate
Senior Vice President Community Relations
NYC Economic Development Corporation

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New York City Police Department

Leroy Comrie
Senator, 14th Senatorial District
New York State Senate

James Sanders, Jr.
Senator, 10th Senatorial District
New York State Senate

Khaleel Anderson
Assemblymember, District 31
New York State Assembly

Fay Hill
District Leader
Community Board 31B

Reverend Roxanne Simone Lord
President
Southeast Queens Chamber of Commerce
Member
JFK Redevelopment Advisory Council

Stacey Osbourne
President of a Block Association
Rosedale, Queens

Yvette [no last name]
New York City Resident
Minority Business Owner

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SERGEANT AT ARMS: -- to fill out one of these
testimony slips. written testimony can be emailed to
testimony@council.nyc.gov. Again that is
testimony@council.nyc.gov. Thank you for your
cooperation. Chairs we are ready to begin.

CHAIRPERSON BROOKS-POWERS: Good morning and
thank you for attending today's joint hearing of the
Committees on Transportation and Infrastructure and
Economic Development on the topic of the JFK
redevelopment program. Thank you to my colleagues
and government from Southeast Queens for your
participation today, as well as I see we have members
from the community here as well.

Today's hearing is about the historic investment
in redeveloping and improving John F. Kennedy
Airport. This issue is of crucial importance to New
Yorkers. JFK is an economic engine for the region
that supports hundreds of thousands of jobs and
generates tens of billions in annual sales and wages.
But the communities that surround the airport,
primarily black and brown, environmental justice
communities, have for decades endured the pollution,
the noise and the congestion. JFK produces.

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The JFK redevelopment program affords us an enormous opportunity to ensure the airport provides long-term economic benefits for New York, and to do right by impacted communities and neighborhoods. Since it opened in 1948, JFK has been an essential gateway to New York City and the greater metropolitan region.

Over the years the airport has expanded rapidly, and has increased capacity for how many passengers planes and goods it can transport. Currently, the airport has six operating terminals, which include 128 gates, handling nearly 62 million passengers annually, supporting 280,000 jobs, and generating more than \$51 billion in sales and \$17.1 billion in wages.

JFK is operated by the Port Authority of New York and New Jersey, but the land is owned by the City of New York. We have a lease agreement with the Port Authority. Under the stewardship of the City's Economic Development Corporation, the City entered into lease negotiations for a 10-year extension. Be clear, without this renegotiation, it would not have been possible for this program to move forward. It is crucial we understand how the redevelopment of our

property is doing, and most of all the commitments
agreed to.

Notably in January of 2017, then New York State
Governor Andrew Cuomo presented a vision plan written
by the airport advisory panel to transform JFK
Airport into a more modern 21st Century airport. The
vision plan noted that JFK Airport ranked poorly when
compared to the world's top airports, and fell below
global standards. What was needed was clear: a
wholesale revision of how JFK operated. If not
address the possible economic loss to the state and
greater area would be devastating. The vision plan
specifically outlined JFK's challenges which fell
into five broad categories: An unbalanced fragmented
airport due to separately operating terminals;
airport roadway networks that were often congested
and difficult to navigate; inefficient airport
operations and increase delays; inefficient cargo
operations; and increasingly crowded, congested, and
unreliable transportation access to the airport.
Without any improvements to meet these challenges,
and given estimates that by 2030, the number of
passengers at JFK is expected to increase to over 75
million passengers, it was projected that the airport

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would not be able to handle this growth level
effectively. Thus, the JFK Redevelopment Program was
born.

The JFK Redevelopment Program represents \$18
billion investment into the JFK Airport, including a
capital investment from the Port Authority of \$2.9
billion dollars, and a more than five-to-one
leveraged private investment of over \$15 billion. It
is estimated that the program will add more than
15,000 jobs to the area with 9,600 direct jobs coming
from the redevelopment. The main four projects in
the program include a \$9.5 billion project called The
New Terminal One to redevelop JFKs Terminal One,
Terminal Two, and former Terminal Three. A project
with Delta Airlines and JFK Air Terminal LLC to
develop JFK Terminal Four, an over-\$2-billion project
in collaboration with JMP and JetBlue to redevelop
JFK Terminal Six, and a project with American
Airlines Holt Constructions, and A-CON to redevelop
JFK Terminal Eight, which has recently been
completed. The projects would expand capacity for
the entire airport while improving and modernizing
many of the airport's terminals.

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Today I am particularly interested in a few
issues relating to the JFK Redevelopment Program.

First, I want to understand whether the program
is meeting its stated goals for contracting with
minority and women-owned businesses. I have long
advocated for increased utilization of MWBEs.

Businesses across the city owned by women and Yorkers
of color deserve the opportunity to obtain major
government contracts. Ensuring diverse businesses
have equitable access to those opportunities
strengthen communities and extends economic
opportunity across the city. The Port Authority has
publicly committed to a goal of attaining a 30%
participation by minority and women owned businesses
in all program elements for all projects. We need to
know whether the JFK Redevelopment Program is
actively meeting that goal, and if not what can be
done to make sure it does.

Second, I want to talk about how the
redevelopment program can meet the needs and concerns
of the Southeast Queens communities adjacent to the
airport. The airport has long placed substantial
burdens on surrounding communities. For example, my
council district which contains JFK ranks 50 of 51 in

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noise pollution. Of all of the city's industrial business zones the area surrounding JFK sees the most activity. Noise, air pollution and congestion all have consequences for the health and quality of life of the residents. Given the impacts on adjacent communities. I am interested in understanding how the JFK redevelopment can be used to benefit those communities, from job creation to educational opportunities to improved transportation options.

Before turning to testimony, I want to know that precedent exists with the engagement of this City Council's Transportation Committee and the Port Authority dating back to former transportation committee Chair, now State Senator John Liu, and as recent as 2017.

We invited the Port Authority to this hearing, but they declined by choice. The Port Authority operates JFK and leads the redevelopment program. They are an essential voice to this conversation. We were informed the Port Authority already provides enough information to the City. The Port Authority only meets with the community on their terms and with their selected agenda. Today, they refuse to sit for questions before the city's duly-elected council.

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The Port Authority operates on the city's land. I'm going to repeat that. The Port Authority operates on the city's land, and the impacts of the airport are felt most acutely by the city's residents. The City deserves the opportunity to talk directly and publicly with the Port Authority to get answers that are so crucial to the health and livelihood of the city's communities.

I'd like to remind the Port Authority of their public interest obligations. We intend to hold hearings on this matter as well as other issues impacting the city of New York in the future including LaGuardia Airport and the bus terminal.

I am hopeful that the Port Authority will consider joining us especially considering Governor Hochul's commitment to resetting the city and state relationship. Governor Hogan has established an important new tone, which places the public interest first. The governor's leadership team Karen Keough, Kathryn Garcia, and Stacy Lynch have all done the same, and I am thankful for that. Yet, the Port Authority's posture continues to ignore that memo. I will say affirmatively this committee has seen the reset through state agencies such as the MTA.

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Ensuring the JFK redevelopment is successful will require cooperation across the various levels of government, and most of all true engagement of the community. And lieu of the Port Authority. I am pleased that we will begin today's hearing with a panel featuring Christopher Ward, the former executive director of the Port Authority, and John Williams, the CEO of Autocase Inc. Mr. Ward will offer crucial context on the background of the port authority's lease agreement with the city and the benefits the airport can generate for the community and the city. And Mr. Williams will discuss the use of community equity agreements as a means of securing meaningful benefits to communities adjacent to major infrastructure development projects.

After they testify, we are pleased that EDC will be joining us from the Administration to provide information on its role as the leaf manager for JFK. I look forward to hearing from advocates and members of the public as well. Now, I will turn it over to my fellow Co-Chair, councilmember Amanda Farías, for her opening statement.

CHAIRPERSON FARÍAS: Thank you Councilmember Brooks-Powers. My name is Amanda Farías, and I have

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the privilege of chairing the Council's Committee on Economic Development. I would like to thank the members of both committees for coming for today's hearing. We are joined by Councilmembers Kagan, Louis, Riley, Lee, Ariola, Carr, and Restler.

New York City has traditionally been a major hub for domestic and international aviation. New York averages around 50 million tourists per year, making it one of the world's most visited cities, and JFK International Airport is many foreign visitors first stop in the United States.

The city itself is over 35% foreign born, meaning that a sizable chunk of our 8.5 million residents have strong ties to somewhere else, and they often travel back to their country of origin to visit family and friends.

Since 1947, the Port Authority of New York and New Jersey has managed all three of the city's area airports, and in the decades since it has invested billions of dollars in capital improvements into all three. Unfortunately, these capital improvements have not always kept pace with technology. In 2017. The airport advisory panel found that JFK's facilities in particular were reaching capacity, and that the

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airport itself offered an inconsistent passenger experience that would need to be improved and modernized in order for JFK to remain competitive in the global travel market.

In 2019, JFK had over 62 million passengers, 450,000 flights and 1.3 million tons of cargo pass through its runways. While the pandemic temporarily reduced those numbers over the past two years, the airport advisory panels projections remain for JFK to hit 75 million annual passengers by 2030. If improvements are not made soon, JFK's demand will outstrip its capacity and the airport will cease to be competitive in the global travel market. This doesn't mean just a lack of travelers. It also means hundreds of millions of dollars lost in wages and annual sales, and thousands of regional jobs lost for New Yorkers.

According to the airport advisory panel, the major challenges facing JFK fall into five separate buckets: Inefficient terminal design, a disorganized roadway network, persistence operational delays, outdated cargo facilities and unreliable transit options to the airport. The Port Authority's JFK Redevelopment Plan aims to address many of these

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issues by developing a more efficient roadway and
airport transit system, building a 2 million square
foot terminal known as New Terminal One, and
expanding existing Terminals Four, Six, and Eight to
accommodate additional passengers, cargo space, and
wide body jets. The Port Authority also convened the
JFK Redevelopment Community Advisory Council to
ensure community engagement in the airport
redevelopment plans.

While the Port Authority itself is not present
for today's hearing, we look forward to hearing from
the City's Economic Development Corporation in regard
to the details of the JFK Redevelopment Plan,
including actual expenditures and job creation
numbers, specifics on how the Community Benefit
Agreements, and what the public can expect from a
completed and modernized JFK.

Before I turn the floor over to EDC, I would like
to thank my committee staff Senior Counsel Alex
Polinoff, Senior Policy Analyst William Hoggnotch,
and Finance Analyst Glenn Martinelli for their hard
work putting this hearing together. I'll now turn it
over to our Committee Counsel to administer the oath.

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COUNSEL BREITBART: Thank you. I'm Sam Breitbart
Counsel to the Transportation and Infrastructure
Committee of the New York City Council. We're going
to begin with a panel, with our first witnesses
Christopher Ward, former executive director of the
Port Authority of New York and New Jersey, and John
Williams, CEO of Autocase, Inc.

CHAIRPERSON BROOKS-POWERS: I'd also like to
acknowledge that we've been joined by Councilmembers
Won and Salamanca and Councilmember Ariola and
Councilmember Carr.

COUNSEL BREITBART: You may begin when ready.

Good morning. Thank you very much. With that
introduction, I face a bit of trepidation having been
previously the executive director of the Port
Authority and the remarks by the Chairs, as well as
other members of the City Council speak to the
pressing need for improved communication and
cooperation between the Port Authority and the city
of New York, given the pressing issues that were
raised.

So let me start with my testimony, and then I'd
be glad to take any questions that you may have. My
name is Chris Ward. I'm currently the Executive Vice

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President for Business Development for Bravo, Inc.
an MWBE firm offering architectural engineering
services here in the local market. From 2008 through
2011, however, I was the Executive Director of the
Port Authority of New York, New Jersey, and prior to
that, I was the Chief of Planning and External
Affairs at the Port from 97 to 2002. I also served
as the Commissioner of the Department of
Environmental Protection for the first term of the
Bloomberg Administration. So it's a familiar,
familiar haul to be in and I thank you for the
opportunity to return.

Today, I would like to offer you my thoughts on
the emerging role of equity and environmental justice
in the economic development and public infrastructure
market, specifically with regards to the upgrade and
redevelopment of the region's airports.

I think most importantly, one of the messages
that I'm trying-- John and I are trying to deliver
today is these very questions extend well beyond
simply JFK in the public and private community.
This-- this will be a question for private sector
companies throughout the country going forward as we
begin to understand the localized impacts of

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1 business. So, again, we're speaking specifically
2 about the JFK project and the Port Authority. But I
3 do think this issue is relevant throughout the
4 country, as we think about reconstituting the
5 economic relationship between communities and large-
6 scale public infrastructure.
7

8 So with that, I would like to begin with a couple
9 of observations that will help frame the issue in
10 terms of the Port Authority and the future of JFK
11 International Airport. And I take this part of my
12 testimony with a certain grain of sand given the
13 introduction that was posed.

14 First, the Port Authority, as we heard today, has
15 long been viewed as a huge but largely opaque agency
16 operating outside of local influence and
17 responsiveness. Ironically, this perception was
18 likely and remains likely the result of the very
19 creation of the Port Authority in 1927. And I do
20 this as a bit of a history lesson only for the
21 purposes of creating a strong foundation for what we
22 wish to do going forward. But just to be clear, as a
23 Progressive Era creation, the Port Authority was
24 specifically created to avoid the undue influence of
25 politics and corruption. The role of the two

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governors on the board was to make long-term public investment decisions without fear or favor to local interest. While that perception persists, and as we heard, sits at the heart of the issue today. I would like to argue that since essentially the early 1960s, the Port Authority has in fact recognized its local role and responsibility in key areas and work to address that challenge. And I think the message that I would like to deliver today is that the world is changing and the Port Authority needs to begin to consider new models for that engagement. But nonetheless, they have been involved in the very question of public investment, given infrastructure impacts long term. And if the port has lagged in this work, I think it's important to recognize that it's largely the result of the dynamic transformation of the regional and national economy, with all of the resulting social and public policy issues that created the problem to begin with.

Second, from a Port Authority financial perspective, we need to understand that the agency is essentially running on the fumes of the auto industry. The toll and fare structure, which underpins the port's entire operation has reached, I

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believe, likely its financial and political limits.

So in short, the widespread perception that the Port Authority is continually flush with cash must come to an end. The institution will not be able to spend its way out of its challenges. Rather, it will be our own creativity, to seek new ways to create a relationship between the community and the Port Authority.

With these two thoughts in mind, how should elected and local officials think about addressing the very real community impacts as well as potential opportunities of JFK airport? I think recent Port Authority history can provide a guide and a framework for the development of a new model of engagement that considers the fact that JFK is a lynchpin in global commerce and the future of our online economy, whereby economic traffic is shifting from tunnels and bridges to airways and local streets. There is a social, environmental, and economic cost being paid by communities surrounding JFK that goes largely uncompensated, as compared to the economic benefits that are generated by the airport itself. And to develop this new model of engagement, it is essential that we recognize that these examples are the result

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of the economic and social preconditions of the time.
In the history of the Port Authority, perhaps the
largest community impact project would have to be the
creation of the World Trade Center, and the Port
Authority agreeing to take over the failing PATH
system as a straight quid pro quo for the financial
and community impacts of a project on a wide scale.
Today, the Port Authority continues to subsidize PATH
fares at more than \$300 million a year. Those
subsidies accrue to an established community of
users, but gain enhanced access to and from Manhattan
as a result.

In the early 70s, the city was falling into
financial default to unemployment and inflation, and
Executive Director, Peter Goldmark, in response
transformed the Port's mission to specifically
include industrial development as a job creation
opportunity in impoverished communities from Yonkers
to Brooklyn. Again, a straightforward response to
the larger need for community revitalization. Both
examples clearly more regional and approach, but
nonetheless demonstrate that the Port has over time
sought to address important social questions.

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Building on that history, the Port was also an early innovator in the more localized community level, given two certain large scale projects. These two that come to mind are: The Local Environmental Mitigation Fund to address the potential negative ecological impacts of the 50-foot channel deepening project. In all, the Port Authority funded more than \$60 million and vital restoration projects. And when we think of the economic return to the region of what deepening does, and for the shipping lines to call on the port, and today, the port is the number one port in terms of container activity in the United States. The economic value of that deepening was enormous. But at the time, the community benefit was, from an ecological perspective was limited to \$60 million.

The other project hews most closely to the issue of today, and that was the development of the JFK AirTrain project. In recognizing the construction disruption and long term impact, the Port Authority provided \$90 million in mitigation funds for the greening of the Van Wyck expressway job development, and site restoration. And I think it's clear that without this critical innovation, the project might likely have failed to gain approval, setting the new

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model that community engagement and development can
in fact go hand in hand.

The last example is the most critical as we move
forward into the increasingly challenged economic
landscape, and this was referenced in the
Chairpersons' introductory remarks, and this is the
Port Authority's Pilot Payment: Payment in lieu of
taxes paid to local communities. In effect, these
payments are a Community Investment Fund, albeit on a
citywide level. Today the Port Authority pays
approximately \$100 million in Pilot Payments which go
into the General Fund, and are spent according to
citywide, not local, needs. Created during a
particular period, when the focus was more macro and
not local, there is no reason why the pilot could not
fund on an annual basis specific local community
development projects to address the very equity and
environmental justice questions we have. And most
importantly, it is an existing funded obligation
that, if redirected, would not increase the Port
Authority's financial obligations or risks.

I have provided these projects in framework to
illustrate the contrary to popular opinion, the Port
Authority has, and can continue to work, to address

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the community impacts in a new emerging world of
social infrastructure.

But I worry that this is not enough, even within
the opportunity of redirecting the Pilot Payment.

Not enough in that the environmental justice
communities often make contributions to regional
transportation infrastructure, including JFK, that
far surpasses long-term benefits they receive as host
communities. Also construction jobs,
apprenticeships, and procurement preferences are
viewed as compensation for impacts. They sunset as
development is completed, while economic benefits are
generated throughout the life of the assets for the
host community.

Michael Harrington, one of my great heroes, the
American social critic, said that a fair and just
society is based on an economy of surplus and the
democratic means of distributing it. With more than
\$30 billion in private investment potentially being
spent at JFK by the private sector, we must develop a
model of funding built on that investment in long-
term returns to those who contribute to making them
possible. In this way the private sector prices any

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project, the new model must be embedded as a fixed
costs of community impacts.

Harrington really characterized the fundamental
challenge as the Port Authority within the regional
economy has transformed and changed. We need to
think of new ways of extracting the necessary wealth
out of the economic development of JFK for the
purposes of historically embedding that relationship
in a positive way for the issues associated with
environmental justice and equity.

Thank you very much. I will now turn it over to
my colleague, John Williams. Unless you would prefer
to take questions now or later.

CHAIRPERSON BROOKS-POWERS: We can hear both
testimonies and then we'll ask the questions. Thank
you.

MR. WILLIAMS: Good afternoon, everyone. My name
is John Williams, and I'm CEO at Autocase, a software
as a service company focused on the automation of
economic analysis for investments in the built
environment. To put it simply, we measure the value
of public benefit associated with investments in
major infrastructure projects. I'm also the former
Board Chair at the Institute for Sustainable

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Infrastructure or ISI, the force behind the Envision Rating System for sustainable infrastructure. I want to thank you Councilmember Brooks-Powers, and all the other Councilmembers present with us this afternoon.

Before going any further, I want to stress that my remarks reflect my personal views, and not necessarily the views of my company, our customers, or other organizations that I'm affiliated with.

My comments are based on my experience as a practicing design professional in New York City since 1979. I'm also a veteran program manager for public-private partnerships, including the new Moynihan Train Hall, and I'm a leader in the use of cost-benefit analysis, and triple-bottom-line economic analysis for infrastructure and building projects.

At the beginning of my career, I was very interested in major transportation projects developed a few decades earlier. Those projects were dominated by the vision and efforts of one man, Robert Moses, the personality behind the story told by Robert Caro and his best-selling book entitled The Power Broker. In the book there was extensive detail as to the vision, planning, engineering, and ultimately the birth of what we now refer to as highway, parkway,

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regional energy networks, and park systems. These systems originated across New York State and were replicated in most other cities and states across North America. Moses planted the seeds that led to the current dependence upon personal automobiles and the demise of trolleys and streetcar systems by the middle of the last century.

When I started my career in 1979, I joined a company that was part of the network of engineering, architecture, and landscape architecture firms that Moses turned to to execute his New York projects. Over time those firms grew and put down roots across the nation. I was and I am incredibly proud of my start with Andrews and Clark. Like its sister firms, there was a high level of emphasis on professionalism and design excellence. I could not have worked for a better employer. I recall walking around the office and admiring these large, black-and-white photographs of projects that the firm was responsible for, and they included the Brooklyn Queens Expressway and the Brooklyn Heights promenade, Park Avenue Tunnel, UN Plaza, Jones Beach, both World's Fairgrounds, the Northern State Parkway, just to name a few. There was one project that really got my attention: The

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Alexander Hamilton Interchange across the Harlem River between northern Manhattan and the South Bronx. That interchange was just part of another famous project (or maybe I should say infamous project) the Cross Bronx Expressway. This was a project from the 1950s, around the time I was born. After the fact I learned that it carved a canyon through a vibrant community made up of people of color, new immigrants, and working class families. Those people lived together they worked played and prayed together with their neighbors residing in the same community.

Today, we think of this as one of the premier examples of an environmental justice community. Their essential connectivity was sacrificed so that people who own cars and wanted to drive between New Jersey, Manhattan, and the wealthy suburbs of Westchester County, or to visit relatives in Boston, could do it as quickly as possible in the comfort of their 1955 Oldsmobile. That's the year I was born.

By the time Moses fell from power in 1968, his vision was cast in stone. His methods and standard practices were replicated across the country, and evolved into the way things were done until the National Environmental Policy Act of 1969 came along.

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Prior to NEPA, federal agencies were mission oriented. Results were all about building infrastructure on time and on budget. And highways were to be over the shortest possible route regardless of who was in the way or how they were impacted. NEPA changed that by requiring that all federal agencies evaluate the environmental effects of their actions. NEPA was the catalyst for environmental assessments and environmental impact statements that we read about today. And of course, New York State and New York City have specific processes that followed in the tracks of NEPA, but they echoed the buzz emphasis on how we assess environmental impacts. Now, in 1979, I was hired to be the community outreach person charged with helping to expand the Long Island Expressway through the Borough of Queens. That \$2.3 billion project (those were 1979 dollars) would stretch just three miles along the edges of neighborhoods that remembered Moses and the construction of the original highway in the 1950s and 60s. They recalled the letters that their neighbors got, that neighbors that were in the path of the project, and basically the neighbors heard that we're going to take your home, we're going

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to pay you X for it, and you must be out by this date. Period. They remembered that. Nearly 20 years later, we followed NEPA, elements of New York State's Environmental Quality Review Act, and the city environmental quality review process, and by the end of the community outreach process, we received unanimous support from all five community planning boards. And I was proud of that, and I was proud of that project, because it reflected a new way of thinking about infrastructure and avoiding environmental impacts. But fast forward more than 40 years today, and I will admit before you right here that we the process missed something. We missed something. Beyond reducing traffic spill over into adjacent neighborhoods, that huge investment, \$2.3 billion, did very little to improve the lives of the people who don't own cars, or don't make use of the expressway. It did nothing to create green space, to improve mass transit, to increase access to affordable housing, or to lift people up while other people drove to their homes on Long Island. This really haunts me, and that's why I'm before you today. Those communities deserved more.

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Working with community planning boards on the LIE project taught me that community acceptance is key. Acceptance by key stakeholder groups go a long way toward building community equity into project design, as well as avoiding protracted litigation, and ultimately securing support needed to see projects built that will be profitable with benefits accruing to the facility users.

Now, as Mr. Ward referenced a couple of minutes ago, a new model for sharing benefits associated with development of major transportation infrastructure, particularly public-private partnership projects at JFK is called for.

Just as the environmental review process revolutionized project development over the last half century, Community Equity Agreements -- or I'll refer to them as CEAs -- will revolutionize project development in this century.

Now, NEPA requires that any federal agency considering approval of a project take a hard look at the project's environmental impacts and consider alternatives and incorporate mitigation measures. NEPA requires that a specific process be followed, but it does not mandate a specific result. The

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process creates a structure for making decisions leading to better, more-carefully-thought-out projects. But it does not account for equitable distribution of benefits generated because of that development project.

I should point out that the Port Authority is exempt from the detailed requirements of NEPA, but as Mr. Ward said, it has a long history of engaging and investing in impact mitigation strategies.

Community Equity Agreements would help the Port Authority and others respond to 21st Century realities by addressing ongoing benefits as an approach to deliberately considering environmental justice and community equity early in project development.

And when we speak of community equity, what do we really mean? Well, it has its roots in fairness and in justice. And we all know that not everyone starts from the same place in life. And the differences need to be acknowledged and the imbalances corrected as opportunities arise. The beginning of project planning and development, or the renegotiation of public private partnerships linked to long term land leases at JFK are a perfect time to start. CEAs will

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voluntarily elevate long-term community equity considerations at a point in project development where their input and support are essential.

It's one thing to design a project that does not disproportionately impact minority communities. It's another thing to design projects with ongoing benefits to host communities. That's the goal. That's the goal. Deliver a portion of project benefits over the life of the project to host communities that pay an ongoing price for their development. This broader perspective is already evolving amongst sophisticated developers with communities that they're working with to create new frameworks for engagements.

And so allow me to offer this fictitious example, focused on the creation of a new air cargo facility at JFK: For the project developer and their investors, equity means an ownership interest in the facility. It can also mean a seat at the table when decisions are made early in the process. For community members, equity means more than just avoiding disproportionate impacts. Will the community have a stake in the success of the project? They are after all, hosting the facility. They're

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providing workers for operations. They are home to supply chain links between the airport and final cargo recipients. They pay a big price for that. So what might their stake in the development look like? How long will benefits flow to that host community? As long as the facility ground lease lasts? It really should.

How will the economic benefits enjoyed by the developer of the facility be shared with the host community? will the community's views be sought in advance or treated as an afterthought in response to opposition to a project? If the community's views are sought, what process will be followed, and will it be accessible and transparent? Will the project developer be open to thinking more broadly about the project's value to the community than would typically be the case? And we all know that the-- the standard deal with host communities is always focused on construction jobs, procurement preferences, and apprenticeships. What happens after the construction is over? Could the project create opportunities for education and job training? Could the project address childcare and healthcare needs within the

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community? Could it contribute to strengthening
schools and other community resources?

In short, how will social and economic benefits
of the project be measured, shared, and monitored
over time? How will people whose voices have not
been front and center in the past be afforded a real
chance to make their points of view known on an equal
footing with better-resourced stakeholders?

This may sound overwhelming, but I remind you
that communities are left in the wake of major
infrastructure projects in ways that can be
overwhelming for generations to come -- again, think
about the Cross Bronx Expressway -- or they can
invest in engagement. That was clearly the case. In
terms of the-- if you compare the outcome of the
Cross Bronx Expressway with the construction of the
BQE and the Promenade in Brooklyn Heights: A totally
different approach to project development that
resulted in one of the most magnificent neighborhoods
in New York City.

Private sector companies, including developers in
the example of JFK that I just mentioned, as well as
the terminals themselves, and their host communities
can thrive when they work together. This is an

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example of a broader movement in the private sector that involves engagement on producing environmental, social, and governance outcomes.

Companies can learn from the communities in which they operate, engagement and these issues is good for business and good for communities. So when you think of a Community Equity Agreement, created at the beginning of the development process, think of it as a process for community engagement, starting with public notices, involvement of elected officials and community organizations, the definition of the area to be impacted by the project, and possibly funding community representatives to retain advisors.

The process, yes, it could take several months, but the result would be a negotiated agreement that clearly defines its purpose, and the process leading up to it. It would address amenities and services, local hiring and wages, local contracting and materials procurement, education and workforce training, housing development and subsidies, and climate resiliency measures. The benefits could be linked to the economic success of the project, with the community having a direct stake in the project's profit margins. The agreement could include

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monitoring and dispute resolution procedures to
resolve disagreements through mediation instead of
litigation.

Sophisticated developers are already thinking
along these lines, increasing the odds of it becoming
a best practice. Project development initiatives
that leverage public-private partnerships are ideally
suited to play a catalytic role. Project locations
such as JFK are in a unique position to tap the
economic potential of influence over a global supply
chain that depends on access to Metropolitan New York
to complete the journey to our doorsteps.

We all benefit from that access, yet some pay a
higher price (including the host communities) than
others. Let's make those economic opportunities a
path to equitable communities. Thank you.

CHAIRPERSON BROOKS-POWERS: Thanks so much for
both testimonies. I felt like that was a walk down
history. And it was great context as we look at JFK,
but I think as it was alluded to in both of your
testimonies it, it also gives insight in terms of the
future of major infrastructure projects in New York
City. So when EDC is administering leases, how we
should start to look at these opportunities.

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So just a few questions. First for Chris:
Historically, has the Port Authority reinvested money
received from operating the airports in the
surrounding communities?

MR. WARD: Um, I think the answer to that is
essentially no: That the Port Authority's
investments are directly related -- as John was
making clear -- to the project itself. The AirTrain
project was an exception where there was a segregated
community benefit agreement for the Van Wyck. But
generally, the Port Authority does not build into its
project development, that kind of host community
agreements that John was referring to.

CHAIRPERSON BROOKS-POWERS: Do you know why the
Port Authority has been reluctant to do so?

MR. WARD: Well, I'd like part of the theme of
what John and I are talking about today is that you
can't ask people to operate outside of the historical
experience that they find themselves in.

And perhaps I'm being overly defensive, having
been the Executive Director of the Port Authority --
and I regret that the Port decided not to be here
today -- that when you think about the way the Port
Authority is developed, it developed from the most

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macroeconomic development perspective, and slowly but surely, over time, as we've gotten smarter, better at what we do, we've begun to realize the kind of issues that the airports, or the bus terminal, or the ports end up creating, from communities. And we've refined that relationship over time.

I think what John and I are arguing is that now the time has come that we break the historic model of community relations for the Port Authority, and create a much more dynamic one. That we can't afford to see projects simply as a one-off and secure a \$60 billion Community Investment Fund for mitigation. We need to come up with a new model that's reflective of the economy today. You could not have done probably a Community Benefit Agreement or even doing the equity agreement that John is recommending at a different historical time. The point is, this is the opportunity now to recast that economic landscape and build community benefits into projects at the beginning.

CHAIRPERSON BROOKS-POWERS: And do you see any type of, like, mechanisms to acquire the Port or that would, you know, leave the Port to make such an investment in surrounding communities?

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MR. WARD: Well, one would hope that political leadership would bring the Port Authority to understand that their long-term future is tied to-- tied to this this kind of relationship. The Port, you know, particularly given its financial situation, really must find new ways to do business, must find new ways to connect with communities. I'm not sure that the City outside of its relationship through the pilot payment, has any mechanism to say, "You must". Although the ULURP process for certain projects, could give the Council an ability to insist at the front end of a project that certain benefits be built into it. But each project would have to be dealt through the ULURP process. I think that's probably the most sort of significant point of engagement where you could begin to put these kinds of programs together.

CHAIRPERSON BROOKS-POWERS: And, John, you spoke about the new way of looking at Community Benefit Agreements. And I thought it was interesting, especially because when I think about JFK, even though it's in a redevelopment program, right now, JFK is always being redeveloped. It's always going to be a neighbor and sit within the city center. And

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so, like, what could that look like at, for example,
in an airport, what could a long-term agreement look
like and include?

MR. WILLIAMS: Well, just as you said,
Councilmember, it's in-- it's in a constant state of
flux. The Port Authority relies largely on public-
private partnerships to redevelop the airport. They
have a lot of power over what they require in a
procurement with a private partner to develop a new
terminal or an air cargo facility.

If they decide that they want to provide ongoing
benefits to the host community, that can be part of
the procurement or the contract renegotiations.
Okay? And they can take into account that, in
fact, a land lease, for instance, for an air cargo
terminal could be 20, 30, 40, 50 years. That means
that transaction is going to generate economic
benefit to the developer over the entire length of
that period of time. Where is the community's stake?
Because again, they're the host, they're experiencing
the ongoing impacts, where is the community's stake
in that? And why not not only give the community a
seat at the table in discussing this at the
beginning, but in essence give them a piece of the

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1 project that delivers economic outcomes that are
2 translated into, for instance, childcare, or
3 subsidized housing, or improvements in worker
4 training, or educational systems, et cetera. You can
5 carve out whatever you want at the beginning of that
6 project, build it into the pro forma for the deal,
7 and that's passed on to the global supply chain
8 network.

9
10 Now, I'm certain people would say, "Well, that
11 would burden us and put us at a disadvantage." Well,
12 tell me what portion that network does not want
13 access to JFK. Yet that network gains the benefits
14 of having access to JFK, why wouldn't the host
15 community?

16 CHAIRPERSON BROOKS-POWERS: Thank you. And just
17 really quickly going back to Chris, and then I'm
18 going to pass it to Chair Farías and our colleagues.
19 You spoke about investments in the community, with
20 AirTrain in particular, which is closely related to
21 redevelopment in the communities that are impacted.
22 What did that, like. level of engagement look like?
23 And what was-- what is your thoughts about how that
24 process went and the engagement with the community?
25 I know-- I will say that the Port Authority has a

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Community Advisory Council now. I'm not sure, at that time, if that was something that was established or not. But the Port Authority really has the control. Like they set when that council meets, what the agenda is. And I've heard like a lot of stories in the community, of course, in terms of some of the benefits from AirTrain, whether it's jobs, that today you see at the local Long Island Railroad at Sutphin or beautification along the Van Wyck. So I'm really interested from your perspective, having been the Executive Director, what that-- was it called a CBA, or what was it called? What was the arrangement?

MR. WARD: I don't think it actually even-- I'm not sure it really actually even had a name. I would say that, going back to my earlier point -- oh, do I need to press that? I think going back to my earlier point, there wasn't a name for it then. And I look at then-Councilman Leroy Comrie, who's here with us today, and I think back to the-- the very conversation with the community. And you know, let's be honest, Southeast Queens, African American community, has some of the highest homeownership rates in the United States for African American communities. And here's suddenly this large project,

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1 which sounds like a subway train going-- throttling
2 down the middle of the Van Wyck. And everybody's
3 like going well, just as John would say, like, "Well,
4 wait a minute. Why does this community, of all
5 communities, have to now add on to the impacts of the
6 airport a train system going down the Van Wyck?" But
7 without a doubt, connectivity to the economic
8 activity at Kennedy was critical, and borne
9 organically out of that through groups like Amity
10 that are in Southeast Queens and the political
11 leadership of then-Councilman Leroy Comrie, where
12 organically a conversation grew out of that, that
13 what can the Port Authority do to make sure that this
14 project, which should happen for economic reasons,
15 isn't so disruptive to their community. And so it
16 really was -- I was the lead for the AirTrain
17 approval project through ULURP, but it really was the
18 creation of this fund to address the one-time impacts
19 (as John has made clear), of AirTrain. What we
20 faltered on was building it into a long-term, almost
21 investment bank, for the community.

22
23 And I think what we're seeing is the evolution of
24 the Port Authority hopefully being responsive to
25 these very sorts-- sorts of issues. And I gave that

as an example that it was in direct response to a community need. So therefore, we have the will to do it. We've done it before. We could do it through the pilot.

And I want to come back to one thing John said which is so critical: That pricing the community out because we can't afford it is no longer acceptable. You would not say to a developer, "You can't use concrete," in the same way, we would not say, "You can't address the community-- you have to address the community issues as part of a built infrastructure in the cost model." The cost models for the reasons why projects are failing or are challenged are not because of community investments. It's faltering, because of larger economic risks, long-term equity investments, et cetera. So I really dislike it when people end up saying, "Well, we can't afford to do that," when in fact, if it was at the front end, like the price of concrete, the community impacts could be built into the model itself.

CHAIRPERSON BROOKS-POWERS: And I appreciate that. And I thank again, both of you for your testimony, and just giving that historical context and a global perspective and vision for what is

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possible, especially as we look at other major projects across the city, but in particular, the JFK redevelopment. And so I will pass it over to Chair Farías.

CHAIRPERSON FARÍAS: I-- you took my question, pretty much. You answered my question before I was even able to ask it.

I guess on top of that, I would like to know: Have prior conversations ever occurred while you were there in regards to looking at the Port's Pilot and saying, "Instead of going to the general fund, let's create a completely separate fund where we can then dedicate, or have more discretion over, you know, where some of this money is going and how it gets invested back into the community or what it is utilized for."

MR. WARD: The answer to that is no. The Port Authority, having paid it, I think, relied on the city for the best use of how those funds should be dispersed throughout the general fund.

My point is, is a narrow one, but an important one. One, let's be careful about what we do cost the Port Authority because of their financial issues.

CHAIRPERSON FARÍAS: Sure.

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MR. WARD: And, two, the Pilot Payment is in effect a Community Development Fund, although it just goes into the broader community. There's no reason on earth why that couldn't be more narrowly focused and funding specific projects in Southeast Queens.

CHAIRPERSON FARÍAS: Okay, thank you for that. Yeah. I mean, I agree with your-- obviously with your suggestion. And I did just want to highlight or really thank John for including the Cross Bronx as an example. I represent council district 18, which receives the direct negative impacts and lack of community intentions and like deliberateness on the creation of a lot of the Robert-Moses-era infrastructure projects. So I really appreciate you bringing that aspect in. And I'm in full agreement with-- with what you folks are talking about today, especially as a District 18 native, as an asthmatic that has received negative impacts from all of that overdevelopment and lack of, you know, open green space and investment in community health implications, and so on and so forth. So I did just want to acknowledge that and say, Thank you.

MR. WARD: Thanks.

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CHAIRPERSON FARIAS: I will yield right now to
see if anyone has any other questions and continue to
ideate a little bit. Thank you.

CHAIRPERSON BROOKS-POWERS: Councilmember Lee?

COUNCILMEMBER LEE: Thank you so much. It was
interesting. And thank you so much for Chair Brooks-
Powers and Chair Farias for holding this hearing.
And it was interesting to hear you talk about the
cargo facilities as a creative plan and solution.
And I know something that a bunch of us have been
talking a lot about, and this is sort of like a side
note, is-- is just on the whole, you know, illegal
truck parking issue and transportation which is tied
to a lot of the facilities and cargo. And so just
out of curiosity, because I know that Councilmember
Williams, myself, and Chair Brooks-Powers have-- have
been talking about this a lot in our districts, but
is there a way to, I guess, creatively think about
the truck parking, you know, JFK as a possibility for
that space. And has that been brought up at all in
any of the Advisory Council conversations or
discussions that you've been part of? And just in
terms of: If it has been, are there any changes or
adjustments that it has led to in the redevelopment

plan? Or has that been incorporated? Just out of curiosity?

MR. WARD: I wish the Port Authority was here because they could probably give you a much better answer than I could, because mine might be slightly out of date.

But, um, I think one of the problems-- the-- the short answer is no. I don't think really the-- the implications of what air cargo will mean in terms of its externalities, its local community impacts, particularly the issue of truck idling and truck parking. And again, the Port Authority has struggled to bring air cargo and air cargo projects to the location, and so has been reluctant, I think, to expand the conversation of how air cargo does have those community impacts. I think right now, as John alluded to, we are on the cusp of an air cargo industry that is exploding with goods movement. And for any projects now, going forward, recognizing that trucks need to drive into Kennedy to pick up this cargo needs to be built into whatever air cargo model that we're developing. And I know the Port Authority would like to bring more air cargo on airport to free up space to have a more regulated controlled trucking

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1 system for-- for Kennedy. I don't think it's
2 happened yet. But with-- where air cargo is likely
3 going, given the Amazon economy, I think now's the
4 time to start to stitch together a new fabric, if you
5 will, around the air cargo facilities, which, you
6 know, move out from the leasehold of JFK into
7 Southeast Queens. But I don't think those
8 discussions have really taken place in any robust way
9 to date.

11 COUNCILMEMBER LEE: Okay, thank you. And just
12 wanted to give a special shout out, because I know
13 folks from DOT and NYPD are here that have been
14 helping a lot with the enforcement of that. So I
15 just wanted to say thank you.

16 MR. WARD: Great.

17 CHAIRPERSON FARÍAS: I'd also like to take a
18 moment to acknowledge we've been joined by
19 Councilmembers Williams, Rivera, and Gutiérrez.

20 CHAIRPERSON BROOKS-POWERS: Thank you. There are
21 no more questions with this.

22 MR. WILLIAMS: Thank you very much.

23 MR. WARD: Thank you very much.

24

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CHAIRPERSON BROOKS-POWERS: And Councilmember Lee
with the agencies, we will be able to ask that
question again.

COUNSEL BREITBART: Our next witnesses will be
Mikelle Adgate and Andrew Genn, from EDC.

And I'll administer the oath and I'll-- I'll do
it also for the representatives from DOT who are with
us, Charles Ukegbu and Diniece Mendes, and from the
NYPD, Deputy Chief Michael Pilecki and Michael
Clarke. I know you're here for answering questions,
but I figured we can administer the oath together.

Please raise your right hands. Do you affirm to
tell the truth the whole truth and nothing but the
truth before these committees and to respond
honestly, to Councilmember questions.

ALL: I do.

COUNSEL BREITBART: You may begin when ready.

MR. GENN: Good afternoon, Chairs Farias and
Brooks-Powers and members of the Economic Development
and Transportation Committees. My name is Andrew
Genn, and I serve as the Senior Vice President of
Transportation for the New York City Economic
Development Corporation. I'm joined by my colleague
Mikelle Adgate, Senior Vice President in our

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Government and Community Relations Department. And
with us today are also Charles Ukegbu, Assistant
Commissioner Regional and Strategic Planning, and
Diniece Mendes, Director of the Office of Freight
Mobility from the Department of Transportation as
well as Deputy Chief Michael Pilecki, and director
Michael Clark from the New York City Police
Department.

Thank you for this opportunity to testify about
EDCs role in the JFK Redevelopment Program. John F.
Kennedy International Airport is critical to New York
City's economy. It supports tens of thousands of
direct and indirect jobs, generates over \$40 billion
in economic activity, while connecting city residents
to the world and bringing the world to us. Prior to
the pandemic in 2018, JFK accounted for nearly 41,000
direct jobs and 278,000 indirect jobs. During the
height of the COVID 19 pandemic, as you can imagine
JFK suffered tremendous losses with total passenger
volume shrinking by 70%. However, JFK and the other
regional airports rebounded just like New York City,
and has since regained passengers. In November 2022.
JFK saw an increase of 34.5% in passenger volumes
over the previous year. This included a 15% increase

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in domestic passengers and a healthy 65% increase in international travelers. These monthly increases followed even stronger recovery months through the first half of the year, reflecting a rebound in air travel. Following the disruptions that occurred in the two previous years due to COVID.

JFK in New York City have enormous competitive advantages that the airport continues to capitalize on. First, New York City is by far the nation's largest consumer market with a diverse population that reflects the entire world. It is a gateway for millions of tourists and provides New Yorkers with access to every corner of the globe. In 2019, the airport served a record 62.5 million passengers, over half of whom were international passengers, also a record. Even in 2021, during the recovery from COVID, it served more than 30 million travelers. JFK is also a major gateway for trade. Shippers with goods destined for the metropolitan area, New England, and mid-Atlantic and beyond often make JFK their first choice. And JFK has the most international traffic of any airport in the United States. Every international flight to New York City can carry cargo in its hold. Well over 50% of JFK

cargo comes in the belly of commercial aircrafts,
with the rest arriving on dedicated freighter
aircraft. This enormous lift provides shippers with
a cost advantage out of JFK for many foreign markets.
Frequent service with multiple flights per day is
available to key cargo gateways in Europe, the Middle
East, and elsewhere.

Additionally, JFK has specialized facilities that
can handle almost every type of cargo. JFK has an
unparalleled network of freight forwarders, customs
brokers, and trucking companies that can process and
ship this cargo and are familiar with the ever-
changing customs and security regulations.

Lastly, JFK has enormous room and potential for
growth. With almost 5000 acres JFK can accommodate
forecast demand for cargo facilities for the next 30
years.

I now want to turn to the role that the City of
New York and EDC plays with JFK. The City of New
York owns the land that both LaGuardia and JFK are
located on. We at EDC represent the counterparty to
the City's agreement with the Port Authority of New
York and New Jersey for both sides. The current
lease began in 2004 and was set to expire in 2050,

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before the 2021 lease extension extended the time to 2060. Under the terms of what's known as a triple net lease agreement, the Port Authority has complete operational control of the airport.

Through its operational control, the Port Authority oversees capital planning such as renovations, as well as the current redevelopment program. The Port Authority is also responsible for all aspects of airport functions including airside operations, asset management, maintenance, customer experience, capacity utilization, environmental stewardship, safety, security, and community relations. Many of these activities it carries out through subleases vendor agreements and concessions. On the other hand, the city, and by extension EDC, have a far more limited role under the terms of the lease agreement. To monitor the Port Authority's performance however, the 2004 lease created an Airport Board, which is empowered to review municipal air terminal operations against certain financial, operational, and performance standards that were established by the City and the Port Authority. The board includes four mayoral appointees and for representatives from the Port Authority. The Airport

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Board provides an enhanced ability for the City to engage with the Port Authority using key performance metrics including market share for passenger and freight relative to competing airports, passenger and freight air services by global region, delays, and capital investment.

And as I previously mentioned in 2021, the city in close coordination with local elected officials agreed to extend the lease 10 years to 2060 to facilitate the ambitious and needed redevelopment of JFK that envisions a unified interconnected world-class airport with the capacity to handle a forecasted 100 million passengers by 2050. The JFK redevelopment will result in the construction of four new terminals at Terminals One, Six, Four, and Eight, supported by \$15 billion in private investment and \$3 billion investment by the Port Authority.

Multiple representatives from the City family participated in the negotiations that led to the lease extension including EDC and elected officials. Through this broad participation in this negotiation, a package of community benefits was identified and ultimately secured.

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With respect to workforce development, this City has set high expectations for the Port Authority to ensure that 30% of jobs are minority hires and 7% are women hires across all construction trades, as well as a higher 40% minority hire among laborers. We require best efforts to hire first from zip codes around JFK Airport, followed by all of Queens. We require new pre-apprenticeship programs prioritizing local residents in coordination with the Buildings and Construction Trades Council of Greater New York.

We also expanded the Council for Airport Opportunity in downtown Jamaica and Far Rockaway to facilitate long term local hiring. The CAO is a nonprofit trade association whose mission is to place local residents in airport jobs through job training, job readiness, and other services.

In addition, we also secured a commitment to fund an Office of Second Chance Employment to connect formerly incarcerated individuals or those with past involvement in the criminal justice systems with jobs at the airport.

When it comes to business development, we secured a commitment for the Port Authority to engage with MWBE, contracting across their financing construction

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design and operation needs, including prioritization of local MWBEs. We also required that they hire independent MWBE compliance consultants to focus on meeting, monitoring, and reporting on MWBE goals as well as develop a business development opportunity center to facilitate local capacity building and matchmaking focusing on local MWBEs. To ensure that the redevelopment creates opportunities for youth in Queens, the City and elected leaders included a commitment for the Port Authority to create scholarship programs for local, middle, and high school students and establish an aviation-focused STEM program at York College.

These efforts also include the expansion of a summer mini-camp in collaboration with the Eastern Queens Alliance that educates middle school students on environmental stewardship and sustainability. These students also participate in multiple high school career fairs annually and have opportunities through local internship programs. The 2021 lease also ensured commitments related to environmental sustainability. The Port Authority has committed to a minimum of LEED Silver at the new terminals and the new terminals will transition diesel-powered ground

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service equipment to electric. During redevelopment, the construction equipment is required to be lowest reasonable emissions use, including limiting engine size, requiring electric vehicles wherever possible, and enforcing idling restrictions. Implementing marine-based barging of materials to reduce local delivery trucks, and deploying low emission vehicles shuttle service from Aqueduct to JFK for all construction crews.

Taken together implementing these measures will result in a model for large-scale construction in New York.

In closing, I wish to restate our sincere commitment to working with the City Council and local stakeholders to ensure that JFK Airport not only is the premier international gateway for travelers and goods, but a continuing source of economic vitality to the community. We believe that the recent lease extension commitments, its reporting structures and strong community involvement provide the right framework to harness this economic engine for the betterment of the surrounding community, the borough of Queens, and the entire city.

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Thank you for the opportunity to testify.

Mikelle and I are -- as well as our colleagues from
DOT and NYPD -- are now available for questions.

Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you so much for
that. So let's start with the Airport Board
agreement. Under its lease with the city, EDC has
seats on the Airport Board alongside the Port
Authority, as you mentioned in your statement. Can
you let us know if all of the seats on the Airport
Board are currently filled?

MR. GENN: Councilmember. Yeah, they are filled
through-- through the positions at EDC and Small
Business Services.

CHAIRPERSON BROOKS-POWERS: And what-- what are
those positions and who are on the board?

MR. GENN: They are the Executive Vice Presidents
of Asset Management and Planning at EDC, the Aviation
Director -- and I'm playing that role today -- and
the Commissioner or the First Deputy Commissioner of
SBS.

CHAIRPERSON BROOKS-POWERS: So that's three.
What's the fourth one?

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MR. GENN: Oh, I'm sorry. It's two Executive
Vice Presidents, one for Asset Management and one for
our Planning Division.

CHAIRPERSON BROOKS-POWERS: And my understanding
is the Aviation Director position is currently
vacant.

MR. GENN: It is, but I am serving as--

CHAIRPERSON BROOKS-POWERS: Acting--

MR. GENN: I'm acting aviation director. Yes,
Councilmember.

CHAIRPERSON BROOKS-POWERS: So there are no
community members on the Board. Could there be
community members, since this is appointed by the
mayor?

MS. ADGATE: Thank you for the question,
Councilmember. So as you mentioned, these are
mayoral appointees. In 2004, these were the
appointments at the time. We have raised this
question with senior leadership at City Hall. And
our understanding is that they'll be following up
with you about opportunities, or-- basically, to get
back to the question on whether there's room for the
mayor to add or change appointments.

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CHAIRPERSON FARÍAS: Sorry. In part of these conversations, have we thrown around the idea of maybe the-- the Council Speaker having a couple of appointments to ensure that there's community members and/or local community input?

MS. ADGATE: That has not been raised yet, to my understanding, but we're happy to take that back to senior leaders in the administration.

CHAIRPERSON FARÍAS: That'd be great. Thank you.

CHAIRPERSON BROOKS-POWERS: What duties does the Airport Board have to oversee the JFK Redevelopment Program, just more generally, in terms of the operations of JFK?

MR. GENN: Sure. No-- and one thing, I want a little history, the-- you know, prior to the 2004 lease that we're really operating under, the city had really no say at all, and we got very little in terms of economic benefit from the two airports. So the Airport Board was seen as a real reform, you know, that gave us basically an advisory seat at the table. So the way it's structured is the Port Authority has a-- has to provide reports on all of these performance metrics that I can-- including, you know, how the airports are doing in terms of market

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share; passenger services, in terms in terms of where
the flights are going, that we're maintaining our
flight presence around the world; cargo services and
how they're doing; operations, including delays; the
capital spending, including the redevelopment
program; the quality of services given across a broad
set of metrics; community outreach goals, including
reports on how the Council of Airport Opportunity,
and the other organizations that are set up to
interface with the community, are doing. And then in
the 2021 lease extension, we added environmental
sustainability metrics, including their-- their
ability to reduce emissions through those things that
I mentioned in my testimony, as well as the-- the JFK
redevelopment community benefits that were part of
that, including progress on the milestones relating
to the MWBE goals that I also talked about in my
testimony.

CHAIRPERSON BROOKS-POWERS: I'm going to turn
back to the community benefits in a moment. But
staying in line with the Airport Board Agreement:
How frequent are the board-- the board meetings?

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MR. GENN: They are twice a year and they are
timed to the release of those performance reports,
which we get every six months. So...

CHAIRPERSON BROOKS-POWERS: So when is the last
time you met and the next time you're going to meet?

MR. GENN: Well, the last time we met was in
February of 22. And we were planning our next--

CHAIRPERSON BROOKS-POWERS: Last year? Last
February.

MR. GENN: Last February. Yup.

CHAIRPERSON BROOKS-POWERS: So you only met one
time last year?

MR. GENN: Yup.

CHAIRPERSON BROOKS-POWERS: Okay.

MR. GENN: We've-- we have continuing dialogues
with-- with Port Authority staff, but the next
meeting will be coming up in February.

CHAIRPERSON BROOKS-POWERS: And are minutes
taken?

MR. GENN: We do have minutes, yes.

CHAIRPERSON BROOKS-POWERS: Where can those
minute meetings be found?

MS. ADGATE: So at this point in time, the
minutes have not been shared publicly. But you know,

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we understand that-- that is, you know, of interest to the Committee and to the Council. And so I think that is one of the things that we want to take back with the rest of the Board in conversation with the Port.

CHAIRPERSON FARÍAS: Can others from the City attend? Like any of us could attend any meetings, or...?

MS. ADGATE: At this point, they've been closed meetings. And again, that is, you know, based on how this was negotiated in 2004, when the Airport Board was created.

CHAIRPERSON BROOKS-POWERS: Who determines when you all meet?

MR. GENN: Its mutual agreement, but it's tied to the release of those reports. So they send us the report, we review it, and then we come up with questions that we can bring up with them at the meetings.

CHAIRPERSON BROOKS-POWERS: What information has the Port Authority provided in the updates?

MR. GENN: They provide a wide array of data, including, kind of, progress on the redevelopment plan. They provide really updates on all the things

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1 that I said, including, you know, passenger volume,
2 cargo volume, how we're doing in terms of comparison
3 with our competitive US airports and world airports.
4 They provide, you know, the full panoply of things
5 that they're required to. They have done, I would
6 say, a good job in issuing those reports.
7

8 CHAIRPERSON BROOKS-POWERS: Is-- is the Airport
9 Board meetings subject to the open meetings law?

10 MS. ADGATE: That-- I actually don't have an
11 answer to that. You know, given that they were
12 structured in a way that they were closed meetings.
13 I would have to follow up with you on the specifics
14 about open meetings law.

15 CHAIRPERSON BROOKS-POWERS: Okay. I have a lot
16 more questions. So I'm going to yield to some of my
17 colleagues to get some questions out as well. We
18 have Councilmember Lee.

19 COUNCILMEMBER LEE: Sorry, I'll ask my question,
20 again to this panel from the previous one as well.

21 So just in your conversations-- first of all, I'm
22 just kind of absorbing what you had just mentioned,
23 and I'm kind of wondering why the-- especially if
24 it's appointees-- why the meetings-- if there's a
25 portion of them that would be allowed to be public,

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or if there's an opportunity to engage the public and some of the feedback that you guys are-- that are coming out of the meetings, I would say.

MS. ADGATE: Yeah, so there-- there is a public forum that the Port has that Councilmember Brooks-Powers mentioned in her opening statement, in terms of the Community Advisory Council and, you know, we-- members of our team do attend those where, you know, the-- the Port does presentation. That council is Chaired by Congressman Meeks and Queensboro President Richards. But I do hear the question that-- about the Airport Board, and whether that information can be made public. I think that is something that, you know, having these conversations with the Council, we will take back.

COUNCILMEMBER LEE: Okay, thank you. And then I know this is going a little bit more into a somewhat, not direct, but related topic of conversation regarding, you know, the cargo units, because just wondering if it is being up to-- if it's being met in terms of industry standards right now, currently, as it is? And are there-- is there an opportunity and are the cargo facilities and systems being upgraded as part of the redevelopment plan?

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1
2 MR. GENN: Not directly, as part of the
3 redevelopment plan that I was describing, but EDC and
4 the Port Authority have done two air cargo studies
5 that resulted in plans-- action plans to expand air
6 cargo at JFK, and to modernize the facilities. That
7 has resulted in new investment, particularly the
8 Aeroterm Project, which you may have heard of, but
9 it's one of the first of the new air cargo facilities
10 that's being built, and we hope will be-- there'll be
11 others as well.

12 COUNCILMEMBER LEE: Okay. And, you know, as I
13 mentioned earlier, because the issue of the truck
14 parking, if-- if it has not been raised, you know, I
15 would really want to see if this could be addressed,
16 and just out of curiosity hasn't been raised at all
17 in any of the conversations? And I guess it's
18 because, you know, with a lot of the more
19 international shipments and all the, you know,
20 industry and the way it's changing with E commerce, I
21 think that is also impacting the roads as well. And
22 so just how does that all play in together? If you
23 could go into that a little bit.

24 MS. ADGATE: Yeah. Thank you for the question.
25 We're actually joined by colleagues from the

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Department of Transportation who have been, you know, really engaged on the issue of truck parking. So I will hand that over to them.

MS. MENDES: Thank you for the question. So after hearing a series of community concerns and raising concerns around-- and electeds as well-- around overnight truck parking, we recognize this as a city-wide issue. The city kicked off a multi-agency task force around overnight truck parking. This task force consists of multiple agencies across the mayor's offices, NYPD, DSNY, DOT, EDC, DCAS, Department of City Planning, and the Sheriff's Office. The goal of the task force is really to come up with long term solutions for-- more sustainable solutions for solving the issue. Enforcement is certainly a critical part of that. But we recognize there's a need for addressing supply as well, particularly as there's only one public truck parking facility in all of New York City.

The goals of the task force is really using sort of a data-informed approach to identify the areas-- or problematic areas with the highest incidence as well as potential sites for truck parking. This month, the task force will be sending out

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questionnaires to electeds, community groups, and industry groups as well to help assess their needs and also better determine the most appropriate solutions. We are certainly on track to share more detailed recommendations from the task force this spring, and we welcome the opportunity to brief your offices first.

COUNCILMEMBER LEE: Sure. And just really quickly: How-- sorry, when was that task force created, just out of curiosity?

MS. MENDES: Early in September, last year.

COUNCILMEMBER LEE: Okay, thank you.

MS. MENDES: Sure.

CHAIRPERSON FARÍAS: Next up, we have Councilmember Williams.

COUNCILMEMBER WILLIAMS: Hello. I think I'm a little confused, because there was a lot of "we language", and I never ever interacted with EDC on the creation of any of the things that you said in your testimony. So I'm a little confused about that. Do you have an explanation? Because...?

MS. ADGATE: I think you might be referring to the 2021 lease extension, and the community commitments that were laid out at that time. And so,

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you know, in conversation with the Councilmember, the Borough President, that was, you know, really, when those commitments, the MWBE goals, and the environmental and sustainability goals were-- were discussed.

COUNCILMEMBER WILLIAMS: Yeah. You said, "we require" and then you said something, "We require new pre-apprenticeship programs," and then you said, "We also expanded the Council for Airport Opportunities," but EDC was never ever a part of any of those discussions in creating that.

MS. ADGATE: So I'll turn it over to my colleague to talk specifically about the lease agreement and EDC's role as the administer of that lease agreement.

COUNCILMEMBER WILLIAMS: But some of this stuff is not baked into the lease agreement. Some of this stuff just came out of conversations with the Community Advisory Council. And he also stated that you attend Advisory Council meetings, and I know maybe you've attended the last one, but the program has existed for well over three years, and I've never, ever seen EDC attend any of those meetings.

MR. GENN: We-- we have a mayoral appointee, and we have been attending-- the Aviation Director does

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1 attend those meetings. So right now, we don't have
2 one, so we may have missed a meeting or two. But our
3 intention is to attend those and-- and I appreciate
4 that the comment, and we-- we will be attending all
5 future meetings.
6

7 COUNCILMEMBER WILLIAMS: And it's a little
8 misleading to kind of insinuate that you all were a
9 part of any of the initiatives that took place.
10 Maybe you were a part of some high-level discussions
11 that might have happened at the Port level in terms
12 of intentionality around the lease agreements, but
13 EDC was not a part of any of the things that you just
14 mentioned in your testimony.

15 MR. GENN: We were part of a negotiating team
16 that was led by City Hall at the time, but we were
17 very much-- because the lease sits with us and we
18 were--

19 COUNCILMEMBER WILLIAMS: No. But at the time it
20 was Cuomo and Bill de Blasio, and they were not even
21 really in--

22 Anyway, I just want to state for the record that
23 I have not seen EDC be a part of anything in
24 reference to the initiatives that you referenced in
25 your testimony. I mean, you swore yourself in but

1 like, EDC has not been a part of any of this stuff.
2
3 Maybe there was some high level conversations that
4 happened with the Port Authority, but in terms of
5 your role in creating any of these initiatives, like
6 you were not there, like that is like a factual,
7 like, thing. Like, you weren't not-- EDC was not a
8 part of any of that. I remember one time EDC was a
9 part of one conversation in reference to cargo. And
10 this was like four or five years ago and in that
11 conversation, EDC pushed everything off to the Port
12 Authority and absolve themselves of any
13 responsibility to address the cargo operations in and
14 around JFK.

15 So the next question, you mentioned the Aviation
16 Director. Can you please explain the Aviation
17 Director's role, like a full detailed scope. Like
18 what do you actually do?

19 MR. GENN: So the-- the 2004 lease included a
20 provision for an Aviation Liaison that would be a
21 staff member at EDC. And since I've been at EDC,
22 we've had-- we've had four Aviation Directors, and
23 their role specifically is to interface with the Port
24 Authority, with the airlines, and with the community
25

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on all things related to the airports and the
heliports and the seaplane base.

COUNCILMEMBER WILLIAMS: Who are you guys working
with in the Port Authority?

MR. GENN: We work with Susan Warner-Dooley and
Hersh Parekh in the Aviation Department.

COUNCILMEMBER WILLIAMS: Okay, and what has the--
been the extent of your role?

MR. GENN: Um, the major things that we have done
are the two air cargo studies that we-- that we did
in the 2015 and 2012. And those helped form the
basis for, you know, defining where air cargo
expansion could take place at JFK. We also worked on
the LaGuardia Redevelopment Program including the--
the ULURP that was responsible for allowing the new
terminals to be pushed out towards the-- towards the
parkway. So we-- we have been part of all of those
discussions.

COUNCILMEMBER WILLIAMS: Okay. And in reference
to the cargo operations, is EDC committed to also
looking at space in and around the airport to support
cargo operations? So, I specifically remember a
conversation, and it was really focused on the
property that the Port Authority leases out on

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airport property, but the City also owns property around surrounding areas of the airport. And when this question was brought up, EDC had nothing to say. And this was about four or five years ago. I don't remember the person who attended the meeting, but you know, as we talked about an interagency task force, I guess, as EDC is attempting to play a bigger role, it will be helpful if you all can commit to looking at other properties you have to support trucking around that area. As so eloquently mentioned, there is not a lot of infrastructure to support trucks.

MR. GENN: The first thing I want to say is that we do want to work in that manner that you're describing, that we want to be present, and we agree with what your-- your statement. I also want to just take the opportunity to say that another thing that we worked on was Gateway JFK, the-- the Industrial Business Improvement District, and that was also a major EDC initiative with our, you know, parent agency, Small Business Services. So-- and all with the goal of, you know, being a greater presence in Springfield Gardens and addressing issues, like the truck-- the truck issues that we were talking about before. So we will be present.

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COUNCILMEMBER WILLIAMS: Okay, my time is up. I just hope that this is an opportunity-- I know this is primarily under the Port Authority of New York and New Jersey to carry out this project. But I always felt while working for the JFK Redevelopment Program, it was a missed opportunity on the city side to support the program in terms of building opportunities for people, especially economic opportunities for people, to leverage the billion-dollar project happening in our backyard, happening on property that the city owns. And so I was a little frustrated to see that you all claimed to do all these things, and EDC has been pretty quiet and absent on anything. And I always think of the lens of LAX. LAX, as they redeveloped, the state participated, local LA participated in creating a plethora of opportunities for community members to be a part.

We certainly want to hold the terminal developers accountable, we certainly want to hold the Port Authority accountable, but if we're all working in the name of helping New Yorkers access opportunities, building, you know, a vital economic system for our city, then I do think this is an opportunity for EDC

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1 to leverage existing programs. You have existing
2 programs that can support the redevelopment. And
3 over the last four years, I have not seen anything
4 that EDC has done to contribute to that at all. So I
5 hope that this hearing sparked something into the
6 Administration to leverage this opportunity and be
7 supportive of the program from the city level. Thank
8 you.
9

10 MS. ADGATE: Yes, and thank you for the comment,
11 Councilmember. You know, we certainly see ourselves
12 as a partner with the Committee and the Council and
13 the community. And I believe we have an upcoming
14 meeting with you and your team to talk about these
15 very issues. And so I look forward to engaging and
16 working closely together.

17 CHAIRPERSON BROOKS-POWERS: Thank you for that,
18 Councilmember Williams. I was confused about that as
19 well, because one of my questions from your remarks
20 was: When he spoke about the scholarship programs
21 for local middle and high school, do you know that
22 has been established yet?

23 MR. GENN: My understanding is that it has, but
24 we have to dive into it and understand kind of where
25

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1 it's taking place. And I know the York College
2 program has started.

3
4 CHAIRPERSON BROOKS-POWERS: My understanding is
5 that it has not.

6 MR. GENN: It has not? Then that gives...

7 CHAIRPERSON BROOKS-POWERS: Right. So again,
8 these-- Councilmember Williams and I are both very
9 familiar with this program inside and out. And so
10 when I saw that, I was wondering about the statement.
11 And maybe you meant that these are things that have
12 been committed by the Board--

13 MR. GENN: They are on paper, exactly, and we
14 have to implement.

15 CHAIRPERSON BROOKS-POWERS: --but not the EDC.
16 But that's what I'm interested in understanding, and
17 I think that the committee is interested in
18 understanding, because New York City has leased this
19 property. So we have an interest and also the rest--
20 in the community. And so how are we playing the role
21 in terms of administrating this lease to ensure that
22 the Port Authority is following through?

23 You also mentioned in your testimony, in terms of
24 standards that, you know, have been established,
25 performance standards, looking at the financials,

operational. So I'm interested in knowing what mechanism exists, if the Port Authority ever slips, or if they are slipping, I don't know. But what mechanism exists to protect the interest of the City in this?

MR. GENN: It's really born out of that 2004 lease where we had no mechanisms, and now we do have at least the tracking of the standards. And I'll be honest with you. The-- the role of the Board is advisory. EDCs role is as the lease administrator, you know, of a triple net lease. So what we are seeking through this is cooperation, a partnership with the Port Authority, and with the community to you know-- with, with all this infrastructure that we have that comes out of the lease and the lease extension to get all these things right.

CHAIRPERSON BROOKS-POWERS: Now during the pandemic were reports provided for EDC during that time?

MR. GENN: We-- Yes, they were. Yes, they were.

CHAIRPERSON BROOKS-POWERS: How frequently?

MR. GENN: Twice a year.

CHAIRPERSON BROOKS-POWERS: During the pandemic in 2020 and 2021, you received reports twice a year?

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MR. GENN: We did.

CHAIRPERSON BROOKS-POWERS: But last year, in the recovery, you only got one report?

MR. GENN: We have the one report, and then there's one on its way that's late.

CHAIRPERSON BROOKS-POWERS: Yeah. Okay. And what-- what information is just, globally speaking, in those reports?

MR. GENN: So they are very thorough reports that includes passenger counts, cargo counts, you know, number of, you know, number of destinations served, how that's changed over time, account of the airlines, an update on the on capital improvements, both by the Port Authority as well as by the-- the private developers of the terminals.

And it also includes metrics, like, you know, how clean are the bathrooms, you know. So it's-- it's quite wide ranging, and it gives us a nice look at both airports. And as I said, it also includes now how well they're doing on sustainability goals and MWBE goals.

CHAIRPERSON BROOKS-POWERS: During the-- oh, before I go there, in terms of the pandemic. So in the reporting, does it also include like the, when

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you say MWBE goes, is it a part of the construction?
So the redevelopment construction will be included?

MR. GENN: Yes.

CHAIRPERSON BROOKS-POWERS: And during the
pandemic, and particularly 2020 and 2021, were-- was
there any activity happening at the Port Authority
during that time?

MR. GENN: It did. You know, it really did drop
off quite a bit.

CHAIRPERSON BROOKS-POWERS: But did activity
happen, is what I want to know?

MR. GENN: In terms of?

CHAIRPERSON BROOKS-POWERS: Construction.

MR. GENN: Not-- not until the lease extension.

CHAIRPERSON BROOKS-POWERS: So are you saying in
2020 and 2021, no construction happened?

MR. GENN: No. No.

CHAIRPERSON BROOKS-POWERS: Not even with
American Airlines?

MR. GENN: There was some-- that's right,
Terminal Eight, I believe, yes, there was some work
done, but there was a--

CHAIRPERSON BROOKS-POWERS: Right. And Delta
Airlines too. I'm interested in knowing what the

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reporting show to you in terms of the participation.

So it'd be great if we could get access to those
reports as well.

MR. GENN: I have that-- I have that data in
terms of MWBE participation at Terminal-- at Terminal
Four and Terminal--

CHAIRPERSON BROOKS-POWERS: No, you could share
it, but like, it would be great if you can provide it
to us. I'm a visual person, so...

MR. GENN: Sure.

MS. ADGATE: And just to be clear, Councilmember,
are you asking about construction activity only? Or
are-- because I think the data that we're referring
to is, you know, post-2021, and the redevelopment
commitments. I just want to be clear on what we're
following up with you on.

CHAIRPERSON BROOKS-POWERS: So the Airport Board
was formed in the 2004 Lease Agreement. Correct?

MS. ADGATE: Correct.

CHAIRPERSON BROOKS-POWERS: So the reporting has
dated back to 2004?

MS. ADGATE: Yes.

CHAIRPERSON BROOKS-POWERS: So in 2020, and 2021,
there was a pandemic. But you said that you received

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two reports each year from the Port Authority. I
want to know what it shows.

MS. ADGATE: Understood.

MR. GENN: We can-- Sure. We can provide--

CHAIRPERSON BROOKS-POWERS: I think there's a
misrepresentation in terms of activity at JFK during
the pandemic, that nothing happened at JFK, which we
know is not true, because there was just a ribbon
cutting at Terminal Eight. So...

CHAIRPERSON FARÍAS: I'm sorry, I just wanted to
really quickly ask about some of these questions I
heard leasing, and I didn't get to ask it earlier.

So the lease dates that the quarterly updates
from the Port Authority to the Airport Board-- Board
are supposed to include updates with regards to
potential collaboration with EDC and the City to
foster development opportunities. Can-- has the Port
Authority discuss those areas for collaboration with
you folks at EDC?

MR. GENN: Yes.

CHAIRPERSON FARÍAS: Okay. Can you discuss what
some of them are?

MR. GENN: Well, some of the things we mentioned,
particularly air cargo modernization, and also, you

1 know, we have, you know, talked about the MWBE goals,
2 talked about, you know, the sustainability goals in
3 particular.
4

5 CHAIRPERSON FARÍAS: Okay. And then, in your
6 testimony, you mentioned that in 2021 the City is in
7 close coordination with local elected officials, and
8 they agreed to extend the lease 10 years through
9 2060. Is there any place in this world where we
10 might reconsider not extending the lease, especially,
11 I mean, I think, with their lack thereof,
12 participation here today and transparency and
13 accountability on our city property, is there
14 anywhere where we do not see ourselves extending the
15 lease?

16 MS. ADGATE: I mean, I don't think that's been
17 contemplated. As-- as Andrew said, you know, we see
18 the Port as partners, not just with JFK, but
19 LaGuardia and other critical infrastructure that
20 supports the city and supports, you know, economic
21 development across the city. And so, you know, we,
22 as you know, we have these conversations with the
23 Council and with the community. We certainly want to
24 get better in terms of not only the-- articulating
25 the commitments, but also ensuring compliance with

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1 them. But, you know, we see that relationship as
2 being one that is important for the city of New York
3 and one that we should continue to keep strong.

4 CHAIRPERSON FARIAS: Yeah, I mean, I completely
5 agree with-- with, you know, what you just stated,
6 and I know, it's definitely not on the EDCs
7 responsibility to get the Port Authority here in any
8 capacity. And so I say that to say, you know, we're
9 having a hearing where they should be at the dais
10 with you in terms of transparency, accountability,
11 and answering a lot of these questions, and they're
12 not, and I think their lack of presence says a lot
13 more.
14

15 And you know, I'm always appreciative that you
16 folks show up when we need you to here, especially
17 when you are hands-on on projects. But thank-- thank
18 you for entertaining my question.

19 CHAIRPERSON BROOKS-POWERS: How much rent does
20 the Port Authority pay the city?

21 MR. GENN: Current rent is \$153 million annually,
22 with-- and there is an escalator-- a 3% escalator
23 every year.

24 CHAIRPERSON BROOKS-POWERS: How is it calculated?
25

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MR. GENN: Um, it's-- well, it's a three-- it started about \$90 million. And then it's just escalated. And then in the lease extension, we were able to win another \$155 million additional by the Port Authority paying us additional rent over until 2060.

CHAIRPERSON BROOKS-POWERS: Section 410 of the Lease Agreement appears to give the city the right to adjust the rent paid by the Port Authority. Has the city ever made any such adjustments?

MR. GENN: Only in the lease extension.

CHAIRPERSON BROOKS-POWERS: And what does the city do with those funds?

MS. ADGATE: So the fund does not come to EDC. As you mentioned, it goes to the City's general fund. And so we'd have to defer to our colleagues at the Office of Management and Budget about how those funds are specifically allocated.

CHAIRPERSON BROOKS-POWERS: So you wouldn't be able to answer to what extent those funds are currently redistributed into the community as well as impact.

MS. ADGATE: No, but we can certainly take that back to OMB and ask them to follow up with you.

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CHAIRPERSON BROOKS-POWERS: Okay. I'm going to break to ask a question on behalf of some of my colleagues in Government.

What happened in the 2004 lease agreement that projected that Queens residents would have the full benefit of the \$100 million in capital projects? What is the status of these projects?

MR. GENN: I think we have to get back to you on that. The Queen's Capital Fund is-- that is that we are aware of it and we will get back to you.

CHAIRPERSON BROOKS-POWERS: Okay. What mechanisms does your-- does EDC have in place to ensure the lease agreements from 2004 and 2021 are wholly implemented?

MR. GENN: The lease is, you know, as a triple net lease, we do have remedies at our disposal if the Port Authority defaults. And they're traditional, you know, in terms of we can default them, we can terminate the lease. It's highly unlikely that we would. You know, we had-- I'm old enough to remember when the city did do an RFP for a new terminal operator for JFK and LaGuardia. And it really was clear, I think that the Port Authority, because of its overall accountability to government, would be a

better actor. However, you know, those-- those
rights and remedies do exist in the lease.

CHAIRPERSON BROOKS-POWERS: Which is good to
know, because my understanding is that the Board of
Commissioners had, during the pandemic, softened
penalties for not meeting the MWBE goals during the
COVID-19 pandemic. I'm not sure if the decision has
been reversed now that things are opening back up,
which would be good to know. But when the Board of
Commissioners makes that decision as its own entity,
like, where does the City fall on that type of
situation? Because the City, as you said, has a high
goal which is not even 30% but being at 40% dynamic
to it. So how is that then enforced or taken account
for?

MR. GENN: We have to say yes. And I think we
were going through the same thing at EDC with-- with
our tenants and--

CHAIRPERSON BROOKS-POWERS: And that was not
good.

MR. GENN: Yeah. So I think I think we-- we've--
we allowed it but I would say that the extension
provided us the means to then kind of go back to a
better place, with--

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CHAIRPERSON BROOKS-POWERS: So when you say that you allowed it, the Port Authority reached out to EDC and formally requested the ability to relax the penalties?

MR. GENN: I don't remember that myself. But we can get back to you on that if there's any memorandum or any letters.

CHAIRPERSON BROOKS-POWERS: I'm going to yield to Councilmember Gutiérrez.

COUNCILMEMBER GUTIÉRREZ: Thank you, Chairs for hosting this hearing. My question is regarding environmental mitigation. Southeast Queens is an environmental justice community. My colleagues here have been sounding the alarm on the importance of environmental justice and equity. I'm curious what each agency's role is in ensuring that mitigations, as the revisioning plan gets realized phase by phase, is meeting environmental justice goals. And if there's any detail you can share on any on-the-ground mitigations that aren't further going to disproportionately, negatively impact the residents in and around JFK. Thank you.

MS. ADGATE: So first of all, I'll turn to Andrew to talk about the redevelopment plan in particular

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and then I think also pass it to our colleagues at--
at DOT to talk about the surrounding communities,
particularly as-- in related-- in relation to
trucking. So...

MR. GENN: The-- the lease extension did mandate
that the Port Authority implement decarbonization
strategies for all ground handling equipment, as well
as implementation of electric vehicles wherever
possible for, you know, construction activities, the
barging of materials in and out to avoid local roads
is also part of that agreement. The new terminal
buildings are all have to be a minimum LEED Silver as
well. So these are, these are all the on-terminal
improvements that now are embedded in the agreement.

COUNCILMEMBER GUTIÉRREZ: Can I-- before passing
it to DOT, can I just ask a follow up question?

Are these-- where are these, like, where does
this live? Like, how do people know that these are
the requirements that you all have to fulfill? And
my understanding also is that these are like minimum
requirements to meet to reduce carbon footprint. Is
there anything that you are all doing beyond the
minimum? I just-- I'm-- I think with something as
large as this construction project, I think it's

necessary that we be bolder with some of these mitigations. And so I'm curious if you are all looking at doing more, because this-- and I'm hearing this for the first time, it sounds very minimal. So if there's more that we can expect, because you agree this climate change is real, and we want to be better. I would love to hear that. And then of course, from-- from the DOT. Thank you.

MS. ADGATE: Yeah, thank you, Councilmember. I think-- so just to be clear, in terms of the-- the implementation and the strategies, that does live with the-- the Port Authority, and not EDC. So while there was, you know, negotiation and commitments outlined in the lease agreement -- so that's where the commitments live -- the actual, you know, implementation, the details, that is part of the Port Authority's operations.

COUNCILMEMBER GUTIÉRREZ: But who-- and who enforces that they're-- they're following this?

MS. ADGATE: So, you know, as we discussed with the Advisory Board, we do receive these, you know, twice-a-year reports that talks about compliance and the strategies that are being used. So that is, you know, it's advisory. You know, there's communication

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between us and the Port over that. And again, you know, in terms of the earlier question about how is that information made public, there's also the Community Advisory Council, where the Port Authority does make information public to the community.

ASSEMBLYMEMBER ANDERSON: [BACKGROUND VOICE]

That's not true.

COUNCILMEMBER GUTIÉRREZ: Oh, it's not true? I was just going to ask.

CHAIRPERSON BROOKS-POWERS: Can we have order in the chamber.

COUNCILMEMBER GUTIÉRREZ: Okay. So you're saying that that lives publicly on a website?

MS. ADGATE: And so I-- again, since I'm not part of the Port Authority, I can't speak to the specifics. I'm saying that, you know, my understanding is that the Community Advisory Council is the public forum by which the Port is to provide updates to the community.

COUNCILMEMBER GUTIÉRREZ: Okay. And if they don't meet any of these, like, mitigations, what, what is the repercussion? And again, I'm fully aware this is for the Port Authority. But you're here now, so I need...

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MS. ADGATE: Right. So I'll turn it back to
Andrew to follow up on the response about the--

MR. GENN: I think the answer is that we have a
mechanism to track their responsiveness. And from
what we're hearing at this hearing, this is-- these
are things that we are very serious in tracking and
making sure that they implement and do what they say
they will do in the agreements from the 2021 Lease
Extension.

COUNCILMEMBER GUTIÉRREZ: Well, I'm curious to
hear from that Community Advisory Board, with that--
that all checks out, and then DOT. Sorry, thank you.
That's it. I think I saw you looking over. I was
like, I'm sorry. Please. Thank you.

MR. UKEGBU: Thank you. The question you asked,
I'm just going to mention that this is the JFK
Redevelopment Program. And we're currently reviewing
the Supplemental Environmental Assessment, including
a traffic study component for the JFK Redevelopment
Program, and coordinating with the Port Authority
regarding the statements that they made in there. We
take that very seriously. But it's not the first
time that we have looked at issues surrounding the
neighborhood around JFK. I can say that, in fact,

for years, we have done studies of the areas adjacent to the airport proactively. We have what we call area wide studies, and in fact, the areas around most of our Business Improvement Districts, which in most cases are adjacent to environmental justice communities, there are various steps that we take to ensure that we understand the impacts of any, whether it's deleterious siting of facilities or the traffic flows and volumes that go through those areas.

So in 2015, we did at Laurelton-Rosedale Transportation Study of the area where we assessed existing and future traffic conditions and developed recommendations, some of which have been implemented, some of which have been turned into capital projects that are now with DDC, some of which most of us see as we traverse that area that are ongoing right now.

Also, in 2016, we did another study that was a little north of that area in the Springfield JFK area. I think the border was on Merrick all the way south to the-- the belt.

And then, most recently, we completed another study on the Springfield Gardens, Jamaica study.

The main thing with these studies are that we assess traffic conditions. We-- of course, we start

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with a land use analysis, you know, understand what the land use are. We get data on what the projected new developments are coming in in place, and we assess what the demand and impacts would be on the adjacent neighborhoods.

Of course, we do have a limited role in that, including also understanding that there are truck routes. There's these are the demand generators. The land uses are really what generate the demand. Because when adjacent to a major industrial business area, trucks are the major means of movement in that. The challenge we always have is designating that the truck routes that the trucks can stay on the truck routes and not veer into particular neighborhoods, and then cause additional concerns-- neighborhood concerns.

But I must say, though, that during the pandemic, and in fact, even more recently, with the growth of E commerce, we have seen particular trends that make sure that there are trucks, especially box trucks, in some cases, larger ones that come into the neighborhoods, whether it's to deliver a mattress which can come by bicycle, or as it were. So we do observe these but then when we get complaints, we go

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in and we look at what the issues are. In some cases, it's a matter of enforcement. And for those we turn over to NYPD, and they have been very able partners in addressing some of these issues.

COUNCILMEMBER GUTIÉRREZ: Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you.

CHAIRPERSON FARÍAS: So I just have a couple questions for you all.

So according to the Airport Advisory Panel projections, JFKs demand for passenger traffic could exceed its capacity by up to 3 million passengers annually within the next few years. For every million passengers not accommodated, the New York New Jersey region, and I quote, "loses approximately 140 million in annual wages 400 million in annual sales and 2500 jobs." Are these numbers still accurate? By your expression, roughly accurate?

MR. GENN: I don't-- I'm not familiar with those numbers, I'll be honest, but it sounds right. And I would just say that it was that kind of concern that led to the 2017 panel. And then, you know, led us to feel that it was important to extend the lease. So that-- to allow for the developments to take place.

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CHAIRPERSON FARÍAS: Sure. Are there new estimates since the pandemic -- I mean 2017 is pre-pandemic -- to gauge economic loss to the area if the JFK Redevelopment Plan does not accommodate the capacity?

MR. GENN: I am not aware of that. But that's something we can follow up. And...

CHAIRPERSON FARÍAS: Yeah, that would be great. Because if not, we would-- we would want to make that economic study or evaluation.

And will JFK be able to handle its projected capacity of 75 million travelers by 2030?

MR. GENN: We believe that if the JFK Redevelopment Project is implemented successfully, as it's described, that it will.

CHAIRPERSON FARÍAS: Okay. And I-- just for the sake of it-- and will it be able to handle it's projected capacity of 100 million travelers by 2050?

MR. GENN: Again, that's the plan and we will be holding the Port Authority to account.

CHAIRPERSON FARÍAS: Great. And to that vein, what plans are in place to ensure those numbers are met.

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MR. GENN: Playing our role at EDC and doing our job.

CHAIRPERSON FARÍAS: Okay, great. Thanks. I have I have actually I can ask on behalf of a-- a colleague in Government. I think this is referring back to before Councilmember Gutiérrez asked her questions: How often does EDC exercise its remedies process, if at all, and what triggers them?

MR. GENN: There are there are certainly instances -- I don't have exact data. I think the right answer is to say that we will get back to you with that.

CHAIRPERSON FARÍAS: Sure.

MR. GENN: It has happened in the past. I'll say--

CHAIRPERSON FARÍAS: So we don't have an exact example or anything off the top of mind.

MR. GENN: No, I'm not an expert in that area. I'm not at lease person, I guess. But...

CHAIRPERSON FARÍAS: That's fine. We will definitely follow up.

MR. GENN: Sure.

CHAIRPERSON FARÍAS: Okay. The JFK Vision Plan outlined five broad areas in which JFK encountered

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challenges, some of which I mentioned: inefficient terminal design, airport roadway networks, airports operations and delays, cargo operations, crowded and congested and unreliable transportation access. How is the JFK Redevelopment Program addressing these challenges, and specifically, what steps are being implemented for each challenge, if any?

MR. GENN: Let me just-- my understanding is that the designs that that have been developed through the Port Authority with the partners modernize the airports in many critical ways, including really just the-- the demolition of the old inefficient terminals, the combining of terminals into one, and really reaching modern, you know, world class standards for development. And in doing so, also the redevelopment of the roadway network, the integration with the with AirTrain, you know, will result in a much better passenger experience and the ability to meet those, you know, the passenger goals.

CHAIRPERSON FARIÁS: Okay, great, thank you. And then there are four major components to the program in JFKs transformation, including new Terminal One, JFK Terminal Four, Six and Eight. Do we have an update on the current statuses of these projects?

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MR. GENN: The-- each of the terminal developments as-- as we're speaking, is-- are on schedule and are meeting their targets. But we're really more comfortable if that question was asked of the Port Authority.

CHAIRPERSON FARÍAS: Hmm. Okay, we'll make sure to follow up with them. I'm done for now. Thank you, folks.

CHAIRPERSON BROOKS-POWERS: I just have a few more because I know we have folks from the public that are eagerly waiting. You mentioned about the decarbonization strategy. What's the status on that?

MR. GENN: The-- the new terminal developments will integrate those. And right now we're waiting for the next report to get the status. We know that the overall goal is to convert all of the ground handling equipment to zero emissions. But I don't have an update on that, Councilmember.

CHAIRPERSON BROOKS-POWERS: And then do you have any updates on the implementation of the Marine Base Barging.

MR. GENN: I do not. No. That was something the Port Authority would be better positioned.

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CHAIRPERSON BROOKS-POWERS: [inaudible] the EDC.

Okay. So in the lease, it talks about environmental
community benefits, which is a really big issue in
the district and the community that surrounds JFK.

And I just want to understand from EDCs perspective,
what your understanding of what that could be. So

for example, noise mitigation, air quality, health
studies. These are things that have come up. Is

there a role for the City to play, like maybe with

our agencies? Like what is EDCs, I guess, vision for

that, and how do you understand it considering this

was a part of the lease agreement?

MR. GENN: We have participated in the noise, the

Part 150 process with the FAA. We are, you know, we

are more in an advisory capacity for-- for the noise

mitigation, and we will continue to track it. And

that's, I think, another area where we can cooperate

with the Council and the local communities.

CHAIRPERSON BROOKS-POWERS: Yeah, because the

benefits is the-- is the term that's used in the

lease. And so I think there's an expectation, I

would think that EDC had of the Port and a mutual

understanding that there would be a benefit. So like

LEED, and all those other dynamics, electrification,

1 those are great, especially in terms of the overall
2 footprint. But in terms of the community, the Part
3 150 studies goes up to, I think, 55 decibels when the
4 community thinks it should go to 65. So is there
5 opportunity in that gap there for the City to play a
6 role for any level of Government to play a role, or
7 even the Port and the terminal developers?

9 MS. ADGATE: Yeah, I think that's a really
10 important question, Councilmember, and one that, you
11 know, we see our ourselves as collaborating with our
12 agency partners, whether it's, you know, the
13 Department of Health and Mental Hygiene, Mayor's
14 Office of Climate and Environmental Justice,
15 Department of Environmental Protection, the folks who
16 are, you know, really leading the charge on issues
17 related to air quality, noise pollution, and so on.

18 And so, you know, in our role, not just as lease
19 administrator, but also economic activity throughout
20 all five boroughs, we, you know, see ourselves as a
21 partner to those agencies as that vision continues to
22 be-- continues to be realized, because I think the
23 administration really has a key focus on
24 environmental justice. And so we want to be a
25 partner as that work progresses.

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CHAIRPERSON BROOKS-POWERS: Thank you. And I
just have three more questions that I'll run through.
So thank you for being here. Thank you for your
participation. So I'm glad a lot of my colleagues
talked about the trucking and cargo because this is a
city wide issue. We're looking to have a hearing
actually on trucking solely. And we have a number of
bills in the Council that we're looking to move
around that also. But we hear frequently from
residents of the neighborhoods adjacent to JFK that
the airport causes considerable traffic congestion.
Furthermore, we hear that commercial trucks making
trips to the airport idle or park for extended
periods in residential areas nearby, including
between the hours of 9pm and 5am, when they are
forbidden to do so under the city's parking rules.

So a couple of questions on this: What is the
city doing to prevent the trucks from parking or
idling where they should not be? What have the
results from the NYPD operation heavy duty
enforcement that was announced over the summer?
Then, visually, it was amazing in Southeast Queens
quite honestly, we're just now seeing trucks start to
come back, which, you know, underscores the need for

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a more sustainable long-term solution. And I'm interested, in terms of NYPD, how many summonses has NYPD-- NYPD issued for illegally parked trucks in New York JFK.

DEPUTY CHIEF PILECKI: Good afternoon to both Chairs and to our distinguished Councilmembers and members of the community. I'm Deputy Chief Michael Pilecki. I'm the Executive Officer of the NYPD's Transportation Bureau.

Interesting to note when we're doing truck enforcement is that there is a section of law -- it's 4-08K6 of the New York City traffic rules -- that makes it illegal for a commercial vehicle to park from 9pm to 5am in a residential area. There are two different summonses that can be issued under that section of law. One summons is specifically for the larger type commercial vehicles -- tractor trailers detached trailers, combinations. Those summonses would be issued on the Finance Code Number six, and that summons carries with it a \$250 fine for the first offense and a \$500 fine for the second offense within six months by the same operator. The other summons that we can issue to commercial vehicles is for smaller type commercial vehicles, box trucks,

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plumbers vans, things of that nature. And those
summons is issued on the Finance Code 78 which
carries with it a \$65 fine.

Last year when we were analyzing our commercial
vehicle enforcement, we saw that the Summons Code
Six, the violation to the larger trucks was being
underutilized. So we began training our precinct
executives at our weekly traffic safety forums, which
is similar to the CompStat meetings that the
department uses to drive crime down, these meetings
are specific towards driving down collisions and
fatalities. We began explaining these two different-
- this section of law in the two different summonses
to our executives, and we let them know if you have
community complaints regarding larger vehicles, that
you should issue those vehicles the summons under
Code Six.

So the results are as follows: Citywide Code Six
summonses went up 271%, 5102 versus 1377 the prior
year. So we were up by 3700. In Queens South
specifically, we were up 246%: 2202 versus 636 in
Queens South. So we were up a raw number of 1566.
With regard to the Code 78 summonses, which were
issued to commercial vehicles again to smaller

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commercial vehicles. Were up 53% citywide 40,175
versus 26,234. So we were up roughly 14,000. In
Queens South again specifically, we were up 41%, Code
78 in Queens south, we had 9397 versus 6671. So we
were up roughly 2700 of those types of summons in
Queens South. We were also up in towing as well, if
you would like those. Would you like that data as
well? Sure. Okay.

Total commercial vehicles towed throughout the
city was 1204 versus 683. So we were up 76%. In
Queens South, total vehicles-- total commercial
vehicles towed was 318 versus 26. So we were up to
292, or 1123%. With regard when we break out the
heavy duty, the larger vehicles from that overall
commercial vehicle number, citywide we were up 192%,
658 versus 225. When we broke out the heavy duty
tows in Queens south, we were up 2100%, 180 versus 8.
So we were up a raw number of 172. When we took a
look at our tows for overnight parking of commercial
vehicles under Code Six, we were up-- well, we had 97
and 2022 versus zero the prior year. In Queen South,
we were up 62 versus zero the prior year. With
regard to the Code 78 tow city wide, there were 328
versus 4. So we were up 8100%. And in Queen South

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for Code 78, we were 188 versus 3, we were up 185
versus 6100.

CHAIRPERSON BROOKS-POWERS: Do you think that
this stems from the work that this Admin has been
doing in terms of Operation Heavy Duty? Do you think
that's--

MR. PILECKI: It was pushed very, very early on
by the Administration. And in Queens South, as you
know, there were several initiatives--

CHAIRPERSON BROOKS-POWERS: They did an amazing
job in Queens South.

MR. PILECKI: What made them so successful is
that they were able to identify a location where we
could tow these commercial vehicles to, to store them
for a period of time, so that the owners could go to
that location and reclaim them. And that's why it
worked so well.

CHAIRPERSON BROOKS-POWERS: And to that point, I
know in the testimony, or in the comments at this
point, I can't even remember, but it was talked
about-- about 5000 like acres or something like that,
at JFK. And I know we've created like somewhat of a
working group to talk about trucking in that area.

1 And I'm wondering if as a part of your air,
2
3 Airport Board meetings, you can also use that as a
4 space to talk about expanding the airport trucking
5 parking there. And then with DOT, I would like for
6 DOT to explore and report back to the Council the
7 feasibility of creating a special ongoing task force
8 to monitor and enforce the truck idling and parking
9 in the surrounding communities of the airport. So
10 that could either be a City-funded dynamic, and would
11 love to know what the dollar tag is, or it could be
12 something the Port Authority takes on. Because this
13 is, again, one of the impacts that lives beyond the
14 redevelopment. But because of the redevelopment, I
15 think my colleague mentioned about 100 million more
16 people coming into my community, I can only imagine
17 what that air traffic is going to be and the impact
18 on the community in terms of cargo also.

19 CHAIRPERSON FARÍAS: And I just wanted to add for
20 DOT, beyond just looking at the-- the airport itself,
21 trucking-- I mean as stated by my-- my Co-Chair, we
22 all know trucking and the idling and the parking in
23 our communities is happening citywide particularly
24 because I have the Cross Bronx, the Bruckner, the
25 Sheridan, the Hutch, the Bronx River, all the-- all

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1 the great parkways and highways, we see a lot of the
2 tracking surrounding my community as well. And my
3 precincts are really great at trying to move them as
4 frequently as they can when they have the ability,
5 when they have the space, which is the most important
6 part. So if we can continue on and-- or have a study
7 that is a bit expansive on identifying locations that
8 are not necessarily within our neighborhoods,
9 adjacent to even. You know, I mean, I'll probably
10 get a call After saying this, but, you know, the
11 Bronx is on mainland, areas like in Westchester
12 County potentially where we can speak to other local
13 governments to see if that's a possibility, wherever
14 there's space to kind of identify where we can have
15 trucking, parking would be super helpful. Thank you.

17 CHAIRPERSON BROOKS-POWERS: And I know that the--
18 the City has a Trucking Task Force, correct?

19 MR. UKEGBU: Yes. Yes, we do. And in fact, if I
20 may just pick up on the last point with regard to the
21 borders: Yes, that's one of the issues or concerns
22 that have been raised in Southeast Queens too, that
23 sometimes it may be-- and what-- that's part of the
24 survey we will be doing. It could be that it's
25 drivers who live across the border in Nassau County,

and they park in our neighborhood and then go over.

In other cases, we don't know whether its neighbors, people who live-- who work in-- who live in the area, and just park illegally, and all those. So those will be some of the things we're going to be looking at. I think we've-- my colleague already mentioned that we do have a survey that will be-- and in fact, one of our goals, one of our requests, is to have the neighborhood Councilmembers, elected officials be part of our eyes and ears. As you get complaints, we'll want-- want to get that feedback so that we can coordinate with our colleagues in the enforcement bureau with regard to implementation. And I think you also mentioned the Cross Bronx. And yes, we do also have a visioning study. That includes reconnecting the neighborhoods, that's part of our issue, and addressing some of the deleterious effects that have been lingered for years in the area. So we recognize and take these very seriously. In that case, we actually got a federal grant to do that study.

CHAIRPERSON FARÍAS: Thank you for that. And be careful what you ask for. My community might just

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overwhelm you with suggestions and hotspots. Be
careful. [laughs] But thank you.

CHAIRPERSON BROOKS-POWERS: Lastly, since EDC
gave a lot of the community promises in the
testimony, now it's written in the city record, I'm
asking that EDC create a process to monitor these
commitments that you reference in your testimony, and
a clear process in ensuring the implementation now
that it's on record.

And with that, we're going to move to public
comment. I will ask if we can still have
representation here. We don't have that many public
testimonies. I think it's important for you to hear
from the public on this. Thank you.

MR. GENN: Thank you.

COUNSEL BREITBART: Our next witness will be
Senator Leroy Comrie. And we'll-- we'll call up all
together: Senator Leroy Comrie, Senator James
Sanders, Jr. and Assemblymember Khaleel Anderson.

Thank you we can begin with Senator Comrie.

SENATOR COMRIE: I'm going to defer to my
colleague in seniority Senator James Sanders.

SENATOR SANDERS: Thank you, Senator. To Chair
Brooks-Powers, to Chair Farías, to the worthy

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Councilpeople, it is good to be back here. It's been a while. I must state that I'm very sad that the Port Authority did not see fit to be here. And I think that that is a-- just a symbol of the problem that we're having, just a sign that there is a problem.

Anytime that there is massive development, the community that's there has to go through many different things. They're going to deal with added noise. They're going to deal with air pollution. They're going to deal with light pollution. They're also going to deal with crippling traffic. Our traffic, of course, is noted and well known. The Van Wyck is known as the world's largest parking lot. It's the only road that an 18-wheeler can take to get into Kennedy. This rule of course is flouted, flouted all of the time. 18-wheelers are always going into other communities. So when you say a massive mega development is going to take place, you have to look at: What are you desiring? Is this economic development? Or is it community economic development? And there is a difference. Economic development is building an airport. Community economic development is using the airport to build

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1 the community. To build the airport, but to come
2 build a community at the same time. I must admit
3 that, just as in full disclosure, I have been a
4 critic of the process that the Port Authority has
5 used from day one. I've been a critic. Usually,
6 communities in mega developments create, CBAs
7 Community Benefits Agreements. So also, one speaker
8 earlier said CEA, Community Equity Agreement. And--
9 interesting. We have to figure out what that means.
10 But that's all right. The original CBA was built
11 around the Stapleton Arena in Los Angeles, where it
12 was-- an arena was being built in a community of
13 color, as a matter of fact, and the community came
14 together and said, "We will consent to this arena
15 being built, if we do it, and the community
16 benefits," and there was a community benefits
17 agreement that was noted. This model is widespread,
18 and it has been used in New York and several
19 different places, including: The Barclay Center had
20 a Community Benefits Agreement. It's widespread and
21 well-known. The former executive of the PA, Chris
22 Ward, said that the-- the Community Benefits
23 Agreement that that they did when they were building
24 the World Trade was that the World Trade had to take
25

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1 over the PATH system. And that was a \$300-million-a-
2 year benefit to-- by them taking over the PATH
3 system. Now notice, if the PATH system-- if the
4 World Trade was that much, we should say, "How much
5 should a local community get?" If we were to look at
6 the dollars, the World-- the original World Trade was
7 probably built not that much more than the \$22
8 billion dollars projected for JFK. And if that 22
9 billion yielded a \$300 million Community Benefits
10 Agreement, than the JFK should have contributed a
11 significant-- in the hundreds of millions of dollars.
12 So-- but a-- it's not that the community did not
13 submit a CBA to the Port Authority. A CBA was
14 presented to the Port Authority. It's not that no
15 one in the community said, "We should have something
16 for our community." This CBA, a 17-pager, which I
17 just happen to have -- and would be glad, in fact I
18 will find a way to make sure the committee has it so
19 you can put it onto your records -- was overseen by
20 Latoya Benjamin who's actually sitting in the
21 audience. And she and the community got together
22 under the auspices of my office and made sure that
23 there was a CBA that was presented to Port Authority.
24 Port Authority rejected the CBA. And by doing so,
25

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1 they then created a top-down approach. Unheard of.
2
3 Never been done anywhere in the US. They created a
4 top-down approach, where they directed it from-- from
5 when you meet, where you meet, what you talk about,
6 what you don't talk about, they even tell you where
7 to sit, and what time to leave. So under those
8 conditions, this Port Authority control process-- if
9 they have taken this process, then the Port Authority
10 is now responsible for a community economic
11 development, since they pushed the community and
12 said, "We will use this process," then they have the
13 responsibility to make sure that their process has a
14 benefit for the community.

15 I warned from the beginning that, seemingly, the
16 Port Authority was designing failure. That their
17 process would end in failure. I warned from the
18 beginning that the process is not over. But as of
19 this moment, it cannot be said that it had been a
20 success. They-- part of their problem is that they
21 have no real goals that they set for their
22 committees. They have few guidelines. And they say
23 that-- they say that this is something positive that
24 will have no goals and no guidelines and the
25 community will come up with something. Very unfair

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1 to a community. How do you know if you're supposed
2 to go for \$5 or \$5 million? How do you-- how do you
3 know if you're-- it's just an unfair process.
4

5 I still try to use their process. And I call for
6 a retreat, a place where the community comes together
7 and figures out what they want. The Port Authority
8 shot it down. And they said that if it was going to
9 happen, it would have to be in the retreat. I said,
10 "Wait a minute. We're not in the room when you guys
11 talk about what you want to do to this community.
12 How are you going to be in a room when the community
13 organizes itself?" They said-- Ultimately there was
14 no retreat. So the blind were sent to lead the
15 blind. No one knew what they were supposed to do.
16 And somehow they were supposed to come up with
17 something.

18 And to this day, nothing has come up with-- and
19 let's be clear, that process has been going on for
20 more than two years. And nothing has come from it.
21 Yes, there was a pandemic. But let-- let the record
22 also show that they still were cutting deals and
23 money was going on. So-- so if the money is going
24 out of the house and the process is not taking place,
25 then you're looking out for one interest, a business

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1 interest, and not looking out for the community's
2 interests.

3
4 So many large contracts were-- were signed during
5 the pandemic period, and have been signed with no
6 Community Benefits Agreement there. There's nothing
7 in those contracts that say what those contracts are
8 going to do for the community. And this-- and if--
9 you and I both know-- all of us know that if it's not
10 written, it's not real. If it's not in the law, then
11 it-- then the business communities will not do it.

12 One example of this-- one glaring example of why
13 this process that they're having is detrimental to
14 the community is you're building an aviation
15 incredible airport. Jobs are being created. We've
16 heard all of these numbers thrown about. But yet,
17 our Aviation High School, August Martin, sits in a
18 terrible shape. Its program of aviation is defunct,
19 and no one is talking about putting money into it.

20 If you're not training the youth of the local
21 community for the jobs that you're creating, then you
22 are creating jobs from people outside of the
23 community and have nothing to do with this community.
24 And this is just the most glaring of examples.

25

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1 Now let me alert people that there is a
2
3 difference between MWBE and CBAs. MWBE, of course, I
4 know-- I and then Council-- then Councilman Comrie,
5 wrote it. We know what an MWBE-- I wrote it for the--
6 - for the Council when I was here. I wrote it for
7 the Senate upstate. There's a difference between a
8 CBA and the MWBE. The goals of what you're doing
9 with-- MWBE may have no impact or little impact on
10 the local community while a CBA is directly speaking
11 about what is happening in that community.

12 So I would say to all of us, my friends, when
13 agencies and authorities fail to look after the well-
14 being of a community, then the government must act.
15 Then it's the purview of the government to move in
16 there, whether it's city, state, or federal, the
17 government must come in, because its job is to defend
18 the community. And-- and I'm absolutely calling on
19 the City, the State and the Federal to get together
20 and defend their neighbors. These are the people who
21 voted for us. These are the people who sent us. We
22 were not sent by the giant corporations that are
23 making money from Kennedy. We were sent by the
24 everyday people who want their children, their lives,
25 and the lives of their children to be better. And

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right now, we are not doing it at the level that we need to. I encourage all of us to-- to defend them. Otherwise, history will-- as I close, history will recall that we were silent at-- at major violence done against our community, and that we spoke of Robert Moses and his destruction of local communities. If nothing is changed, then the record will recall that the Executive Director of the Port Authority, Rick Cotton, is the Robert Moses of his day. Thank you very much.

SENATOR COMRIE: Good afternoon. Councilmember. I want to thank Councilmembers, Brooks-Powers and Councilmember Fariás -- is that the proper way to pronounce it -- and the Committee members and colleagues. I'm Leroy Comrie. I'm honored now to be state senator for 14th Senate District in Queens. And I want to thank the Transportation Committee and the Infrastructure Committee, Economic Development Committee for doing this joint hearing.

It's important today that we work to understand - - oh, and also I have to thank Speaker Adrienne Adams for allowing us to-- and for the Committee Chairs for allowing us to testify also today. I want to read my statement and add on to it afterwards.

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Understanding the importance of ensuring that the JFK Redevelopment Project continues to be one that will be future forward in both the thinking and its conception and its implementation and especially its impact on our adjacent communities that surround the airport. The redevelopment program and the need to ensure the communities that surround the airport are not left behind is critical to how we rethink our access and relationship with JFK and the Port Authority.

Unfortunately, as has been stated earlier, and by my colleague, Senator Sanders, and earlier speakers, we have not had equitable access to opportunities, either through jobs, businesses, educational, or financial opportunities for our Southeast Queens community.

Before the pandemic upended global travel, it was estimated at approximately 62.5 million passengers went through JFK in 2019, making it one of the busiest airports in the United States. The redevelopment program was estimated to exceed \$13 billion back in 2019, and projected to create over 15,000 jobs. With these billion dollars that are at stake and growing, ensuring jobs that will be

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equitably interspersed in Southeast Queens is
essential to the community success and the project's
long term opportunity.

I am deeply appreciative of partnerships across
government working to make sure this important
development lives up to its promise. Leadership from
across Southeast Queens, including councilmember
Brooks-Powers, Councilmember Williams, Adrienne
Adams, and our elected leaders on city, state and
federal levels need to join together to focus on the
need for a new day in our dealings with JFK and the
Port Authority.

We must ensure that we are getting the Port
Authority to understand that they have to contribute
to the full environmental life of our community,
creating a permanent school to an education-to-work
pipeline from elementary school level through high
school to make sure young people within Southeast
Queens will know that there's a pipeline to
education, a pipeline to employment, a pipeline to
opportunity right at JFK. Senator Sanders alluded to
the fact that we have an aviation school, August
Mountain high school that I personally have spoken to
the Port Authority about since day zero of this

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project that they still haven't funded the first dollar to August Mountain High School, which is deliberate in this-- at this point, because they haven't done it and they've been told repeatedly.

The funds that have been delivered for this project should take into account the businesses across the community and incorporate the culture of Southeast Queens and the broader New York City metropolitan area into this project. Stakeholders have outlined today, and at previous times, making sure that the future of their delivery of these funds go back to community and supplement the community. In doing so we will highlight the diversity in life that exists across New York for the world to see. As New York continues to be the economic engine of the United States and its cultural epicenter, we ought to ensure that we are putting the love and passion of small businesses and owners on display. Whether this is coming in form of our projects throughout the airport, both large and small to the new terminals, within upgraded facilities, are showcasing the work of local contractors, and their commitment to quality within the community. We must ensure that those abroad who come here finding solace knowing that in

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1 anyone from anywhere can be reminded of the true
2 global footprint of New York City, from local food
3 vendors to musicians and all who have traveled the
4 globe, or come from outside of the United States and
5 brought their culture here to be cherished, they
6 should be strongly considered and sourced for jobs at
7 the airport from the surrounding community.
8

9 With that being said, it is my hope that there
10 was a comprehensive Community Benefit Agreement
11 between stakeholders, those that are working within
12 the JFK airport community, those are working with the
13 Port Authority, and the local community as has been
14 stated earlier.

15 In addition, we bring a shared vision on the need
16 for small businesses and minority and women-owned
17 businesses. Opportunities to include concerted
18 efforts to overcome the challenges small businesses
19 and MBEs face like securing access to funding, access
20 to bonding, financing, and insurance. The 30%
21 contracting goal cannot just be a goal. We must
22 press for achieving that goal and surpassing it, and
23 also ensuring that the goal is not of the 30%, 20%, W
24 and not the M or B or E. Major goals need to be
25 focused on making sure that there is ongoing

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engagement imperative to ensure that Southeast Queens communities realize the true benefits of this investment. I also believe that we must remain cognizant of the quality of life that impacts JFK. The quality-- I'm sorry, let me do it again.

I also believe we must remain cognizant of the quality of life impact that JFK consistently has on our communities. This includes the environmental impact, and the State's goal towards reducing the climates and mission in the CLCPA, the Community Leadership and Community Protection Act. In addition, we must make sure that the concerns regarding noise, traffic, air quality, and other potential negative impacts are dealt with in a different way. We must do what we can to ameliorate these concerns totally. Working collectively across Government, we can take steps to ensure that the relevant authorities, whether it be the FAA, Port Authority of New York and New Jersey, or federal and state and local government authorities take our constituents input into consideration and use it to guide deliberations and future plans.

Given the best oversight is collective oversight, I want to share that my staff and I are listening to

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1 today's hearing intently, and by next month in
2 Albany, Senator Sanders and I will be doing a joint
3 hearing regarding the Port Authority. And we will
4 incorporate points that you're making today and what
5 we're hearing from everyone to deal with these issues
6 in the coming weeks.

7
8 I must tell you that on a personal level, I'm
9 Chair of the Corporations Committee which has
10 oversight and the Port Authority has elected never to
11 come to our budget hearings. So we have the same
12 type of access issues with the Port Authority, and
13 it's time to change that script. It's time to change
14 that reality. The Port Authority should be here
15 today, because the city has loaned them and leased
16 the property. They have an obligation to speak to
17 the City and give you regular updates on what's going
18 on. And they have an even higher obligation to come
19 to the State and report on what's going on not at
20 just JFK, but all of the airports within the Port
21 Authority window, and all of the things that they're
22 doing at the docks as well. The Port Authority has
23 been totally focused on an old draft of what needs to
24 be done to be responsive, and an our agency that
25 cares about their communities that they're servicing.

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1 And now it's time starting with his hearing, to hope
2 to change that and refocus the Port Authority, to
3 make them a truly responsible agency that comes
4 before the public and testifies on a regular basis
5 about the billions of dollars that they're spending.
6

7 It's not just JFK, they're spending re-spending
8 billions of dollars by building the new bus terminal
9 that's being done. Also, they are looking to build
10 new towers down at the World Trade Center, and also
11 looking at redoing the Oculus and other projects. We
12 must hear from the Port Authority about how they're
13 spending the billions of dollars that they're
14 raising, even though they're raising it through the
15 taxes that they're charging people through the
16 airport, that's still public dollars that they're
17 getting.

18 Finally, I just want to make one correction. The
19 AirTrain project was started in 1998, before I became
20 a city Councilmember. So while Chris Ward earlier
21 gave me credit for the Port Authority-- for the
22 AirTrain project. That was done by my predecessor,
23 Archie Spigner. Actually constructed started in
24 1998, and I started my opportunity to serve in the
25 city council in 2002.

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1 I just want to end by saying that we have a real
2 problem that has to be fixed. It's a-- I was not
3 surprised that they did not show up today. But the
4 primary issue is that we have to change their
5 thinking. We have to make them be more responsible.
6 The numbers that they're claiming for MWBE are false,
7 the numbers that they're claiming for community
8 engagement is not done (they haven't done the project
9 at York College yet), they've been moving people back
10 and forth in circles. And I have to also agree with
11 Senator Sanders. He did fight for a CBA in the
12 beginning. He got pushback. We deferred to trying
13 to make this scheme work with a community advisory
14 board. It does not work. And I'm here today to say
15 it's time to end it, along with Senator Sanders and
16 move to a real CBA so that we can get some definitive
17 things that we can glean from the Port Authority.
18 When they can give \$300 million to a PATH project,
19 when they can do other projects for dredging, and
20 they only want to give a number of like \$40 to \$60
21 million for a project to JFK, when JFK will
22 consistently be in redevelopment it's time to change
23 the paradigm. So I'm here today to recommit myself
24 as the Chair of the Corporations Committee at the
25

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state level, but also primarily as an elected official of Southeast Queens, to make sure that the Port Authority does more for our community. Thank you very much.

SENATOR SANDERS: [ASIDE TO SENATOR COMRIE] 300 a year 300.

SENATOR COMRIE: [ASIDE TO SENATOR SANDERS] 300 a year. Right.

ASSEMBLYMEMBER ANDERSON: Thank you so much to my colleagues who spoke previously and to Chairwoman Brooks-Powers as well as Chairwoman Fariás for having us here at this very, very important oversight hearing around the JFK redevelopment through the New York-- Port Authority of New York and New Jersey. I want to speak to-- I am going to speak from two angles today. One, speaking on transparency and government accountability for the Port Authority of New York and New Jersey, but also for the city agency that is-- the city entity, excuse me, that is responsible for lease negotiations and agreements with the land that is being leased under JFK, which is the Economic Development Corporation. So I'm going to start with EDC and then go into my comments related to Port Authority.

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1 Earlier today, we watched as EDC testified and
2 spoke to the issues that the committee had brought up
3 as it relates to the redevelopment: everything from
4 the projects that are in the pipeline to the-- the
5 elements in which they're supposed to be negotiated
6 in the lease. Under numerous occasions EDC
7 misrepresented their role in the lease negotiations,
8 everything from sharing that they were-- and I think
9 there was a correction-- but sharing that they were
10 the impetus of helping organize some of the benefits
11 that came in the lease that Port Authority of New
12 York and New Jersey is responsible for implementing.
13 EDC also misrepresented the roles of the community
14 advisory committees as it relates to retaining and
15 receiving information when Councilwoman Gutiérrez had
16 asked if reporting information is being made
17 available to the committee's as it relates to
18 environmental harms and mitigation. And they said
19 yes. That is a false-- that is a false thing. That
20 is not true. And I had stated that as I was sitting
21 in the audience. And so the truth of the matter is,
22 is that there is no formal mechanism to hold EDC--
23 hold Port Authority of New York and New Jersey
24 accountable to the elements of the lease. But
25

1 unfortunately, EDC did not have the courage to tell
2 the truth and share that there is no formal
3 mechanisms to hold them accountable.
4

5 And this is-- this is an example of a dereliction
6 of the duties of EDC, because as-- as the entity that
7 is formally responsible for the business negotiations
8 on behalf of the City of New York and lease
9 negotiations, they are also responsible for our
10 taxpaying dollars to ensure that those leases have a
11 benefit to the community.

12 This is not the first, second, third, fourth or
13 fifth time that EDC has been in a dereliction of
14 their duties. If you look-- refer over to the 2017
15 report by New York State Comptroller Tom DiNapoli, it
16 was a report that looked into the New York City
17 Airport leases, and it said that there's \$100 million
18 that was negotiated in 2004 for a lease, and in that
19 lease, there was supposed to be an Airport Board, and
20 \$100 million, excuse me, set aside for community
21 benefits and-- and projects, excuse me, through
22 Queens capital projects.

23 And so through that period, if you look at the
24 report, a lot of those projects, even 10 years after
25 the report looks at 2003 to 2013, even 10 years after

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1 that report, you still see that EDC and Port
2 Authority of New York and New Jersey have, one, not
3 had obligated dollars to those projects. But, two,
4 had no formal mechanism of holding Port Authority of
5 New York and New Jersey accountable to those
6 commitments.

7
8 If you read on to the report, there had been \$75
9 million of that \$100 million for projects proposed by
10 EDC, but there's still very little transparency and
11 reporting as to where those dollars are and where
12 those projects are being made whole.

13 The report also says that the Port Authority had
14 not fully complied with the terms of the ancillary
15 agreements, which included an obligation to provide
16 information and support to the Airport Board. This
17 is another example of how EDC has fallen on-- fallen
18 down on a job and are not being held accountable to
19 the things that they're committed to in terms of
20 making sure that the lessees and lessors of the
21 agreements are being held accountable.

22 So I just want to be clear to the public that
23 EDC, again, is the official-unofficial entity and
24 body that is responsible for major development in
25 this city. And they have continuously, continuously

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1 been unable and inept at holding entities who they
2 lease with and work with accountable to that. JFK
3 redevelopment, vis-a-vis Port Authority, is a prime
4 example of that.
5

6 So I'm going to go into my testimony today as it
7 relates to the Port Authority of New York and New
8 Jersey and their commitments to the redevelopment.

9 When we talk about quantitative data, \$18 billion
10 of investment in New York's primary international
11 airport, in JFK, it is established-- it is estimated
12 that the program will create more than 15,000 jobs in
13 the area with 9,600 jobs directly coming from the
14 redevelopment. This is what is being advertised.

15 As part of the Administration's plan to create
16 the Advisory Council was also used to utilize funding
17 between developers and the Port Authority to create
18 lasting impacts with a nexus of development. But my
19 question to the Port Authority -- and I know that
20 they're not here today, and it's shameful, that they
21 continue to evade transparency and public
22 accountability, and they have done this, this is
23 their history -- how much community betterment fund
24 or funding exists for community benefit-- for the
25 community benefit? Right?

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1 This is a question that a Port Authority has
2
3 refused to answer. And the sadness of it is that in
4 2001, there was an extension of the lease. And here
5 we are again, the city agency that's supposed to have
6 our backs in the EDC has fallen down on the job
7 because they have not been able to provide an answer
8 to that question.

9 Next, as a part of the betterment funds and
10 dollars, what initiatives exist? I know that earlier
11 today EDC testified a number of different
12 initiatives. If you ask some-- if you poke any holes
13 into the initiatives that they named. Let's talk
14 about one. They said there's an Office of Second
15 Chance Employment. Where is this happening? Who's
16 in charge of Second Chance Employment? As far as I
17 know, there is no one in charge of Second Chance
18 Employment because they haven't hired anyone. But
19 EDC has it in the agreement, and they are not holding
20 that entity accountable.

21 And so the next piece: What is a long term plan
22 on each initiative? They can't answer that. Who
23 created them? And what's the process for community
24 members and advisory members for revamping and
25

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introducing new initiatives? This doesn't exist. It
doesn't exist. It's not real.

Under new Government and Community Relations,
Leadership, we have not seen any strategic planning
and execution to engage priority zip codes. If we
look at the process of the redevelopment, they're
supposed to be priority zip codes that-- which--
where which local hiring takes place, as well as
local contracting and the meeting of MWBE goals.

How many local businesses have gotten MWBE
certified through the Port Authority's liaison
outreach office? No? Right? Because they're not
here. They can't answer the question. But this
information is not being made available.

I'm just sharing with the committee, the
constant, constant, constant lack of transparency and
governmental accountability with public dollars.

You also-- I believe the-- the Committee also
asked about the Airport Board, which was supposed to
be created by the 2004 agreement. And when it was
asked, "Hey, is this board subject to New York State
Public Meetings Law?" They couldn't answer. So this
board which is responsible for assisting in making
sure that resources are getting out the door and

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1 commitments are being held, they don't even have
2 meetings, they may not even be subject to public
3 meeting laws. If-- if I were someone, and I
4 represent, you know, the airport in the State
5 Assembly -- if I were someone just walking off the
6 street, I'd say that some of the claims and the
7 things that I'm sharing with you all today the-- are
8 scandalous in nature, through EDC, and through the
9 Port Authority.
10

11 The next question I had for the entity is
12 environmental justice, focusing on that issue area.
13 I know a number of committee members have brought up
14 issues and concerns around environmental justice.

15 In EDCs testimony today, they listed out a bevy
16 of different environmental commitments, idling
17 trucks, things of that nature, air pollution quality.
18 And when you ask, did EDC participate in the 150
19 study-- The Part 150 Study with the FAA, they say
20 yes. What does participation mean and look like from
21 an entity that's supposed to hold the Port Authority
22 of New York and New Jersey accountable? They can't
23 answer this question.

24 And so I have two more questions before I close:
25 When I'm taking a look at some of the different

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1 agencies, community groups, and organizations that
2 are responsible for helping with the workforce
3 component of the redevelopment, what resources and
4 dollars are being provided to ensure that true
5 accountability and hiring are-- is happening? When--
6 if and when Port Authority in New York and New Jersey
7 reports that there has been X amount of hires, local
8 hires, X amount of businesses trained. Who's
9 responsible for keeping that data? Where is that
10 data? How can we see it? Do we have a city agency
11 that's held-- that is held accountable, and is making
12 sure that those contracts are being enforced? No,
13 no, no, we don't, because EDC is asleep at the wheel.

14 And so when we've seen recent reports of
15 contracting online now from Port Authority of New
16 York and New Jersey, after continuously, continuously
17 pushing them, they're inept. The reporting that the
18 Port Authority of New York and New Jersey is doing is
19 from a standpoint that there is inequity. So that
20 means there's a standpoint of natural inequity. That
21 means that if there is a person of color, a black
22 person that is hired on-- on any of the projects,
23 there's also a person that is not of color hired on
24 those projects. Is that creating true equity? We're
25

not sure. EDC claims that this is happening in their statements earlier, but this is not.

Last question: How many individuals, how many local individuals have been placed in construction related jobs for the duration of the project? This is also something that cannot be answered.

And so you know, as I conclude with those last final questions, my overall statements and testimony today is surrounded around the concept that the Port Authority of New York and New Jersey is not following through with the commitments made in the lease, and EDC is a culprit and ensuring that that continues to happen, because they do not have any formal mechanisms of holding this entity accountable.

So I am asking that the members of this Committee consider investigations into the JFK redevelopment, whether it's through working with our New York City Comptroller to look into the financing and the contracts and the commitments that were being made in the City lease, whether it's working on the state level with our State Comptrollers, or even with the New York City DOI, to ensure that EDC is not in a dereliction of their duty -- which I believe that

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1 they are -- on these projects and on the commitments
2 made.

3
4 You know, this is a very, very serious project
5 that's taking place in our district. As I mentioned,
6 \$18 billion of investment, private investment on
7 public land. And so we have to ensure that through
8 this process, that there's transparency, and
9 accountability. And we're not seeing that from the
10 City agencies. And we're not seeing that from a
11 quasi-governmental agency in the Port Authority of
12 New York and New Jersey. The truth of the matter is,
13 is that they don't have to show up today. They don't
14 even have to show up to the meeting-- the hearing
15 that Senator Comrie and Senator Sanders are having
16 later next month. And part of the reasons why they
17 feel that they don't have to show up is that they're
18 emboldened by their quasi-governmental status. So I
19 think it's important that as we move forward with
20 this project, and as this committee looks into the
21 testimony that I had given today, and those after me
22 have given today, and those before me given today,
23 that there has to be serious consideration into
24 improprieties that might have existed in this
25 project, and other things that might be going wrong

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as it relates to the accountability. Thank you so much to the committee.

CHAIRPERSON BROOKS-POWERS: Thank you for that.

Just two things. Well, three things: One, the questions you asked if you could provide it in writing, because we're going to do a follow up with a letter to the Port Authority and EDC with those questions, as well as some other questions that we have.

Also, just for clarification, the Office of Second Chances does exist. There was someone hired, but we will add a question in terms of has someone been hired in the absence of who was there, but it was operating at one point.

And I agree on August Martin high school, but I will say the New Terminal One did make a slight investment in the beginning, which was \$62,000. So I-- I do want to highlight, you know, the work that the New Terminal One did with that very early on. That was very small. I understand. I see the looks. But it was, to me, very important to see the terminal developer, a terminal developer, take that type of action before even signing the lease agreement, even though, as you mentioned, there's so much potential

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in this and I think we need to continue to have those
discussions. But thank you all for your testimony.

SENATOR COMRIE: Thank you, Madam Chairwoman for
your focus and determination to hold this hearing
today. I look forward to continuing to work with you
as we change the mindset of the Port Authority to be
a true community partner. Thank you Madam
Chairpersons.

SENATOR SANDERS: Amen.

CHAIRPERSON BROOKS-POWERS: Thank you. And we
will be in Albany for the hearing.

COUNSEL BREITBART: Thank you. We will now turn
to additional public testimony. For panelists who
are testifying remotely, once your name is called a
member of our staff will unmute you and the Sergeant
At Arms will give you the go ahead to begin.

Please wait for the Sergeant At Arms to announce
that you may begin before delivering your testimony.

I would now like to welcome Fay Hill to testify.

MS. HILL: Am I on? Good evening. Am I on?

Yes.

MS. HILL: Okay. Good evening. My name is Fay
Hill. I'm the District Leader for Community Board
31B. And I've lived in Springfield Gardens for 45

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1 years. I like-- I remember seeing the growth of JFK,
2 which was formerly Idlewild Airport, developed around
3 our area. And there was-- there is an impact on the--
4 - the ravish of our neighbors and under the residents
5 in Springfield gardens where we are the high
6 percentage of asthma and upper respiratory conditions
7 affected us. And to hear the hearing today, I'm in--
8 I am floored what is what is going on with JFK. But
9 I'd like to know if this redevelopment goes forward,
10 we would like to get benefit. I didn't even know
11 that the city, the land, or the property where JFK is
12 owned by the City of New York. Why couldn't we have
13 like hospitals where we were looking for hospitals
14 for our community, for libraries for senior-- senior
15 centers and so forth, could be built on a soundproof
16 condition to avoid the noise from the airport. And
17 we'd like to have a restoration of Springfield and
18 Farmers Boulevard restored in our neighborhood. And
19 we like-- we would like also to have a lot of things
20 done to restore or neighbors that have been-- been
21 rampant with air pollution, noise, and etc. I would
22 like to continue to hear more hearings on this
23 project, because of the millions of dollars that's
24 poured into JFK and is handed out to rich
25

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corporations and the community is-- is left out,
especially the community of color. [BELL RINGS]

SERGEANT AT ARMS: Your time has expired.

MS. HILL: So I will. Okay. I will conclude
right now, and I will continue to do my testimony and
testify to this to this committee. And I really
appreciate our Councilwoman, who's the leader on
this, and our other elected officials. Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you. And
please submit the rest of your testimony in writing
so we can have a caption for the record.

COUNSEL BREITBART: Thank you. I would like to
now welcome Dr. R. Simone Lord to testify.

SERGEANT AT ARMS: Your time will begin.

DR. LORD: Good afternoon everyone. I trust that
you can hear me okay?

COUNSEL BREITBART: Yes.

DR. LORD: Thank you so much, everyone. And
thank you, Council Chair Selvena Brooks and Senator
Sanders and Senator Combrie, and Assemblyman Khaleel
and everyone that has-- all the other councilpeople
that have-- that have been-- that has been speaking
up for us. So I am Reverend Roxanne Simone Lord, and
I'm the President of the Southeast Queens Chamber of

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Commerce. I am on several of the JFK Redevelopment
Advisory Council and I would like to give my
testimony.

I represent hundreds of small businesses of color
in Southeast Queens, predominantly African American
business owners. When speaking to many of them about
the airport opportunities, many of them say that they
are certified and they have not received any work or
any contracts. Many still do not know about
opportunities at the airport. So by holding
meetings, conducting outreach, and MWBE, ACDBE
training here at our headquarters on Sutphin
Boulevard, we at the Southeast Queens Chamber of
Commerce, we are striving to reach more entrepreneurs
of color in Southeast Queens.

In 2022, after the pandemic, the Southeast Queens
Chamber of Commerce were contacted by managers,
community liaison managers, Tunisia Morrison and
Rachel Antoine. We were encouraged to keep on
speaking up and trying to go out there and help many
more entrepreneurs in our community.

These two young ladies were very passionate about
this cause and so their renewed hope and optimism,
and my board and I, that people of color in tiers one

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and two of the JFK airport would indeed be able to
take part in and gain meaningful benefits from the
JFK redevelopment. [BELL RINGS]

SERGEANT AT ARMS: Your time has expired.

DR. LORD: So the chamber initiated partnerships
with Rockaway RISE and York College SBDC to lead more
outreach in Southeast Queens in order to produce
higher numbers of MWBEs. It was a winning plan, a
winning proposal. However, in the middle of it all,
we learned that Tunisia Morrison was fired for no
apparent reason. Both the work and our hope halted,
because she was really very zealous in her approach
to get more black and brown people certified. And we
felt that we can trust her in this common mission.

Is there any accountability or transparency as to
why this community outreach manager at the JFK
Redevelopment Project was fired? In addition to
this, the proposal that the Southeast Queens Chamber
of Commerce and RISE Again Far Rockaway, initiated,
was also shut down, and no reason was given.

We know our community and we know our people.
Our community, we need community people at PANYNJ
who see us, can identify with us, and know our
struggle.

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1 We know that the Southeast Queens Chamber of
2 Commerce, RISE, and York College SBDC will come
3 together could create a huge paradigm shift. And
4 people of color really being able to be nurtured and
5 improved--

6 CHAIRPERSON BROOKS-POWERS: I'm sorry-- I'm
7 sorry, Dr. Lord. One quick question, but we do have
8 to wrap because we have a few more folks waiting to
9 testify. You said something was shut down-- what-- I
10 missed what you said. What was shut down?

11 DR. LORD: What was shut down was our proposal
12 that we the-- Southeast Queens Chamber, Rise, and the
13 York College SBC, we made a proposal that because we
14 are in the community, we know our businesses, we see
15 them struggle every day, we propose that we work
16 together to bring them in, outreach, true outreach
17 and bring them in, hold their hands, you know, help
18 them to pass barriers to contracts, to different
19 things that small businesses in our community have.
20 We face different needs, and only people in the
21 community, living in the community. You can't expect
22 someone else in the community to tell you that this
23 is what you need. So we know what we need. And so
24 we three will set up a proposal so that we could
25

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bring our community what they need. That was shut
down. So the only thing I wanted to say again, is
that we hope to see some more meaningful benefits.
We need lampposts. We need more green spaces with
beautiful flowers to promote peaceful lifestyles. We
need to inspire and--

CHAIRPERSON BROOKS-POWERS: Dr. Lord. I'm sorry.
I'm so, so sorry, Dr. Lord. I'm going to just ask if
you could submit the rest of this in writing, because
we have to get to the next few people that's left,
okay?

DR. LORD: Okay.

COUNSEL BREITBART: Thank you. I'd like to now
welcome David Cockfield to testify.

SERGEANT AT ARMS: Your time will begin.

COUNSEL BREITBART: Is David Cockfield on? Okay,
he apparently no longer on the Zoom. We will then
move on. I would like to now welcome Stacy Osborne
to testify.

SERGEANT AT ARMS: Your time will begin.

MS. OSBOURNE: Hi, how are you? I would like to
thank the-- the elected officials for speaking for
our communities. And thank you Selvene Brooks-Powers
for being a wonderful Chair.

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1 I wish you know, by learning so many additional
2 things that's going on. I wish my main question to
3 the Port Authority was to question how often the
4 noise complaint 1-800 number-- that 1-800-225-1071--
5 is being checked and also the submission that's done
6 online, regarding the you know, the airport noise. I
7 mean, I am a Rosedale resident. I'm like a president
8 of the Block Association. And many of our community-
9 - our you know, folks that live here constantly
10 saying, "Oh, well, we call we have complaint." And
11 there's kind of no relief in the noise complaint.
12 There's-- there's no form of saying okay, between six
13 and eight, it's going to be quiet. I thought the
14 brunt of the noise was supposed to be shared between
15 us, you know, Nassau, and so forth. But it's just no
16 relief of the noise and it's just becoming
17 overbearing. So that was the major thing, but
18 they're not there to answer that question of how
19 often you know, if it's being checked that we're
20 calling into complaint, so something could be done.

22 So that's one thing. Another thing is the-- the
23 truck issues we're having. Springfield Boulevard,
24 Brookfield Boulevard, I mean, it's an influx of...
25 it's not just nights. It's during the days. I could

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clearly say for Brookfield Boulevard, box trucks,
commercial trucks are being parked there. And that's
a major issue, and I'm very happy that that was
brought up during this-- this testimony.

CHAIRPERSON BROOKS-POWERS: Thank you.

COUNSEL BREITBART: I would now like to welcome
Kendrick Williams to testify.

SERGEANT AT ARMS: Your time will begin.

COUNSEL BREITBART: Is Kendrick Williams on?

MR. KOTOWSKI: Yes, he's on. He's just not
unmuting.

COUNSEL BREITBART: We'll try one more time. Is
Kendrick Williams on?

MR. KOTOWSKI: Kendrick we're sending you a
request to unmute.

COUNSEL BREITBART: Okay, we can move we can move
on. Finally, I'd like to welcome Yvette to testify.

SERGEANT AT ARMS: Your time will begin.

YVETTE: Okay. Good afternoon, everyone. And
thank you for taking my call. My-- Port Authority of
New York-- New York and New Jersey was just spoken
about by three legislators, state legislators, that
will on and I think that's something very important.
And the questions that were asked were extremely

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important. As a HVAC minority business metropolis
HVAC contractors, we are certified with Port
Authority in New York and New Jersey. We are looking
into putting in for jobs at JFK Airport. But one of
the things that they do is they have what's called
pre-qualifications. And you have to submit these
pre-qualifications over and over and over for various
companies that are working. And it's very seldom if
ever, you get called. So the questions and comments
that were made earlier are definitely appropriate.
So there should be some oversight with regards to
that. And so as I listened to the hearing and the
points made, I think that's something that should be
looked into. And if the land is actually owned by
the city, and they are the lessee, there should be
some accountability. And I like to know, what can
the Council do to ensure accountability and to ensure
that minority business owners who are bidding or
would like to bid on some of the projects, how they
can be handled, and that the projects that they're
allowed to bid on are appropriate size for the
entities, because sometimes they're too big to where
a small minority contractor cannot bid on them
because they're too large.

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And so if there's a way that the jobs can be broken down to where the contractors that are minority and certified can actually participate. Thank you so much.

CHAIRPERSON BROOKS-POWERS: Thank you.

COUNSEL BREITBART: Thank you and we'd like to try again to call on Kendrick Williams to testify. When prompted please unmute

Okay, if not there we can move on to closing out.

Oh, Mr. Williams, are you are you there?

It says you're unmuted.

Okay, we're going to move on to closing out.

If we have-- if we have inadvertently missed anyone that is registered to testify today, and has yet to be called, please use the Zoom hand function if you're testifying remotely, and you'll be called in the order that your hand has been raised. Or if you're testifying in person, please come to the dais. Seeing none, I'll now turn over to Chair Brooks-- Brooks-Powers for closing remarks.

CHAIRPERSON BROOKS-POWERS: So before I close, I want to shout out EDC for saying here for this hearing. We appreciate it and your presence and

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commitment to working with us on this. And with that
this hearing is closed.

[GAVEL]

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C E R T I F I C A T E

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



Date 01/23/2023