

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE,

Jointly with

COMMITTEE ON GENERAL WELFARE,

COMMITTEE ON JUSTICE SYSTEM,

COMMITTEE ON JUVENILE JUSTICE,

COMMITTEE ON PARKS AND RECREATION,

& SUBCOMMITTEE ON CAPITAL BUDGET

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May 22, 2019  
Start: 10:21 a.m.  
Recess: 4:56 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Daniel Dromm  
Chairperson

Stephen T. Levin  
Chairperson

Rory I. Lancman  
Chairperson

Andy L. King  
Chairperson

Vanessa L. Gibson  
Chairperson

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Mark Levine  
Bill Perkins

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

Steven Banks  
Commissioner of Department of Social Services

Molly Murphy  
DSS First Deputy Commissioner

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

Grace Bonilla  
HRA Administrator

Joslyn Carter  
DHS Administrator

Ellen Levine  
DSS Chief of Programming and Planning

Scott French  
DSS Chief of Staff

Jordan Dressler  
Civil Justice Coordinator

Erin Villari  
Executive Deputy Commissioner for DSS Office of  
Finance

Jacyln Moore  
Office of Civil Justice Executive Director

David Hansell  
ACS Commissioner

Julie Farber  
Deputy Commissioner of Division of Family  
Permanency Services

Felipe Franco  
Deputy Commissioner of Division of Youth and  
Family Justice

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

Elizabeth Wolkomir  
Assistant Commissioner Finance Office

Barbara Carlson  
Deputy Commissioner of Division of Child and  
Family Wellbeing

Mitchell Silver  
Commissioner of Parks Department

Therese Braddick  
Deputy Commissioner of Capital Projects at Parks  
Department

Liam Kavanagh  
First Deputy Commissioner of Parks Department

Matt Drury  
Director of Government Relations at Parks  
Department

David Stark



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JUSTICE, PARKS & RECREATION, AND SUBCOMMITTEE ON CAPITAL BUDGET 6

2 CHAIRPERSON DROMM: Okay, good morning  
3 and welcome to the City Council's 12<sup>th</sup> day of  
4 hearings on the Mayor's Executive Budget for Fiscal  
5 2020. My name is Daniel Dromm and I Chair the  
6 Committee on Finance. We are joined by the Committee  
7 on General Welfare, Chaired by my colleague, Council  
8 Member Steve Levin. We've also been joined by  
9 Council Members Powers and Adrienne Adams, and I  
10 think others will join us shortly. Today we will  
11 hear from the Human Resources Administration, the  
12 Department of Homeless Services, the Office of Civil  
13 Justice, and the Administration for Children's  
14 Services, and the Department of Parks and Recreation.  
15 Before we begin I'd like to thank the Finance  
16 Division Staff for putting today's hearing together  
17 including Director Latonya McKinney, Committee  
18 Counsels Rebecca Chaisson [sp?] and Stephanie Ruiz,  
19 Deputy Directors Regina Poreda-Ryan and Nathan Toth,  
20 Unit Heads Doheni Sompura [sp?] and chima Obecheri  
21 [sp?], Financial Analyst Julia Haramis [sp?], Frank  
22 Sarno [sp?], Daniel Crup [sp?], and Monica Bugeck  
23 [sp?], and the Finance Division Administrative  
24 Support Unit, Nicole Anderson, Maria vagon [sp?],  
25 Latina Brown [sp?] and Courtney Sumaris [sp?] who

2 pull everything together. I'd also like to thank  
3 Robin Forth [sp?] from my office who has been with me  
4 at all these hearings. Thank you for all your  
5 efforts. I'd also like to remind everyone that the  
6 public will be invited to testify on the last day of  
7 the budget hearings, tomorrow May 23<sup>rd</sup> beginning at  
8 approximately 12:00 p.m. in this room. Please note  
9 that this is an updated time. Originally it was  
10 supposed to start at 2:00, but we will now be  
11 starting at noon. For members of the public who wish  
12 to testify but cannot attend the hearing, you can  
13 email your testimony to the Finance Division at  
14 [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov), and the staff will  
15 make it a part of the official record. Today's  
16 Executive Budget hearing starts with the Department  
17 of Human Resources Administration and the Department  
18 of Homeless Services. HRA's Fiscal 2020 executive  
19 plan introduces new needs of 37.2 million dollars in  
20 Fiscal 2019, 78.6 million in Fiscal 2020, 41.2  
21 million in Fiscal 2021, and 42.2 million in Fiscal 22  
22 and Fiscal 23. However, none of these new needs  
23 include the items called for in the Council's Budget  
24 Response which included additional funding for  
25 employment services and hiring more eligibility

2 specialists. Similarly, in DHS' Fiscal 2020  
3 executive plan new needs were added to the budget  
4 without addressing those items called for by the  
5 Council. DHS' Executive Budget introduces 85.5  
6 million in new needs in addition to 4.2 million in  
7 other adjustments and 22 million in savings for  
8 Fiscal 2020. The Administration did not heed the  
9 Council's call to provide funding for social workers  
10 in hotel shelters, and to prioritize permanent  
11 housing. At today's hearing I look forward to  
12 learning how HRA and DHS plan to fund several of its  
13 core programs while addressing the various types of  
14 budgetary risks identified by the Council. Before we  
15 begin, I'd like to remind my colleagues that the  
16 first round of questions for the agency will be  
17 limited to three minutes per Council Member, and if  
18 Council Members have additional questions, we will  
19 have a second round of questions at two minutes per  
20 Council Member. I will now turn the mic over to my  
21 co-chair, Council Member Steve Levin for his  
22 statement, and then we will hear from the  
23 Commissioner of the Department of Social Services,  
24 Steve Banks.

2 CHAIRPERSON LEVIN: Thank you very much.

3 Good morning, everybody. Thank you, Chair Dromm.

4 I'm Council Member Steve Levin, Chair of the

5 Committee on General Welfare. I want to thank you

6 all for joining me for the Fiscal 2020 Executive

7 Budget hearing for the General Welfare Committee held

8 jointly with the Committee on Finance. The City's

9 proposed Fiscal 2020 Executive Budget totals 92.5

10 billion dollars of which approximately 15 billion or

11 16 percent funds HRA, DHS, and ACS. With each social

12 services agency here today, we will be asking how new

13 needs, savings programs, various funding, and

14 headcount adjustments and new policies will impact

15 and enhance each agency's ability to serve the most

16 vulnerable populations in New York City. This

17 morning, we will begin with testimony from the

18 Department of Social Services which encompasses the

19 Human Resources Administration and the Department of

20 Homeless Services. As the largest social services

21 agency in the country, HRA provides cash assistance,

22 emergency food assistance and SNAP, HIV/AIDS support

23 services otherwise known as HASA, legal services,

24 anti-eviction services, rental assistance and rental

25 arrears, and many other public assistance programs

2 for low-income New Yorkers. DHS provides  
3 transitional shelter for homeless single adults,  
4 adult families and families with children in  
5 accordance with New York City's Right to Shelter  
6 mandate. DHS also helps clients to exit shelter and  
7 move into permanent and supportive housing. Since  
8 the adoption of Fiscal 2019 budget, or the fiscal  
9 2019 budget, HRA's Fiscal 2020 Executive Budget has  
10 grown by 144.2 million dollars or approximately one  
11 percent to 10.2 billion. New needs added to the  
12 Fiscal 2020 Executive Budget totals 78.6 million  
13 dollars. These new needs include funding for cash  
14 assistance as clients stay on cash assistance longer,  
15 requiring the City to contribute more towards  
16 caseloads, and the City's share for higher rental  
17 assistance levels for the family homelessness and  
18 eviction prevention supplements, otherwise known as  
19 FEPS, and end the epidemic, funding for technology  
20 upgrades for both HRA and DHS, additional funding for  
21 HRA's current leases for office space, funding for  
22 IDNYC card renewals and outreach, funding for the  
23 translation services at the June primary election in  
24 conjunction with the Civic Engagement Commission, and  
25 funding for additional Public Engagement Unit

2 headcount to focus on voter engagement and polling  
3 outreach in conjunction with Democracy NYC.

4 Additionally the Fiscal 2020 Executive Budget  
5 backfills 125 million dollars in state funding as a  
6 result of the enacted state Executive Budget which  
7 now requires the city to contribute 10 percent of  
8 Temporary Assistance for Needy Families, otherwise  
9 known as TANF, funding. This funding shortfall

10 impacts both DHS and HRA and supports shelter costs  
11 and cash assistance. It's very unfortunate that the  
12 state transferred that burden over to New York City  
13 as part of their budget. For DHS, this-- for DHS,

14 since the adoption of the Fiscal 19 budget, DHS'  
15 Fiscal 2020 Executive Budget has grown by 55.8  
16 million dollars or approximately two percent to 2.1  
17 billion. Overall, DHS' proposes Fiscal 2020

18 Executive Budget is largely comprised of the cost for  
19 providing shelter to the over 60,000 individuals a  
20 day that are in New York City's shelter system. For  
21 the upcoming fiscal year, the agency's Executive

22 Budget includes two new needs totaling 22.9 million  
23 dollars. These new needs are for shelter security  
24 reorganization to transition from city-employed Peace  
25 Officers to contracted security providers, and

2 funding to upgrade information technology systems  
3 covering nine projects, one of which is the CARES  
4 [sic] system. This year, the Administration  
5 reintroduced the Program to Eliminate the Gap,  
6 otherwise known as PEG program, where each city  
7 agency had a PEG target to reach that would be  
8 reflected in the Executive Budget. HRA and DHS had a  
9 combined PEG target of 50 million dollars. In the  
10 Executive Budget they have a combined city-wide  
11 savings amount of 50.9 million dollars, slightly  
12 exceeding this target for Fiscal 19 and 20, and that  
13 we would like to learn more about today. Even with  
14 these impactful investments, more can and should be  
15 done, and we need to think more deeply about where we  
16 can most effectively allocate city resources. The  
17 Council put forth several proposals in our Fiscal  
18 2020 Preliminary Budget response for additional  
19 programs at HRA and DHS, none of which were funded in  
20 the Executive Budget. Of these proposals, I'm  
21 particularly disappointed that no funding was  
22 allocated towards social workers at hotel shelters.  
23 Social workers provide vital support services to the  
24 city's homeless including case management and access  
25 to mental health services, especially given that the

2 average length of stay for families in shelters over  
3 400 days, families including children residing in  
4 shelters and hotels need social workers, and should  
5 be provided with the same support services as those  
6 residing in purpose-built shelters. And just as an  
7 aside, I think that it's deeply unfair that for a  
8 family that goes to PATH to receive shelter in New  
9 York City when they're in need, that it's entirely a  
10 gamble which type of facility they can go to and what  
11 type of service they will then receive. If they're  
12 lucky enough to be at a tier two shelter or purpose-  
13 built shelter where there are social workers and  
14 wrap-around services available to them, that's one  
15 avenue. However, increasingly families are placed in  
16 hotels where they don't have access to those types  
17 services, and that's just not fair. We need equity  
18 across the board, and we need a reasonable amount of  
19 services for these families, particularly in hotels  
20 where there are not linkages to a lot of their  
21 community supports and the resources that they really  
22 need on-site. And so, I'd like to continue to work  
23 on that with you moving forward. Before I welcome  
24 the Commissioner, I'd like to acknowledge my  
25 colleagues who are here today. I think Chair Dromm

2 did, but we've also been joined by Council Member  
3 Brad Lander and Council Member Barry Grodenchik,  
4 Council Member Antonio Reynoso, and Council Member  
5 Keith Powers, and we expect to be joined by more  
6 throughout the course of the hearing. I'd like to  
7 thank the General Welfare Committee staff for their  
8 incredible work in putting together today's hearing  
9 as well as the Preliminary Budget hearing which has  
10 been an enormous amount of work, Julia Harimus [sp?],  
11 Financial Analyst, Dan Krup [sp?], Financial Analyst,  
12 Frank Sarno [sp?], Financial Analyst, Doheni Sampora  
13 [sp?], Unit Head, Amenta Killawon [sp?], Senior  
14 Counsel, and Tanya Cyrus, Krystal Pond [sp?], Senior  
15 Policy Analyst. I'd like to also thank my Chief of  
16 Staff Jonathan Bouche [sp?], and my Legislative  
17 Director Elizabeth Adams. And now I'll turn it back  
18 over to Chair Dromm to swear in Commissioner Banks  
19 and Administrators.

20 CHAIRPERSON DROMM: I'm going to ask the  
21 Counsel to swear in the panel.

22 COMMITTEE COUNSEL: Do you affirm that  
23 your testimony will be true to the best of your  
24 knowledge, information, belief?

25 COMMISSIONER BANKS: I do.

2 COMMITTEE COUNSEL: Thank you.

3 CHAIRPERSON DROMM: Whenever you're  
4 ready.

5 COMMISSIONER BANKS: Good morning and  
6 thank you, Chair Dromm and Chair Levin and members of  
7 the Finance and General Welfare Committees for the  
8 opportunity to testify today about the Department of  
9 Social Services Fiscal Year 2020 Executive Budget and  
10 our reforms to improve benefits and services to low-  
11 income New Yorkers. Before proceeding I want to  
12 congratulate Chair Levin again on the birth of this  
13 second child, and appreciate the time you've been  
14 spending with us, and I also want to thank the staff  
15 of both the Finance Committee and the General Welfare  
16 Committee, and Chair Levin's office who have been  
17 spending a lot of time trying to work through with us  
18 various details.

19 CHAIRPERSON LEVIN: The baby's watching  
20 at home, by the way.

21 COMMISSIONER BANKS: Well, on our  
22 conference call yesterday I thought the baby made a  
23 tremendous contribution on some of the points that  
24 came up, agreeing with a lot of our policy choices I  
25 thought.

2 CHAIRPERSON LEVIN: Yes.

3 COMMISSIONER BANKS: My name is Steven

4 Banks and I am the Commissioner of the New York City  
5 Department of Social Services. In this capacity, I  
6 oversee the Human Resources Administration, HRA, and  
7 the Department of Homeless Services, DHS. Joining me  
8 today is DSS First Deputy Commissioner Molly Murphy,  
9 HRA Administrator Grace Bonilla, DHS Administrator  
10 Joslyn Carter, DSS Chief Program Planning and  
11 Financial Management Officer Ellen Levine, and DSS  
12 Chief of Staff Scott French. My testimony today will  
13 outline the major components of the DSS/HRA/DHS FY20  
14 Executive budget, which reflects our continued  
15 efforts to improve our policies, programs, and  
16 operations to address income inequality, fight  
17 poverty and homelessness, and help New Yorkers in  
18 need get back on their feet with dignity. We know we  
19 have more work to do, but we have made progress over  
20 the past five years, against the backdrop of  
21 operating in a housing market with limited affordable  
22 options for our clients due to decades of  
23 underinvestment. However, our progress is imperiled  
24 by funding cuts from the State. When I testified  
25 before the Council at the Preliminary Budget hearing

2 in March, we were fighting to prevent a cut to New  
3 York City's reimbursement for Family Assistance,  
4 funded by Temporary Assistance for Needy Families or  
5 TANF. Despite our efforts to eliminate this cut from  
6 the New York State budget, we are now facing a very  
7 real \$125 million cost shift for annual public  
8 assistance and family shelter funding to New York  
9 City. The City's Executive Budget accounts for this  
10 lack of support from the State along with other  
11 reductions in other agencies whose funding is  
12 included in the DSS budget. Nevertheless, we remain  
13 firmly committed to addressing the underlying  
14 structural barriers our clients face and improving  
15 the ways in which clients interact with our agency  
16 and access the benefits and services they need. For  
17 HRA/DSS in the FY 20 Executive Budget, The FY 2020  
18 HRA/DSS budget is \$10.21 billion, consisting of \$7.92  
19 billion in City funds, an increase of \$34 million in  
20 total funds and \$192 million in City funds from FY19.  
21 This increase is primarily due to one-time revenue  
22 adjustments in FY19, funding to address the State  
23 budget's cost shift to the City, an increase in City  
24 funds for cash assistance and rental subsidies, and  
25 collective bargaining adjustments in FY20. As part

2 of the Citywide Savings Plan, DSS/HRA will eliminate  
3 379 vacant positions in FY19, and in FY20 and the  
4 baseline, the reduction is 107 positions. The  
5 primary new funding that is reflected in the FY20  
6 HRA/DSS Executive budget is as follows, addressing  
7 cuts in the State Budget: \$31 million in City funds  
8 has been added in FY19, and \$62 million in City funds  
9 has been added in FY20 and in the baseline to cover  
10 the new 10 percent City share of TANF-funded family  
11 assistance which is a cost shift from the State to  
12 the City. Cash Assistance: \$40 million in City funds  
13 was added for FY19, and \$35 million in total funds  
14 and \$75 million in City funds were added in FY20.  
15 This funding addresses an expected expense increase  
16 resulting from the HASA Ending the Epidemic program,  
17 which provides enhanced HASA benefits for people with  
18 asymptomatic HIV; fewer sanctioned cases; and higher  
19 costs related to rental assistance, including the  
20 additional City share of the State FHEPS program  
21 required under the Tahada [sic] litigation against  
22 the state. HRA IT: \$37 million, \$12.5 million in  
23 City Funds, was added for FY19 and \$38 million, \$26  
24 million in City funds, was added in FY20 to support  
25 planned DSS/HRA IT projects to enhance client

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2 services. IDNYC: \$2.4 million, all City-funded, was  
3 added in FY20 and \$1.6 million in FY21 and the out-  
4 years to support enhancements to the IDNYC program  
5 related to the renewals. Implicit Bias Training: \$1  
6 million was added in FY19, \$2.2 million for FY20, and  
7 one million for FY21 to implement implicit bias  
8 training for all 17,000 DSS, HRA, and DHS. We've  
9 already launched de-escalation training and we are  
10 implementing anti-bias, trauma informed training this  
11 year. Body-worn cameras: \$330,000 was added in FY19  
12 and \$100,000 for FY20 to provide HRA Peace Officers  
13 with body-worn cameras. Last year, we conducted a  
14 pilot program in which 40 DHS Peace Officers were  
15 trained in and wore body-worn cameras in their daily  
16 work serving, supporting, and protecting New Yorkers  
17 in need as they get back on their feet. With the  
18 success of this DHS pilot, this FY20 budget  
19 allocation will complement the funds previously  
20 designated for DHS to provide body-worn cameras to  
21 DHS Peace Officers to increase transparency and  
22 accountability as we continue to improve policing and  
23 safety for New Yorkers experiencing homelessness and  
24 seeking services from our agency. Capital funding:  
25 the HRA/DSS 10-year capital plan for FY20-29 totals

2 \$275 million, \$192 million City funds, including:

3 \$183 million for technology to streamline operations;

4 \$88 million for facilities, maintenance and

5 equipment; and \$4 million for vehicles. Savings

6 Initiatives: to support the FY20 budget, HRA/DSS will

7 build on efficiencies we've already achieved over the

8 past five years, including repurposing 550 central

9 administrative positions to frontline staffing in

10 FY15 and integrating HRA and DHS in 2017 to

11 streamline operations. Savings initiatives include

12 headcount efficiencies, one-time revenues in 2019,

13 transitioning the last City-operated domestic

14 violence shelter to a not-for-profit operation,

15 assisting eligible individuals to enroll in

16 Supplemental Security Income benefits instead of Cash

17 Assistance, maximizing revenue from Federal grants,

18 and other streamlining and administrative savings

19 efforts. For DHS the FY20 DHS Executive Budget

20 totals \$2.12 billion, consisting of \$1.28 billion in

21 City funds. The FY20 DHS new needs include the

22 following: Addressing cuts in the State Budget:

23 Similar to HRA/DSS, \$31 million in City funds has

24 been added for FY19 and \$62.6 million in City funds

25 has been added for FY20 and in the baseline to cover

2 the new 10 percent City share of TANF-funded family  
3 assistance, which again is a cost shift from the  
4 State to the City. Further, \$85 million was added in  
5 FY19 only as a federal funding adjustment. For DHS  
6 IT: \$12.5 million was added in FY19 and \$11.5 million  
7 in FY20, all City-funded, to support planned DHS IT  
8 projects to enhance client services. Security: \$11.4  
9 million was added in FY20 and \$18 million in FY21 and  
10 the out-years to support shelter security  
11 reorganization initiatives. Initiatives included in  
12 the Preliminary Budget that are now reflected in the  
13 Executive Budget are primarily Street Programming:  
14 \$25 million was added in FY19 and in the out-years to  
15 fulfill the FY18 funding commitment for outreach  
16 services, drop-in centers, and safe haven beds. For  
17 the DHS Capital budget, the ten-year DHS capital plan  
18 for FY20-29 totals \$649 million, all City-funded),  
19 including \$181 million for homeless family  
20 facilities, \$424 million for single adult facilities,  
21 \$44 million for technology projects and equipment  
22 purchases. To support the FY20 budget and continuing  
23 efforts to achieve savings, the savings initiatives  
24 include the elimination of vacant positions in FY19  
25 only, enhancing efforts to secure federal funding,

2 transitioning a shelter that is partially operated by  
3 a not-for-profit to full not-for-profit operation,  
4 and reorganizing shelter security to enhance de-  
5 escalation. We've worked over the past five years  
6 to reform policies and practices to enhance access to  
7 benefits and services for clients. Most recently, we  
8 successfully advocated for a change in the State  
9 regulations that will eliminate finger imaging  
10 requirements for Cash Assistance clients. This  
11 change in policy will treat clients with the dignity  
12 they deserve, continue our efforts to fight against  
13 the stigma that some associate with receipt of our  
14 assistance and services, and eliminate an extra  
15 barrier for families and individuals to obtain much-  
16 needed benefits. Many clients were forced to take a  
17 day off from work or find child care, just to  
18 complete an unnecessary administrative requirement of  
19 finger imaging. As we found when the State eliminated  
20 the finger imaging requirement for SNAP food stamps  
21 clients several years ago, we already have other  
22 effective mechanisms in place to prevent and detect  
23 public benefits fraud. This regulatory change will  
24 allow clients to more easily access Cash Assistance,  
25 and is an important additional step to help us reduce

2 in-center wait times by eliminating as many in-person  
3 appointments for Cash Assistance as possible and  
4 continuing to move Cash Assistance transactions  
5 online as we've already done for SNAP/food stamps.

6 Some additional examples of these reforms, which are  
7 supported in the FY20 Budget, include the following:

8 Clients no longer have to work off the benefits in  
9 the Work Experience WEP Program at City and not-for-  
10 profit agencies completing tasks that would not

11 prepare them for gainful employment. We eliminated  
12 the WEP program and replaced it with new

13 opportunities in subsidized jobs, more diverse  
14 internship and community service opportunities, and  
15 education and training programs to help clients move

16 forward on a career pathway in jobs and sectors that  
17 are in demand. We successfully advocated for a

18 change in State law to permit clients to count  
19 approved coursework at four-year college program

20 towards Cash Assistance work requirements and obtain  
21 college degrees to greatly enhance the ability to

22 earn a living wage. We successfully implemented a  
23 pre-conciliation, conciliation and pre-fair hearing

24 case review and conference process to avoid work  
25 requirement-related sanctions and advocated for a

2 change in State law to give clients in New York City  
3 an opportunity to cure a work requirement violation  
4 at any time and avert previous durational sanctions.  
5 We also successfully advocated for a reduced State  
6 sanction period for SNAP food stamps. That means the  
7 clients do not have to lose their housing, go hungry  
8 or forego buying clothes for their children because  
9 of a sanction that lasts a prescribed period of time  
10 regardless of a client's willingness to meet their  
11 work requirements under federal and state law. We  
12 put in place new protocols to prevent unnecessary  
13 case closings, and State fair hearing challenges  
14 decreased by more than 47 percent. As a result,  
15 clients have access to benefits they need, and the  
16 City is no longer subject to a potential \$10 million  
17 annual State financial penalty for unnecessary  
18 hearings. To reduce the amount of unnecessary case  
19 closings, sanctions and hearings, before an adverse  
20 action is taken, we make sure that all required  
21 support services are in place, reasonable  
22 accommodations are honored, mailing addresses are  
23 correct, and notices are sent in the correct  
24 language. And now conciliation appointments are  
25 scheduled at Career Compass and Youth Pathways

2 employment providers, rather than at Job Centers, so  
3 that we can re-engage clients immediately and avoid  
4 unnecessary extra in-office appointments for clients.  
5 We now make it easier for clients to continue their  
6 assistance if they submit required documentation  
7 within 30 days of a case closing and ensure that  
8 missing paperwork doesn't cause someone to lose their  
9 benefits. We stopped the practice that required all  
10 homeless clients to travel to a single HRA Job Center  
11 in Queens; now clients can seek assistance at a Job  
12 Center in their home borough. We changed the  
13 practice that required all seniors to travel to a  
14 single HRA Job Center in Manhattan; now seniors can  
15 receive services at a Job Center in their home  
16 borough. We work with the Urban Justice Center's  
17 Safety Net Project to implement the Universal  
18 Receipt. This provides individuals who complete a  
19 visit at a Job or SNAP Center with a document that  
20 indicates the nature and date of the visit or  
21 contact, and a copy of this receipt is also available  
22 in Access HRA. This receipt process is now codified  
23 into Local Law as a result of legislation sponsored  
24 by Speaker Johnson. We have transformed the process  
25 for Cash Assistance to reduce unnecessary office

2 visits; clients can now submit recertification  
3 questionnaires online, submit documents from a  
4 smartphone. Through the ACCESS HRA app, clients can  
5 open an account to gain access to over 100 case-  
6 specific points of information for Cash Assistance  
7 and SNAP in real-time, including application and case  
8 statuses, upcoming appointments, account balances,  
9 and documents requested for eligibility  
10 determinations, and clients can make changes to  
11 contact information, view eligibility notices  
12 electronically, request a budget letter, and opt into  
13 text message and email alerts. We improved Access  
14 HRA with a client benefits portal so that SNAP  
15 applications and re-certifications can all be done  
16 online without having to go to an HRA SNAP office.  
17 Now clients conduct 87 percent of applications online  
18 and documents can be submitted via a mobile app on a  
19 smartphone; 43,000 documents were submitted via the  
20 mobile app in April alone. We instituted On Demand,  
21 a practice where SNAP eligibility interviews are now  
22 conducted at the client's convenience and time  
23 preference by phone, instead of a rigid four-hour  
24 window, to help clients access the benefits they need  
25 to purchase food. The percentage of completed

2 telephone eligibility interviews increased from 29  
3 percent in 2013 to 97 percent as of 2019. We created  
4 a Provider Portal, which with client authorization  
5 and MOU with HRA, enables community-based  
6 organizations to view a client's case record in order  
7 to help the client with document submission, various  
8 case inquiries, and application and recertification  
9 requirements. We began accepting a federal waiver,  
10 without which clients who are classified as Able-  
11 Bodied Adults Without Dependents were limited to SNAP  
12 food stamps benefits for only three out of 36 months  
13 if they could not find work for at least 80 hours a  
14 month in areas of high unemployment, and we are  
15 continuing to fight back against the Trump  
16 Administration's efforts to make it more difficult  
17 for these clients to obtain food they need to feed  
18 themselves and their families. We instituted a  
19 centralized rent arrears processing unit to ensure  
20 that rent arrears payments are issued by the required  
21 due date. We streamlined the system for making New  
22 York City Housing Authority rent payments  
23 electronically, rather than the old practice of paper  
24 checks, and we are developing a similar payment  
25 system for private landlords. Moreover, using ACCESS

2 HRA, clients can now confirm that the rent was paid  
3 to their landlords pursuant to a reform now codified  
4 in State law to provide such confirmation. This  
5 makes the process easier for clients and gives them  
6 one less thing to worry about as they pay their rent.  
7 In 2014, 90 clients per year received reasonable  
8 accommodations. In settling the 2005 Lovely H. class  
9 action lawsuit, we began working with expert  
10 consultants to develop tools to assess whether  
11 clients need reasonable accommodations as the result  
12 of physical or mental disabilities. In contrast to  
13 the 90 when we began per year, there are currently  
14 more than 51,000 clients who have one or more  
15 reasonable accommodations. Working with Speaker  
16 Johnson when he was a Council Member and Housing  
17 Works, we ended the counterproductive policy that  
18 required clients with HIV to wait until they were  
19 diagnosed with AIDS to receive HASA assistance. Now,  
20 clients have better access to the services and  
21 housing assistance they need. With respect to DHS,  
22 as we have reported previously, homelessness  
23 increased 115 percent in our city from 1994 to 2014 -  
24 while some 150,000 rent-regulated apartments were  
25 lost and rents increased nearly 19% and income

2 increased by less than 5% in recent years. Through  
3 our comprehensive efforts, we have finally broken the  
4 trajectory and we have begun to reverse the trend. We  
5 know we have much more work to do, but these are the  
6 results that are beginning to take hold that are  
7 supported by the proposed FY20 budget: Keeping the  
8 shelter census flat over two years for the first time  
9 in a decade, with the census now starting to come  
10 down-- today the census was 58,000, approximately  
11 58,200 people; doubling down on preventing  
12 homelessness - evictions are down 37 percent since  
13 2013; Providing more permanent housing - enabling  
14 115,000 children and adults to move out of shelter  
15 and avoid shelter altogether; bringing people off the  
16 streets and out of the subways - since HOME-STAT  
17 began in April 2016, our street teams have helped  
18 more than 2,000 people come off the streets and  
19 subways and remain off; and transforming the City's  
20 approach to shelter, closing more than 200  
21 substandard shelter sites and siting 43 new borough-  
22 based shelters to offer help as close as possible to  
23 the anchors of life like schools, jobs, health care,  
24 houses of worship, family and support networks. I'm  
25 going to leave the rest of the testimony for the

2 record and just conclude by saying with all of these  
3 components of the Executive Budget for DSS, HRA, DSS,  
4 we look forward to continuing our important  
5 partnership with the Council to overcome the state  
6 budget cuts for our agency and keep improving the  
7 essential programs on which so many New Yorkers rely.  
8 Thank you for the opportunity to testify today, and  
9 we welcome any questions you may have.

10 CHAIRPERSON DROMM: Thank you very much.

11 We have been joined by Council Member Moya. And  
12 geez, Commissioner, that was a quick reading of your  
13 testimony, a good reading.

14 COMMISSIONER BANKS: It's full of a lot  
15 of work that I know many of you on this panel have  
16 been calling for, for many years, and I wanted you to  
17 see your work.

18 CHAIRPERSON DROMM: Thank you. Very  
19 good. Alright, let me start off with some questions  
20 on the HRA budget. In HRA's Executive Budget there  
21 are several instances of funding allocated for  
22 services and programs that are outside the scope of  
23 the agency's mission. For example, the Civic  
24 Engagement Commission's Democracy New York City,  
25 ENDGBV, and the Young Men's Initiative are all items

2 that are currently funded in HRA's budget, because  
3 these are outside the scope of HRA's work. It would  
4 appear that HRA is being used as a pass-through  
5 agency. So why are these programs in HRA's budget?  
6 Is HRA working on these office-- offices and  
7 programs, or is it just serving as a through?

8 COMMISSIONER BANKS: Essentially as a  
9 pass-through, but I want to emphasize these are all  
10 programs that benefit our clients, and from the point  
11 of view of efficiency and use of City resources to be  
12 able to make use of our Personnel Department and our  
13 Budget Department, it avoids having to create  
14 additional supports for those kinds of important  
15 citywide initiatives to place them within our budget.

16 CHAIRPERSON DROMM: So will those programs  
17 be shifted to other agencies during the course of the  
18 Fiscal Year?

19 COMMISSIONER BANKS: No, those-- for  
20 example, the-- formerly the Mayor's Office to Combat  
21 Domestic violence which has been renamed, End DV  
22 [sic], for example, that's part of-- been part of our  
23 budget for a number of years, and similarly with  
24 other programs that are operated within our  
25 framework. Again, they benefit our clients, and the

2 City is getting the economies of scale, if you will,  
3 by having the HRA support structure, the DSS support  
4 structure support the work of those initiatives.

5 CHAIRPERSON DROMM: And are these all new  
6 initiatives this year into the budget? Or did you  
7 have them there last year as well?

8 COMMISSIONER BANKS: I believe the  
9 Democracy Initiative is a newer initiative and  
10 domestic violence offices has been part of our budget  
11 for some time. Is there another one that you  
12 mentioned? I'm sorry.

13 CHAIRPERSON DROMM: Young Men's  
14 Initiative and--

15 COMMISSIONER BANKS: [interposing] That's  
16 also been in our budget over a period of time.

17 CHAIRPERSON DROMM: Alright, thank you.  
18 Just want to talk a little bit about the DHS  
19 Monitor's Report. So, the Monitor Report that we  
20 received from your office was in a different format  
21 than what Council had and agreed actually to at the  
22 time of the Fiscal 19 budget adoption. Can we get  
23 that form-- can we get that report in a different  
24 format so that it will be able to assist us in  
25 examining exactly what's there?

2 COMMISSIONER BANKS: Well, again, I  
3 appreciate the question. I think we have a good  
4 process with the Monitor Report. It was submitted  
5 exactly when it was required to be submitted, and the  
6 information that we're able to provide as a result of  
7 the agreement we did provide, I thought we had a very  
8 productive conversation with Finance Staff and Chair  
9 Levin and General Welfare staff yesterday about  
10 additional information that has been requested by the  
11 Council that we want to see how we can provide it,  
12 and I know there's going to be a working session to  
13 see how to address needs. I think one of the  
14 realities is we've got the information in the format  
15 we've got it in, and on the other hand, we've been  
16 pretty transparent about providing information beyond  
17 that required in the monitor report when Council  
18 staff ask for clarifications and additional  
19 information. So, I think it's a very cooperative  
20 relationship between Council Finance staff and the  
21 General Welfare staff and our staff and we'll keep  
22 doing that.

23 CHAIRPERSON DROMM: So you'll keep meeting  
24 with the Finance staff in the future?

2 COMMISSIONER BANKS: Absolutely, we-- as  
3 I've said I know there's been staff-to-staff  
4 conversations, and yesterday Chair Levin was gracious  
5 enough to have his newborn participating with us on  
6 one of the calls.

7 CHAIRPERSON DROMM: Fully participating,  
8 wow [sic]. Very smart, just like the Chair.

9 CHAIRPERSON LEVIN: Gurglings [sic] of  
10 approval.

11 CHAIRPERSON DROMM: Okay, there you go.

12 COMMISSIONER BANKS: Yet, I think on that  
13 call when I said, "And we've submitted a complete  
14 report with everything you need," somebody gurgled,  
15 and we thought that that would resolve the whole  
16 matter.

17 CHAIRPERSON DROMM: Okay, let's talk a  
18 little bit about TANF. As a result of the Fiscal  
19 2020 State budget, cut to Temporary Assistance for  
20 Needy Families. The city is now required to pay 10  
21 percent local share towards TANF resulting in a loss  
22 of 125 million dollars in federal funding across the  
23 Department of Social Services. Can you describe the  
24 City's TANF responsibility with the 10 percent local  
25 share and how it will implicate future budgets?

2 COMMISSIONER BANKS: Thank you for  
3 raising this issue. By way of context, in the  
4 original State Executive Budget there was a proposed  
5 cost shift of about 600 million dollars from the  
6 state to the city overall across multiple agencies  
7 and initiatives. At the end, the final budget  
8 limited that to a 300 million dollar impact; 120  
9 million dollars of that impact is essentially a cost  
10 shift for TANF. It's a state budget cut at the state  
11 level and an increase to our budget here. I think it  
12 certainly continues to have an impact on real  
13 benefits. These are not discretionary things that  
14 are affected. These are client public assistance  
15 benefits, client HASA benefits, DV services, family  
16 shelter, these are things that are mandates that  
17 clients are entitled to receive, and it means at the  
18 bottom line that we have 125 million dollars less of  
19 state money available to meet these needs. It  
20 continues a trend that we've seen. Several years ago  
21 there was a 10 percent cut at the state level, which  
22 is a 10 percent charge back to the City for emergency  
23 assistance for families, and I think you see  
24 reflected in our budget, it means we can do less of  
25 what we would like to be able to do to meet client

2 needs. I think with the support from OMB and the  
3 Mayor we've been able to incorporate the cut by--  
4 with additional revenue from the city budget. That  
5 means additional city tax levy for funding that was  
6 once provided by the state level, and TANF of course  
7 is a federal state program. So it's an impact that's  
8 directly felt for clients, and you see it reflected  
9 in our budget. You see the growth reflected on  
10 additional dollars that we had to put in the budget  
11 related to this.

12 CHAIRPERSON DROMM: Tremendous cut.  
13 Thank you for your answers. I want to talk a little  
14 about Emergency Food Assistance, or EFAP. As more  
15 New Yorkers struggle to obtain and maintain vital  
16 SNSAP benefits as the result of changes made on the  
17 federal level. The cost of food continues to  
18 increase in the City and with its increased reliance  
19 on the Food emergency Assistance programs. Have you  
20 observed increased use of EFAP pantries, and if so,  
21 can you describe it?

22 COMMISSIONER BANKS: Well, I think what  
23 we're seeing in this year is the benefit of the  
24 partnership with the Council and an increase in the  
25 funding for EFAP. I think a priority of the

2 Administration and a priority of the Council is  
3 increasing the funding, and a priority that we had in  
4 increasing the funding was to increase the capacity  
5 of the providers to be able to store and distribute  
6 additional quantities of food that they're  
7 purchasing. I think that the system is adjusting to  
8 that change. But I appreciate that in your slide  
9 you're highlighting something that I referred to in  
10 the testimony which is the SNAP threat, and this  
11 relates to 75,000 able-bodied adults without children  
12 who prior to this Administration were limited to food  
13 stamps in three months out of any 36 months as a  
14 result of federal rule because the City determined  
15 not to take the ABAWD waiver, which every other  
16 county in New York State had, and 46 or so other  
17 states had taken it. New York City finally did in  
18 2014 which preserved benefits for these individuals.  
19 Then, two years ago we began to experience limits on  
20 our-- on that waiver for New York State by the  
21 Federal Government and we've not got 5,000 ABAWD,  
22 able-bodied adults without children in parts of  
23 Manhattan and parts of Queens that are no longer  
24 covered by the waiver, which means that their food  
25 stamps are at risk if they can't find 80 hours of

2 work a month. And now, despite the fact that  
3 Congress staved off an even-- a deeper cut for the  
4 ABAWD clients. There's a proposed regulation that we  
5 oppose strenuously. It's end run around the  
6 Congress, and that's a great concern that there was a  
7 compromise in congress not to impose deeper ABAWD  
8 cuts, and now there's a Trump Administration rule.  
9 So, we're going to follow that very closely, and  
10 we'll monitor what the needs are based upon what we  
11 see happening, and we'll certainly continue to do  
12 what we've done with other Trump administrative  
13 proposals. Don't take for granted they'll be  
14 implemented. Fight against them.

15 CHAIRPERSON DROMM: Are any providers  
16 reporting shortages at EFAP pantries?

17 COMMISSIONER BANKS: I'm sorry, I didn't  
18 quite hear you.

19 CHAIRPERSON DROMM: Are any providers  
20 reporting shortages at EFAP?

21 COMMISSIONER BANKS: I think that  
22 providers had challenges during the federal shutdown  
23 and we were all monitoring very closely, and  
24 fortunately our congressional delegation and others  
25 led the way to bring that to conclusion. But we're

2 monitoring the situation very closely, but I want to  
3 say again, it was a tremendous infusion of resources  
4 jointly by the Council and Administration to get that  
5 money into baseline and resolve a long, longstanding  
6 problem over many years of a gap in funding.

7 CHAIRPERSON DROMM: Do you have a  
8 contingency plan if these proposed changes to SNAP  
9 benefits are implemented?

10 COMMISSIONER BANKS: Well, I think it  
11 reminds of when the Trump Administration proposed to  
12 eliminate HEAP, which is benefits to help people with  
13 their heating costs, 780,000 people in New York City  
14 and many of them senior citizens who are threatened  
15 with the loss of HEAP benefits. And we said we're  
16 not going to stand for that. We're going to work  
17 with the congressional delegation. We're going to  
18 fight back. We're not going to plan contingencies  
19 which would communicate to the Trump Administration  
20 that we can manage the draconian cut. We're going to  
21 fight back because people can't bear a draconian cut  
22 like that, and we've taken the same approach to this  
23 food stamp cut as well. We think it's ultra vires, a  
24 legal term for it has no support in the statute  
25 because the ultimate budget compromise specifically

2 did not adopt the policy the Trump Administration is  
3 now trying to implement by regulation. Essentially  
4 ignoring the authority of the congress as a co-equal  
5 branch of government.

6 CHAIRPERSON DROMM: Okay, thank you. I  
7 just want to talk a little bit about the Human  
8 Services' contracts. In Fiscal 18's Adopted Budget  
9 the Administration baselined funding to increase the  
10 indirect rate to an average of 10 percent for New  
11 York City's Human Services provider across agencies.  
12 As a result of community organizers stating that the  
13 indirect rate was not realistic, however, Council  
14 recommended in its preliminary response that 106  
15 million be included in the Executive Budget to  
16 increase the indirect rate to 12 percent. So, why  
17 was this increase not included in the Executive  
18 Budget, and how does the indirect rate vary across  
19 DSS providers?

20 COMMISSIONER BANKS: Well, as you know,  
21 this is a citywide issue, and I know it's come up in  
22 other hearings, and I think the Administration as a  
23 whole is looking at the issue and how best to address  
24 it. I know that for our Department of Homeless  
25 Services part of our budget we've invested nearly a

2 quarter of a billion dollars in additional resources  
3 in the not-for-profit sector. It's a very important  
4 partner of ours, and that's why we've allocated  
5 dollars of that magnitude to enhance and support  
6 their work. We've adopted model budgets for our  
7 adult protective services providers, and we're going  
8 to continue to work with Homeless Services United  
9 which is an important partner of ours as well as the  
10 Human Services Council to evaluate what's needed, but  
11 as I said, this is part of our larger city-- citywide  
12 look at what's needed for the sector, but in terms of  
13 our budget, as I said, we've put in a quarter billion  
14 dollars to enhance the ability for our not-for-profit  
15 partners to provide their services.

16 CHAIRPERSON DROMM: Okay, thank you. I'm  
17 going to turn it over to my Co-Chair, Steve Levin.

18 CHAIRPERSON LEVIN: Thank you very much,  
19 Chair Dromm. Check and see if we've been joined by  
20 anybody else, but we're all set right now. I do want  
21 to acknowledge the Deputy Commissioner and former  
22 Council Member Annabel Palma who is here as well.  
23 So--

2 COMMISSIONER BANKS: [interposing] We're  
3 very happy to have her at our agency. Your loss is  
4 our gain.

5 CHAIRPERSON LEVIN: Absolutely. So, I'll  
6 start with HRA. The-- some of the technology system  
7 upgrade funding, I wanted to see if you could speak a  
8 little more in-depth about where some of the new  
9 needs will be in terms of there's 25 million dollars  
10 for DHS IT upgrades, which I-- the IT stuff is-- the  
11 questions will be spread across both HRA and DHS.  
12 There's an additional 24.4 million dollars for HRA IT  
13 upgrades, and then you spoke about significant  
14 capital allocation in the 10-year plan, 182 million  
15 dollars for technology just streamline operations.  
16 You know, technology upgrades have enormous potential  
17 when it comes to service delivery in DHS and HRA, and  
18 I think that it's a type of thing that should be  
19 constantly upgraded as technology continues to be  
20 exponentially more effective and can make  
21 significant-- you know, cut down on cost to increase  
22 efficiency, increase effectiveness of the service  
23 delivery. So, if you could speak a little bit about  
24 both what the funding is going to be doing and then  
25 kind of how we're looking strategically at technology

2 integration when it comes to service delivery and  
3 meeting the needs of clients.

4 COMMISSIONER BANKS: Thank you for that  
5 question. I think it really goes to the heart of  
6 some of the changes that we made over the last  
7 several years, and just highlight again the  
8 investments we've made so far have made it possible  
9 for 87 percent of the applications transactions for  
10 food stamps and SNAP benefits to be online, and for  
11 93 percent of interviews to be online. You'll  
12 remember-- I know when you and I both were critical  
13 of this system, the system used to be-- you had to be  
14 at home and wait to get a call in a four-hour window,  
15 and we've created a very different system now, the  
16 app on your smartphone where you can submit documents  
17 now. All of this is aimed at creating the client  
18 experience and interacting with our agency like any  
19 one of us in the room today might interact in our  
20 banking world, not having to go to a teller to get  
21 certain things done or accomplished or pay your  
22 bills. All of those things are things that we've all  
23 taken for granted in the modern world. Our clients  
24 didn't have access to those kinds of things in the  
25 food stamp program. So everything required a visit

2 to the office, and so we can see a decrease in foot  
3 traffic of more than 40 percent in our SNAP program,  
4 and our clients never actually have to come in  
5 because they can do all of their transactions online.  
6 So that means that the people who need extra help can  
7 come into a SNAP office and get that extra help. It  
8 also means that clients can get extra help from a  
9 CBO, a community-based organization where they can--  
10 to our provider portal to encourage providers to be  
11 part of so that if the client can't navigate the  
12 system online, doesn't want to come to the office,  
13 they could go to any of the reputable groups in your  
14 district, for example, and get that kind of-- get  
15 that kind of help. So that's the vision that really  
16 animates the continued investments, and let me talk  
17 to you about some of them, and I appreciate the  
18 opportunity to do so. So, for example, some of the  
19 investments in capital now, for example, relate to  
20 case processing and functionality for cash assistance  
21 recipients because in order to the SNAP and Food  
22 Stamp reforms that we put in place we needed certain  
23 waivers from the Federal and State Government. We  
24 need them as well for cash assistance, and we're  
25 moving on that same trajectory with cash assistance

2 with the kind of approvals we need to make the  
3 changes, so--

4 CHAIRPERSON LEVIN: [interposing] Sorry,  
5 just to interrupt.

6 COMMISSIONER BANKS: case processing--

7 CHAIRPERSON LEVIN: [interposing] What  
8 type of waivers are needed?

9 COMMISSIONER BANKS: SO, again, to go  
10 back to what we had to do, you had to get a waiver to  
11 allow for on-demand telephone interviews for SNAP  
12 food stamps--

13 CHAIRPERSON LEVIN: [interposing] Right.

14 COMMISSIONER BANKS: you had to get a  
15 waiver to enable certain documents and things to be  
16 submitted online.

17 CHAIRPERSON LEVIN: Right.

18 COMMISSIONER BANKS: Similarly, for cash,  
19 various-- to move-- our system to give clients the  
20 ability to recertify and do certain transactions on  
21 the phone, we need various waivers. We have had-- I  
22 think you can see from what I testified to the  
23 proposed state regulation now to eliminate finger  
24 imaging comes out of those conversations to eliminate  
25 the need for these in-office visits.

2 CHAIRPERSON LEVIN: Is it fair to say  
3 that while the number of cash cases is significantly  
4 lower than the number of SNAP cases in New York City,  
5 the level of involvement that a client has to go  
6 through in submitting paperwork, submitting  
7 documents, going for certain interviews is much more  
8 significant for cash than it is for-- and it's also  
9 the requirements are more stringent from the Federal  
10 Government and the State.

11 COMMISSIONER BANKS: Well, I think that  
12 there are potential barriers to access to both the  
13 programs that are embedded in federal law, but we've  
14 been able to bridge those barriers and increase  
15 access on the food stamp side with strategic waivers  
16 and increased access through technology. We're  
17 moving in the same direction on the cash side now.  
18 For example, the ability to submit recertification  
19 forms online is a break-through. The ability for  
20 certain clients to be able to conduct some  
21 transactions by telephone is a break-through, but the  
22 investments that are reflected in our budget continue  
23 that same vision of reducing barriers even within, as  
24 your correctly identify more complex series of  
25 federal and state law requirements, but we're

2 investing in the technology to create on-demand  
3 telephone interview functionality for cash assistance  
4 recipients the same as we did for food stamps. And  
5 we're also implementing the same sort of  
6 functionality to help workers manage their work load  
7 that we're implementing. Were' already in the  
8 process of implementing for SNAP. You're' correct  
9 that the two systems of requirements don't line up.  
10 It's not a cookie cutter-- if you're eligible for  
11 this kind of benefit through the SNAP program, you're  
12 eligible for the same kind of benefit through cash.  
13 A different series of questions are asked, different  
14 series of resources are look at, but we think that  
15 we've even able to do for clients by moving to the  
16 online system for SNAP there's still great potential  
17 to realize that for cash, and we're getting  
18 cooperation or collaboration with the state to give  
19 us the kinds of waivers we're needing to do that in  
20 the budget that was reflected that vision of those  
21 kinds of funds. Similarly, we are creating a  
22 landlord management system to create a payment portal  
23 so that we can-- we piloted this with NYCHA, as I  
24 said in the testimony. The idea that when I came to  
25 the agency that we were paying money by check and

2 delivering it to every individual development to some  
3 decree. We needed to eliminate that approach. We  
4 created a central rent processing unit. We've  
5 accelerated our rent payments now that we pay by the  
6 due date rather than the date for which the request  
7 was made. That was what we were confronted with five  
8 years ago, but the technology is allowing-- is going  
9 to allow us to create a more seamless payment system  
10 between tenants and landlords. We also are putting--

11 CHAIRPERSON LEVIN: [interposing] And  
12 that's something just to point out. I mean, that's  
13 something that we've been hearing for a very long  
14 time is a major source of concern from landlords.  
15 And one of-- you know, one of the myriad reasons that  
16 they cite for why they engage in sometimes  
17 discriminatory practices or in violation of our Human  
18 Rights Law and not providing or not engaging--  
19 turning down people through source of income  
20 discrimination, but often when talking to landlords  
21 the one thing, the one refrain you will hear is the  
22 timeliness of rent payments.

23 COMMISSIONER BANKS: No look, we've done  
24 focus groups with landlords. I hear from them at  
25 town halls. We took the step of creating the central

2 Rent Processing Unit to streamline payments to get  
3 out of a system in which checks were being typed by a  
4 typist all over the city and that's made a major  
5 advance, but there's still more to do which is the  
6 reason why we're going to be using technology, which  
7 we think will streamline the payment process and  
8 address the kinds of concerns that landlords have  
9 raised about the receipt of payment. Another capital  
10 investment is for our one number, which is to create  
11 a more streamlined way for clients to contact us.  
12 Again, in the same way that we all do in our lives,  
13 we might, you know, complaints about calling a  
14 central number, but you can call a central number and  
15 actually get help. And so we're creating a way in  
16 which we can have a one-number approach and people  
17 can call and have things resolved on their cases, and  
18 that-- by that means. And we've already worked on  
19 that by giving more ability to our existing info line  
20 staff to schedule appointments and resolve certain  
21 matters and look up information and give information.  
22 You know, back to my Legal Aid days, one of the most  
23 common problems clients had was trying to get a  
24 budget letter. Now you can get that online through  
25 Access HRA. So every place we're going we're trying

2 to reduce barriers to access, improve the client  
3 experience and address worker workload. And so the  
4 technology that's in our budget reflects that vision.  
5 The technology investments reflect that vision both  
6 in terms of the online work and in terms of one  
7 number and additional steps that we're taking.

8 CHAIRPERSON LEVIN: And then I-- just one  
9 other question about this. I'm assuming that kind of  
10 long-term strategically over the course of the next  
11 10 years there's a team at DSS that is kind of  
12 examining emerging technologies and, you know, kind  
13 of-- because the technology today is going to be  
14 obsolete in 10 years, and so I'm trying to stay ahead  
15 of the curve it a little bit and not playing catch-  
16 up, you know, so that were, you know, constantly  
17 behind in terms of what the latest-- what's available  
18 to, you know, bank consumers, you know, should be  
19 available to clients at DSS.

20 COMMISSIONER BANKS: That's the spirit in  
21 which we're proceeding, and I-- but I would add  
22 another dimension to it which is that we have a  
23 business process improvement initiative that resides  
24 with Ellen Levine's area, and we're constantly  
25 looking for ways in which we can address client

2 access and address worker workload-- they go hand in  
3 hand-- and looking at ways in which we can make  
4 better use of technology and what are the trends. We  
5 also have an ongoing relationship with DoITT so that  
6 what we're doing is part of an overall city strategy  
7 and coordinated as well.

8 CHAIRPERSON LEVIN: And then some of the  
9 funding is in the expense budget, some of it's in the  
10 capital budget for technology. How is that--

11 COMMISSIONER BANKS: [interposing] Well,  
12 they're small. Non-capital, I'll give you a couple  
13 of examples. That would be, for example, maintenance  
14 and upgrades, and so anything that's capitally  
15 eligible, we're going to fund through the capital  
16 budget, but things like upgrades and maintenance are  
17 not capitally eligible.

18 CHAIRPERSON LEVIN: So moving onto client  
19 services at HRA. We didn't include in the Executive  
20 Budget additional headcount for eligibility  
21 specialists. This is something that we've been  
22 hearing is a-- could have a meaningful impact on the  
23 level of client services in HRA. Can you speak a  
24 little bit to why that it not part of the Executive

2 Budget and whether there's an opportunity to include  
3 that moving forward in the Adopted Budget?

4 COMMISSIONER BANKS: So, I want to-- I  
5 want to focus very directly on the functions that  
6 staff perform. They're are members of Local 1549.  
7 They do terrific work. I have great respect for that  
8 Local and for the work they do. But there are two  
9 trends that are affecting the staffing levels there  
10 and so simply saying, "Why don't you add more  
11 individuals?" in that particular title don't take  
12 into consideration the trends. That particular title  
13 is within our Medicaid program, and I think as we've  
14 testified previously, the Medicaid program is  
15 transitioning to the state through state law. We  
16 have been working very closely with the state to  
17 prepare to maintain some residual local district HRA  
18 functions because we think that for clients it makes  
19 sense to have some residual local role. And when I  
20 first came in five years ago, this was something in  
21 partnership with Local 1559-- 1549, and we were very  
22 much focused on not having state takeover mean that  
23 there be no role at all for us as the local district  
24 interacting with people at a local level. But none  
25 the less, the basic construct of state law is that

2 much of the Medicaid program will be taken over by  
3 the state. And so decrease in eligibility  
4 specialists staffing reflect that. Having said that,  
5 there was-- has been a delay in the state takeover as  
6 they're piloting, experimenting, make sure that it is  
7 implemented effectively, and so in 2018 we added 188  
8 additional eligibility specialists to reflect the  
9 fact that the pace of the transition had been not as-  
10 not at the pace by the state and we thought it would  
11 occur at. In terms of the SNAP program, remember now  
12 that 87 percent of the applications are online; 93  
13 percent of the applications-- of the interviews or by  
14 telephone. And so foot traffic is now decreased by  
15 40-- more than 40 percent of our offices. So the  
16 need for the exact same staffing that we had in that  
17 title before these changes is not continuing. That  
18 doesn't mean we don't have a need for people in that  
19 title and to provide those functions because they  
20 provide vital functions in terms of processing cases  
21 that come in on line. Vital functionality for  
22 interviewing people by telephone, but the footprint  
23 of our offices is smaller. The footprint of our  
24 office is smaller. Now, you might be thinking to  
25 yourself what's going to happen when you make this

2 technology change in cash assistance? Again, we have  
3 tremendous needs for workers to provide services to  
4 our clients, just not in the way that you're-- that  
5 you asked us in the budget response to do.

6 CHAIRPERSON LEVIN: Just one job that  
7 technology can't supplant that I can think of as an  
8 eligibility specialists because somebody had to be  
9 there to make these determinations and have the  
10 expertise to do that.

11 COMMISSIONER BANKS: Absolutely. There's  
12 no substitute for an eligibility determination made  
13 by trained staff member, but the numbers of people  
14 that you have in your Medicaid staff to make those  
15 determinations will be reflected-- will be affected  
16 by the number of people who are now seeking their  
17 benefits on the state exchange, rather than directly  
18 from us, and the numbers of eligibility  
19 determinations needed in person changes when there  
20 are more determinations that can made based upon line  
21 submission and telephone.

22 CHAIRPERSON LEVIN: Do we believe that  
23 the-- so, at the moment, do you believe that the  
24 headcount is sufficient, or is it something to  
25 continue to examine?

2 COMMISSIONER BANKS: We're always  
3 examining it. We're always examining trends. We  
4 didn't add the headcount because we were comfortable  
5 that the staffing reflected the work load on the  
6 Medicaid level, and the staffing reflects the work  
7 load on the SNAP level, but we monitor it constantly,  
8 and I think as you see--

9 CHAIRPERSON LEVIN: [interposing] Are we  
10 paying overtime for eligibility specialists right  
11 now?

12 COMMISSIONER BANKS: Well, I'm glad you  
13 asked that question because sometimes overtime can be  
14 perceived as workload. I think that overtime has to  
15 be understood how it is in our programs. So if a  
16 client comes to a job center at four o'clock because  
17 they're in dire need of our help, we can't tell and  
18 shouldn't tell the client at five o'clock the office  
19 is closing.

20 CHAIRPERSON LEVIN: Yeah, right.

21 COMMISSIONER BANKS: That puts a burden  
22 on our staff, but our staff came to work for us to  
23 help people, and that results in overtime. So,  
24 looking at overtime as I think frequently it is  
25 examined, is it a reflection of understaffing? For

2 us, it's a reflection of the nature of the work that  
3 our staff does and the important role they play--

4 CHAIRPERSON LEVIN: [interposing] But  
5 you're monitoring it over time--

6 COMMISSIONER BANKS: [interposing]  
7 Absolutely.

8 CHAIRPERSON LEVIN: to see it if it's  
9 increasing.

10 COMMISSIONER BANKS: Absolutely.

11 CHAIRPERSON LEVIN: I mean, what--

12 COMMISSIONER BANKS: [interposing] I think  
13 just to go back to what I said earlier, the  
14 additional-- the addition of 188 eligibility  
15 specialists for the Medicaid program in that title  
16 that you're asking in 2018 was directly reflected on  
17 looking at the staff workload and the client needs  
18 and adding additional staffing, and I think it's a--  
19 we have a very good partnership with OMB in looking  
20 at those things constantly.

21 CHAIRPERSON LEVIN: Okay, I'll turn it  
22 over to my colleagues for question. I'll wrap up  
23 afterwards.

24 COMMISSIONER BANKS: Okay.

25

2 CHAIRPERSON DROMM: Okay, thank you.

3 We've been joined by Council Member Rosenthal. We  
4 now have questions from Council Member Adams followed  
5 by Council Member Lander.

6 COUNCIL MEMBER ADAMS: Thank you Chair  
7 Dromm, Chair Levin. Good morning--

8 COMMISSIONER BANKS: [interposing]  
9 Morning.

10 COUNCIL MEMBER ADAMS: Commissioner,  
11 always good to see you here.

12 COMMISSIONER BANKS: Good to see you,  
13 too. I like to see you other places, too.

14 COUNCIL MEMBER ADAMS: I know, right,  
15 right? Good morning to your staff as well, welcome.  
16 Good morning, Annabel. Commissioner Banks, I just  
17 have-- all roads lead to southeast Queens for me.

18 COMMISSIONER BANKS: For me, too.

19 COUNCIL MEMBER ADAMS: For you, too.

20 Okay, good, good.

21 COMMISSIONER BANKS: Only when we're  
22 talking, though. I should have said especially when  
23 we're talking. I apologize.

24 COUNCIL MEMBER ADAMS: Yeah, yeah,  
25 special--

2 COMMISSIONER BANKS: [interposing] I hope  
3 the record will be corrected to reflect that I said  
4 especially.

5 COUNCIL MEMBER ADAMS: I'm sure it will.

6 Alright, so, you know, broken record here. We know

7 that District 28 has one of the highest

8 concentrations of hotels used as homeless shelters in

9 the borough of Queens if not the city. So, in

10 looking at this from a planning perspective, we see

11 that the decision to house families in hotels has

12 fostered a local homeless hotel industry of sorts.

13 With a new 10-year capital strategy and a commitment

14 to turning the tide, has the Administration

15 considered converting hotels into actual shelters, or

16 into affordable housing apartments? I know the last

17 time you were here there was a big question mark. We

18 know that southeast Queens has an inordinate number

19 of hotels. Most recently another one has come up in

20 my district on Liberty Avenue close the Van Wick

21 [sp?]. It's a Comfort Inn, and no one in that

22 community is comforted by that Comfort Inn. So, and

23 that's relatively new. It's been there maybe three

24 months. So, I had asked the last time whether or not

25 we would be looking at with the turn, you know, the

2 Turning the Tide program, whether or not we're now  
3 looking at in southeast Queens something that will be  
4 tantamount to zombie houses and turning zombie houses  
5 now into zombie hotels. What is the plan, if any,  
6 for these hotels?

7 COMMISSIONER BANKS: So let me-- I  
8 appreciate the question, and I also appreciate from  
9 where it comes, and you have been both a great  
10 representative for your area and a great partner in  
11 looking with us about how to do better for our  
12 clients, but just to make it very clear for you and  
13 for your constituents, we've made a very clear  
14 commitment in that particular community district that  
15 we're going to be reducing the number of beds for  
16 shelter by half because there's about twice as many  
17 beds there as are needed to provide the shelter that  
18 is the vision for Turning the Tide, which is to give  
19 people an opportunity to be housed as close as  
20 possible to children's schools, to employment, to  
21 healthcare, houses of worship, family and friends,  
22 the anchors of all of our lives. And what's happened  
23 all across the borough of Queens is, and again, I say  
24 this on the record, there are about 9,900 people  
25 sheltered in Queens, 46 percent of them in hotels.

2 There are about 8,100 people from Queens in our  
3 shelter system. So, we're going to right size, as  
4 our plan does, the number in the borough in rough  
5 portion to the number from the borough as opposed to  
6 what it currently is. And then though, when we get  
7 out of all the hotels we're going to have a deficit  
8 without 2,700 beds. So we'll be getting out of  
9 hotels even as we're opening some new shelters. In  
10 your district, for example, we are opening, for  
11 example, a new shelter, but that's helping us close  
12 hotels, and I think we're closing two hotels in  
13 response to opening that one shelter, which is-- as  
14 you can see where we're going-- we're cutting the  
15 number of beds in half, and so we're adding a  
16 shelter, and closing two hotels in that particular  
17 neighborhood where--

18 COUNCIL MEMBER ADAMS: [interposing] Which  
19 hotels?

20 COMMISSIONER BANKS: I know that we  
21 identified them for staff, and I'll get you the exact  
22 information. Maybe even during this hearing I'll have  
23 it for you, but there are two hotels we're closing,  
24 and opening the shelter that we recently cited, and I  
25 appreciated your perspective on that. You're asking

2 another question, though, which is as other people  
3 are opening hotels that aren't-- we're not in them.  
4 We're not going to get in them, because we have a  
5 plan to get out of them and we-- as you can see,  
6 we're getting out of some in your district right now.  
7 Should we look at those structures as buildings to  
8 reclaim for permanent housing or shelter, I would be  
9 more than willing to work with you or any other  
10 Council Member who has a hotel that there's a concern  
11 from constituents that it's going to become a hotel,  
12 and the community would rather have it be a shelter  
13 run by a reputable not-for-profit or turned into  
14 supportive housing or something else. Be very much  
15 interested in having that conversation on a site-  
16 specific basis. We'd be happy evaluate any site that  
17 you think that's opening as a commercial hotel. We're  
18 not using it for potential use as housing for our  
19 clients or shelter for our clients.

20 COUNCIL MEMBER ADAMS: So, I guess my  
21 follow-up question would be mute then. Would any of  
22 the 649 million dollars in your 10-year strategy be  
23 used for repurposing commercial hotels into  
24 apartments and shelters?

2 COMMISSIONER BANKS: No, but I think one  
3 of the slides-- I think you put it up there. It  
4 shows that we're-- we have a strategy of converting  
5 cluster sites back to permanent housing whenever we  
6 can, and we've just converted a number to permanent  
7 housing. So if there was a particular commercial  
8 hotel site that we could repurpose, we would  
9 certainly analyze that in the same way that we did  
10 the cluster conversions which is can we do that as  
11 part of the overall city approach to increasing the  
12 supply of permanent housing. But again, for-- happy  
13 to look at that Comfort Inn, if that's a site that  
14 would make sense to see whether or not it could be  
15 made into supportive housing. It could be made into  
16 permanent housing or a free-standing shelter which  
17 might be better for the community and the clients  
18 than the existing commercial hotels which we're going  
19 to be getting out of, but that's going to be a site-  
20 specific conversation with you and us, I think, to  
21 see if that makes sense.

22 COUNCIL MEMBER ADAMS: Okay, I look  
23 forward to continuing conversation with you,  
24 Commissioner.

25 COMMISSIONER BANKS: Okay.

2 COUNCIL MEMBER ADAMS: Thank you so much.

3 CHAIRPERSON DROMM: Thank you. Council  
4 Member Lander followed by Reynoso.

5 COUNCIL MEMBER LANDER: Thank you to the  
6 Chairs. Thank you guys all for being here, and for  
7 all the work that you have laid out. I'll start by  
8 saying on one of the issues that's not about  
9 Department of Social Services, but that is in the  
10 budget, the new Civic Engagement Commission, which is  
11 something I worked hard for in the Charter Revision  
12 last year and feel very enthusiastic about. I went  
13 for their first meeting earlier this week. Doctor  
14 Sara Saeed [sp?] is their new leader. It is great.  
15 Seven positions to run citywide participatory  
16 budgeting and do poll site language access and stand  
17 up an entire new civic engagement effort is not  
18 sufficient. So, I'm not going to ask you about it,  
19 but I just want it on the record that while, you  
20 know, you have to start with one, then you'll have to  
21 go through seven. The seven positions that are in  
22 the budget are not sufficient to achieve the goals  
23 and the charter mandate that that position has, so I  
24 want that on the record, and I'll be continuing to  
25 push on those issues. I want to ask a couple of

2 questions about shelters, and if I have time maybe  
3 I'll come back on a second round to ask about  
4 pathways to jobs. I-- we are working together to get  
5 these two shelters on Fourth Avenue sited in a way  
6 that is successful, and I appreciate the engagement  
7 of your team. One challenge that we're having is  
8 working out some of the issues around the nearby  
9 school, which I think has the possibility of having  
10 as many as a quarter or a third of its students next  
11 year, be kids coming from the shelter, and it's  
12 challenging to plan for because the shelter are not  
13 going to be open in time for us to know how many kids  
14 are coming, but the school needs to have the ability  
15 on day one to set up the right number of classes to  
16 have the supports in place, and the way school  
17 budgeting works is making that really challenging.  
18 So, your team have been at some meetings on this  
19 issue, but I just want to-- you know, a real public  
20 commitment that we can work together in ways that  
21 give the school the resources it needs to be able to  
22 serve all its students and not put them in a bind  
23 where they either have to over-hire and risk having  
24 to pay DOE back depending on whether the-- you know,

2 what number of students show up or not, and that's  
3 just proving to be a challenge so far.

4 COMMISSIONER BANKS: You've been a  
5 terrific leader on this, on this issue in general,  
6 but in this particular which indirectly in your  
7 district, not so far from where I live either, and  
8 we'll work with you, and I also appreciate that  
9 should we fall short of working with you, you'll call  
10 me and we'll make sure that we don't fall short, but  
11 it's a commitment I know. Joslyn Carter and I are  
12 very committed to working through these complex  
13 issues that arise for our children, and I appreciate  
14 your perspective which is doing the best for our  
15 clients.

16 COUNCIL MEMBER LANDER: Alright, thank  
17 you. And then my broader budget question is, some of  
18 the shelter providers have raised this question that  
19 the duration of the leases for closes opportunities  
20 to think about buildings longer term, that they would  
21 be interested in potentially purchasing getting  
22 mortgages that maybe they could then, you know,  
23 borrow to improve. They could think about long-term  
24 affordable housing if they had ownership, but that  
25 the sort of five year lease with four-year renewal

2 makes it, you know, difficult to get the kinds of  
3 financing you would get if you were going to try to  
4 buy rather than lease, and I just wondered to what  
5 extent the agency is looking at the possibility of  
6 either longer term leases or providing upfront  
7 capital to do something so that we could-- because  
8 one down side-- there's a lot of upsides to Turning  
9 the Tide relative to clusters and hotels for sure.  
10 But one down side is paying like a lot of rent money  
11 to private for-profit developers who at the end of  
12 the leases we're going to have nothing to show for it  
13 whereas, just like if you could buy your house  
14 instead of renting it, then over the long term you  
15 could use it for public good rather than just for  
16 paying the rent. So I wonder if there's anything  
17 under way to--

18 COMMISSIONER BANKS: [interposing] We're  
19 definitely looking at that. We have a great example  
20 of that, the BRC Landing Road shelter in the Bronx  
21 which combines temporary and permanent housing  
22 together and not-for-profit ownership in Turning the  
23 Tide. This is something we prioritize looking for  
24 ways to enhance and encourage not-for-profit  
25 ownership, and it's something that we are very

2 committed to working through. In the not-for-profit  
3 community there are great partners for this, and  
4 there are people that are fantastic at both housing  
5 and shelter development, and I think we're going to  
6 have-- we're going to be able to make some progress  
7 in the area. I appreciate you raised that issue. My  
8 other question is on the second round.

9 CHAIRPERSON DROMM: Thank you. Council  
10 Member Grodenchik followed by Rosenthal.

11 COUNCIL MEMBER GRODENCHIK: Thank you,  
12 Chair Dromm and thank you Chair Levin. It's good to  
13 see you, Commissioner.

14 COMMISSIONER BANKS: Good to see you,  
15 too, Council Member.

16 COUNCIL MEMBER GRODENCHIK: It's good to  
17 see Administrator Bonilla, because she's come a long  
18 way from eastern Queens-- even farther than I came  
19 today, so I have to say nice things to my constituent  
20 who is a good friend. I'm delighted, of course, and  
21 I want to note the progress that we have made in  
22 emergency food, and I want to thank you, particularly  
23 for helping to end that budget dance finally, and I  
24 know that speaking to providers I know it's made a  
25 tremendous difference in the lives of tens of

2 thousands if not hundreds of thousands of New  
3 Yorkers, and also the unintended consequence when the  
4 government shut down that many of the providers were  
5 feeding federal employees who would have otherwise  
6 gone hungry. So, we never know where we're heading.  
7 I wanted to talk to you today about-- I have seen a  
8 rise of people on the subways who might be  
9 categorized as homeless. I don't generally talk to  
10 them, but I've seen a tremendous and notable rise in  
11 the people riding the Queens Boulevard line more so  
12 on the E train, but also on the F train, and I'd like  
13 to know-- I know that Department of Homeless Services  
14 certainly does outreach, but I'd like to know what  
15 kind of coordination we have with the MTA if you  
16 could talk about that a little.

17 COMMISSIONER BANKS: Sure. And I  
18 appreciate your comments on EFAP. I want to just  
19 highlight that, you know, these hearings have a  
20 tremendous benefit, and sometimes I know, and the  
21 Chair I think was very right on with this, sometimes  
22 I know issues come up and the Council would like us  
23 to take an action, and I say, you know, we're going  
24 to try to work that through with you and you might  
25 leave and say, "Oh, what did that really mean?" I

2 think EFAP is a good example of a partnership between  
3 the council and our agency--

4 COUNCIL MEMBER GRODENCHIK: [interposing]

5 Well, I know --

6 COMMISSIONER BANKS: [interposing] looking  
7 for ways to work things--

8 COUNCIL MEMBER GRODENCHIK: [interposing]

9 I know that you had that in your heart all along, so  
10 and I'm glad that it has worked out.

11 COMMISSIONER BANKS: So, in terms of  
12 subway outreach, again, I appreciate the comment that  
13 you made which is perceptions may not be reality as  
14 to whether or not somebody panhandling or in the  
15 subway is someone is homeless, that's why we do a  
16 number of things to address exactly what you're  
17 raising, and there is a partnership with the MTA. So  
18 let me explain what we do and what the partnership  
19 is. So, the first thing we do is we have, you know,  
20 24/7 outreach on the streets and in the subways. We  
21 find that in the subways it's most effective to be  
22 end-of-the-line, and that gives us the ability to  
23 intervene with people at the end of the line when the  
24 train is turning around and try to help them get off  
25 the line. We also intervene at particular hot-spot

2 stations where there are people that are congregating  
3 who we've identified as clients. And we are create--  
4 we have a by-name [sic] list. That's our approach to  
5 people on the streets. This is now codified in  
6 another good, I thought, collaboration or legislation  
7 that was Council Member Espinal's in which even  
8 beyond our time there's a requirement for the City to  
9 create a by-name list of people on the streets, and  
10 we use that as a tool to bring people off the  
11 streets. For the subways, in particular, we have a  
12 joint contract with the MTA to fund BRC, experienced  
13 outreach workers. They run that shelter that I  
14 described in response to Council Member Lander's  
15 question. They run supportive housing. They have a  
16 very strong track record in this area, and they're  
17 very focused on bringing people in, and in some of  
18 our street funding this year we're providing some  
19 enhancements to the street subway outreach that BRC  
20 is able to do.

21 COUNCIL MEMBER GRODENCHIK: Thank you,  
22 Commissioner. Thank you, Chairs.

23 CHAIRPERSON DROMM: Thank you very much.  
24 Council Member Rosenthal followed by Powers.

2 COUNCIL MEMBER ROSENTHAL: Thanks so much  
3 Chairs, and thank you Commissioner for all the good  
4 work that you're doing on what is really an  
5 intractable issues, so appreciate it. I want to ask  
6 about the contracts in terms of the contracts with  
7 homeless shelters and even with supportive housing  
8 shelters, and whether or not you believe in their  
9 ability to take care of the residents that they have  
10 in the building. In other words, are the contracts  
11 for social services rich enough to be able to  
12 adequately address the issues at hand? I had a  
13 really interesting back-and-forth with the Youth  
14 Commissioner I think last week where he said that in  
15 fact they did a study and they found that the  
16 contracts were too thin, and they wanted to add a  
17 more robust social service component. And so what  
18 they did was do that, but because the money was  
19 limited they're now serving fewer people. and it's--  
20 you know, I said it at the time, you know, it's hard  
21 for me to wrap my head around the-- that notion that  
22 we accept the fact that our former contracts were  
23 underserving people, therefore we made them richer,  
24 but because we don't have any more money we're  
25 serving fewer people. I'm wondering what your take

2 is on that. The work that we've done in my district,  
3 we've worked really hard to make those contracts  
4 richer, you know, to have more case workers to do  
5 things like, you know, have the security guards be  
6 part of the social service team to try to bring some  
7 integration to the whole package. And I mean, are  
8 you having the same budget constraints that you're  
9 being told, "Eh, we can't really do the model budget,  
10 so make do with what you have."

11 COMMISSIONER BANKS: So, let me-- first  
12 of all acknowledge as you just did that we've  
13 actually a very good partnership in your district and  
14 trying to address concerns that were both client and  
15 community concerns, and we've had success in doing  
16 that, and I think that that's a tribute to leadership  
17 at the local level which I very much appreciate. Let  
18 me focus on the two of the kinds of contracts just,  
19 you know, by way of example that you talked about.  
20 One is supportive housing and the other is shelter.  
21 So, when I was asked to and did do the 90-day review  
22 back in 2016, one of the messages that was readily  
23 apparent was that there had been years of  
24 disinvestment in the shelter providers, and that was  
25 affecting their ability to deliver services,

2 affecting their staff, affecting what clients-- the  
3 client experience. And so as a result of that we've  
4 made a nearly quarter of a billion dollar investment  
5 in the not-for-profit shelter provider sector. Those  
6 dollars were reached in the conclusion of the model  
7 budget process now. And the intent of those dollars  
8 are to increase the ability of the providers to  
9 provide the kind of services that they want to  
10 provide.

11 COUNCIL MEMBER ROSENTHAL: I'm asking a  
12 little bit of a different question. I understand  
13 that New York City is a big city and I understand our  
14 budget is big, and I understand that 250 million  
15 sounds like a big amount of money. I'm asking  
16 something a little different.

17 COMMISSIONER BANKS: Okay.

18 COUNCIL MEMBER ROSENTHAL: What I'm  
19 asking is, if you do a study and the study says you  
20 need 500 million and what you give is 250 million, is  
21 that-- what is that?

22 COMMISSIONER BANKS: So, again, I  
23 appreciate the spirit of the question, but the spirit  
24 in which I'm answering it is we constructed this  
25 investment with the model budget because we thought

2 it would be enough to raise the bar of services, help  
3 both the clients and the providers, and it's just  
4 taking root now. So, we'll see. We think it's the  
5 right number, but we'll see as it's implemented we  
6 think improvements for the agencies.

7 COUNCIL MEMBER ROSENTHAL: You know, I'm  
8 going to defer. I know this-- we have a lot of  
9 people who have questions.

10 COMMISSIONER BANKS: Okay.

11 COUNCIL MEMBER ROSENTHAL: and I'm not  
12 going to keep going, but 2016, you did the model  
13 budget and--

14 COMMISSIONER BANKS: [interposing] No, no.

15 COUNCIL MEMBER ROSENTHAL: it's being  
16 implemented right now. I mean, that gets to the  
17 whole issue of how long it takes to do contract  
18 modifications.

19 COMMISSIONER BANKS: Actually, that's  
20 not-- that's not quite what I said. We did the 90-  
21 day review in 2016. We began focus groups with  
22 providers in 2017 to determine what the needs would  
23 be once we made a-- had a policy decision that we  
24 would invest significant money, and then we began  
25 negotiations in 2018. Now, I used to run a not-for-

2 profit and I remember not liking the process in which  
3 the agency would tell me take it or leave it. And so  
4 we didn't follow a take or leave it process with the  
5 not-for-profit shelter providers. We followed an  
6 engagement process, focus groups, iterations, and  
7 we'll have them done by this timeframe which is about  
8 a year or so, once we came to the conclusion of the  
9 focus groups. We could have just started with take  
10 it or leave it. We would have had all the budgets  
11 done and everything in place.

12 COUNCIL MEMBER ROSENTHAL: Did the number  
13 change between--

14 COMMISSIONER BANKS: [interposing] For  
15 certain providers the numbers changed, because it's  
16 within the model. How do you configure the staffing?  
17 One provider might need a different level than  
18 another one. Now, it's just supportive housing,  
19 which I think is a relevant issue to get on the  
20 table. A lot of providers are having challenges with  
21 supportive housing, but they're not the NYC 15/15  
22 units because the funding for the NYC 15/15 units  
23 are-- were meant to break the problem that supportive  
24 housing providers had for years which is that rents  
25 were eating into the service dollars. And so we

2 separated the rents from the service dollars and have  
3 funded those programs at levels that are commensurate  
4 with being able to provide appropriate services, but  
5 many supportive housing providers still have old New  
6 York, New York one, two, and three units where they  
7 are experiencing exactly what you're asking me about,  
8 which is the rents cutting into the services. So, in  
9 our own programs, our city-only programs, we've  
10 addressed what I thought was a real problem that  
11 providers identified to improve services, and maybe  
12 it's a good road map for going forward.

13 COUNCIL MEMBER ROSENTHAL: I think you're  
14 doing the best you can. I think there are a lot of  
15 constraints. I think a lot of them are monetary.  
16 It's why the Council called for social workers in  
17 hotels. It's why we're calling for increases in  
18 indirect rates where the social service providers are  
19 only getting 10 percent of their overhead costs paid  
20 for. I think there are funding issues, and this is a  
21 funding budget hearing.

22 COMMISSIONER BANKS: Understood.

23 COUNCIL MEMBER ROSENTHAL: And I  
24 appreciate the work you're trying to do within the  
25 constraints that you have. I appreciate it.

2 COMMISSIONER BANKS: I appreciate it. I  
3 appreciate the partnership with you.

4 CHAIRPERSON DROMM: We're going to move  
5 on now to Council Member Powers followed by Gibson.

6 COUNCIL MEMBER POWERS: Thank you.  
7 Thanks for the testimony.

8 CHAIRPERSON DROMM: Oh, I'm sorry, we've  
9 been joined by Council Members Gibson, Salamanca and  
10 Treyger.

11 COUNCIL MEMBER POWERS: Thank you.  
12 Thanks for the testimony. One of the things I  
13 noticed that you guys had not testified on was around  
14 the career pathways in the jobs programs. I see we  
15 have some folks who are here and are interested in  
16 that as well. Can you give us an update on where you  
17 are in terms of the career pathways program and  
18 implementing the concept plan that was put out I  
19 guess it was a few years ago now, 2015 or sometime  
20 around then.

21 COMMISSIONER BANKS: Right. I mean,  
22 there was a citywide Career Pathways plan, and then  
23 within the Agency as part of eliminating WEP we went  
24 through a process to rebid all of our employment  
25 services contracts. And you know, altogether we are

2 spending 279 million dollars on a whole range of  
3 employment programs, including 65 million dollars in  
4 contracts with vendors. And the program is now  
5 actually in the second year. Year one was the start-  
6 up last year, and now we're in the second year of  
7 beginning to see increases in job placements. We  
8 have now got about 6,600 clients connected to  
9 education and training which is something that wasn't  
10 an activity that, as I testified earlier, was  
11 supported previously. So we're beginning to see  
12 impact from not having a one-size-fits-all employment  
13 system with giving clients the opportunity for  
14 alternative engagement. So we don't require a client  
15 to only go to our programs. If the client has  
16 another program that they can participate in, we  
17 support that, and as I said, we're in year two.  
18 We're beginning to see progress and we're going to  
19 keep evaluating whether additional changes need to be  
20 made, but it's been a pretty significant reform of a  
21 system that existed over a couple decades.

22 COUNCIL MEMBER POWERS: Oh yeah,  
23 appreciate it. Can you tell us the challenges in  
24 year one and year two in terms of putting people into  
25 a path for a career, not just sort of one-shot get a

2 job, but actually creating a sustainable, long-term  
3 job. And second, because I'm probably going to run  
4 out of time, I know there had been some talk about  
5 bridge programs doing, you know, sort of doing some  
6 remediation around English and math and other, I  
7 think, skillsets at the same time you're doing  
8 employment. Are we funding that, and can you tell us  
9 where we are in terms of those bridge programs?

10 COMMISSIONER BANKS: Okay, so let me try  
11 to give you a quick answer. I think the biggest  
12 challenge in year one of the program was converting  
13 from a program that operated on sanctions and  
14 potentially a client could be without benefits for a  
15 durational period of time without any supports at all  
16 if they didn't accept certain kinds of employment  
17 assignments and eliminating that approach and  
18 creating a new strength-based approach as a major  
19 systems change, and I think that was and is a  
20 challenge. I think in terms of the kinds of skills  
21 that you're asking me about, there are those pieces  
22 of our overall plan, and as I said, we're only in  
23 year two of it, and we're still enhancing efforts,  
24 and I'd certainly welcome any input that you or  
25 anyone else has about ways we could improve it.

2 COUNCIL MEMBER POWERS: Are-- but just in  
3 my-- just a follow-up set. Are we funding the bridge  
4 programs right now? I think it was the program  
5 Career Bridge. Is that the name of it? Are we  
6 funding those programs that do the bridge of both the  
7 remediation and skill building and at the same time  
8 you're looking for employment?

9 COMMISSIONER BANKS: Right. There are--  
10 yes, for example, I've been myself to observe the  
11 classes that are done in our youth pathways program  
12 where we have great providers. I was at a class that  
13 Goodwill was running in which there were a number of  
14 bridge supports being provided. I think we're  
15 certainly very interested in hearing from our  
16 providers about ways in which we can enhance those  
17 kinds of supports.

18 COUNCIL MEMBER POWERS: Okay. Thank you  
19 to the Chair.

20 CHAIRPERSON DROMM: Thank you. We will  
21 now have questions from Council Member Gibson  
22 followed by Salamanca.

23 COUNCIL MEMBER GIBSON: Thank you, Chair  
24 Dromm and Chair Levin, and good afternoon,  
25 Commissioner to you and your team. Really thank you

2 for all the work, the partnership particularly on  
3 behalf of my district in the Bronx. I've seen a lot  
4 of progress and obviously we have a long way to go.  
5 First, I want to acknowledge the great work we're  
6 doing on our Right to Counsel where we are reducing  
7 the number of evictions across the City, and  
8 particularly in the Bronx keeping more families in  
9 their home is a great investment. I know that on the  
10 back-end we have been working with the legal service  
11 providers in terms of capacity and hiring staff,  
12 particularly supervisors, court capacity. So I know  
13 there are ongoing conversations that the City is  
14 having with the State Office of Court Administration,  
15 particularly Bronx and Brooklyn where there is just a  
16 huge capacity issue of space inside the court. So, I  
17 wanted to ask a few questions.

18 COMMISSIONER BANKS: Sure.

19 COUNCIL MEMBER GIBSON: My first question  
20 relates to the cluster and the acquisition of the 17  
21 buildings, and I wanted to understand where we are in  
22 terms of timeline of acquisition, the not-for-profits  
23 that were identified, and what are we doing in terms  
24 of assessing the amount of capital work in  
25 renovations that will need to be done, obviously, now

2 that it's under new ownership, and when should the  
3 Council expect to get some feedback on that and when  
4 could we see any reflection in the budget?

5 COMMISSIONER BANKS: Okay. Again, thank  
6 you for your partnership on all the things you  
7 thanked us for partnership with. You've been a--  
8 whether local issues, you've been great leader to  
9 work with, and in terms of the citywide impact of  
10 access to counsel. A metric of a 37 percent drop in  
11 evictions speaks for itself. A world in which when I  
12 began as a Legal Aid lawyer a while ago, you know,  
13 one, ten out of a hundred had a lawyer, and now 37  
14 percent of the tenants have lawyers, and we're only  
15 through two years of the implementation, and I think  
16 we have a lot more to do, but we're showing great  
17 signs of progress, and I appreciate the partnership  
18 with the Council on that. In terms of the  
19 transaction that you're referring to, let me just  
20 sort of review some of the key points of it in  
21 answering your question. There are 17 cluster sites,  
22 a total of 21 buildings in Brooklyn and the Bronx.  
23 We paid an average of 237,000 dollars. Typical unit  
24 in Brooklyn costs 280,000 dollars, in the Bronx costs  
25 about 225,000 dollars, and of course, when units are

2 purchased on the private market, part of the business  
3 plan is getting them out of rent regulation. And  
4 here we had real concern about the sale of these  
5 buildings to other parties where the building would  
6 have essentially been half or more vacant because the  
7 criteria for designating these buildings for the  
8 cluster conversion was that in order to proceed with  
9 imminent domain we needed at least half the units to  
10 be occupied as cluster units. So, if we simply  
11 withdrawn from the buildings, you would have had a  
12 half or more empty buildings that would have been a  
13 real concern about the displacement pressures on the  
14 other tenants. So, we found-- we thought it was  
15 imperative to obtain-- to finance the purchase of  
16 these buildings by reputable not-for-profits with  
17 roots in the community, groups like Banana Kelly, for  
18 example, that you know. The actual purchasers are  
19 Neighborhood Restore and Joe [sic], and then there  
20 are a team of not-for-profits which only took the  
21 buildings. That transaction occurred at the  
22 beginning of April, so they are now in not-for-profit  
23 ownership, and 1,100 children and adults who  
24 otherwise would have been in shelter are now in  
25 permanent housing that will be affordable to them.

2 They will have rent stabilized leases, and the other  
3 more than 200 tenants in the building is 220+ tenants  
4 in the-- households will also not have that  
5 displacement pressure. They will have affordable  
6 leases as well. So, all together 2,000 tenants both-  
7 - 2,000 New Yorkers, both the permanent tenants and  
8 1,100 formerly homeless children and adults now have  
9 affordable permanent housing with rent stabilized  
10 leases. The units were upgraded as part of the  
11 initial transaction, and now HPD and the not-for-  
12 profits are scoping out further upgrade of the entire  
13 building. That should be completed over the course of  
14 the year and the funded through the HPD budget.  
15 These units are part of housing, the Housing New York  
16 effort, and they're being treated just like any  
17 preservation unit would be treated as a result of  
18 that. So, your-- I'll just say, your leadership and  
19 the importance of not just getting out of the  
20 clusters, but wherever we can convert them into  
21 permanent housing, I greatly appreciate. It's really  
22 reflective in this transaction as I testified at the  
23 March Preliminary Budget hearing. There are more to  
24 come. We believe that it is an important part of  
25 having not-for-profit ownership for these buildings,

2 and important part of getting people out of cluster  
3 units and into permanent housing.

4 COUNCIL MEMBER GIBSON: Okay, and I know  
5 my time is up, and I just have one final question--

6 COMMISSIONER BANKS: [interposing] Sure.

7 COUNCIL MEMBER GIBSON: since it relates  
8 to Bronx. The Path Intake Center, we had DOE here  
9 earlier this week, and in our budget response we are  
10 calling for more DOE staff to be at Path. But I  
11 wanted to understand. A majority of the families  
12 that come to our offices have been denied the initial  
13 time, and the underlying reason why families are  
14 denied shelter as they enter Path. Do you believe  
15 that there's sufficient staff at Path, and in  
16 determining some of the individual cases, but  
17 obviously looking at trends, what are the reasons why  
18 families are being denied, and then they have to go  
19 back and forth into Path in order for them to finally  
20 be approved for shelter housing?

21 COMMISSIONER BANKS: Well, I would say,  
22 look, the shelter eligibility rate is reflected of  
23 our application of a state rule. It was recently  
24 revised in 2016 that approaches shelter in the same  
25 way that any public benefit is approached, which is

2 does someone have another resource. And so what we  
3 find is someone might apply for shelter, and they  
4 prefer to be in shelter, but they actually have a  
5 permanent housing resources where they could remain.  
6 We also find an instance in which someone came and  
7 applied and they could remain in the resource for  
8 maybe another month, and then they're going to come  
9 back a month later. That's going to show up as--  
10 just in the scenario you described. They have to  
11 reapply. But in the first instance, I think you  
12 would want us to make a judgement that they could  
13 stay some place, and if they are able to stay some  
14 place, that's better for the children to be able to  
15 stay in the community. We have a very extensive  
16 investment in social work staff and supports to help  
17 mediate family disputes, connect people back to the  
18 community, see what sort of rental assistance we can  
19 provide to people through our HomeBase programs.  
20 We've expanded the availability of HomeBase. It's in  
21 your district, and I would certainly welcome an  
22 opportunity for Joselyn Carter and I to take you on a  
23 tour and you can see what we're actually doing with  
24 families. I think if you-- when you speak to the  
25 managers there, you'll see the deep commitment to

2 providing shelter as a last resort, connecting people  
3 to communities whenever we can, and treating families  
4 in a fair way.

5 COUNCIL MEMBER GIBSON: Okay. Thank you.  
6 Thank you, Chairs.

7 CHAIRPERSON DROMM: Thank you very much.  
8 Our next questions are from Council Member Salamanca  
9 followed by Treyger.

10 COUNCIL MEMBER SALAMANCA: Thank you all.  
11 Thank you, Chair. Good morning, Commissioner. First,  
12 I wanted to acknowledge that they were upstairs and  
13 they were about to leave. With us today we have the  
14 Children's Aid Society high school students from the  
15 Children's Aid Society whoa are visiting us today.  
16 They're from my district, and they're advocating for  
17 the Fair Futures campaign program. So I just wanted  
18 to acknowledge their presence here today. Thank you  
19 guys for coming out here today.

20 [applause]

21 COMMISSIONER BANKS: Children's Aid is a  
22 great organization.

23 COUNCIL MEMBER SALAMANCA: Yes, yes, yes,  
24 they are. So, Commissioner, last time when we-- I  
25 was able to ask some questions here at a hearing. I

2 have concerns about the HRA office in the Bronx, and  
3 that, you know, the local Community Board was  
4 reaching out requesting that someone from HRA attend  
5 the District Service Cabinet meetings, and I wanted  
6 to thank you and thank the Administrator Grace  
7 Bonilla, because they are attending these meetings at  
8 on a monthly basis, and there is collaboration in  
9 terms of the traffic load that's occurring there.  
10 So, I just wanted to give you kudos for that and say  
11 thank you.

12 COMMISSIONER BANKS: I appreciate that.  
13 You have also been a great partner, and when we think  
14 we want to help because you have a really good sense  
15 of what's needed in the community.

16 COUNCIL MEMBER SALAMANCA: Yeah, I really  
17 enjoy that relationship that we have now between my  
18 office and your agency. Now, Commissioner, I have a  
19 couple of questions about encampment clean-ups. What  
20 is DHS' procedure for encampment cleanup? And the  
21 reason I'm asking is I am getting calls from the  
22 local Community Boards and local residents, remote  
23 local Community Boards, that they are reaching out to  
24 DHS to clean up these encampments, and DHS is in  
25

2 return telling them to reach out to the local elected  
3 officials for assistance.

4 COMMISSIONER BANKS: I'm under oath, and  
5 I say this with great force and belief. There's a  
6 real disconnect there. We are very much focused on  
7 not permitting encampments to grow, regenerate, and  
8 working with our community partners to eliminate  
9 them. After this hearing I would love to have a  
10 conversation about what are the locations and who is  
11 saying that, because it isn't what our policy is. I  
12 was a Community Board member, so I respect Community  
13 Boards. There must be some disconnect here, because  
14 we are out in a street immediately when we get that  
15 kind of a complaint.

16 COUNCIL MEMBER SALAMANCA: Okay. So, I  
17 look forward to having this conversation--

18 COMMISSIONER BANKS: [interposing] Okay,  
19 absolutely.

20 COUNCIL MEMBER SALAMANCA: with your  
21 agency. My last couple of questions: Not-for-profit  
22 contracts, I know in the past there was a delay in  
23 the contracts. There was a backlog. What's the  
24 status of not-for-profit-- non-profit contracts?  
25

2 COMMISSIONER BANKS: Okay. So, let's  
3 just break them by agency. So, for FY-- thank you.  
4 For FY19, 99 percent of the FY19 contracts are  
5 registered. A handful are pending registration have  
6 specific challenges relating to rejections. We're  
7 pursuing deeming them under our authority to deem a  
8 contract registered even if it's rejected. So we're  
9 at 99 percent registration, and a handful of  
10 contracts had particular problems. For FY20 early 90  
11 percent of the HRA contracts for FY 20 which is a  
12 month away, 90 percent of the HRA contracts are  
13 registered or at the comptroller for on-time  
14 registration, and 84 percent of the DHS contracts for  
15 FY are at the comptroller or already registered.  
16 There-- I think sometimes there are questions that  
17 are raised about-- and I had this myself when I was a  
18 not-for-profit, had the difference between a contract  
19 register and amendment. So just gave you the picture  
20 of contract registration. There are amendments that  
21 come up during the course of a contract year, that  
22 relate to new needs or new issues that arise. We're  
23 on track to have contracts that had amendments that  
24 need to be addressed during this Fiscal Year:  
25 Addressed 86 percent of them, or at the comptroller

2 or register already for HRA, for example. And then  
3 there's a -- I don't know if this is what you're  
4 asking, but maybe I'm giving you more information  
5 than you want, but there's also a model budget  
6 process.

7 COUNCIL MEMBER SALAMANCA: Yeah, no, I  
8 was just curious, because I know in the past the  
9 contracts, there was a backlog going back--

10 COMMISSIONER BANKS: [interposing]  
11 Absolutely.

12 COUNCIL MEMBER SALAMANCA: a couple of  
13 Fiscal Years. You've caught up. So, therefore--

14 COMMISSIONER BANKS: Correct.

15 COUNCIL MEMBER SALAMANCA: And so Fiscal  
16 Year 18 and 17 there's no contract that is still  
17 pending.

18 COMMISSIONER BANKS: These are prior  
19 years. I think for DHS for the prior years there are  
20 two or three where there are issues with conditions  
21 and registration issues where I think, as you know,  
22 I've taken a policy position to not register  
23 contracts unless we could address conditions. But  
24 you're right, when we testified I think a year ago, I  
25 think I said when I started at DHS we had a backlog

2 over a course of years, about a thousand contracts.

3 And we've now reduced this down to a handful of  
4 particularized problems. If you're the not-for-  
5 profit with a particularized problem, that's certain  
6 a problem, a challenge, and I don't want to minimize  
7 that at all, and that's why our staff is working very  
8 hard to address those problems. But you can see  
9 these percentages of contracts registered even for  
10 the year that's starting in a month, there's a very  
11 different approach than previously had been the case.

12 COUNCIL MEMBER SALAMANCA: And finally,  
13 Commissioner, I have two bills that are-- have had  
14 hearings. One of them is a reporting bill, requiring  
15 DHS to report quarterly a list of shelters in each  
16 Community Board in Council District basically to  
17 point out how certain districts are oversaturated  
18 with homeless shelters, and other districts are not  
19 doing their fair share. Is there a status as to  
20 where your agency is at on that bill?

21 COMMISSIONER BANKS: I think on that  
22 particular bill we had expressed an interest in  
23 trying to work with you on it. We have some concerns  
24 about the nature of some of the reporting which would  
25 call for information we might not have and also how

2 to handle supportive housing. And I think within the  
3 existing shelter system it does raise some issues  
4 about we're in the process of transforming it; what  
5 would be the right time to report on it? I think we  
6 should have some conversations and see what's  
7 feasible there.

8 COUNCIL MEMBER SALAMANCA: And then  
9 finally, Commissioner, I think the path to  
10 eliminating homelessness is putting families in  
11 permanent housing. I have a 15 percent homeless set  
12 aside bill. Can I get you on the record supporting  
13 my bill?

14 COMMISSIONER BANKS: You can get me on  
15 the record saying the following: With every tool that  
16 we have as the Department of Social Services we've  
17 been able to connect 115,000 people to permanent  
18 housing since 2014. We're going to continue to do  
19 that as the social services agency, and I know this  
20 issues came up at the HPD Oversight hearing, and I'm  
21 going to defer to HPD about what they're able to do  
22 in the Housing New York plan. I know us as a social  
23 services agency will continue to work with you and  
24 other Council Members to move as many people as we  
25 can out of shelter and into permanent housing.

2 COUNCIL MEMBER SALAMANCA: Thank you,  
3 Commissioner. Thank you, Mr. Chair.

4 CHAIRPERSON LEVIN: Thank you, Council  
5 Member Salamanca. Council Member Mark Treyger?

6 COUNCIL MEMBER TREYGER: Thank you to the  
7 Chairs. Welcome, Commissioner. It's also great to  
8 see former Council Member and dear friend Annabel  
9 Palma who's here today. Great to see you back.  
10 Commissioner, I just want to get right-- two things  
11 here to discuss here today. There's a number of  
12 things, but I just have to focus on my time. Bridge  
13 programming: My district, as many other districts,  
14 experienced the worst storm of our history with  
15 Hurricane Sandy. We worked with the Administration to  
16 set up, you know, recovery efforts to make sure that  
17 we recover from the worst storm. We also-- the City  
18 Administration set up a Workforce One Center in Coney  
19 Island as well. If I relied on just the existing  
20 infrastructure which was set up, many of my residents  
21 would not be able to be a part of the recovery  
22 efforts in terms of employment, and I made a pledge  
23 to my constituents that they would not just witness  
24 the recovery, that they would be active participants  
25 in it as well. And so what I had to do in response

2 to the fact that many folks did not have the  
3 credentials and the qualifications for employment  
4 they're in. I had to step up and provide resources to  
5 get folks with-- who are lacking let's say high  
6 school diploma with programs-- high school diploma.  
7 I'm actually funding with OBT, for example, a  
8 program. Free classes in Coney Island, free meals,  
9 childcare, case management, you name it, the works.  
10 Because we need to step up and fill the gaps between  
11 our residents and employment opportunities. I don't  
12 believe there is a cohesive, coherent citywide bridge  
13 programming effort, but I do think there is potential  
14 with it within HRA to really establish something  
15 sustainable on the ground. Now, my colleague  
16 mentioned it before, but I want to kind of dig deeper  
17 on this. Do many of the clients going through the  
18 Career Pathways program that you referenced have  
19 reading skills or math skills below say a 10<sup>th</sup> grade  
20 level, and does that act as a significant challenge  
21 for those clients in competing for good jobs?

22 COMMISSIONER BANKS: Let me answer that  
23 question. I do want to correct the record, and I  
24 will follow up with Council Member Powers. I said we  
25 were in the second year of the program. We're

2 actually moving into the third year of the program,  
3 but I just want to correct the record on it.

4 COUNCIL MEMBER TREYGER: Okay.

5 COMMISSIONER BANKS: As to your question,  
6 when we set about reforming our HRA employment  
7 services and eliminating WEP and we conducted focus  
8 groups with clients with advocates, and we concluded  
9 that substantial numbers of our clients who are  
10 required to participate in work programs under  
11 federal and state law did not have a high school  
12 degree, and in fact, might have only gotten as far as  
13 ninth grade. It's the reason why we are emphasizing  
14 in our employment programs education and training,  
15 and to help people get a credential, because we know  
16 that earning power is going to be increased with that  
17 credential. So, part of our Youth Pathways and  
18 Career Pathways is focused on education and training.  
19 We now got about 6,600 of our clients participating  
20 in education and training programs. Remember, not  
21 all of our clients are required to participate in  
22 employment and training programs under federal and  
23 state law, and we're going to continue to focus on  
24 how to increase that number. So, that-- I hear what  
25 you're asking, and I want to emphasize that part of

2 our revamping the system was to do what you're asking  
3 us to do. If you're challenging us to do more,  
4 always open to that conversation.

5 COUNCIL MEMBER TREYGER: Well, I  
6 appreciate that answer. I'm just asking do you  
7 believe the City of New York needs a comprehensive  
8 bridge programming approach. As Commissioner, from  
9 your lens, do you believe that we need bridge  
10 programming in New York City?

11 COMMISSIONER BANKS: And again, I want to  
12 say as a Commissioner that presided-- that has been  
13 part of the leadership of changing our agency's  
14 approach to employment, I think bridge programming is  
15 very valuable, and that's what we try to do for our  
16 clients, because the old approach for our clients in  
17 simply saying rapid attachment to the workforce only  
18 to return to our case load did not work. That  
19 approach did not work.

20 COUNCIL MEMBER TREYGER: Commissioner, I  
21 would just emphasize it's more than valuable. It's--  
22 we're in urgent need. We're in urgent need, because  
23 right now, I don't know what the City of New York  
24 does for folks who have been marginalized more ways  
25 than one seeking employment who are lacking in

2 certain areas; right now we're just punting them, I  
3 think, to the wolves. There's no cohesive strategy  
4 from my point of view. If I didn't step up in my  
5 district, no one would have.

6 COMMISSIONER BANKS: I hear what you're  
7 saying. I'm saying within our agency we have an  
8 obligation under federal and state law to require  
9 people to participate in employment programs, and in  
10 that requirement we've said to ourselves we must give  
11 people the kind of opportunities you're emphasizing,  
12 and so I'm agreeing with you in saying they're  
13 valuable. They're a core part of what we're trying  
14 to do for our clients.

15 COUNCIL MEMBER TREYGER: Do you have  
16 anything scaled out in terms of cost estimates,  
17 because in our budget response in the City Council we  
18 did put in funding for bridge programming. Do you  
19 have anything scaled out from your end that we can  
20 work with you on in our budget negotiations?

21 COMMISSIONER BANKS: I mean, I did see  
22 the Council response for a much larger population  
23 than ours. I'd have to take a look within our  
24 overall budget that we're spending. I think you  
25 might have been here when I said I overall employment

2 services are 279 million dollars of which 65 million  
3 dollars are particular vendor contracts which have a  
4 part of the-- this component is. You know, we work  
5 with people that have disabilities, for example, to  
6 connect them to jobs that they're able to do. We  
7 work with young people who have-- don't have the  
8 reading skills and math skills that you're describing  
9 to get them those skills. I'd be happy to sort of  
10 sit down with you and look at where you think we  
11 could improve.

12 COUNCIL MEMBER TREYGER: I'd just close  
13 here by saying, Commissioner, Hire NYC is not bridge  
14 programming. Workforce One is not bridge  
15 programming. I'm not sure what-- some of the  
16 trainings you're referring to, but I'm pretty sure  
17 they're not bridge programming. There was no one for  
18 us to turn to in Coney Island if we didn't step up  
19 working with OBT and providers to bridge the gap, no  
20 on So, I-- we're willing to work with you because I  
21 believe in your ability to get things done, to work  
22 with you, to set something up on a citywide scale  
23 because this is an urgent need. The Mayor's jobs  
24 plan, quite frankly, was dismal. We have a lot of  
25 work to do to make sure that the residents who are in

2 need of these jobs are equipped with the skills to  
3 obtain those jobs, and to keep them. Last thing I'll  
4 say, Commissioner, is the Local Law 182 of 2018 too  
5 effect this year. It requires department citywide  
6 administrative services to make available a supply of  
7 diapers and baby wipes sufficient to meet the needs  
8 of residents and recipients of city-run cites,  
9 including domestic violence shelters operated by HRA.  
10 How will facilitates that qualify be accommodated?  
11 How is HRA advertising this new Local Law to make  
12 sure parents and guardians are aware?

13 COMMISSIONER BANKS: We've provided  
14 notices to all of the facilities that are affected to  
15 make sure that clients themselves know that they can  
16 avail themselves of this benefit, and takes the form  
17 of both notice to be posted and notice to be provided  
18 to individual clients.

19 COUNCIL MEMBER TREYGER: Are you funding  
20 the purchase of diapers and baby wipes, and if so,  
21 how much will cost of additional resources?

22 COMMISSIONER BANKS: These things are  
23 included in our rates, but what we wanted to respond  
24 to, and you asked me this question at the Preliminary  
25 Budget, to make sure our clients knew they could ask

2 because it's great to fund it in your rate. It's  
3 great to have a law saying it has to be available.  
4 We wanted to make sure that our clients knew that  
5 they could ask for help, and that's what we've done  
6 between I think the Oversight hearing where you  
7 pointed this out to me. We made sure that there's  
8 notification to clients so that they know that they  
9 can get this help.

10 COUNCIL MEMBER TREYGER: we're still  
11 hearing gaps, but I'm going to turn. I thank the  
12 Chairs for being very generous with their time.  
13 Thank you.

14 CHAIRPERSON LEVIN: Council Member  
15 Lander?

16 COUNCIL MEMBER LANDER: Thank you, Chair  
17 Levin, and you were out when I got my first question,  
18 so I'll just-- I'm going to add my joy on the record  
19 that your family expansion. So, I just want to pick  
20 up on -- keep going on Council Member Powers' and  
21 Council Member Treyger's question. You know, we don't  
22 doubt the-- as someone who, you know, was with you  
23 when we started fighting WEP a million years ago, the  
24 transformation of the agency in its way of  
25 approaching people is tremendous, and it's a big,

2 significant, transformative overhaul. So, the fact  
3 that we're pushing specifically to expand resources  
4 in bridge programming is not like an expression of  
5 doubt in the broad work you're doing. It's a belief  
6 we need more resources for bridge programming. So, I  
7 just want to make sure I understand where we are. It  
8 sounds like you're saying for that very specific kind  
9 of education with contextual career training, we have  
10 a youth program, but maybe not an adult program. So,  
11 can you just clarify for me in what you're calling  
12 bridge how many slots for young people at what cost,  
13 and am I right that we don't have that right now for  
14 adults? which is not to say there aren't other  
15 places that you're combining education and training,  
16 but in this sort of specific contextualized we want  
17 to help you with some specific math and science, you  
18 know, education in the context of career-specific  
19 education. We have that-- yeah.

20 COMMISSIONER BANKS: Understood your  
21 question, and you know, just a little bit of clar-- I  
22 appreciate the opportunity to say more on this topic,  
23 but just to clarify a little bit, our focus, of  
24 course, is on the clients that come to us who are  
25 eligible for the services we can provide. So I'm

2 sympathetic to Council Member Treyger's description  
3 of something happening in his community. Our  
4 limitation in what we can do as an agency is on are  
5 there clients in that community who are eligible for  
6 HRA services and have a federal and state work  
7 requirement, and for those clients, which is a  
8 smaller, you know, obviously a subset of the entire  
9 city, we're providing those services. So, within our  
10 Career Pathways programs for adults, it's the same  
11 focus. Whether you're in the Youth Pathways program  
12 which goes up to age 21, we still have older people--  
13 because when I talked about a survey of our clients  
14 that were a ninth grade reading and math level,  
15 that's our whole caseload. That's not an age group  
16 limitation. So when we made the change to emphasize  
17 education and training, I didn't mean to imply in my  
18 answer to Council Member Treyger that it's only for  
19 the young people. it's part-- it's embedded, and I  
20 can see, you know-- not a frustration, but a concern  
21 that I'm responding to you that it's embedded within  
22 a larger program that we're doing. That's how we are  
23 addressing the kind of skills we--

24 COUNCIL MEMBER LANDER: So, I hear that,  
25 but it sounds like in the youth population--

2 COMMISSIONER BANKS: [interposing] Well,  
3 the Youth Pathways is 24. I blew it.

4 COUNCIL MEMBER LANDER: Sorry?

5 COMMISSIONER BANKS: Youth Pathways is up  
6 to 24.

7 COUNCIL MEMBER LANDER: Okay. It sounds  
8 like in the youth population you have a specific  
9 program that you are referring to.

10 COMMISSIONER BANKS: No, we got-- we  
11 phased out WEP and the so-called back to work program  
12 and we replaced those programs with youth pathways  
13 and career pathways and the intent in both the  
14 programs and the components in both the programs is  
15 to meet people where they are, and if they need  
16 exactly the skills that you're asking me on the  
17 bridge context, we must provide them because  
18 otherwise we won't be able to get people connected to  
19 work.

20 COUNCIL MEMBER LANDER: Alright, but did  
21 I misunderstand? This is just-- and I understand  
22 that your broad approach is to do that, to help  
23 people get some mix of education and training--

24 COMMISSIONER BANKS: [interposing] Yep.  
25

2 COUNCIL MEMBER LANDER: and job placement  
3 to succeed in work.

4 COMMISSIONER BANKS: Yep.

5 COUNCIL MEMBER LANDER: That's true for  
6 the whole thing, but it sounded to me like-- and it's  
7 my understanding from the providers that there is,  
8 you know, this sort of, you know-- bridge isn't just  
9 a nice term. It's like a fairly specific term of  
10 our-- about effort to provide both some specific  
11 education sort of in work-specific context. And I  
12 thought I heard you say in response to Council Member  
13 Powers that on the youth side you have some contracts  
14 that you considered to be that. Did I misunderstand?

15 COMMISSIONER BANKS: I either was  
16 unclear, or I would never say you misunderstood. I  
17 would always say I must have not explained in a good  
18 way. How about that? In both, the program's up to  
19 age 24 and for over 24. We have components that we  
20 see as filling the role of bridge. I understand as  
21 you're asking me very technically do I have a program  
22 called "Bridge." We have components of these  
23 existing programs up to 24 and for people over age 24  
24 which are aimed at redressing exactly the same  
25

2 challenges that you're saying the bridge programs  
3 would help.

4 COUNCIL MEMBER LANDER: SO, maybe let me  
5 just ask this as a follow-up question then.

6 COMMISSIONER BANKS: Sure.

7 COUNCIL MEMBER LANDER: Because if you  
8 don't have it today-- if it would be possible for you  
9 after the hearing to identify those programs--

10 COMMISSIONER BANKS: [interposing] Sure.

11 COUNCIL MEMBER LANDER: for us, and it's  
12 not the name that's important to me.

13 COMMISSIONER BANKS: I understand.

14 COUNCIL MEMBER LANDER: We need to  
15 identify the programs that are fulfilling this goal  
16 of that combination of sort of more classroom-like  
17 skills with more contextualized career skills on the  
18 youth and adult side which are the programs or  
19 contracts that you believe are doing that. Then that  
20 would help us figure out how to understand, you know,  
21 what the advocates are saying, what you guys are  
22 saying and what we need to be pushing for.

23 COMMISSIONER BANKS: That's helpful. I  
24 mean, just to go back to the value and the goal and  
25 the vision that we had to begin with was that our

2 clients need these kinds of supports, whether they're  
3 under age 24 or over age 24, and the prior effort to  
4 simply squeeze them off our caseload only to have  
5 them returned was not serving anybody. And so in  
6 revamping the system we recognized we needed to focus  
7 on exactly the kind of skills that people are saying  
8 you need a bridge program for. And so we'll come  
9 back to you with what we're doing, and you know, I  
10 don't want to get into semantic back and forth. I  
11 appreciate you cut through the thicket and got there,  
12 and we'll provide you with the information you need.  
13 A gain, our vision and strategic approach was to  
14 provide that kind of approach.

15 COUNCIL MEMBER LANDER: And again, at a  
16 level of your vision I know it's true. It's also  
17 true some people just want to get a job, you know,  
18 and so--

19 COMMISSIONER BANKS: [interposing]  
20 Exactly.

21 COUNCIL MEMBER LANDER: So, it's not that  
22 everyone should go in a bridge program.

23 COMMISSIONER BANKS: Exactly.

24 COUNCIL MEMBER LANDER: Some people have  
25 the skills they have, are ready to get the job

2 they're ready for, and want to go do it, and HRA  
3 should help them do that if that's what makes sense  
4 for them in the context of their lives. So that is a  
5 different approach--

6 COMMISSIONER BANKS: [interposing]

7 Exactly.

8 COUNCIL MEMBER LANDER: and that costs  
9 less money. It costs more money to do something like  
10 a bridge program, so I think we're in the same-- we  
11 have the same understanding--

12 COMMISSIONER BANKS: [interposing]

13 Exactly.

14 COUNCIL MEMBER LANDER: if you guys can  
15 follow up to get us that information, then we can  
16 have a conversation. It's a little more brass tax  
17 when we're just like comparing apples to apples, and  
18 if what we want to do in at the budget process and say  
19 we need some more apples, and then we'll be very  
20 clear where we're pushing.

21 COMMISSIONER BANKS: Happy to do it, and  
22 is actually appreciate that you put your finger right  
23 on what another key piece of the vision is, which is  
24 one-size-fits-all didn't work for us before. One-  
25 size won't work for us with reforms going forward.

2 terrible to make policy by anecdote, but my first day  
3 as the HRA Commissioner, Lisa Fitzpatrick and I, who  
4 is now program head within Grace's area, ran into a  
5 woman my very first day who said, "I've been working  
6 for years. I just lost my job. They want to send me  
7 to WEP. I need help getting a job. Please, don't  
8 send me to a program." So, we need to have services  
9 for all kinds of clients, and that's what we're  
10 trying to do, and we'll get-- we welcome that  
11 conversation with you.

12 COUNCIL MEMBER LANDER: Thank you.

13 CHAIRPERSON LEVIN: Council Member Gjonaj  
14 for questions.

15 COUNCIL MEMBER GJONAJ: Thank you, Chair.  
16 Commissioner, so good to see you again, and it feels  
17 like Ground Hog Day because it's going to be a repeat  
18 of the previous testimonies that we've heard. From  
19 cluster sites in the borough of the Bronx, we're not  
20 moving fast enough. To the borough of the Bronx  
21 being inundated by supportive housing compared to the  
22 rest of the boroughs. We all want to do our fair  
23 share. The numbers are still the same. I have not  
24 seen-- I have received an update on the statistics.  
25 And I'll repeat them again. The borough of the Bronx

2 per capita has 99 percent more than Queens, 100  
3 percent-- I'm sorry, 100 percent more than Queens, 99  
4 percent more than Staten Island, 13 percent more than  
5 Manhattan, and I believe it's 40 percent more than  
6 Brooklyn. No change on that front. We have a  
7 lawsuit working its way through the courts. We're at  
8 appeals stage now to make sure that the borough of  
9 the Bronx gets its fair share of the finding that's  
10 needed for these families to make sure that they have  
11 every opportunity and the resources that are needed  
12 for them to build stability, and ultimately the  
13 question always comes down to: Are we using tax payer  
14 dollars wisely? The cost of providing temporary  
15 shelter compared to long-term permanent housing.  
16 What is the wait? Why aren't we subsidizing those  
17 rents so that these families can stay in their  
18 apartments from the very beginning? And we've spoken  
19 about this a number of times. If the idea is stop  
20 the bleeding, let's keep these families in their  
21 homes now, and that would be the Tree [sic] bill,  
22 prevent any further rent increases, works similar to  
23 SCRIE, to DRIE; all rent increases would be credited  
24 back to the property in a form of a tax credit on  
25 their real estate tax bill. The formula works. It

2 has created stability for our seniors. It's created  
3 stability for the disable communities that we have,  
4 and they have been able to gain a strong foundation  
5 financially for themselves and their families. What  
6 is the hold-up? Why isn't' this something that the  
7 Administration wants to embrace?

8 COMMISSIONER BANKS: Always good to see  
9 you. Happy to look at the bill when it's introduced,  
10 and I think as you--

11 COUNCIL MEMBER GJONAJ: [interposing] I'm  
12 sorry, it has been introduced. Currently-- I  
13 introduced it in the Assembly. Currently,  
14 Councilwoman Barron has it in the Council, and we've  
15 gone through this many of times.

16 COMMISSIONER BANKS: Okay. We have gone  
17 through this many times, and I would really direct  
18 you to the testimony which indicates more progress  
19 than you may be looking at. Evictions are down 37  
20 percent in the City as a result of the work that the  
21 Council and we have done together; 115,000 people are  
22 in permanent housing as a result of our investments  
23 in rental assistance and rehousing. We're out of 21-  
24 - about 2,100 of the 3,600 cluster units that started  
25 during the Giuliani administration, and we're going

2 to keep driving out of them. I would urge you not to  
3 view supportive housing as anything other permanent  
4 housing. Supportive housing is just like any  
5 affordable housing in the City, and the ability for  
6 people from the Bronx or any place else in the City  
7 to live in supportive housing I think is a very good  
8 thing.

9 COUNCIL MEMBER GJONAJ: It is a good  
10 thing, provided that it's spread out equitably, or  
11 the borough is given the resources that it's need,  
12 but clearly the borough of the Bronx has more than  
13 any other borough by capita.

14 COMMISSIONER BANKS: Again, supportive  
15 housing is permanent housing, Council Member.

16 COUNCIL MEMBER GJONAJ: Okay, supportive  
17 housing, do you think it would be-- it's fair that  
18 the borough of the Bronx have more than any other  
19 borough?

20 COMMISSIONER BANKS: I think my clients  
21 should be able to live in any borough of the city  
22 they're able to find an apartment in.

23 COUNCIL MEMBER GJONAJ: I agree with you.  
24 So how do we make that difference where supportive  
25 housing in the borough of the Bronx is being targeted

2 specifically because developers take advantage of the  
3 lower land acquisition cost and the building cost?

4 If the income is the same for a structure, an  
5 apartment building offers the same service throughout  
6 the city, then the developers and those that are  
7 taking advantage of these programs are going to take  
8 two actors into consideration. That is land  
9 acquisition and construction cost. You're in-- the  
10 income they receive regardless of where that property  
11 is or that building is, whether it be in Brooklyn,  
12 Manhattan, Queens or Staten Island or the borough of  
13 the Bronx is the same. Which means the borough of  
14 the Bronx is inundated because of the lower property  
15 values and the slightly lower construction costs.

16 This is not something that I haven't said before. So  
17 when you say that your clients, our New Yorkers,  
18 should have a choice where they live, I agree with  
19 you, but when the housing accommodations are  
20 constantly offered in the borough of the Bronx  
21 without resources to help these families build stable  
22 lives, re-educate, job placement, and help them with  
23 their afterschool programs and additional services  
24 that they need, it is unfair. And my tone, I don't  
25 want to be hungry, but I'm passionate about this and

2 coming up with a solution. And it's the same  
3 runaround that I get constantly. In New York City,  
4 the programs that you offer are the same income  
5 regardless of where these properties are. Is this  
6 true or not?

7 COMMISSIONER BANKS: I don't know how to  
8 answer that. Regardless of what borough you live in,  
9 you're eligible for Medicaid. Regardless of what  
10 borough you live in, you're eligible--

11 COUNCIL MEMBER GJONAJ: [interposing]  
12 Supportive housing, shelters, is the same allocation  
13 of funding available to a property owner citywide?

14 COMMISSIONER BANKS: I think as we've  
15 said many times before, the change in the approach to  
16 shelter in New York City to undo a haphazard system  
17 that developed up over many years is aimed at  
18 enabling people who come from the Bronx to be  
19 sheltered in the Bronx, people who come from Queens  
20 be sheltered in Queens, and so on and so forth.  
21 We're making that progress and where we're siting new  
22 shelters and where we're closing shelters. We're out  
23 of more than 200 locations, many of those are in the  
24 Bronx, and we've sited a smaller number of 43 new

2 shelters. Many of those are in communities that  
3 never had shelters before.

4 COUNCIL MEMBER GJONAJ: Right, but as a  
5 borough, Commissioner, the statistics are one that  
6 were provided by this Administration, during this  
7 Administration. The borough of the Bronx has more  
8 than any other borough. Is this a fact?

9 COMMISSIONER BANKS: I don't know what  
10 this is, I don't--

11 COUNCIL MEMBER GJONAJ: [interposing] The  
12 Fair Share Plan that was--

13 COMMISSIONER BANKS: [interposing] I don't  
14 think it's fair to refer to the borough of the Bronx  
15 as being inundated when you refer to my clients.  
16 They're human beings. They have the ability to live  
17 in the Bronx. If they're from the Bronx, they have  
18 the ability to choose to move to the Bronx if they're  
19 able to find housing.

20 COUNCIL MEMBER GJONAJ: You call them  
21 clients. I call them families. I call them New  
22 Yorkers. They're more than clients. They're people.  
23 So when you refer to them as clients--

24 COMMISSIONER BANKS: [interposing] I don't  
25 think--

2 COUNCIL MEMBER GJONAJ: [interposing]  
3 that's a direct insult to me, because I refer to them  
4 as people.

5 COMMISSIONER BANKS: I don't think that--

6 COUNCIL MEMBER GJONAJ: [interposing] It's  
7 not a business.

8 COMMISSIONER BANKS: I don't think the  
9 people--

10 COUNCIL MEMBER GJONAJ: [interposing]  
11 Right.

12 COMMISSIONER BANKS: that we serve and  
13 that you're referring to would like to be described  
14 as people who are inundating your borough with needs.

15 COUNCIL MEMBER GJONAJ: No, no, no,  
16 because supportive--

17 COMMISSIONER BANKS: [interposing] If I  
18 may finish, Council Member.

19 COUNCIL MEMBER GJONAJ: Go ahead.

20 COMMISSIONER BANKS: I think they would  
21 like to have the opportunity to live in affordable  
22 housing, and if they need supportive housing, they  
23 would like the opportunity to live in supportive  
24 housing. I don't think it's really helping advancing  
25 this every hearing to have this same line of

2 questioning. Every hearing we have this  
3 conversation, and I've said this and I'm going to say  
4 it again. For years, going back for years, the City  
5 sited shelters wherever they could, and most of them  
6 were sited in the Bronx or in Brooklyn. We have  
7 changed that approach. We are closing shelters all  
8 over the City. You might not want to believe it, but  
9 we've gotten out of 200 shelter sites across the  
10 City. We've shrunk the footprint of the shelter  
11 system by 30 percent in about two years. No other  
12 Administration has tried to do that or let alone  
13 succeed at it. We've sited 43 shelters. They're  
14 sited in places that never had shelters before. We  
15 just had a dialogue with Council Member Lander about  
16 two shelters that were sited in Park Slope. Those  
17 are facts.

18 COUNCIL MEMBER GJONAJ: Thank you,  
19 Commissioner.

20 CHAIRPERSON DROMM: Okay, we're going to  
21 wrap it up here now. I have--

22 CHAIRPERSON LEVIN: Okay, thank you Chair  
23 Dromm. Commissioner, I do have a few other questions  
24 that I did want to speak to, but knowing that there--  
25 in the interest of time here we do have to continue

2 this Executive Budget hearing. So, I will follow up-

3 -

4 COMMISSIONER BANKS: [interposing] Of  
5 course.

6 CHAIRPERSON LEVIN: But one follow-up  
7 question that I did have on my previous inquiry, it's  
8 just about the eligibility specialists and talking  
9 about at-- with HRA. Have we seen an increase in  
10 waiting times, or how are we monitoring waiting times  
11 in light of the Jazmine Headley incident and as we're  
12 talking about staffing levels at HRA centers.

13 COMMISSIONER BANKS: Actually, the  
14 eligibility specialist title that is in the Council  
15 response would be placed in SNAP food stamp centers,  
16 and there the wait time is about 20 minutes because  
17 90-- 87 percent of the applications are done online,  
18 90-- 93 percent of the interviews are done by phone,  
19 and there's a reduction in foot traffic by more than  
20 40 percent in those locations. And in terms of the  
21 wait time in the job centers where there are not  
22 eligibility specialists, that's Local 371 or in the  
23 job centers. There-- the changes that we're making  
24 by-- as I said, going online with the  
25 recertification's, moving to eliminate office visits,

2 all of those we believe will drive down the wait  
3 times in those offices to where we are with SNAP and  
4 food stamps. We're about twice as long in those  
5 offices as at the food stamp centers.

6 CHAIRPERSON LEVIN: alright, thank you,  
7 Commissioner. I just wanted to say, so the issues  
8 that I want to follow up on, just so--

9 COMMISSIONER BANKS: [interposing] Sure.

10 CHAIRPERSON LEVIN: it's mentioned for  
11 the record here, are the issues brought up in our  
12 Preliminary Budget response, the SOTO [sic] program,  
13 Housing Specialists, and some additional questions  
14 around EFAP [sic]. So, members for the public, we  
15 will be following up on all of those issues with the  
16 Administration moving forward. But with that, I want  
17 to thank you very much all of you for your time and  
18 your testimony, and I want to thank Chair Dromm for  
19 all the work that he's been doing as Chair of  
20 Finance.

21 CHAIRPERSON DROMM: Thank you very much.  
22 We're going to take a three-minute break and come  
23 back.

24 COMMISSIONER BANKS: Thank you very much  
25 for the opportunity to testify.

2 CHAIRPERSON DROMM: Thank you.

3 [break]

4 UNIDENTIFIED: Could we ask everyone to  
5 try to find their seats so we can move forward?

6 [gavel]

7 CHAIRPERSON DROMM: Okay, we will now  
8 resume the City Council's hearing on the Mayor's  
9 Executive Budget for Fiscal 2020. The Finance  
10 Committee is joined by the Committee on the Justice  
11 System chaired by Council Member Rory Lancman. We  
12 just heard from the Department of Social Services and  
13 now we will hear from Jordan Dressler, the Civil  
14 Justice Coordinator at the Office of Civil Justice.  
15 In the interest of time I will forgo an opening  
16 statement, but before we hear testimony I'll open the  
17 mic to my colleague, Council Member Lancman.

18 CHAIRPERSON LANCMAN: Thank you, Council  
19 Member Dromm. Good afternoon. I'm Council Member  
20 Rory Lancman, Chair of the Committee on the Justice  
21 System. Welcome to our joint hearing with the  
22 Finance Committee and the General Welfare Committee  
23 on the Fiscal 2020 Executive Budget. I want to thank  
24 Chairs Danny Dromm and Steve Levin. I see-- I know  
25 floating around from the Committee on the Justice

2 System is Council Member Alan Maisel. Today, we'll  
3 hear from the Office of Civil Justice which oversees  
4 a budget of over 150 million dollars in city funding  
5 for civil legal services for New Yorkers. These  
6 legal services primarily support tenant anti-eviction  
7 and anti-harassment representation through the  
8 Universal Access to Counsel Program, immigration  
9 defense through the New York Immigrant Family Unity  
10 Project and employment legal services for low-wage  
11 works, which this committee specifically fought for  
12 last year. Our city is fortunate to have a robust  
13 civil legal services community for New Yorkers to  
14 turn to when they need help and the creation of OCJ  
15 has provided much needed centralization. However, the  
16 housing of OCJ within HRA and the lack of  
17 transparency in the FY20 Executive Plan with regard  
18 to budget actions for OCJ has made it much more  
19 difficult for the Council to fulfill its budgetary  
20 oversight obligations. Programmatically, we want to  
21 ensure that the Low Wage Worker initiative, the first  
22 dedicated legal services funding for victims of wage  
23 theft, misclassification, various kinds of employment  
24 discrimination and other work place abuses continues  
25 as it was always expected to. I want to make sure to

2 thank our Justice System Committee staff, especially  
3 our Finance Analyst Peter Butler [sp?] and Monica  
4 Pepple [sp?], along with the Finance Division Unit  
5 Head Aisha Wright [sp?], our Counsel Max Campfer  
6 [sp?], and our Policy Analyst Keeshawn Denny [sp?],  
7 not to mention my Chief of Staff Rachel Kagan [sp?].  
8 Thank you and please begin when you are ready.

9 JORDAN DRESSLER: Thank you and good  
10 afternoon Chair Lancman, Chair Dromm, other members  
11 of the committees here. Thank you for inviting me  
12 today to appear before the Committee on the Justice  
13 System and the Committee on Finance. This--

14 CHAIRPERSON DROMM: [interposing] I'm  
15 sorry, we have to swear you in first.

16 JORDAN DRESSLER: Oh, I'm sorry. My  
17 apologies.

18 COMMITTEE COUNSEL: Do you affirm that  
19 your testimony will be truthful to the best of your  
20 knowledge, information, and belief?

21 JORDAN DRESSLER: I do.

22 COMMITTEE COUNSEL: Thank you.

23 JORDAN DRESSLER: Yes. Again, thank you  
24 for inviting me today. My name is Jordan Dressler.  
25 I am the Civil Justice Coordinator. I head up the

2 Office of Civil Justice in that capacity. I'm joined  
3 by Erin Villari who is Executive Deputy Commissioner  
4 for DSS's Office of Finance, and OCJ's Executive  
5 Director, Jaclyn Moore. In the interest of time, I'm  
6 going to submit a lengthy written testimony for the  
7 record, and I just want to touch on some of the high  
8 points and achievements of our office and our legal  
9 services provider partners over the last year, and to  
10 give the Council a sense of where we're headed for  
11 the future of access to justice programs at OCJ. In  
12 Fiscal Year 20 the total legal services budget at OCJ  
13 includes funding totaling \$159.4 million which breaks  
14 down as follows: \$128.3 million for legal services  
15 programs for tenants, which includes \$82.1 million  
16 for eviction defense legal services for low-income  
17 tenants in Housing Court, including further  
18 implementation of Universal Access, and \$46.2 million  
19 for legal services to protect tenants and combat  
20 harassment, which includes an additional \$11 million  
21 dollar baseline investment in expanded legal services  
22 to keep New Yorkers in their homes, which OCJ is  
23 allocating. Altogether that brings the  
24 Administration's total investment in legal services  
25 for tenants to \$166 million when Universal Access is

2 fully implemented in FY22; as well as \$31.1 million  
3 for legal assistance programs for immigrant New  
4 Yorkers, including \$20.1 million in Administration  
5 funding for the Immigrant Opportunities Initiative as  
6 well as \$2.3 million in immigration and other  
7 programs funded through Community Service Block Grant  
8 and City Tax Levy funding, along with \$8.7 million  
9 for legal and navigation services and outreach  
10 through the ActionNYC program operated in partnership  
11 with MOIA and the City University of New York. As for  
12 legal services for tenants, we continue to grow  
13 through the implementation of Universal Access where  
14 we remain on track for full implementation in 2022.  
15 By the end of last Fiscal Year, OCJ's program served  
16 over a quarter million New Yorkers, and last year  
17 alone we served almost 26,000 households facing  
18 eviction in Housing Court and NYCHA Administration,  
19 NYCHA Administrative Termination of Tenancy Hearings.  
20 Last year, we issued our first progress report on  
21 Universal Access implementation where we highlighted  
22 that of those cases resolved by attorneys in New York  
23 City Housing Court facing eviction 84 percent of  
24 their clients were able to avoid eviction and remain  
25 in their homes. And we recently reported that

2 evictions are down 37 percent in the City of New York  
3 since 2013. That's an estimated 100,000 New Yorkers  
4 who have been able to remain in their homes during  
5 that time. as for the representation rate in court,  
6 the rate of tenants enjoying the assistance of  
7 counsel in Housing Court eviction proceedings that  
8 once stood at one percent back in 2013. At the end  
9 of the last Fiscal Year that rate was 30 percent  
10 citywide and was at 56 percent in the neighborhoods  
11 that have been targeted for Universal Access  
12 implementation. In the coming year we will continue  
13 to expand Universal Access legal services including  
14 the launch this summer of the first phase of  
15 providing onsite access to legal services for seniors  
16 at NYCHA facing administrative termination of tenancy  
17 proceedings which will be at NYCHA's new hearing  
18 location in Brooklyn. We have made substantial  
19 investment across the spectrum of immigration legal  
20 services, particularly in the areas of removal  
21 defense and complex case representation, cases like  
22 asylum, and Special Immigrant Juvenile Status  
23 Applications for migrant youth here in New York.  
24 City-funded programs provided services in  
25 approximately 25,000 cases last year, and with the

2 impact of our funding for removal defense being  
3 realized in the field this year we expect that number  
4 to be even higher. I do want to acknowledge the City  
5 Council's partnership in all of these efforts, in  
6 particularly the leadership of Chair Lancman in this  
7 effort as well as efforts to lead to develop legal  
8 services programming for low-wage workers, survivors  
9 of domestic violence, veterans in New York City  
10 facing a variety of civil legal service's needs.  
11 Together, we are making New York City a national  
12 leader in supporting and championing civil legal  
13 assistance. We have made significant progress over  
14 the past few years in improving access to legal  
15 services for New Yorkers in need, and we're committed  
16 to keep improving every year. Thank you for the  
17 opportunity to testify today, and I look forward to  
18 your questions.

19 CHAIRPERSON LANCMAN: Thank you. Let's  
20 talk about the low wage worker support initiative.  
21 Last year in FY19 the admin and the Council agreed to  
22 fund the low wage worker initiative aimed at  
23 providing low wage workers with employment and  
24 workplace rights, legal services including assistance  
25 with wage theft misclassification, discrimination,

2 sexual harassment, and more. The admin had allocated  
3 two million of the \$2.5 million total which was  
4 designated to expand the capacity of civil legal  
5 services providers already operating in this space by  
6 allowing them to hire new staff. In the Council's  
7 FY20 budget response we called for the Administration  
8 to baseline its two million dollars in funding for  
9 the initiative when we saw that it was not baselined  
10 in the Preliminary Budget. And while negotiations  
11 are still going on between the Admin and the Council,  
12 this funding has not been restored for Fiscal 2020 as  
13 of today. So, especially considering the fact that  
14 this funding was used to hire staff, there was an  
15 expectation that this funding would be continued  
16 beyond one year. Can you explain why this funding is  
17 not in the Executive Budget?

18 JORDAN DRESSLER: At this point, this  
19 funding is one of many issues being discussed and  
20 negotiated between the Administration and the Council  
21 as we head toward the Adopted Budget. It's one of  
22 many priorities being discussed among both sides, and  
23 those discussions will continue.

24 CHAIRPERSON LANCMAN: I assume you  
25 understand since this hiring was almost entirely for

2 staff, if the funding is not restored or continued, a  
3 bunch of people are going to get let go. It's not  
4 just a matter of turning the dial down from-- we  
5 serve 500 clients a year, now we're going to serve  
6 450.

7 JORDAN DRESSLER: We're aware of the  
8 dynamics when there are new hires off the street  
9 based on particular pots of funding. Our  
10 understanding is that the funding which we were happy  
11 to administer, and we do think that legal support for  
12 low wage workers facing a variety of workplace needs--  
13 - workplace violations is important, that that  
14 funding went towards a variety of needs meeting a  
15 full spectrum of needs experienced by low wage  
16 workers here in New York, everything from advice to  
17 assistance in investigation of cases to full-fledged  
18 representation, and either individual cases or group  
19 cases, and that the support for that was drawn in  
20 some cases in-house, staff that had already been on  
21 staff with some of our providers, and in some cases  
22 perhaps based on new hires. So, that's something we  
23 continue to look at and work with or providers.

24 CHAIRPERSON LANCMAN: Let me ask you  
25 about the Universal Access to Counsel, and I think we

2 have a slide that we want to share. It's-- Universal  
3 Access to Counsel is supported by 75.9 million  
4 dollars in Fiscal 2020. OCJ has acknowledged to the  
5 Council that the Universal Access to Counsel will be  
6 expanded in 2020. On this slide you can see in light  
7 blue which zip codes currently have Universal Access  
8 implementation in FY 19. What are the new zip codes  
9 that Universal Access to Counsel will expand to in  
10 Fiscal 2020?

11 JORDAN DRESSLER: We have not made a  
12 decision on expansion yet. I can assure the Council  
13 and the providers that we work with that we do not  
14 intend to start new services on July 1<sup>st</sup>, 2020. It  
15 would not be realistic to think about an expansion on  
16 that schedule given the limitation and some of the  
17 challenges on outright staffing capacity that some of  
18 our tenant legal services providers have experienced.

19 CHAIRPERSON LANCMAN: So, just so I  
20 understand, is it your intention to expand in 2020 or  
21 not?

22 JORDAN DRESSLER: In Fiscal Year 2020.

23 CHAIRPERSON LANCMAN: In Fiscal Year  
24 2020.

2 JORDAN DRESSLER: Yes, but not at the  
3 beginning of Fiscal Year 2020.

4 CHAIRPERSON LANCMAN: And when you say a  
5 decision hasn't been made, you mean a decision hasn't  
6 been made as to which zip codes it's going to expand  
7 to?

8 JORDAN DRESSLER: We-- correct, and we  
9 want to be, and we remain in dialogue with our  
10 providers to have a good understanding of what their  
11 capacity will actually look like. The challenges  
12 that some of them have experienced with hiring  
13 supervisors, remember this was-- remember this was a  
14 field that was not funded at nearly this level for  
15 many, many years, and this field has seen an  
16 unprecedented explosion in funding and support and  
17 resources. Those new and unseasoned staff attorneys  
18 need supervisors in order to train them, support  
19 them, and do the work that they need to do, and those  
20 supervisors need to come with experience. That is on  
21 track, though it's taking some time, and so we want  
22 to be mindful of capacity issues that all of our  
23 providers are experiencing before we lay out  
24 expectations in terms of new expansions.

2 CHAIRPERSON LANCMAN: So, how many zip  
3 codes are being served now?

4 JORDAN DRESSLER: Twenty zip codes are  
5 targeted for Universal Access legal services. Legal  
6 services are available to some extent across the  
7 City.

8 CHAIRPERSON LANCMAN: But what do you  
9 mean-- so currently 20 zip codes are targeted.

10 JORDAN DRESSLER: Correct.

11 CHAIRPERSON LANCMAN: What do you mean by  
12 targeted versus it's available throughout the City?

13 JORDAN DRESSLER: Legal services have  
14 always been available across the City to some extent,  
15 of course limited by capacity, and they remain  
16 limited by capacity that experience-- that capacity  
17 has grown. Through Universal Access we are ensuring  
18 that zip code by zip code, zone by zone, the  
19 residents in those zip codes if they face an eviction  
20 case in Housing Court, at this point low income  
21 tenants facing eviction in Housing Court will be  
22 assured that there's access to legal services. So it  
23 would be condition on capacity, because the capacity  
24 is there. What's more is that we've identified those  
25 zip codes and worked with the Housing Courts to

2 isolate those cases in Housing Court, have them  
3 routed to particular court rooms in the Housing Court  
4 so that we can essentially create courts within the  
5 court to allow legal providers to work on a rotation  
6 basis every day that the court is in session to meet  
7 tenants on their first appearance, make legal  
8 services available on that first appearance, stand up  
9 on cases just as we see in Criminal Court and just as  
10 we see in Family Court where Right to Counsel has  
11 long been the way things go. That's what we've been  
12 building over the last two years in Housing Court,  
13 and we think it's been successful. In those  
14 neighborhoods that we've targeted for Universal  
15 Access, the representation rate has, last checked,  
16 was 56 percent, meaning more than half of those  
17 tenants have had Access to Counsel.

18 CHAIRPERSON LANCMAN: DO you have a  
19 number for how many households have been served?

20 JORDAN DRESSLER: Twenty-six-thousand  
21 households received legal services in Fiscal 18.  
22 Those households facing eviction in Housing Court.

23 CHAIRPERSON LANCMAN: And how many of  
24 those were in the target area, just approximately, 90  
25 percent, 50 percent? The target zip codes.

2 JORDAN DRESSLER: At the time, this was  
3 Fiscal 18, we had 15 zip codes. And of those  
4 households approximately 8,300 were in that, 8,300  
5 the 2,600.

6 CHAIRPERSON LANCMAN: So it's not-- the  
7 targeted zip codes don't seem to be getting-- it's  
8 not a critique, it's just an observation. So, it's  
9 about a third, less than a third of all those  
10 receiving those services are in the targeted zip  
11 codes?

12 JORDAN DRESSLER: Thank you, Chair, I  
13 appreciate that it's not a critique, because we don't  
14 see it as a critique either. The tenants in those  
15 households-- the tenants in those zip codes have had  
16 access to legal services made available to them in  
17 the community through outreach, and in the court, and  
18 we're confident that we are getting to those tenants.  
19 In addition to those tenants, making legal STANLEY  
20 RICHARDS: more widely available, again, throughout  
21 the courthouse in the community and increasing  
22 funding and support for our legal services providers  
23 have allowed other neighborhoods to enjoy increased  
24 access to legal services. When we talk about  
25 Universal Access we want to be sure of the promises

2 that we're making. So when we say that a neighborhood  
3 is targeted for Universal Access, it means that no  
4 tenant in that household who is low income should be  
5 turned away from any legal services provider, no  
6 matter what their eviction case, no matter the merits  
7 of the case, and that's the--

8 CHAIRPERSON LANCMAN: [interposing] No  
9 tenant in that zip code.

10 JORDAN DRESSLER: In that zip code, in  
11 that zip code. As we are in the process of this  
12 multi-year implementation we simply cannot say the  
13 same for the rest of the City, but we want there to  
14 be no mistake. Legal services are available in other  
15 parts of the city for all sorts of tenants.

16 CHAIRPERSON LANCMAN: So, where--

17 JORDAN DRESSLER: [interposing] It's just  
18 condition on capacity.

19 CHAIRPERSON LANCMAN: Right. Where are  
20 we in that multi-year phase-in? Right, I know that  
21 my understanding is phase five is supposed to be  
22 Fiscal Year 2021?

23 JORDAN DRESSLER: Twenty-two.

24 CHAIRPERSON LEVIN: 2022?  
25

2 JORDAN DRESSLER: Yes. So, we're  
3 entering year three.

4 CHAIRPERSON LANCMAN: Okay. So, by phase  
5 five how many households are we estimating that we  
6 would be serving?

7 JORDAN DRESSLER: Our estimate is  
8 approximately 125,000 households annually.

9 CHAIRPERSON LANCMAN: 125,000 households.  
10 And I understand that you have not identified the zip  
11 codes where you will be expanding to in FY 2020.

12 Have you figured out how many zip codes there will  
13 be?

14 JORDAN DRESSLER: We have some thoughts on  
15 that, but it would premature to talking about them,  
16 because we really need to drill down with our  
17 provider partners to have a good on-the-ground  
18 understanding of what capacity truly looks like. You  
19 know, we have funded capacity at legal providers that  
20 at times they struggled to fill, because the absence  
21 of enough candidates to take that work. We think  
22 that those matters are in-hand and being handled, but  
23 we do want to know more from our providers where they  
24 see capacity at the beginning of the year where they  
25 see capacity in the years going forward so that we

2 can have a reasonable roll-out schedule and make sure  
3 that when we say we're implementing services in area  
4 X or among population X that we can meet all those  
5 obligations.

6 CHAIRPERSON LANCMAN: Can you talk about  
7 the pilot with NYCHA?

8 JORDAN DRESSLER: Sur. So that is on  
9 track to begin this summer. We have been providing  
10 legal services to NYCHA tenants facing termination  
11 tenancy proceedings. We have not yet stood up on site  
12 access pilot the way we have in Housing Court. We  
13 will be doing that this summer. NYCHA is moving to a  
14 new location where proceedings are heard, and we've  
15 identified a target population to start. I don't  
16 want to call it a pilot because we are on track to  
17 provide these legal services to all NYCHA tenants  
18 facing administration-- administrative termination.

19 CHAIRPERSON LANCMAN: Where will you be  
20 starting? Have you identified that yet? Where?  
21 Where?

22 JORDAN DRESSLER: At NYCHA's new location  
23 in Brooklyn, and we're actually in the process of  
24 doing space scoping out and discussions with  
25 providers. So that's happening in--

2 CHAIRPERSON LANCMAN: [interposing] But  
3 will you be representing tenants from particular  
4 NYCHA developments? Like, how are you going to--

5 JORDAN DRESSLER: We're going to be  
6 focusing on seniors first.

7 CHAIRPERSON LANCMAN: Okay.

8 JORDAN DRESSLER: Senior heads of  
9 household 62 and older. This is obviously a  
10 vulnerable population. We think that there's a path  
11 forward in identifying them, making it available to  
12 them on site, and learning a lot from that selective  
13 model and learning how to develop a model that was  
14 scaled to cover all NYCHA tenants by 2022.

15 CHAIRPERSON LANCMAN: Okay. Let me ask  
16 you about the issue of legal representation in  
17 foreclosure proceedings. Legal representation in  
18 foreclosure court cases is declining in four out of  
19 the five boroughs, and your report states that the  
20 percentage of homeowners citywide who have legal  
21 representation in foreclose court drop from 53  
22 percent to 48 percent from 2016 to 2017. And this is  
23 despite the fact that OCJ reports foreclosure cases  
24 filed has dropped nearly 42 percent in 2013 to 2017.  
25 Do you have an explanation for why there's such a

2 steep drop in representation occurring in just one  
3 year?

4 JORDAN DRESSLER: We don't. We had been  
5 tracking that information. We thought it was  
6 important to continue to share that information. We  
7 were very pleased to see that funding that had been a  
8 long part of the portfolio of our legal services  
9 providers. We consider them our partners, and we now  
10 that many of them are working through the auspices of  
11 state funding, particularly funding that had come  
12 through settlements through the Attorney General's  
13 Office that had expired for this-- at the end of this  
14 past Fiscal Year. We were very happy to see that  
15 that funding was restored in the state budget and so  
16 that remains constant. We're also aware that our  
17 providers are making good use of state judiciary  
18 funding, part of the 100 million dollar commitment  
19 made by the state judiciary through their judiciary  
20 civil legal services funding. So, we're happy to see  
21 that that funding remains in place, and we'll  
22 continue to monitor the situation, coordinate with  
23 our providers.

24 CHAIRPERSON LANCMAN: Well, it's a  
25 particular concern for us, those of us in Queens,

2 where foreclosures remarkably continue to rise even  
3 as they decline in the rest of the City. Let me ask  
4 you about immigration legal services. In your written  
5 testimony for the Preliminary Budget hearing you  
6 noted, "Ongoing negotiations with legal services  
7 providers for the Immigrants Opportunity Initiative,  
8 IOI, for a three-year renewal." Can you give us an  
9 update on how those negotiations are going?

10 JORDAN DRESSLER: They are complete, and  
11 I think they were very successful. We had developed  
12 those contracts prior to Trump, prior to the  
13 onslaught of removal cases reaching immigrant New  
14 Yorkers. Prior to the really ever-changing  
15 immigration legal landscape, and when I say ever-  
16 changing I mean daily and weekly. And we've been  
17 working extremely closely with our provider partners  
18 to essentially understand what does this landscape  
19 mean for your practice in terms of duration, in terms  
20 of how you are approaching serving the client, and we  
21 made changes, and so we made changes to ensure that  
22 there were no contractual limits or anything that  
23 would seem to inhibit or stand in the way of our  
24 legal providers essentially throwing every trick in  
25

2 the book at any legal problem that they encounter on  
3 behalf of their clients.

4 CHAIRPERSON LANCMAN: Are you-- is there  
5 a concern about caseloads given the increased number  
6 of people who are facing removal proceedings and  
7 other immigration matters?

8 JORDAN DRESSLER: I think we're always  
9 mindful that the demand for all civil legal services  
10 outstrips supply at levels separate and apart from  
11 what funding could possibly address. There is no,  
12 you know, universal-- other than in Housing Court  
13 there's Universal Access. You know, and as you can  
14 see, developing Universal Access is a process that  
15 takes time, literally years, and a lot of careful  
16 planning.

17 CHAIRPERSON LANCMAN: Last two topics:  
18 community services block grant funded legal services.  
19 This program is supported by 2.1 million dollars in  
20 federal money, provides legal assistance to help  
21 adults and youth attain citizenship. In light of  
22 the-- what's going on with the Trump Administration,  
23 this funding was threatened. Can you give us an  
24 update on the status of this funding, and are these  
25 programs receiving enough funding?

2 JORDAN DRESSLER: The funding has long  
3 been in place, and providers have been using it. At  
4 this point it is a modest part of our immigration and  
5 other legal services portfolio, but it's important.  
6 When we have seen that the President has threatened  
7 this in the so-called skinny budgets that come out,  
8 and they're threatened to zero out, just as the  
9 President threatened to zero out the Legal Services  
10 Corporation which is the largest funder of civil  
11 legal services in the country. We take those threats  
12 seriously, and we monitor them. Fortunately, with  
13 every actual budget, those threats have not come to  
14 pass. So it's something we're monitoring closely.  
15 We have, you know, of course escalated these issues  
16 for, you know, our federal edge team to be aware, and  
17 you know, we remain on guard for any threats to other  
18 sources of legal funding.

19 CHAIRPERSON LANCMAN: And last topic has  
20 to do with the annual report which OCJ-- or at least  
21 in March, its third annual report. The report  
22 omitted a "strategic plan" section that had outlined  
23 projections and targets for different legal services  
24 offered for the next three years. Why wasn't this  
25 included in the report and can you update it?

2 JORDAN DRESSLER: So, we issued our first  
3 report in 2017 to cover the 2016 year, and as the  
4 enacting legislation to create the Office of Civil  
5 Justice, which is an amendment to the City Charter  
6 mandated, we included a strategic five-year plan in  
7 our second report, one year after the first one. The  
8 next strategic plan is due at this point four years  
9 later, so that's why there was no update to the  
10 strategic plan in the most recent report, and so  
11 we'll continue to be reporting on that basis.

12 CHAIRPERSON LANCMAN: Don't you think the  
13 report is lacking for not updating us on the  
14 strategic plan?

15 JORDAN DRESSLER: I think it's a fairly  
16 substantial report, and coupled with other reports  
17 that we issue such as the progress report on  
18 Universal Access, I'm hopeful that we're giving a  
19 good picture of our progress and our goals through  
20 the variety of reporting.

21 CHAIRPERSON LANCMAN: Well, those are the  
22 questions that I have. Mr. Chairman, excuse me, I  
23 have to go chair a hearing next door. Thank you very  
24 much.

25 JORDAN DRESSLER: Thank you.

2 CHAIRPERSON DROMM: Okay, thank you. Let  
3 me announce that we've been joined by Council Members  
4 Maisel, Holden, Cohen, Levine, and Torres, and I have  
5 some questions and then we're going to go to Council  
6 Member Levine. So, in terms of budget organization,  
7 OCJ has a total proposed budget of \$153.2 million for  
8 Fiscal 2020, more than 98 percent of which is  
9 contained within one of OCJ's two units of  
10 appropriation. This does not allow the Council or  
11 the public to track how much OCJ is allocating to its  
12 various programs. Recently, the Administration and  
13 the Council announced an agreement to include a unit  
14 of appropriation for personnel services, but it was  
15 not reflected in the Executive Budget. Will this  
16 additional unit of appropriation be reflected in the  
17 Adopted Budget this year?

18 DEPUTY COMMISSIONER VILLARI: Good  
19 afternoon. We--

20 CHAIRPERSON DROMM: [interposing] Just  
21 state your name for the record.

22 DEPUTY COMMISSIONER VILLARI: Oh, Erin  
23 Villari. We appreciate the ongoing conversation with  
24 the Council's request for the creation of U of A's  
25 [sic] and budget transparency. As I'm sure you're

2 aware, in FY17 as an outcome of those conversations  
3 we created U of A 107 to which you refer, which gives  
4 a picture of the legal services contracts funding.  
5 As you are also aware I'm sure, the Budget Director  
6 recently announced that there would be over-- the  
7 creation of over 30 new U of A's in the upcoming  
8 budget, and discussions are ongoing between OMB, the  
9 agencies and the Council, and we look forward to  
10 those continued discussions on transparency.

11 CHAIRPERSON DROMM: So you can't answer  
12 that right now?

13 DEPUTY COMMISSIONER VILLARI: No, we  
14 defer to OMB on the list because those conversations  
15 are ongoing.

16 CHAIRPERSON DROMM: Okay, we'll be  
17 checking with them a little later. Since Fiscal  
18 2013, the budget for civil legal services in New York  
19 City has increased substantially from \$60.4 million  
20 to \$244.6 million in Fiscal 19. Much of this  
21 increase has come from City Tax Levy dollars with the  
22 City's contribution jumping from \$142.6 million in  
23 Fiscal 18 to \$171 million in Fiscal 19. So, given  
24 the continued expansion of Universal Access to  
25 Counsel, does the Office of civil Justice believe its

2 current level of funding is sufficient to meet its  
3 mission, and if not, what type of increases would the  
4 office require?

5 JORDAN DRESSLER: we think we're  
6 appropriately resourced for what we need to do. We  
7 do look forward to continued conversations with our  
8 providers about the needs they experience, the cost  
9 structures that they're using, ways that we might  
10 find efficiencies to some extent in all of the areas  
11 in which we're working. We're in uncharted waters  
12 given the scale of the services that we're  
13 delivering. Just by way of example, the tenant legal  
14 services that we spent a lot of time talking about  
15 today in Fiscal Year 2013 were funded by the  
16 Administration to the tune of six million and change.  
17 So we are stratospherically larger now. The  
18 obligations that we face in the courts and the  
19 communities to deliver these services are larger now,  
20 and they're going to require different ways of  
21 thinking about how to deliver these services  
22 efficiently and effectively. Those conversations  
23 continue. It truly is an ongoing dialogue with our  
24 contracting partners, and as need developed, we'll  
25 certainly not be shy about raising them.

2 CHAIRPERSON DROMM: Okay, thank you. In  
3 terms of new needs, did your office request any new  
4 needs in the Executive Plan?

5 JORDAN DRESSLER: We receive-- we were  
6 already budgeted to receive increases to support  
7 both-- to support the increases in the Universal  
8 Access program. So we did not.

9 CHAIRPERSON DROMM: Okay, and that was  
10 it?

11 JORDAN DRESSLER: That was it.

12 CHAIRPERSON DROMM: Your office currently  
13 has an active headcount of 41 and several vacancies.  
14 Is this budgeted headcount enough to support your  
15 workload?

16 JORDAN DRESSLER: Yes, I think our  
17 budgeted headcount is 46, but yes, we're adept at  
18 working efficiently and making sure that we can meet  
19 all of our administrative needs whether that's policy  
20 making or contract management, fiscal controls.  
21 We're lucky that we are part of a larger agency, one  
22 of the largest in the City, which was not an  
23 accident; it was by design that the Office of Civil  
24 Justice was placed within HRA so that we wouldn't be  
25 here four years later establishment still figuring

2 out ways to staff-up for personnel and legal and  
3 payroll and all of the administrative things that  
4 come along with being part of a larger agency.

5 CHAIRPERSON DROMM: Can you give us a  
6 breakdown of the headcount by position and title?

7 JORDAN DRESSLER: I can if you give me a  
8 minute.

9 CHAIRPERSON DROMM: Sure.

10 JORDAN DRESSLER: Sorry, I mis-- I may  
11 have misspoke. Yeah, I'm sorry, I misspoke before.  
12 We're at 46 but with headcount part of the Universal  
13 Access initiative coming in Fiscal 20 it puts us at  
14 51.

15 CHAIRPERSON DROMM: Brings you to 51?

16 JORDAN DRESSLER: Fifty-one, in 20, as we  
17 head into 20 that's what we're looking at. So with  
18 the five vacancies and then the five new vacancies,  
19 that gives us 10 vacancies. So for the 41 we  
20 actually have it's 11 for contract management, 22  
21 slotted for our court-based services, representatives  
22 for the five Housing Courts where much of the  
23 Universal Access work is occurring, and then 13 for  
24 Central Administration program development and  
25

2 support, Q&A, as well as a data team to produce the  
3 nice reports that we--

4 CHAIRPERSON DROMM: [interposing] That's  
5 the 46, right?

6 JORDAN DRESSLER: Yeah.

7 CHAIRPERSON DROMM: Okay. The Mayor set a  
8 PEG target of 50 million for HRA AND DHS. Will the  
9 PEG that the agencies-- that you'll implement affect  
10 the Office of Civil Justice and any of the programs  
11 it provides?

12 DEPUTY COMMISSIONER VILLARI: We do not  
13 anticipate those PEGs to affect this office.

14 CHAIRPERSON DROMM: Okay. Can you share  
15 with the Council a breakdown of the different phases  
16 for Access to Counsel?

17 JORDAN DRESSLER: We're completing phase  
18 two which involve the addition of additional zip  
19 codes to be covered through Universal Access as well  
20 as an increase in just general support and  
21 availability for tenant legal services throughout the  
22 City. We are at an inflection point with respect to  
23 phase three and beyond and while funding is in place  
24 and contracts are in place and registered that  
25 provide a tremendous amount of increased funding

2 availability of legal services capacity, the  
3 discussions about how to approach the smart and  
4 efficient application of that capacity are ongoing.  
5 We intend to pursue our strategy of increasing by zip  
6 code. We found it to be extremely successful, not  
7 just in terms of making legal services available to  
8 some of the most vulnerable New Yorkers facing  
9 eviction and displacement, but also incrementally  
10 changing the culture of the Housing Court and all of  
11 the stakeholders. The Housing Court in New York City  
12 had long operated in a way where by necessity not  
13 every case, very few cases, received legal services,  
14 and so legal providers wisely over time developed a  
15 system of triage. Where can I apply my legal  
16 services, my legal acumen to have the most impact in  
17 this case, and that means a client who is  
18 cooperative? That means a case with litigable issues  
19 of law where a lawyer can really make a difference,  
20 and over time, a culture developed where by  
21 everybody's measure there were many cases, whether  
22 it's a judge or a lawyer or a landlord's lawyer, or  
23 even litigants themselves that say, "I don't need a  
24 lawyer; I need the rent." And that's just simply not  
25 true, particularly in a Universal Access context

2 where every case is a legal case, every case with a  
3 lawyer on the other side ought to have a lawyer on  
4 the side of the tenant, and that's what we're working  
5 towards. Changing that culture has been challenging.  
6 Some have welcomed it. Very few have resisted it, but  
7 one thing that has been extremely powerful in doing  
8 that is creating what we're calling the Universal  
9 Access parts, the Universal Access courtrooms where  
10 the courtrooms are literally inundated with lawyers  
11 because they're there every day working on the cases  
12 in those parts because those cases are selected by  
13 zip code, and it has truly changed the culture in  
14 those courtrooms and in turn the culture is changing  
15 the Housing Court.

16 CHAIRPERSON DROMM: Okay, so what we're  
17 basically looking for is an updated plan which  
18 includes the additional phases. Can you provide us  
19 with that?

20 JORDAN DRESSLER: At this point, it would  
21 be too soon to say. We have funding levels which we  
22 can share. We'll have to come back to you with that.

23 CHAIRPERSON DROMM: No, we have it.

24 JORDAN DRESSLER: Yeah, I think you have  
25 that. I think you have what the funding levels are

2 in terms of what the strategic application of that  
3 is. Again, that is to be determined after more  
4 discussion with the providers, understanding what the  
5 capacity actually looks like.

6 CHAIRPERSON DROMM: And when do you think  
7 you would know that?

8 JORDAN DRESSLER: I think in the coming  
9 months we'll be developing it, certainly what phase  
10 three looks like and seeing what that does, and we're  
11 happy to--

12 CHAIRPERSON DROMM: [interposing] And then  
13 at that point you'd share that with us?

14 JORDAN DRESSLER: Of course.

15 CHAIRPERSON DROMM: Okay. I'm going to  
16 turn it over just to Council Member Levine. I  
17 believe he has questions, and then we'll wrap it up  
18 after that.

19 COUNCIL MEMBER LEVINE: Thank you, Mr.  
20 Chair, and Jordan, it's great to see you and the  
21 team.

22 JORDAN DRESSLER: Thank you, Council  
23 Member.

24 COUNCIL MEMBER LEVINE: I'm just so  
25 excited about the impact that this program is already

2 having, and I want to compliment you on your personal  
3 leadership and your role in this success.

4 JORDAN DRESSLER: Thank you.

5 COUNCIL MEMBER LEVINE: The eviction  
6 rates as you well know citywide are down 37 percent  
7 since we began this program. It's just a stunning  
8 level of impact and it's being replicated now around  
9 the country. New York was first, but we're not going  
10 to be the last. Others are following our lead. The  
11 original law defined the income cut-off is 200  
12 percent of poverty. The Federal Government is  
13 notoriously slow in raising the poverty rate, and  
14 it's been stuck now at 12,000 and change for a single  
15 person for years. The law calls for 200 percent of  
16 poverty cut-off. So, 24,000 and change for a single  
17 adult. We're raising the minimum wage, thank God, in  
18 this state, and that means that a single adult making  
19 minimum wage in a full-time job would no longer  
20 qualify for this program, and so we have been working  
21 on legislation, as I think you know, on the Council  
22 side to raise the income cut-off to 400 percent of  
23 poverty because we think that really would capture  
24 all those who truly are in need of this assistance.  
25 Can you talk to us about the percent of people in the

2 applicable zip codes who are being covered under the  
3 income cut-off and whether you might be seeing a  
4 trend that as we have changes in the economy and  
5 changes in the minimum wage towards more people  
6 coming in above the cut-off rate for full  
7 representation.

8 JORDAN DRESSLER: I don't have chapter  
9 and verse in terms of statistics to share with the  
10 Council today. What I can say is we had a working  
11 estimate that helped us design this program that  
12 roughly 60 percent of tenants facing eviction in  
13 Housing Court citywide would fall within zero percent  
14 to 200 percent. We haven't seen anything to dissuade  
15 us from--

16 COUNCIL MEMBER LEVINE: [interposing] Is  
17 that a current figure?

18 JORDAN DRESSLER: That was a figure from  
19 I want to say 2016. So, we have not taken a fresh  
20 look at that question.

21 COUNCIL MEMBER LEVINE: I mean, if  
22 nothing else, the rise of the minimum wage, which  
23 again, we celebrate without reservation, but there's  
24 an unintended effect of pushing people just above the  
25 poverty rate. I think almost anyone would agree that

2 someone making \$30,000 a year is not wealthy,  
3 certainly not in the New York City real estate  
4 market, and from a mission perspective we'd want them  
5 to be represented.

6 JORDAN DRESSLER: I mean, I think one  
7 thing to realize is in terms of the determination of  
8 income, first of all, let me say anybody receiving  
9 public assistance, whether it's cash assistance or  
10 SNAP, is under our contracts per say eligible for  
11 these services, and I think that does cover zero to  
12 200 percent, but to the extent that there's some  
13 slight overlap there wearing [sic] on the side of  
14 inclusion and not exclusion. It's something we  
15 continue to look at. We're happy to continue the  
16 dialogue with the Council.

17 COUNCIL MEMBER LEVINE: And just very  
18 quickly, one more point, I know I'm over time, but  
19 very quick. Landlords are changing their tactics as  
20 this program has taken hold, and they are  
21 increasingly trying to reach tenants before the  
22 tenants have connected to their attorney before they  
23 know they have an attorney in many cases. sometimes  
24 up to and including the very morning of a tenants'  
25 first court date where landlords' attorneys will work

2 the line outside of Housing Court which is  
3 unfortunately often very long, and they'll grab a  
4 tenant and say, "I want to over you a stipulation  
5 agreement right now that might include leaving the  
6 apartment. I can't guarantee that that agreement  
7 will be available to you later in the day." And by  
8 the time the tenant actually connects to attorney  
9 who's on your side, it's too late, and so I really  
10 think we have to do everything possible to inform the  
11 public that they have this new right before they're  
12 in court for an eviction date. And that's going to  
13 require everything from public service announcement--  
14 I would even love to see advertising on subways, but  
15 also direct outreach to tenants in their homes in the  
16 community settings by groups who are on the ground  
17 with the trust of tenants and nonprofits who are  
18 already in the communities working with tenants. Can  
19 you talk about your plan to reach tenants before they  
20 show up for their court date?

21 JORDAN DRESSLER: We, first of all,  
22 recognize that there are measures that we take and  
23 then there are counter-measures by, excuse me, the  
24 landlords bar, not every member of them, but we did  
25 hear stories of some of the conduct that you

2 described. We actually specifically looked into  
3 that, and it turned out that it was-- there was  
4 perhaps less to it in that particular instance than  
5 we thought, but, you know, we do look into these  
6 things when we do hear about them. As a general  
7 matter, we think that one thing is going to make a  
8 critical difference as we go forward and that's the  
9 inclusion of information on the actual notice of  
10 petition that goes to every tenant who is facing an  
11 eviction proceeding about how to access counsel.

12 COUNCIL MEMBER LEVINE: Is this currently  
13 in the mail--

14 JORDAN DRESSLER: [interposing] It's in  
15 the offing [sic], and when I say in the offing, I  
16 mean in weeks and not months and certainly not--

17 COUNCIL MEMBER LEVINE: [interposing] So,  
18 starting-- starting in a few weeks, every person who  
19 gets in the mail box a notice of an eviction it's  
20 going to contain a sheet of paper or something that  
21 informs them they have the right to access an  
22 attorney, and here's how to do it.

23 JORDAN DRESSLER: Very soon. I don't want  
24 to put a fine date on it, but we'll certainly be  
25 happy to be in dialogue with the court as-- I'm

2 sorry, with the Council as things are actually  
3 finalized. We've been working closely with the court  
4 and with providers to update the notice of petition  
5 which is an official court document. It must be  
6 included on every-- at first, they're going to roll  
7 it out for non-payment petitions which is between 80  
8 and 90 percent of cases. We'll have information  
9 about how to access Universal Access legal services.  
10 To back that up we're standing up a hotline for New  
11 Yorkers to call when they receive that to receive  
12 information about how to access those services.

13 COUNCIL MEMBER LEVINE: That's exciting,  
14 the hotline. Is there a number yet that we can give  
15 out to people?

16 JORDAN DRESSLER: Not until we are  
17 absolutely sure we have the capacity to answer all  
18 those calls. We're extremely--

19 COUNCIL MEMBER LEVINE: [interposing] 1-  
20 888-right to counsel?

21 JORDAN DRESSLER: I don't know if it's  
22 going to be as pithy as that, but there will be a  
23 designated number that New Yorkers can call, and they  
24 don't have to be in receipt of an eviction petition  
25 to receive information about how to access legal

2 services. It is a complicated landscape right now.

3 As you've heard, if you're in some zip codes you are  
4 sure to have access. If you're in other zip codes we  
5 certainly don't want to inhibit you from trying and  
6 speaking with an attorney if possible, and we're  
7 going to be working with providers to see how best to  
8 spread that as best as possible. But having a live  
9 person on the line, language access and some  
10 knowledge about the system to be able to answer  
11 questions about where the nearest office might be,  
12 when do I need to be court, we think will be  
13 extremely helpful.

14 COUNCIL MEMBER LEVINE: That is great  
15 news. We'll be very excited to help you amplify this  
16 message once the hotline is set up. And offline I'd  
17 like to talk to you more about how that will work and  
18 who will be answering the phone and things like  
19 language access, etcetera. And the news that we're  
20 imminently going to have information in the packets  
21 mailed out for eviction notices, it's also important.  
22 We're going to keep pushing until that happens.  
23 That's probably the one thing we could do to get the  
24 biggest impact, and so we're anxious for that to be  
25 up and running as soon as possible. And again, I

2 want to acknowledge the success of the program, and  
3 I'm not going to pass it back to Chair Dromm unless  
4 you had any final comments? Yes, please.

5 JORDAN DRESSLER: I just wanted to thank  
6 the Council Member for the continued support for this  
7 and for other programs. It's in our written  
8 comments. We do want to acknowledge your leadership.  
9 It had been terrifically helpful, and as buoyed our  
10 spirits in times when there have been I want to say  
11 challenges, but you know, growing pains along the  
12 way, which are just bound to happen with a project of  
13 this magnitude. But Council Member Levine, you and  
14 the rest of the Council have been terrifically  
15 supportive in this effort, and we really appreciate  
16 it.

17 COUNCIL MEMBER LEVINE: Thank you so much  
18 for saying that. Thank you.

19 CHAIRPERSON DROMM: Okay, thank you very  
20 much, and we appreciate you coming in and giving  
21 testimony, and we'll end it here with this panel, and  
22 we will reconvene in about five minutes.

23 JORDAN DRESSLER: Thank you very much.

24 CHAIRPERSON DROMM: Thank you again.

25 JORDAN DRESSLER: Thank you very much.

2 [break]

3 CHAIRPERSON DROMM: [gavel] Okay, we will  
4 now resume the City Council's hearing on the Mayor's  
5 Executive Budget for Fiscal 2020. The Finance  
6 Committee is joined by the Committee on General  
7 Welfare chaired by Council Member Steve Levin and the  
8 Committee on Juvenile Justice chaired by Council  
9 Member Andy King. We have been joined by Minority  
10 Leader Steve Matteo, Council Member Inez Barron, and-  
11 - oh, Council Member Bob Holden is here as well.  
12 Alright, we just heard from the Office of Civil  
13 Justice and we will now hear from the Commission of  
14 the Administration for Children's Services David  
15 Hansell. In the interest of time, I will forgo an  
16 opening statement, but before we hear testimony I  
17 will open the mic to my co-chair, Council Member  
18 Levin and then Council Member King.

19 CHAIRPERSON LEVIN: Thank you very much,  
20 Chair Dromm. Good afternoon everybody. I'm Steve  
21 Levin, Chair of the Committee on General Welfare, and  
22 I'm glad to be joined by my committee colleagues as  
23 well as Chairs Danny Dromm and Andy King, and members  
24 of the Committees on Finance and Juvenile Justice.  
25 Welcome once again to the Fiscal 2020 Executive

2 Budget hearing for the Committee on General Welfare.

3 This afternoon we will hear testimony from the  
4 Administration for Children's Services, also known as  
5 ACS, and it's proposed 2.66 billion dollar budget for  
6 Fiscal 2020. When the Executive Budget was released  
7 there were no new needs at ACS. This was  
8 disappointing given the high priority the Council  
9 placed on funding 89 million dollars for childcare  
10 educator pay parity in our Preliminary Budget  
11 response. Let me underscore for the Administration  
12 that I do not believe it is fair or right for  
13 similarly qualified teachers to make 60 percent less  
14 than their peers who work at the Department of  
15 Education, and that the Fiscal 2020 budget is the  
16 correct budget to do the right thing for pay parity.  
17 However, we made progress after the release of the  
18 Executive Budget. The Administration agreed to fund  
19 three Foster Care Taskforce recommendations that were  
20 underfunded in Fiscal 19, the total of 7.8 million  
21 dollars will support \$3.3 million for kinship  
22 navigators, 2.8 million dollars to improve family  
23 visiting, and 1.7 million dollars for workforce  
24 employment. And I want to thank Commissioner Hansell  
25 and Deputy Commissioner Farber [sp?] and your entire

2 team for working with us on the Foster Care Taskforce  
3 and coming up with these recommendations and then  
4 working through to make sure that they're  
5 implemented. So thank you very much. Although we do  
6 not yet see the 10 million dollars the Council  
7 requested for Fair Futures campaign for comprehensive  
8 foster care support, the 7.8 million dollars is an  
9 important milestone, and I look forward to continuing  
10 the conversation about foster care today. The recent  
11 agreement also restored the Administration's one-time  
12 funding of 4.5 million dollars for childcare  
13 contracts previously supported by the Council. These  
14 providers have longstanding ties to the community and  
15 I am glad to see that their support is renewed.  
16 Finally, the Administration agreed to add four units  
17 of appropriation to the budget. This will enhance  
18 transparency of the budget for the City Council and  
19 New Yorkers to better understand how ACS spends money  
20 on OCFS residential placements and adoption services.  
21 However, I am alarmed by the recent letter to the  
22 Mayor from over 70 CBOs calling on the Administration  
23 to withdraw DOE's Birth to Five RFP and the Head  
24 Start Early Learn-- sorry, the Head Start-- Early  
25 Head Start RFPs. I have worked with many of these

2 providers for years and I know that they would not  
3 suggest such a measure lightly. I want ACS to share  
4 further information today and the approximately 600  
5 million dollar transfer of EarlyLearn services to the  
6 DOE and how providers' concerns are being listened to  
7 and incorporated into the next phase of this process.  
8 Furthermore, vouchers, the other critical element of  
9 childcare and early education must be attended to.  
10 ACS will continue to administer over 66,000 vouchers,  
11 critical lifelines for low income and/or child  
12 welfare-involved parents. Today, I would like to  
13 hear what is ACS' vision for vouchers. What is ACS'  
14 targeted number for vouchers, and what the level of  
15 funding necessary to reach those families that  
16 urgently need support, both those that are mandated  
17 vouchers and non-mandated vouchers? We successfully  
18 came together to defeat many child welfare cuts from  
19 the state, and the Administration was correct to  
20 recognize many of the savings the Council called for  
21 in its Preliminary Budget response, but we need to  
22 see more funding in certain areas of ACS' budget to  
23 become the most pro-active, progressive children's  
24 services agency in the country, and that continues--  
25 that includes how we treat our foster youth and our

2 childcare teachers. In partnership with you,  
3 Commissioner Hansell and the Administration, I look  
4 forward to completing-- to us completing that work.  
5 I'd like to thank committee staff for their work in  
6 preparing for this hearing and the Preliminary Budget  
7 hearing, Daniel Krup [sp?], Finance Analyst, Doheni  
8 Sampura [sp?], Unit Head, Counsel Amenta Killawan  
9 [sp?], Policy Analyst Tanya Cyrus and Crystal Pond  
10 [sp?], as well as my Chief of Staff Johnathan Bouche  
11 [sp?], and Legislative Director Elizabeth Adams. And  
12 I'll now go to turn it over to my Co-Chair for  
13 today's hearing, Chair Andy King.

14 CHAIRPERSON KING: Thank you, Council  
15 Member Levin. Thank you Chair Levin and Chair Dromm  
16 for today's conversation and today's committee  
17 hearing on Juvenile Justice as well as General  
18 Welfare. And again, to our colleagues who are here,  
19 thank you for being part of today's conversation.  
20 And as you've heard from Chair Levin we'll be  
21 discussing the proposed 2.6 billion fiscal budget for  
22 2020. The City approximately spends 232 million of  
23 that budget annually on juvenile justice services  
24 managed by ACS Division of Youth and Family Justice,  
25 or DYFJ. Services include a range of secure and non-

2 secure detention and placement options as well as  
3 alternatives to detention. In addition, DYFJ  
4 facilities' renovations are a major part, majority,  
5 of the ACS 10-year capital strategy at \$207 million  
6 of total strategy of the \$392 million. As the Chair  
7 of the Juvenile Justice Committee, we will be focused  
8 on the progress of raising the age of criminal  
9 responsibility for our young people. We have about  
10 four months until October 1<sup>st</sup>, the deadline for the  
11 next final play [sic] set [sic] for Raise the Age,  
12 but unlike last October, this October, we need to  
13 make sure that everything is in place, and we want to  
14 know what it's going to look like when those  
15 deadlines actually hit. Myself and other committee  
16 members have visited Horizon and Crossroads up close  
17 to get an opportunity to see how those facilities are  
18 operating, meeting the staff, and also the medical  
19 staff, the healthcare staff that's on both these  
20 sites, as well as meeting the dynamic young people  
21 who are there to improve their lives. So with that  
22 all being said, we just want to make sure that ACS is  
23 on track to deliver the best Raise the Age we can for  
24 our young people. In that vein, we hope to hear more  
25 about the staffing transition at a jointly-operated

2 Horizon facility. ACS shared-- you all shared at the  
3 Preliminary Budget hearing that youth development  
4 specialists would fully staff Horizon by February.

5 We want to ensure that that progress is still on track  
6 and lend any support in anything that we can do to  
7 make sure this happens. In addition, Close to Home  
8 is a key area of concern for all of us on this  
9 committee. The budget for Close to Home has

10 increased by \$26 million between Fiscal Year 2019 and  
11 2020 bringing the program cost over \$71 million. We

12 want to make sure that we have the right model for  
13 youth development in the Close to Home program and

14 aren't paying for slots and spaces that we aren't  
15 using. Finally, there's a question of the Juvenile

16 Justice contracts which total \$102 million, but

17 remain hidden under the general contracting category.

18 We'd like to hear and update from you all at ACS, and

19 if we can expect to see something being separate, or

20 they've been-- or you all pulling that budget out of

21 there to make it more transparent come Fiscal Year

22 21. For the safety of our children and city, it's

23 essential that ACS partner to grapple with these

24 questions. I look forward to our spirited

25 conversation as always. I say this is a partnership,

2 and figuring out do we save the lives, improve the  
3 lives of young people not pointing blame and for  
4 actually acknowledging what are the challenges and  
5 coming up with truthful solutions that will deal with  
6 these issues. I want to thank the Juvenile Justice  
7 Committee for their staff and helping for today's  
8 hearing, Daniel Krup [sp?], Finance Analyst, Doheni  
9 Sampora [sp?] Unit Head, Counsel Josh Kingly [sp?],  
10 and Policy Analyst William Honig [sp?]. So now I'll  
11 turn it right back over to Chairman Dromm before  
12 swearing in the committee. Thank you again.

13 CHAIRPERSON DROMM: Okay, and I'll ask  
14 Counsel to swear the panel in.

15 COMMITTEE COUNSEL: Do you affirm that  
16 your testimony will be truthful to the best of your  
17 knowledge, information, and belief?

18 UNIDENTIFIED: I do.

19 UNIDENTIFIED: I do.

20 CHAIRPERSON DROMM: Okay. Commissioner,  
21 would you like to start?

22 COMMISSIONER HANSELL: Alright, thank you  
23 very much. Good afternoon, Chairs Dromm, Levin and  
24 King, and members of the Committees on Finance,  
25 General Welfare, and Juvenile Justice. I am David

2 Hansell, Commissioner of the New York City

3 Administration for Children's Services. With me

4 today are my far left, Felipe Franco who is Deputy

5 Commissioner of our Division of Youth and Family

6 Justice, to my left Julie Farber, Deputy Commissioner

7 of our Division of Family Permanency Services, and to

8 my right Elizabeth Wolkomir who is Assistant

9 Commissioner in our Finance Office. Since becoming

10 ACS Commissioner just over two years ago, my focus

11 has been on strengthening the work we do to protect

12 children and support families using data, evidence-

13 based and best practices and technology, we've made

14 these systems stronger and made many strides in the

15 right direction. To build on these accomplishments I

16 know that we must continue to invest in the work

17 we're doing to help the most vulnerable children,

18 youth and families in New York City. Safety is our

19 top priority at ACS and we have strengthened all

20 aspects of our child welfare work and enhanced our

21 ability to keep children safe and support their

22 families. We've reduced child protective caseloads,

23 enhanced efficiency and effectiveness by providing

24 new technological tools, strengthened our oversight

25 and quality assurance processes and enhanced training

2 and professional development for our staff. This  
3 past year, nearly 20,000 families including more than  
4 44,000 children received prevention services, while  
5 today there are approximately 8,300 children in  
6 foster care. Comparing the most recent calendar year  
7 2018 to last year 2017, ACS has seen child abuse and  
8 neglect reports, court filings, court-ordered  
9 supervision cases, and placements into foster care  
10 all decrease significantly. Our continuum of  
11 prevention services has earned us a reputation as a  
12 national leader. This past October ACS began rolling  
13 out new enhanced prevention services to support  
14 families receiving court-ordered supervision or at  
15 immediate risk of court involvement, diverting  
16 hundreds of families from court intervention. Just  
17 last month ACS began to roll out a program we're  
18 calling A Safe Way Forward, a new prevention  
19 demonstration project working with families  
20 experiencing domestic violence. This new program is  
21 the first of its kind in the country as it will  
22 provide both prevention and clinical services to all  
23 members of families experiencing domestic violence,  
24 including the survivors, children, and the person  
25 causing harm. This summer we'll be issuing a new RFP

2 for prevention services which will build on our  
3 current system by focusing more heavily on evidence-  
4 based models and better allocating service models  
5 across the City in a way that expands access for  
6 families. We're continuing to partner with our  
7 providers to ensure that they have the resources they  
8 need to provide high-quality services to the children  
9 and families they serve. We engaged in a  
10 collaborative and fruitful process to address the  
11 staffing, training and programmatic needs of our  
12 prevention providers through the model budget  
13 processes last year. More recently, we've taken  
14 steps to strengthen our home-making program which  
15 provides over one million hours of training and  
16 support to parents in their homes. To ensure  
17 adequate resources for these programs, ACS processing  
18 contract amendments that will allow us to pay home-  
19 making providers based on an approved line item  
20 budget for all allowable expenses which will ensure  
21 that our providers receive more predictable cash flow  
22 to meet their expenses. When our assessment of  
23 imminent risk of serious harm leads to a child's  
24 placement in foster care, ensuring the safety of that  
25 child is critical beginning day one. We have

2 strenuous safety procedures in place to keep children  
3 safe in foster care and as they transition back to  
4 their families, and we are continuing to strengthen  
5 them. Because research shows that children in foster  
6 care have better outcomes if they're placed with  
7 relatives or other people they know, we've increased  
8 kinship placements from 31 percent of children in  
9 care at the end of Fiscal Year 2017 to 38.5 percent  
10 in December 2018, and we are continuing on that  
11 progress. To support these efforts, we too are  
12 excited that the Mayor and the City Council recently  
13 came to an agreement that will provide ACS with 7.8  
14 million dollars in Fiscal Year 20 to implement three  
15 recommendations from the Foster Care Taskforce: \$3.3  
16 million to increase kinship placements; \$2.8 million  
17 to improve family visiting for children in foster  
18 care; and \$1.7 million to support foster care  
19 agencies in preparing youth for the workforce. Chair  
20 Levin, I want to express my appreciation to you and  
21 Speaker Johnson for your relentless advocacy on this  
22 issue and on behalf of youth in foster care system  
23 generally. As we work to implement these  
24 recommendations we will also look forward to  
25 continuing discussion with the City Council with

2 providers and with advocates about the Fair Futures  
3 proposal which would provide educational supports to  
4 middle school students in foster care and coaching  
5 for older youth in care and until they turn age 26.  
6 Providing high-quality care to children coming into  
7 foster care includes ensuring that children and youth  
8 are safe and well-cared for at the Children's Center,  
9 and that their stay there is as short as possible.  
10 We recently conducted a thorough review of the needs  
11 of the children as well as the operations of the  
12 Children's Center. We conducted an intensive case  
13 review of every child with special needs, and ensured  
14 that these children and youth were safe and healthy  
15 and that their needs are being met. We've hired a  
16 new Assistant Commissioner for Residential Care with  
17 extensive experience, and we're applying Deputy  
18 Commissioner Winette Saunders' expertise in youth  
19 programming, safety and security, and we've retained  
20 a consultant, Laura Valez [sp?] who brings extensive  
21 experience as the former Deputy Commissioner for  
22 Child Welfare for the State. The Children's Center  
23 provides a wide range of educational, recreational,  
24 and social/emotional programs, and we've added many  
25 new programs in just the past two months including

2 the Lower East Side Girls Club and the National Arts  
3 Club. Youth at the Children's Center have applied  
4 for DYCD Summer Youth Employment Program and for the  
5 upcoming New York City Council Foster Youth Shadow  
6 Day. Because we believe that a therapeutic  
7 environment must be safe for both young people and  
8 staff, we've enhanced security through an increase in  
9 the number of peace officers on site who are trained  
10 in de-escalation techniques, additional security  
11 cameras, as well as enhanced collaboration with the  
12 NYPD where appropriate to ensure safety in the  
13 external environment. And we remain focused on  
14 efforts to help older youth in particular move to  
15 other settings as quickly as possible. To do this  
16 we've added case planners to the Children's Center to  
17 focus on finding kin or other foster care placements,  
18 and we're doing proactive home finding for youth in  
19 detention who are likely to be discharged to the  
20 Children's Center. We're increasing the foster care  
21 system's ability to meet the needs of youth with  
22 complex challenges by creating 144 new therapeutic  
23 family foster home slots, adding more residential  
24 care capacity, and collaborating with the Department  
25 of Health and Mental Hygiene on interventions for

2 high needs youth. Since October of last year, ACS  
3 has been implementing the first phase of New York's  
4 historic Raise the Age legislation. All newly  
5 arrested 16 year olds are now treated as juveniles  
6 having their cases heard either in the Family Court  
7 or the youth part of Criminal Court, and if they are  
8 detained it is either in Crossroads Juvenile  
9 Detention Center or one of our non-secure detention  
10 facilities. There are no longer any 16 or 17 year  
11 olds on Rikers Island. And by October 2019, New York  
12 State will have fully raised the age with 17 year  
13 olds also being treated as juveniles in the justice  
14 system. We've completed extensive renovations to our  
15 detention facilities and infused a therapeutic milieu  
16 while adding extensive programming, educational and  
17 vocational options into our detention and our  
18 placement programs. Our next step is to bring  
19 transitioning youth development specialists into  
20 Horizon. As required by the law ACS and the  
21 Department of Correction are collaboratively  
22 operating the Horizon Juvenile Detention Center. ACS  
23 has hired over 425 YDS to-date on track to meet our  
24 goal of hiring approximately 700 YDS, and we are set  
25 to assume full operational control of Horizon by

2 January 2020. We began by bringing YDS to Horizon in  
3 April to observe operations, and then we will move to  
4 assume responsibility for security in planful [sic]  
5 stages so that the transition is seamless and  
6 orderly. We've also been working with our Close to  
7 Home system providers to ensure that they have the  
8 capacity and the service array to implement Raise the  
9 Age. ACS has been working closely with the Mayor's  
10 Office of Criminal Justice on projections of Close to  
11 Home capacity needs to accommodate the 16 and 17 year  
12 olds who will be placed into Close to Home. ACS is  
13 committed to focusing on equity, helping strengthen  
14 communities and preventing families from becoming  
15 involved in the child welfare system where possible.  
16 We do this through community and family engagement,  
17 public awareness campaigns and subsidized early  
18 childhood education as well as through the promotion  
19 of equity strategies across ACS' work. Our Family  
20 Enrichment Centers, our community partnership  
21 programs, and our child safety campaigns will  
22 continue to provide a two-generational community-  
23 based approach to address trauma and meet the  
24 individual needs of communities. New York City has  
25 made major investments in high-quality early care and

2 education programs over the last decade. EarlyLearn  
3 is due to transfer to the New York City's Department  
4 of Education, specifically its Division of Early  
5 Childhood Education this summer. ACS will continue  
6 to administer the City's childcare voucher system  
7 making childcare available to the most vulnerable  
8 families in New York City. Now turning specifically  
9 to our budget, ACS has proposed FY2020 Executive  
10 Budget plan provides for expenses of \$2.66 billion  
11 dollars of which \$878 million is City Tax Levy. As  
12 with all city agencies, ACS received a PEG target.  
13 Ours was \$68 million dollars over two years. We've  
14 met this target in the Executive Budget with  
15 reductions of \$42 million dollars this year in FY19  
16 and \$26 million in FY20. These reductions were almost  
17 entirely met through increasing revenue, including  
18 federal 4E funds and decreasing costs associated with  
19 placing fewer young people in upstate OCFS  
20 facilities. The budget does include a two million  
21 dollar City Tax Levy reduction in funding for  
22 administrative expenses such as supplies,  
23 consultants, training, and travel, and we're working  
24 with OMB to implement this reduction across all of  
25 our divisions. I can report that through our work

2 with OMB we were able to identify savings that will  
3 not reduce any essential services or the number of  
4 critical front line staff. While ACS has been able  
5 to find efficiencies without impacting programs,  
6 services or front line staff, we do remain concerned  
7 that historical state budget cuts and looming federal  
8 reductions threaten to undermine our efforts and  
9 successes to-date. While the state pulled back on  
10 its plan to eliminate all of its support for our PINS  
11 [sic] diversion programs, the state's FY20 budget  
12 maintained the \$62 million dollar cut to New York  
13 City foster care funding as well as the lowered  
14 reimbursement rate for child welfare services, which  
15 cost New York City about \$20 million dollars a year.  
16 Furthermore, the state eliminated all support for the  
17 Close to Home program last year and again this year,  
18 and required that counties remain under the two  
19 percent property tax cap to receive Raise the Age  
20 funding which leaves New York City out. This month,  
21 the state has released preliminary new childcare  
22 market rates which increased the rates for childcare.  
23 While the state budget included \$26 million for  
24 counties outside of New York City to implement the  
25 new rate, New York City is not receiving any

2 additional state funding. At the federal level, we  
3 remain concerned that our Title 4E waiver which  
4 allows ACS to use federal 4E resources to support an  
5 innovative, flexible funding model for family foster  
6 care. That waiver expires this September. A  
7 preliminary evaluation of our waiver shows it has  
8 been very successful resulting in shorter lengths of  
9 stay for children in foster care, lower foster care  
10 re-entry rates for babies, and improvements in  
11 placement stability. Despite the fact that we like  
12 many jurisdictions have successful waiver  
13 demonstration projects, there's currently no federal  
14 legislative authority to extend these waivers. So, I  
15 thank you for the opportunity to discuss our Fiscal  
16 Year 2020 Executive Budget. I'm committed to  
17 ensuring that our work is not hindered by budget  
18 cuts, and that ultimately we provide children and  
19 families with the services and support that they  
20 need. I thank the Council for your leadership and  
21 your steadfast support; look forward to our continued  
22 partnership, and we're happy to answer your  
23 questions.

24 CHAIRPERSON DROMM: Thank you very much,  
25 Commissioner. Let me start off by asking you some

2 Raise the Age questions. Due to the needs of Raise  
3 the Age, ACS' Capital Commitment Plan for juvenile  
4 justice facilities has grown to \$205 million dollars.  
5 The Executive Budget proposes to appropriate an  
6 additional \$8.7 million in Fiscal 2022 for the  
7 acquisition and construction of the Division of Youth  
8 and Family Justice. Can you explain what the funding  
9 is for?

10 COMMISSIONER HANSELL: Yes, let me sort  
11 of explain in general, and then I'll I think  
12 Assistant Commissioner Wolkomir or Deputy  
13 Commissioner Felipe Franco to elaborate. So, when we  
14 began our preparations for the Raise the Age back in  
15 actually 2017, shortly after I became Commissioner,  
16 one of the things we realized very quickly was that  
17 our two detention facilities, Crossroads and Horizon,  
18 were going to need extensive renovation work. Both  
19 of them had been built in the 1990s and needed quite  
20 a bit of work, and so we began focusing initially on  
21 meeting essential health and safety requirements, all  
22 of which were completed by the time we began  
23 implementation in October of last year, and now we  
24 have moved onto expansion of programmatic  
25 requirements, recreation and things like that.

2 There's still a considerable amount of work that  
3 needs to be done on some of the basic systems of  
4 those buildings and as well as some of the other  
5 facilities that we have. So, our capital budget,  
6 actually the majority of our entire capital budget is  
7 related to work that we're doing with regard to Raise  
8 the Age and our entire continuum of facilities, but  
9 principally the two secure detention facilities.  
10 With regard to the specific numbers, Assistant  
11 Commissioner Wolkomir?

12 ASSISTANT COMMISSIONER WOLKOMIR:

13 Absolutely. As you mentioned the Crossroad and  
14 Horizon renovation plan is a total of \$329 million  
15 dollars, and to date about \$133 million of that has  
16 been spent or committed. As the Commissioner  
17 mentioned, the early phase was to prepare for some  
18 key safety measures including wall hardening, new  
19 space for admits, roof replacements, refurbishments  
20 of HVACs, so really critical safety concerns that  
21 were needed to being implementation of Raise the Age.  
22 ACS is now working with DDC on a plan to continue  
23 addressing the remainder of the critical investments  
24 we need to make in mechanical systems and  
25 infrastructure in both facilities, and so we are

2 working actively to pursue the second phase of this  
3 project.

4 CHAIRPERSON DROMM: And that's work that  
5 needs to be completed before ACS can implement Raise  
6 the Age on October 1<sup>st</sup>?

7 ASSISTANT COMMISSIONER WOLKOMIR: The  
8 initial critical safety needs in order to meet our  
9 oversight requirements have already been met, and  
10 that was why we pushed forward with that first phase  
11 of the project very early.

12 CHAIRPERSON DROMM: Okay, thank you. The  
13 City currently does not meet the eligibility criteria  
14 to access nearly all of New York State's Raise the  
15 Age funding which requires counties to be under the  
16 two percent property tax cap or demonstrate financial  
17 hardship, which you mentioned. Does ACS intend to  
18 request any state funding for Raise the Age  
19 implementation including capital funding?

20 COMMISSIONER HANSELL: Yes. In fact, the  
21 City already has made a request. We made a request  
22 in this year for first year funding to-- actually, I  
23 think both state agencies. OCFS I think is possibly  
24 working with Division of the Budget. It actually is  
25 a citywide request because it's not just ACS. There

2 were expenses incurred by Department of Design and  
3 Construction, by the Law Department, by the Division  
4 of Probation. So, the City submitted a unified  
5 request to OCFS some months ago. We have not gotten  
6 a response to that request, but our expectation is  
7 because we know that because of the requirement of  
8 the two percent property tax cap which we don't  
9 utilize in New York City, we would only qualify for  
10 funding if there were-- if were able to show severe  
11 hardship, and we don't think it's very likely that  
12 the state will make that finding. Because there is  
13 actually-- last year there was 100 million dollars  
14 allocated for Raise the Age implementation. In the  
15 current state budget that was doubled to 200 million  
16 dollars. We certainly intend to submit another  
17 request for funding. We believe New York City should  
18 be funded, you know, equally with other parts of the  
19 state, so we will submit those proposals, but we are  
20 not optimistic about the likelihood of success.

21 CHAIRPERSON DROMM: Thank you. The  
22 Council would like to see regular reporting on Raise  
23 the Age including a break-out of the ongoing cost per  
24 facility and more information on the demographics and  
25 top charges against youth. Can you commit to

2 providing us with that information on a more regular  
3 basis?

4 COMMISSIONER HANSELL: Yes, happy to  
5 provide that information.

6 CHAIRPERSON DROMM: Thank you. And  
7 issues that's kind of really important to me, the  
8 Council is seeking drop-in visitation rights at the  
9 secure detention facilities in the same manner that  
10 Council Members have for the jails on Rikers Island.  
11 I think I was one of the first or the first,  
12 actually, to go to Rikers and to see the conditions  
13 that young people are being held in at Rikers. I  
14 remember specifically seeing a 16-year-old pressed up  
15 against the glass on the door and just looking at how  
16 terrified he was and kind of brought a lot of that  
17 out to light. And I think that part of the reason  
18 that I saw that was because I did an unexpected visit  
19 to Rikers, which we are allowed under the Charter to  
20 do. I do not believe that at this time we have that  
21 right to do it at Horizon or at Crossroads. So,  
22 would the Agency work with us to make that a  
23 possibility?

24

25

2 COMMISSIONER HANSELL: Well, we certainly  
3 have had many council visits to both of those  
4 facilities.

5 CHAIRPERSON DROMM: But planned.

6 COMMISSIONER HANSELL: Yeah, we do--  
7 well, I'll ask Deputy Commissioner Franco to speak of  
8 this. we do-- you know, we operate under state  
9 rules, so we'd have to take a look at those, but let  
10 me ask Deputy Commissioner Franco to speak to this.

11 DEPUTY COMMISSIONER FRANCO: Yeah, I mean  
12 another, actually, Council Member King and Holden  
13 came to Crossroads recently. Any one of the City  
14 Council is actually welcome to come to our facilities  
15 just give us--

16 CHAIRPERSON DROMM: [interposing] But the  
17 issue for me is planned, because I'm-- look, I trust  
18 this Administration and Commissioner, you know, I  
19 really respect you a lot, but what I found at Rikers  
20 Island was only due to the fact that I showed up  
21 unexpected, and so it's those types of inspections  
22 that initiated the process to get these young people  
23 off of Rikers Island in the first place. You know as  
24 I know, I was teacher. When we knew the  
25 superintendent was coming to the school everything

2 was, you know, in top shape. It was unexpected  
3 visits that really shook people up.

4 DEPUTY COMMISSIONER FRANCO: I think  
5 something that is important to keep in mind about  
6 secure detention facilities, first of all, they're  
7 not in Rikers Island, so they're very accessible.  
8 The way that we do our work is actually based on  
9 partnerships, so at any one day you have at least  
10 five different providers coming in and out of our  
11 facilities, you know, the Department of Education,  
12 DYCD--

13 CHAIRPERSON DROMM: [interposing] It  
14 wasn't enough in Rikers. It wasn't enough in Rikers.  
15 It was not, and in fact, there were many complaints  
16 even about the school at Rikers. So, look, what I  
17 think we can do also, if you're not going to agree to  
18 it, is to put it into the Charter Revision, because  
19 it does concern me deeply.

20 DEPUTY COMMISSIONER FRANCO: Again, I'm  
21 not clear about what the request is, but--

22 CHAIRPERSON DROMM: [interposing] I'm  
23 sorry?

2 DEPUTY COMMISSIONER FRANCO: I mean, I'm  
3 not clear what the request is, but if there's any  
4 desire by the City Council--

5 CHAIRPERSON DROMM: [interposing] The  
6 request is to allow Council Members to come to  
7 Crossroads and/or Horizon at any time of day or  
8 night, as is provided in the Charter for Council  
9 Members to visit Rikers Island, to specifically  
10 address concerns that we may have. That's initially  
11 because of my visit, I think it was a very big part  
12 of my visit that got those young people, 16 and 17  
13 years old, off of Rikers to begin with, because of  
14 the horrible conditions that we found them in.

15 DEPUTY COMMISSIONER FRANCO: Yeah.

16 COMMISSIONER HANSELL: No, I understand  
17 your request and your concern, and let me commit that  
18 we'll explore it with you. We do operate under state  
19 law and regulations. We'll have to make sure that we  
20 do it in a way that respects the confidential  
21 requirements of the state law and regulations, but  
22 I'm absolutely happy to explore that with you.

23 CHAIRPERSON DROMM: Do state elected  
24 officials have the right to go into prisons?

2 COMMISSIONER HANSELL: Prisons, I don't  
3 know, but juvenile facilities are under completely  
4 different part of the law than adult prisons, that's  
5 the distinction.

6 CHAIRPERSON DROMM: Well, I mean, I know  
7 that we're doing that--

8 COMMISSIONER HANSELL: [interposing] And  
9 there are different protections--

10 CHAIRPERSON DROMM: [interposing] and then  
11 I know why we're doing that. But, you know, alright.  
12 I really want to explore this further with you and--

13 COMMISSIONER HANSELL: [interposing]  
14 Absolutely.

15 CHAIRPERSON DROMM: make sure that  
16 Council Members do have that right. Families can  
17 play a critical role in getting justice-involved  
18 youth back on the right track. What are the current  
19 family visiting hours at the secure detention  
20 facilities, and does ACS think that they are flexible  
21 enough to meet working families' schedules? From what  
22 I'm hearing, the hours are not sufficient.

23 DEPUTY COMMISSIONER FRANCO: Yeah, I  
24 mean, we actually have visiting five days a week  
25

2 including weekends. We're more than open to look at-

3 -

4 CHAIRPERSON DROMM: [interposing] And what  
5 times?

6 DEPUTY COMMISSIONER FRANCO: It's  
7 actually all the way through 7:30 p.m. at weekdays--

8 CHAIRPERSON DROMM: [interposing] starting  
9 at what time?

10 DEPUTY COMMISSIONER FRANCO: And can get  
11 you the-- night-- I mean the days within [sic] the  
12 weekend.

13 CHAIRPERSON DROMM: And what time do you  
14 start?

15 DEPUTY COMMISSIONER FRANCO: I think  
16 after school hours, 3:00 p.m.

17 CHAIRPERSON DROMM: 3:00 p.m. to what  
18 time at night did you say?

19 DEPUTY COMMISSIONER FRANCO: 7:30.

20 CHAIRPERSON DROMM: To 7:30?

21 DEPUTY COMMISSIONER FRANCO: But I could  
22 get you-- I mean, if there's feedback about further  
23 increasing participation by families, we welcome it.

24 I mean, we don't just do visiting in secure

25 detention. We actually have family therapy happening

2 in our institutions, which is fairly effective, and  
3 we're actually looking at expanding the hours and  
4 access to families through video conferencing.

5 CHAIRPERSON DROMM: Okay.

6 DEPUTY COMMISSIONER FRANCO: But that, I  
7 couldn't agree with you more. I mean, anything that  
8 we could do to strengthen the family ties, we welcome  
9 the feedback.

10 CHAIRPERSON DROMM: Okay. And when are  
11 the Corrections Officers supposed to exit?

12 DEPUTY COMMISSIONER FRANCO: I think as  
13 Council Member mentioned in the beginning, our  
14 commitment at the last hearing was in February in  
15 2020. We're hoping it happens by the end of the  
16 year.

17 CHAIRPERSON DROMM: And are you prepared  
18 for that at this point?

19 DEPUTY COMMISSIONER FRANCO: Yes, we are.

20 CHAIRPERSON DROMM: Okay. How many  
21 people are on in both facilities?

22 DEPUTY COMMISSIONER FRANCO: The exact  
23 number I believe is 49 youth at Horizons and 50 at  
24 Crossroads today.

2 CHAIRPERSON DROMM: Okay, thank you very  
3 much. Pay parity: as you know, the Council called  
4 for 89 million dollars in its Preliminary Budget  
5 response to provide pay parity for certified group  
6 lead teachers in our community-based early education  
7 providers. I was an early childhood teacher at the  
8 Grant Houses Day Care Center for a number of years  
9 before I got elected. So this is another issue of  
10 importance to me. Do you think equally qualified and  
11 credentialed workers inside and outside of city  
12 government should be paid the same?

13 COMMISSIONER HANSELL: Well, I certainly  
14 understand the concern, and as you know, we have been  
15 involved while the program has been at ACS in  
16 implementing the agreement that was reached several  
17 years ago between the Daycare Council and Local 1707  
18 to raise the age of community-based providers, and  
19 we've been doing that on a progressive basis as well  
20 as addressing healthcare benefits and training and  
21 some of the other requirements of that agreement. My  
22 understanding is that there are discussions under way  
23 between the Administration and Local 1707 and we look  
24 forward to the outcome of those.

2 CHAIRPERSON DROMM: Can I ask you,  
3 Commissioner, have you been involved in those  
4 discussion with the Mayor?

5 COMMISSIONER HANSELL: I have not.

6 CHAIRPERSON DROMM: Okay. Would you be  
7 willing to advocate for that with the Mayor?

8 COMMISSIONER HANSELL: I-- if I were  
9 asked to join those discussions I'd be happy to do  
10 that, but because the program is transferring to the  
11 Department of Education this summer, we have not been  
12 asked to participate in those conversations.

13 CHAIRPERSON DROMM: And Commissioner,  
14 have there-- has there been a high attrition rate in  
15 the community-based organizations for teachers  
16 leaving to go to DOE?

17 DEPUTY COMMISSIONER CARLSON: Hi, I'm  
18 interim Deputy Commissioner Barbara Carlson of the  
19 Division of Child and Family Wellbeing. I don't have  
20 the numbers with me, but there has been attrition,  
21 and we can get those back to you.

22 CHAIRPERSON DROMM: Okay.

23 DEPUTY COMMISSIONER CARLSON: We believe  
24 it's significant.

2 CHAIRPERSON DROMM: Okay. Just to go  
3 back to the hours of visitation. I understand that  
4 you have supervised visits from 3:30 to 4:30 p.m.,  
5 and then they're done by alphabetical order, 4:40 to  
6 6:40 A to M on certain days, and then other days the  
7 last name begins with N to Z and they go from 6:45 to  
8 8:45 p.m.

9 DEPUTY COMMISSIONER FRANCO: Yes, I mean,  
10 it's not a-- the alphabetical order is to decide  
11 which groups of parents come at different moments  
12 during that time period when the space is limited.  
13 One of the things that actually--

14 CHAIRPERSON DROMM: [interposing] You want  
15 to know something, that's not exactly how you painted  
16 it. That's not how you painted it. And to have this  
17 here in front of me after hearing what you just said,  
18 and expressing my concern, I'm very concerned.  
19 That's not how you painted. Don't do that again. Do  
20 you view teacher attrition as a threat to the strong  
21 birth to 12<sup>th</sup> grade education system?

22 COMMISSIONER HANSELL: I don't have an  
23 opinion on that. I don't have-- well, not versed in  
24 that, but I know that that's one of the issues that  
25

2 is being discussed in terms of the negotiation  
3 underway between the Administration and Local 1707.

4 CHAIRPERSON DROMM: Okay, thank you,  
5 Commissioner. EarlyLearn RFP says, "The DOE's new  
6 early childhood program RFPs return to a pay for  
7 enrollment model, even after ACS abandoned pay for  
8 enrollment after the problematic 2012 EarlyLearn RFP.  
9 Tell DOE to avoid the pay for enrollment model?

10 COMMISSIONER HANSELL: We didn't  
11 participate in the development of that RFP. That was  
12 a DOE RFP and I'd have to defer to them on any  
13 questions about the RFP.

14 CHAIRPERSON DROMM: Okay, thank you. And  
15 as you may know, a letter from over 70 CBOs was sent  
16 to the Mayor requesting that the RFPs be rescinded.  
17 Would ACS rescind the RFPs if over 70 CBOs told the  
18 agency to rethink its approach?

19 COMMISSIONER HANSELL: I can't answer  
20 that hypothetically, but as you know, these are not  
21 our RFPs, so again, I would have to refer to DOE on  
22 those questions.

23 CHAIRPERSON DROMM: You know it's strange  
24 that DOE didn't confer with you on this, not that I  
25 don't trust what you're saying, Commissioner, it's

2 just that one has to wonder why DOE wouldn't work  
3 with you in that transition period.

4 COMMISSIONER HANSELL: Well, no, they  
5 have worked with us extensively on the transition,  
6 absolutely. I'm talking specifically about the  
7 drafting of the RFP itself, but no, we've worked very  
8 closely with DOE on the transition process, you know,  
9 the staffing and so on. And that's been very  
10 carefully resolved.

11 CHAIRPERSON DROMM: So, it's-- you're  
12 saying that it's the RFP, that piece of it.

13 COMMISSIONER HANSELL: That's correct.

14 CHAIRPERSON DROMM: But you probably know  
15 better than the Doe what those agencies, those CBOs  
16 that sponsor the EarlyLearn programs are capable of  
17 doing etcetera, so forth and so on. So I still find  
18 it poor that the DOE didn't reach out to you on the  
19 RFP.

20 COMMISSIONER HANSELL: I-- I don't want  
21 to, you know, reflect on that except to say that, you  
22 know, they are, and certainly we've been working with  
23 them for a couple of years now in planning for the  
24 transition, so I think the staff in their early care  
25

2 division actually quite familiar with the  
3 capabilities and the structure of those programs.

4 CHAIRPERSON DROMM: Often times and in  
5 the past, especially when you have smaller CBOs the  
6 capacity to write RFPs is limited, even though the  
7 program quality of the program is high. So, that's  
8 why I-- you know, stating this concern.

9 COMMISSIONER HANSELL: Yeah, no, I  
10 appreciate the concern. I know it was a discussion  
11 with ACS before my time. In the last RFP process,  
12 one of the reasons why additional funding was added  
13 for those programs. So it's certainly a concern that  
14 we understand and I'm sure our colleagues at DOE  
15 understand it well.

16 CHAIRPERSON DROMM: Thank you. The  
17 Council was glad to see the Administration accept  
18 some of our proposed savings in the placement budget.  
19 This includes the State Office of Children and Family  
20 Services, I think you mentioned in your testimony,  
21 which in Fiscal 2016 totaled \$15.2 million to place  
22 just 51 children. Although the five million dollar  
23 savings you baselined was a good start, more savings  
24 should be achieved. Give the large budget for  
25

2 placements is \$7.6 million ACS is expected to spend  
3 in Fiscal 2019 on Alternative to Detention too low?

4 COMMISSIONER HANSELL: I think-- you  
5 know, we prepared our budget based upon the best  
6 projections that we have, working again with our  
7 colleagues the Mayor's Office of Criminal Justice,  
8 but there's certainly-- there is some uncertainty,  
9 obviously. We are now adjusting to having 16 year  
10 olds as part of the juvenile system, and we are  
11 projecting to have 17 year olds starting in a few  
12 months. So, we made the best projections we could,  
13 including budgetary projection, but we will continue  
14 to work with OMB, MOCJ, to refine those, and  
15 obviously we will share that information with the  
16 Council as we do it.

17 CHAIRPERSON DROMM: Okay, thank you very  
18 much, Commissioner. I'm going to turn it over to my  
19 co-chairs now. I think it's Andy King, Council  
20 Member-- Chair Andy King.

21 CHAIRPERSON KING: Thank you, Chair  
22 Dromm, appreciate partnering with you today, as well  
23 as Commissioner and your team on answering our  
24 questions and making sure that we deliver the best  
25 services and the best system for our children in the

2 New York area. But before I get into juvenile  
3 justice questions, just to piggy back on what  
4 Commissioner-- Chair Dromm was talking about. Maybe  
5 one day you'll never know. In regards to early  
6 childhood services that are in the City of New York  
7 and the conversation that you're having with the DOE  
8 or not having with the DOE, I would like to ask the  
9 question of, I know-- sometimes we have to stay in  
10 our lane or feel we have to stay in our lane, but if  
11 ACS has been monitoring the Early Childhood Centers  
12 and the CBOs, what guidance are you giving the DOE so  
13 they don't face, as you say, someone who might not  
14 have the capacity to fill out a beautiful RFP that  
15 they lose out on services in communities that they've  
16 been part of for decades. What are-- what  
17 information are you sharing with DOE so they don't  
18 just create something up that does lose [sic],  
19 because right now as I'm understanding a lot of this  
20 stuff is chaotic for people, and they're trying to  
21 learn this new transition that's happening, and you  
22 know, it's like sometimes the right hand not knowing  
23 what the left hand is doing and information gets out  
24 there which shouldn't have gotten out there until you

2 put everything together so everyone knows where we're  
3 actually going.

4 COMMISSIONER HANSELL: Yeah. Well,  
5 certainly, as I said, we've been involved in the  
6 planning process with DOE for about two years now,  
7 and so we have shared with them extensive information  
8 about the providers that we've been working with, the  
9 scope of their enrollment, the kids and the families  
10 that they're working with. They know the whole  
11 history of ACS' management of the project including  
12 the last RFP process that ACS administered. So we've  
13 shared quite a bit of information with them, and we--  
14 you know, we have also worked with them around the  
15 staffing that we have had in place to oversee those  
16 programs. Some of those staff will be transferring  
17 to DOE as the programs transfer to make sure that  
18 they can maintain that, and also we have shared with  
19 them the work that we have done to educate parents  
20 about their options in the childcare system and the  
21 ways to exercise those options, how to apply for  
22 different kinds of programs, which could be early  
23 learn programs or voucher programs, but I will also  
24 say, the DOE has quite a bit of experience already  
25 administering early childhood programs. As you know,

2 the pre-k program has been in place since 2014. The  
3 3K program has been in place for a couple years now,  
4 so it's not as though DOE is new to working with  
5 parents and working with these providers, but we have  
6 shared with them the full scope of our involvement  
7 with the program, and have really talked through in  
8 quite considerable detail the -- what's been required  
9 on our side to manage the program so that they can  
10 prepare to manage them on their side once they  
11 transition.

12 CHAIRPERSON KING: Okay, well, I thank  
13 you for answering that. All I ask of you as well  
14 when you're sitting in these rooms or if you-- just  
15 making sure that the system is fair and that people  
16 don't get transitioned out just because some other  
17 big community group has the capacity or the money or  
18 the favor with city government that will move a  
19 community that's based [sic] for a program, that's  
20 been delivering for a community, that looks like its  
21 community and we transition it out just to give  
22 somebody else money, period. I've seen it happen.  
23 I've watched happen, and I'm saying to you, when  
24 you're in the room I'm asking you to protect the  
25 little mom and pop against the big bad monster that

2 can always be in the room when it comes to money and  
3 dollars and city dollars. So--

4 COMMISSIONER HANSELL: [interposing] Yeah.

5 CHAIRPERSON KING: Thank you. Thank you.

6 COMMISSIONER HANSELL: I appreciate that,  
7 and let me say, as I said in my testimony, we will  
8 continue to administer the voucher program, and so  
9 many of the providers where care is reimbursed to  
10 that program are the kind of mom and pop providers  
11 you're talking about, and they will continue to have  
12 a direct relationship with ACS.

13 CHAIRPERSON KING: Okay, thank you. So  
14 let's jump into juvenile justice right now. Does it  
15 start on the same row [sic] that Chair Dromm was  
16 starting on. We understand that Raise the Age has  
17 led to rapid growth on ACS capital commitment plan  
18 for juvenile justice facilities. The availability  
19 balance for acquisition and construction for Youth  
20 and Family Justice was \$215.1 million dollars in  
21 construction as of February 28<sup>th</sup>. However, actual  
22 year to date commitments for Fiscal 29 is only \$29  
23 million as of April 30<sup>th</sup>. So my first question,  
24 knowing that are you all satisfied with the pace of  
25 this construction? Does the executive capital

2 commitment plan forecast commitments of the 97.9  
3 million for DYFJ facilities in Fiscal 19? And will  
4 ACS meet that forecast? And third, what do you  
5 aspect your Council Member rate will be in Fiscal  
6 2019? Will it improve from the lowly eight percent  
7 that it is currently in 2018, from 218?

8 COMMISSIONER HANSELL: Well, let me begin  
9 on the programmatic side and then I'll ask Assistant  
10 Commissioner Wolkomir to talk about the fiscal side.  
11 So, as we phase the work, as we described previously,  
12 our first priority was to make sure that by October  
13 2018 when 16 year olds began to come into Raise the  
14 Age, the Close to Home system, and more importantly  
15 16 and 17 year olds on Rikers Island had to  
16 transition to Horizon to make sure that we had met  
17 all critical health and safety requirements in both  
18 of secure detention facilities. So that work was  
19 prioritized, and that deadline was met. Now our goal  
20 is to focus on addition slightly less mission  
21 critical systems, but still important systems in  
22 those buildings, but also expanding programmatic and  
23 recreational space at both facilities, but  
24 particularly at Horizon, and that work is proceeding  
25 on course. I don't know specifically about the

2 expenditure rates. I'll as Assistnat Commissioner  
3 Wolkomir to speak to that.

4 ASSISTANT COMMISSIONER WOLKOMIR: That's  
5 right. We're-- as the Commissioner said, we're  
6 working aggressively with DDC to make the  
7 improvements as quickly as possible, especially that  
8 they include sort of critical elements including our  
9 programming space. I don't have a projection of our  
10 FY19 commitments in front of me today, but we are  
11 more than happy to get back to you with tat

12 CHAIRPERSON KING: Okay, please. As we  
13 are-- no matter how they slice it, whether it's  
14 upstate, down state, we are the model of getting this  
15 right for the rest of the state. So I'm asking us  
16 construction is not on pace. Let a fire under  
17 somebody. Let us help out any way we can, because  
18 you know, 29 million is not a lot of money that's  
19 been-- being spent right now or you have contracts  
20 for. So, we need to know how the other 98 million is  
21 going to roll itself out, and will you be on base to  
22 actually spend it and build on it because we still  
23 got young people who have to be a facility again.  
24 Holden and I, we did a few tours at Horizon and  
25 Crossroads and seeing outdoor spaces not coming

2 together or indoor spaces not coming together. So,  
3 we just need to know what track you're on, and if  
4 you're not happy with it, who do we-- who do we talk  
5 to so we all are happy instead of being not happy  
6 about this whole process that you are spearheading as  
7 being number one across the state and making sure  
8 that these facilities, the money gets spent  
9 correctly.

10 COMMISSIONER HANSELL: Yeah, no I  
11 appreciate your concern and I appreciate your  
12 support, and we will certainly report back to you.

13 CHAIRPERSON KING: Alright, thank you.  
14 There's a new law that Corey Jonson sponsored,  
15 Speaker Johnson, in regards to inmates in the  
16 Department of Correction to receive 21 minutes of  
17 free phone time. So we just want to know-- their  
18 privileges is every three hours. So we want to know  
19 how much phone time do young people in secure and  
20 limited-secure facilities are receiving, and do they  
21 have to pay for any of these phone calls that they  
22 have to make out?

23 DEPUTY COMMISSIONER FRANCO: Yeah, I  
24 mean, in juvenile detention young people have never  
25 had to pay. They will never have to pay. Also, very

2 important distinction, we never record any of their  
3 conversations. And third, in terms of how often they  
4 talk, they're getting [inaudible] of seven minutes a  
5 day, all of them.

6 CHAIRPERSON KING: Say that for me again?

7 DEPUTY COMMISSIONER FRANCO: Seven  
8 minutes a day, and they can actually earn more time  
9 based on their behavior.

10 CHAIRPERSON KING: Okay, seven minutes a  
11 day they're able to make one phone call?

12 DEPUTY COMMISSIONER FRANCO: Uh-hm.

13 CHAIRPERSON KING: Okay. I guess you're  
14 keeping them busy enough they're not trying to get on  
15 the phone, right?

16 DEPUTY COMMISSIONER FRANCO: No, I mean,  
17 actually many of them are doing really well. They  
18 actually getting more calls--

19 CHAIRPERSON KING: [interposing] Say that  
20 again?

21 DEPUTY COMMISSIONER FRANCO: Many young  
22 people actually are doing well, and they actually get  
23 more than seven minutes a day.

24 CHAIRPERSON KING: Okay, do you know what  
25 that average might look like now?

2 DEPUTY COMMISSIONER FRANCO: I can find  
3 out.

4 CHAIRPERSON KING: Okay, thank you. I do  
5 want to transition to the Close to Home program. The  
6 ACS budget is Close to Home has increased \$25.8  
7 million over fiscal year-- 2019 to 2020. I want to  
8 know is ACS operating any new Close to Home  
9 facilities with this funding. It's my first  
10 question. And my second question will be what does  
11 ACS estimate the new population in Close to Home to  
12 be after the final phase of Raise the Age takes place  
13 October 1<sup>st</sup>?

14 COMMISSIONER HANSELL: Again, let me  
15 start with sort of where we are programmatically, and  
16 then we can talk about the dollars. So, first of  
17 all, of course as you know, because we talked about  
18 this quite a bit in the last state budget. All state  
19 funding for Close to Home was eliminated. So, the  
20 City was required, and the Mayor proposed, and the  
21 Council unfortunately agreed to backfill about 30  
22 million dollars for Close to Home funding to preserve  
23 the funding. Otherwise, we would have had no Close  
24 to Home program. Fortunately, we do. Now, with Raise  
25 the Age we are anticipating-- although we have seen

2 as you also know, Chair King. We have seen very  
3 significant declines in the number of young people in  
4 the Close to Home program precisely we think, because  
5 it's been so successful. So we have fewer young  
6 people being arrested in New York City. if you are  
7 being placed by the Family Court in the Close to Home  
8 program, and that's a good thing, but we also  
9 anticipate that with 16 year olds now coming to the  
10 program and seeing 17 year olds that we will begin to  
11 see some increase. We have had to, as I said, work  
12 with the Mayor's Office of Criminal Justice to try to  
13 predict and model what those increases will be, which  
14 is no simple, because as you know, the legal process--  
15 - and even though 16 year olds are now in the  
16 juvenile system, they're handled differently in the  
17 court system under the law than younger kids. And so  
18 we didn't know going into it how the Family Court  
19 judges or those young people who might be-- remain to  
20 be processed within the other courts in a family  
21 part, a newly created family part. We didn't know  
22 how many of them would end up in detention. We  
23 didn't know how many of them would end up in the  
24 Close to Home program, and we're really just still in  
25 the first few months of that because only a few of

2 those 16 year olds have actually worked their way  
3 through the process to actually be placed in Close to  
4 Home even now, because it takes some time to get  
5 through the court process. So we are continuing to  
6 refine those projections. We, you know, we believe  
7 that we have sufficient capacity in the Close to Home  
8 program for a period of time going forward to handle  
9 16 and 17 year olds, but we're closely monitoring  
10 that, and if we need to expand capacity in Close to  
11 Home we will do that. We haven't done that yet, but  
12 if we have to do that we are prepared to. We did  
13 issue some time ago a sort of request to see which  
14 providers might be interested in expanding their  
15 capacity so we have a sense of where our expanded  
16 capacity might come from if we need it. We haven't  
17 yet had to do that, but we are monitoring very  
18 closely to make sure that we are able to keep up with  
19 capacity as it grows.

20 CHAIRPERSON KING: I'm going--

21 COMMISSIONER HANSELL: [interposing] With  
22 regard to the financing--

23 CHAIRPERSON KING: [interposing] That was  
24 my answer to my second question.

25

2 COMMISSIONER HANSELL: Okay. Okay,  
3 great. Thank you.

4 CHAIRPERSON KING: So, actually that  
5 means there is no estimate, which is a good thing,  
6 because we're saying that we're not looking to build  
7 on people messing up. We're looking to help young  
8 people because they even come into the system. So, I  
9 like that we're thinking that way as opposed to  
10 preparing more jails because we're going to organize  
11 more people to go into a jail as opposed to no, we're  
12 not trying to build because we going to keep them on  
13 the outside and have them be productive. Go to a  
14 job, to go school as opposed to coming into the  
15 system. So, I'm looking at what you just said as the  
16 cup half-- three-quarters full [inaudible]. Thank  
17 you.

18 DEPUTY COMMISSIONER FRANCO: And  
19 Commissioner, I mean, one thing that I think I was  
20 [inaudible] before is that we actually made  
21 significant investment in Alternative to Placement  
22 programs. So we actually, you know-- Raise the Age  
23 was an opportunity to think about what is it that  
24 young people particularly at an older age need to  
25 [inaudible] in a community, and we have been, and we

2 have talked about this before here at this forum.

3 New capacity of evidence-based programs like multi-  
4 systemic therapy, emerging adults, and multi-systemic  
5 therapy for youth. We [inaudible] behavior, which  
6 are new programs that actually allow in partnership  
7 with the Department of Probation to support people in  
8 the community and make them accountable.

9 CHAIRPERSON KING: Thank you.

10 ASSISTANT COMMISSIONER WOLKOMIR: And  
11 from a financial perspective, to answer your  
12 question, as the Commissioner said, obviously we  
13 ceased receiving state money, and so to your point  
14 there is a larger City Tax Levy investment, but our  
15 year to year budget for placements in FY19 is 121 and  
16 actually goes to 119 in FY20, and it's important to  
17 remember that the placement budget includes not-- the  
18 vast majority of it is our close to home program.  
19 Both are non-secure placements and are limited-secure  
20 placements, but also aftercare services, and the  
21 modest budget we spoke about to send kids up state  
22 when they are court ordered.

23 CHAIRPERSON KING: Okay. So we're not  
24 opening any new Close to Home facilities then, any of  
25 this funding? No. We're not opening up new--

2 ASSISTANT COMMISSIONER WOLKOMIR:

3 [interposing] No, not at this time.

4 CHAIRPERSON KING: Oh, okay. Alright,  
5 good. Commissioner, I just wanted-- your response to  
6 Chair Levin and myself letter that we wrote to you in  
7 the Preliminary Budget hearing, you said that ACS  
8 doesn't currently have a breakdown on the average  
9 cost per child in the Close to Home placement.  
10 However, in Fiscal 2018 there were 139 youth in  
11 placement and 69 in after care, and the total budget  
12 for this year is \$71.4 million. My question goes to  
13 208 young people at 71.4 million dollars is 343,270  
14 dollars per youth. That's a lot of money. So, I  
15 just want to know what are youth in Close to Home  
16 getting for that dollar?

17 COMMISSIONER HANSELL: Well, they're  
18 getting quite a bit. I mean, the-- you know, the  
19 whole-- and I'll let Deputy Commissioner Franco speak  
20 to this in more detail than I can, but the whole  
21 point is, as you know, the Close to Home program  
22 involves not placing young people in large  
23 institutional facilities or prisons, as you put it  
24 very well, but in small residential facilities where  
25 they are closely supervised. There's a very

2 intensive staff to young person ratio, and that's be  
3 design. There are intensive therapeutic services for  
4 those young people, intensive case planning for those  
5 young people to make sure that they can stay in  
6 communication with their families, and contact with  
7 their families, to make sure that when they leave  
8 placement because the goal is to have every child  
9 leave placement as soon as possible, and more back  
10 into the community under our supervision to make sure  
11 that that transition is as seamless as possible back  
12 to their home school, back to their family, back to  
13 their community. So the Close to Home program by  
14 design is very resource-intensive. It's also by  
15 design short term. You know, most young people only  
16 remain in Close to Home placement for six to nine  
17 months, and the goal is if we can provide intensive  
18 therapeutic services for a short period of time, we  
19 can restore them and return them to the community as  
20 quickly as possible.

21 CHAIRPERSON KING: Thank you for that  
22 answer, and I'm going to ask you at a later date if  
23 your team could provide us-- I'd like to get a break  
24 down of what this almost 250,000 dollars gets. You  
25 can say lodging is 100 dollars, clothing is 200,

2 healthcare, you know, the contract services to make  
3 sure that the money that's being spent that these  
4 providers are providing and we're not overspending  
5 for an agency and not knowing whether or not they're  
6 delivering on the services that are supposed to be  
7 provided. So, again, almost 350,000 dollars is a lot  
8 per person. So we just want to get an idea of a  
9 breakdown what we're actually getting for our buck.

10 COMMISSIONER HANSELL: Yeah, we can find  
11 out. Yeah.

12 CHAIRPERSON KING: And the next couple  
13 questions I do have, and I'll be finishing up  
14 quickly. According to your-- you provide, you pay  
15 your providers based on capacity rather than your  
16 census. Why have you adopted that amount because the  
17 DOE is taking another amount? They're going to pay  
18 providers based on who walks in the door not based on  
19 how many you can take care of.

20 DEPUTY COMMISSIONER FRANCO: Yeah, and I  
21 think this is actually a really important point to  
22 keep in mind when you're thinking about public safety  
23 and juvenile justice. I mean, first of all, thank  
24 you for doing the math, about \$243,000 dollars per  
25 kid. It wasn't that long ago in 2011 when New York

2 City used to spend \$279,000 dollars per kid when it  
3 was under the custody of OCFS. It is good to know  
4 that actually we are cheaper than it used to be. But  
5 a more important point, remember we're talking about  
6 public safety, and you and I have been to some of the  
7 Close to Home sites. So it's not just about the  
8 amount of services that a young person needs, it's  
9 about ensuring that actually we have the  
10 infrastructure to ensure that those people are inside  
11 where they need to be, where they need to be at any  
12 one moment. When you and I went to Brunner [sic] you  
13 were particularly conscious about the importance of  
14 having people by the doors and by the windows and the  
15 different posts. Those things are fixed costs that  
16 we cannot minimize when you're talking about public  
17 safety. So even when you're running a group home  
18 which actually has eight kids or you have two kids,  
19 it's essential for us to sustain that public safety  
20 and have those positions where needed. I think the  
21 good thing, a thing that the Commissioner mentioned  
22 before. Now that we are ready to prepare to receive a  
23 significant number of 17 year olds, we have the  
24 infrastructure to take them over.

2 CHAIRPERSON KING: Okay. Thank you. Just  
3 a couple more, actually quick four. We'll be very  
4 concise with these next question. And this goes to  
5 staffing. In the Fiscal 2020 Preliminary Budget  
6 showed a headcount of 307, yet the Executive Budget  
7 showed an increase of only 201. This is largely due  
8 to the removal of 90 positions, the 90 positions in  
9 the Executive Budget, to achieve the savings of the  
10 \$660,000 for Fiscal 2020, and \$1.3 million for Fiscal  
11 21 and the outer years. So, my question goes to  
12 this, the \$1.3 million in savings divided by 90  
13 positions is an average savings of just \$14,000 per  
14 position. How much on average for the state and  
15 federal government's contributions to these salaries,  
16 because I know y'all weren't paying anybody \$14,000  
17 to do any work.

18 ASSISTANT COMMISSIONER WOLKOMIR: That's  
19 right, I can't give you an exact answer today, and  
20 we're happy to get back, but it's right that there is  
21 only a Tax Levy share associated with those positions  
22 and that there would be some state and federal  
23 revenue also associated.

24 CHAIRPERSON KING: Okay, please do,  
25 because we just wanted to know because the removal of

2 these positions was-- because the saving is so  
3 minimal, 14,000. Did it really make sense to move  
4 people out of these 90 positions when the savings was  
5 just \$14,000 a position? So we want to get some  
6 clarity on that, if you can help us break that down,  
7 and--

8 ASSISTANT COMMISSIONER WOLKOMIR:

9 [interposing] We can certainly work on that. I would  
10 just note that as with all citywide savings  
11 initiatives in this budget, we are still working with  
12 OMB to effectuate it. So we can certainly loop back  
13 when we have actualized it.

14 CHAIRPERSON KING: Alright, look forward  
15 to hearing it, because I know you didn't lose anybody  
16 on the ground, even if it was somebody who was  
17 organizing something in the background. Everybody's  
18 an intricate part of when it comes to helping  
19 children, so we want to make sure we're not losing  
20 any positions that deter from that agenda. So thank  
21 you for that. We know that the hiring up of youth  
22 development specialists is key to ACS headcount. Are  
23 you on track to fully operate Horizon by 2020,  
24 February 2020?

2 COMMISSIONER HANSELL: We are. We are.

3 As I said in the testimony, we have hired to date 425  
4 youth development specialists. Our goal by the end  
5 of the year is 700. We are on track to doing that.  
6 We-- let me express my appreciation to you and the  
7 Council. You have been tremendously helpful to us in  
8 recruitment and getting the word out about these  
9 positions. We think they're a great job and career  
10 opportunity for a lot of folks across the City, but  
11 yes, we are on track to meeting our hiring goals, and  
12 we're on track to meeting the goal of assuming full  
13 responsibility to Horizon by the beginning of 2020.

14 CHAIRPERSON KING: Thank you, Jesus. Oh,  
15 thank you, Commissioner. I'm sorry.

16 [laughter]

17 CHAIRPERSON KING: This is my last  
18 question. I'm glad to see that we're making progress  
19 with the Council's request of separate juvenile  
20 justice contracts for Fiscal 2020. This category has  
21 62 contracts and a total value of 102 million in  
22 Fiscal 2019, yet it's currently lumped together with  
23 general contracting, which I mentioned in my opening  
24 statement, and it's not transparent. So I need to  
25 know can we do better. Can we get a commitment that

2 how are you going to figure out how to urge the  
3 Mayor-- what's the plan to break it out so we can see  
4 exactly what those contracts look like for 2021?

5 ASSISTANT COMMISSIONER WOLKOMIR: We  
6 appreciate your concern, and we've certainly raised  
7 it with OMB since you've raised it with us, and we  
8 are having conversations with them about what the  
9 implications would be of going down that path.

10 CHAIRPERSON KING: Okay. Well, I want to  
11 thank you. As Carol Burnette would say, "I'm so glad  
12 we had this time together." But I want to appreciate  
13 all your answers. We look forward to continuing to  
14 working with you, and again, as I always say, the  
15 goal is having a real conversation about how do we  
16 make things right, and if you don't know something or  
17 something is wrong and I go back to Council Member  
18 Chair Dromm about visitation, if it's the right thing  
19 to do, then let's figure out how to do the right  
20 thing. Because he said it best, when sanita-- when  
21 you do an event in NYCHA and somebody's coming, they  
22 clean up NYCHA before you walk in the door. So we  
23 will never know what problems NYCHA truly had if no  
24 one knows you show up on any given day. So for us to  
25 show up to a Horizon to say, let me just show up

2 today and see what's going on here. We should be  
3 able-- especially those of us who are in the  
4 committee and any Council Member because we have  
5 oversight of it, we should be able to walk into  
6 anything that we're funding and we have oversight on  
7 it, and it doesn't have to be staged and plan before  
8 we walk into the door. Then we get the real truth of  
9 what's going on. Then we can come back and say, you  
10 know, we saw this. How do we correct it? But if  
11 systems hide it, they will never address it. So, I  
12 think we're on the-- Council Member Dromm, we're all  
13 on the right path of saying-- letting Council Members  
14 walk into your facilities saying hey, we're here.  
15 Just welcome us in, move us around, and move us out  
16 at the end of our visit. So, thank you Council  
17 Member Dromm and thank you Chair Levin for today's  
18 conversation. More important, Commissioner, thank  
19 you for joining us today.

20 COMMISSIONER HANSELL: Thank you very  
21 much.

22 CHAIRPERSON DROMM: Thank you very much.  
23 Council Member Holden?

24 COUNCIL MEMBER HOLDEN: Yes, thank you,  
25 Chairs. First of all, thank you very much for the

2 tours of Crossroads and Horizons earlier. And  
3 Crossroads was quite amazing. I was very impressed  
4 with it. The outside yard was great. When are we-- I  
5 think the end of this month we're supposed to open at  
6 Horizons, the yard, Deputy Commissioner?

7 DEPUTY COMMISSIONER FRANCO: Yeah, the  
8 good news is actually-- sorry. The good news is that  
9 actually we were able to open up an outside  
10 basketball court at Horizons about last month. Young  
11 people are using now that the weather is better.  
12 We're working really hard with our partners at the  
13 Department of Design and Construction and others to  
14 kind of do the landscaping readiness for the grassy  
15 area outside that you saw so well at Crossroads.

16 COUNCIL MEMBER HOLDEN: So the kids can  
17 go outside now, they're going out--

18 DEPUTY COMMISSIONER FRANCO: [interposing]  
19 Right now, they're going outside to--

20 COUNCIL MEMBER HOLDEN: [interposing]  
21 Because that was a huge problem with Horizons that I  
22 saw, especially with the weather getting nicer. I'm  
23 happy to hear that. Of the 425 YDS workers, how many  
24 are being trained at Horizons now?

2 COMMISSIONER HANSELL: Well, none of them  
3 are being trained at Horizon. So they all-- first of  
4 all, they go through the training in our academy. We  
5 have an academy where we do train for all of our  
6 youth development specialists.

7 COUNCIL MEMBER HOLDEN: It says, I think,  
8 in your testimony that they're observing.

9 COMMISSIONER HANSELL: They're all now  
10 working almost entirely at Crossroads. Some of them,  
11 a few work in other functions like transportation and  
12 so on. And we have just sent as of April transferred  
13 a set of supervisors, YDS supervisors, to Horizon to  
14 sort of oversee, shadow the work that the correction  
15 officers are doing, understand sort of the defenses  
16 between their work and the way they do it in ours, to  
17 plan for-- the front line YDS will be coming in in  
18 the next couple of months. So--

19 COUNCIL MEMBER HOLDEN: [interposing] You  
20 don't think it's a good idea to try to have, you  
21 know, like let's say 50 to 100 YDS train at the site  
22 at Horizon to work with correction officers, or--

23 COMMISSIONER HANSELL: [interposing] Oh,  
24 yes, we will be doing that, yes. We're going to do a  
25 very phased process. So phase one was the

2 supervisors so that when the line staff come, the  
3 supervisors will understand the structure, the  
4 framework, the context, and they'll be in a position  
5 to supervise. But yes, absolutely, the plan is to  
6 being having our work, our staff work collaboratively  
7 together with the correction officers and sort of  
8 take over parts of the facility piece by piece as we  
9 move towards full operation by the beginning of next  
10 year.

11 COUNCIL MEMBER HOLDEN: Great, thank you  
12 so much. Thank you, Chairs.

13 CHAIRPERSON DROMM: Thank you. Chair  
14 Levin?

15 CHAIRPERSON LEVIN: Thank you, Chair  
16 Dromm. So, Commissioner, I might be jumping around a  
17 little bit from topic to topic. I'll try to keep it  
18 brief so we can let everybody go home or back to  
19 work, whichever. I want to first ask about the Fair  
20 Futures proposal, comprehensive foster care model  
21 where young people are paired with a coach from  
22 middle school through age 26. The Council put 10  
23 million dollars in our Preliminary Budget response to  
24 go towards this program. We have not seen it added to  
25 the Executive Budget, but are hopeful that it will be

2 added by the Administration through budget  
3 negotiations. Has ACS examined Fair Futures as a  
4 proposal, kind of seen where it's been implemented at  
5 some of the not-for-profits that do it through their  
6 own funding, and how do you-- do you see it as a  
7 scalable program, and what are your thoughts on it?

8 COMMISSIONER HANSELL: Yeah. Yes, we  
9 have. We have-- you know, we're very familiar with  
10 the, sort of, the program components that are  
11 currently in existence that are pieces of Fair  
12 Futures. It's a much more comprehensive proposal.  
13 We've had a lot of discussions with the advocate, and  
14 I should say, I mean, we have been very impressed and  
15 actually heartened by the intensity of the advocacy  
16 for this. It's wonderful that so many people from  
17 the Council to the providers to young people who are  
18 out on the steps right now are so committed to this.  
19 From our perspective it's very consistent with a lot  
20 of the things we are already doing at ACS. We believe  
21 that developing the skills of youth in foster care so  
22 that they can be successful in the workforce when  
23 they leave foster care and become adults is critical.  
24 We have a lot, as you know very well Chair Levin, we  
25 have a lot of things in place and the foster care

2 taskforce recommended some additional interventions,  
3 and thanks to you and your colleagues, we now have  
4 some funding for that as well. So, we're very  
5 interested in the Fair Futures concept, and we think  
6 it's a really interesting proposal and could  
7 potentially be very compatible with what we're doing,  
8 and I'm hopeful that there will be discussions as the  
9 Adopted Budget is finalized between the  
10 Administration and the Council about how it could be  
11 supported.

12 CHAIRPERSON LEVIN: Have you been able to  
13 do a financial analysis of it to see how, you know,  
14 how it made-- how it would play out if it was scaled  
15 up on a financial--

16 COMMISSIONER HANSELL: [interposing] We've  
17 looked at the financial analysis that the advocates  
18 have done as part of their proposal. We haven't done  
19 our own independent financial analysis.

20 CHAIRPERSON LEVIN: Do you have any  
21 comment on their financial analysis?

22 COMMISSIONER HANSELL: It's interesting.  
23 It is-- you know, obviously, to take it to full scale  
24 because it involves quite an extensive age range, and  
25 it is a universal model for all young people in

2 foster care beginning in middle school and who have  
3 left foster care up to age 26. So, it is a fairly  
4 expensive proposal, as you know. At full scale, the  
5 advocates have estimated it at 50 million dollars.  
6 We think there is some potential, you know, that  
7 could be sort of called up over time. we also think  
8 that there might be some potential to build on some  
9 program components already in place, and so certainly  
10 if Administration and the Council do decide to fund  
11 it to whatever degree in the final budget, we are  
12 very excited about implementing and working with the  
13 providers and the Council around the implementation  
14 of it.

15 CHAIRPERSON LEVIN: Would any of it be  
16 fundable through state or federal dollars?

17 COMMISSIONER HANSELL: Potentially.  
18 Certainly, you know, for youth who are in foster care  
19 there's certainly potential to do that. For the  
20 older youth I think it's more difficult once they're  
21 out of foster care. Then that, you know, the primary  
22 source of federal support is for young people in  
23 foster care, and the state support for young people  
24 really ends at age 21 even though we keep some young  
25 people in foster care beyond that age, but the state

2 no longer contributes financially. So I think  
3 there's potential for the younger cohort, probably  
4 not for the older cohort.

5 CHAIRPERSON LEVIN: I just want to  
6 confirm with you the 7.8 million dollars for foster  
7 care, the kinship navigators at 3.3, family visiting  
8 2.8, workforce employment 1.7. Our understanding is  
9 that that's been added into the budge post Executive  
10 Budget, but is not-- is not going to be coming from  
11 existing ACS funds, right? Those will be new funds?

12 COMMISSIONER HANSELL: That is our  
13 understanding as well.

14 CHAIRPERSON LEVIN: Okay, alright.  
15 That's good. That's good. Do we know if that's  
16 going to be baseline funding or is it a one-year  
17 funding, or?

18 COMMISSIONER HANSELL: I believe that it  
19 will be one-year funding as we get up and running,  
20 and then obviously depending on what-- and as you  
21 know, those were based on foster care taskforce  
22 recommendations which were fairly general. We'll  
23 have to decide exactly how we implement them. But  
24 initially, I think that is intended for one-year  
25 funding.

2 CHAIRPERSON LEVIN: The Comptroller

3 recently put out a report around the issue of  
4 children being placed with foster parents who have  
5 not passed certain background checks. Can-- I don't  
6 know if you're able to comment on that report, and if  
7 you're able to kind of comment on the issue kind of  
8 more broadly, does ACS have enough resources to do  
9 background checks or properly train foster parents,  
10 you know, in ideal world if funding was no object  
11 would you be asking for more funding or allocating  
12 more funding to train foster parents in that regard?

13 COMMISSIONER HANSELL: Yeah. No, I

14 appreciate your asking the question, because we were  
15 very concerned about that Comptroller report. Let me  
16 say first of all, as I said in the testimony, the  
17 safety of young people in foster care is a top  
18 priority for us from the day they enter foster care,  
19 and we are doing quite a bit to make sure that youth  
20 in foster care are safe. We actually go above and  
21 beyond what the state requires us to do to ensure  
22 safety. We do an assessment, a safety assessment of  
23 every foster care placement. We do a review of every  
24 foster care placement. We have multiple interactions  
25 with the foster care agencies to make sure that they

2 are meeting all of our safety expectations. That's a  
3 core part of the oversight monitoring that we do of  
4 foster care agencies. So, we have a great deal in  
5 place to make sure the kids in foster care and  
6 especially in family foster care settings are safe,  
7 and we believe we are doing everything that the  
8 Comptroller indicated we should be doing. We did--  
9 we had a lot of concerns about the Comptroller report  
10 which we expressed to them in detail, and actually it  
11 is in writing with the report. I'm happy to go  
12 through with you what our concerns were. We were  
13 dismayed that the Comptroller did not make any  
14 modifications to their findings or recommendations  
15 based up on the concerns we raised. But no, we feel  
16 like we have the resources. We actually just  
17 recently began investing additional funds,  
18 significant funds up to about six million dollars in  
19 sort of assuring safety in the discharge process  
20 because one of the areas where we're particularly  
21 concerned the kids are safe. It's in the process of  
22 transitioning back to their families in through the  
23 Child discharge and visitation processes. So we've  
24 added resources to support that. So, we do believe  
25 we have the resources we need to ensure safety. We

2 think we're doing thing. Obviously, it's something  
3 we could never, you know, rest on our laurels about,  
4 so we're continuing to look for ways to enhance that,  
5 but we do believe that we have the oversight and  
6 monitoring positions in place to make sure the kids  
7 are safe in foster care.

8 CHAIRPERSON LEVIN: Thank you. Moving on  
9 to childcare. So, vouchers continue to be an ongoing  
10 issue and since EarlyLearn is moving over to the  
11 Department of Education and ACS is retaining the  
12 voucher program, what's the long-term vision for the  
13 op-- you know, for the operations of the voucher  
14 system? is it going to change now that EarlyLearn is  
15 moving over or is it going to be able to get  
16 additional resources or additional attention because  
17 it will be, you know, it will be kind of the last  
18 remaining childcare portfolio at ACS.

19 COMMISSIONER HANSELL: Yeah. Well, from  
20 my perspective, the voucher program is really a key  
21 piece of our primary prevention agenda. In fact the  
22 reason why we built the Division of Child and Family  
23 Wellbeing around the early education program is  
24 precisely that, that we see early care and education  
25 as a very important primary prevention intervention

2 to help facilities and parents successfully care for  
3 their kids. So, we-- as we, as the transition of the  
4 EarlyLearn program happens and we look at the voucher  
5 program, one of the things we want to do is some  
6 strategic planning to make sure that the way vouchers  
7 are used in New York City is as well-aligned as  
8 possible with our broader primary prevention  
9 objectives. One of the-- as you know, many of the  
10 vouchers are used by families who are receiving cash  
11 assistance from HRA and required to participate in  
12 activities and need childcare in order to do that,  
13 but many of the vouchers are also used by families  
14 that are involved in our child welfare system, and  
15 where we've identified that a family needs that kind  
16 of support and we want to make sure that those  
17 families have access to that service. And then of  
18 course, there are, you know, lots and lots of other  
19 families in New York City that need childcare for a  
20 whole range of reasons. So, we-- as we continue to  
21 maintain and oversee that program we want to make  
22 sure that we're using it as effectively as we can to  
23 meet the needs of families across New York City.

24 CHAIRPERSON LEVIN: And, you know, one--  
25 back in December we all saw Jazmine Headley, the case

2 in Brooklyn, a lot of conversations around the  
3 policing and HRA, but one aspect of that case that  
4 doesn't get as much attention is that she was there  
5 because her voucher was withdrawn, mistakenly. She  
6 wasn't-- it was-- she was entitled to the voucher,  
7 and the only reason that she was there was that she  
8 needed to be-- she relied on that voucher for her  
9 child to be childcare while she was at work, and she  
10 had just gotten a new job. And so I think it  
11 highlights, you know, the need for some flexibility  
12 in the voucher system, and I realize that there are  
13 limitations because of what's mandated and not  
14 mandates and where there are federal funds available,  
15 but you know, she, in her case she was able to go  
16 back to work and that's when her-- HRA said you no  
17 longer have access to your voucher because you're no  
18 longer going to be on public assistance, and which  
19 makes no sense, obviously. If she's-- at work is  
20 when she really needs that voucher to be able to send  
21 her child to childcare so that she can go to work.  
22 And so you know, I think it's important that we are  
23 examining how vouchers can work in a kind of flexible  
24 manner that are not entirely tied to a public  
25 assistance case which may or may not continue based

2 on someone's circumstances, or an ACS case, you know,  
3 which may or may not continue depending on someone's  
4 circumstances. And so, you know, non-mandated  
5 vouchers have been systemically or systematically a  
6 cut over the last decade. There were, you know, many  
7 more non-mandated vouchers in the system a decade ago  
8 than there are today, and so that's something we  
9 should really examine so that people have a little  
10 bit of breathing room in their lives as they're  
11 getting back into the workforce.

12 COMMISSIONER HANSELL: Yeah, no, I very  
13 much appreciate and share your concern. You know,  
14 obviously people-- people's lives and circumstances  
15 vary and as much as we can within the requirements--  
16 I mean, there are, as you know, there are federal and  
17 state requirements that apply to vouchers that are at  
18 least funded with childcare block grant funds. So  
19 there are rules about eligibility and recertification  
20 periods and so on, but within those I certainly agree  
21 that we should be as flexible and as responsive to  
22 the individual's needs of families as we can be.

23 CHAIRPERSON LEVIN: So, and following up  
24 on that, so there is the SCOFF voucher which is  
25 special childcare voucher. It had kind of replaced

2 the Priority Five voucher, which is a non-mandated  
3 voucher that has its own set of requirements. One of  
4 the concerns that we have, and I would-- I think it's  
5 important that we kind of have a clear picture moving  
6 forward in this budget cycle, but then continuing on  
7 to the future budget cycles so that because the  
8 children age out of Priority Five vouchers every, you  
9 know-- every month there's a certain number of  
10 children that are aging out, do they reach age 13.  
11 Those vouchers are not being replenished necessarily,  
12 and so there's a continual decline in the number of  
13 non-mandated vouchers within the system and every  
14 year we kind of go back and try to re-up what's been  
15 lost. I think what I would love to see is the  
16 funding available up front so that we can backfill  
17 the vouchers that-- there is a waiting list. So they  
18 could backfill these vouchers as children are aging  
19 out, because frankly, the Mayor campaigned during his  
20 first election to keep those, the non-mandated  
21 voucher number where it was at the time. It was at  
22 12,000 at the time. It's down to 7,000 now. So,  
23 there's a lot-- I mean, it's expensive. Each  
24 voucher, I believe, is somewhere in the range of  
25 \$7,500 or \$10,000 dollars. But at this point, we're,

2 you know, we're at a net loss of, you know, probably  
3 4,000 vouchers or, you know, a third of the system  
4 since January of 2014.

5 COMMISSIONER HANSELL: Right. Well, let  
6 me say a little bit, and then Deputy Commissioner  
7 Carlson can elaborate. But I mean, our goal is to  
8 make sure that we are fully committing the vouchers  
9 that are available to us with the funding that we  
10 receive, and we, I think we have done that  
11 successfully, and we certainly-- as children  
12 transition out of the program, we do offer those  
13 vouchers to other families as quickly as we can to  
14 make sure that they are being fully utilized. So, I  
15 agree with you. Our goal is to do that for sure.

16 CHAIRPERSON LEVIN: Oh, okay.

17 COMMISSIONER HANSELL: We are limited by,  
18 you know, the resources that we have.

19 CHAIRPERSON LEVIN: So, Priority, if a  
20 child ages out of Priority Five voucher, a new  
21 Priority Five voucher is issued or an SCCF voucher is  
22 issued?

23 DEPUTY COMMISSIONER CARLSON: It's an SCCF  
24 voucher.

2 CHAIRPERSON DROMM: Can you just identify  
3 yourself.

4 DEPUTY COMMISSIONER CARLSON: Barbara  
5 Carlson, Interim Deputy Commissioner for Child and  
6 Family Wellbeing.

7 CHAIRPERSON DROMM: And I have to swear  
8 you in.

9 COMMITTEE COUNSEL: Do you affirm that  
10 your testimony will be truth to the best of your  
11 knowledge, information and belief?

12 DEPUTY COMMISSIONER CARLSON: Yes, I do.

13 COMMITTEE COUNSEL: Thank you.

14 CHAIRPERSON LEVIN: Okay, so it's  
15 backfilled with an SCCF voucher.

16 DEPUTY COMMISSIONER CARLSON: Yeah.

17 CHAIRPERSON LEVIN: Okay. So as we're  
18 moving forward in this budget cycle and then again on  
19 to the future, if we could have just kind of an  
20 ongoing conversation about making sure that those  
21 levels are, you know, consistently striving to go  
22 back to the January 2014 numbers, I think that that  
23 would be very helpful. And honestly, in light of the  
24 fact that, again, I think some flexibility within-- I  
25 think it's important for New Yorkers across the City

2 know that that's a resource that's available to them.  
3 if they're going back to work, you know, if it's a--  
4 you know, one parent is working, one parent is not,  
5 you know, just that there's some flexibility involved  
6 so that they can have reasonable and affordable  
7 childcare. So, and-- my last question, Chair Dromm,  
8 because I do have a number of other topics, but  
9 we'll-- I'll have to follow up offline. Those topics  
10 just for the public's understanding and for the  
11 record, the Children's Center which we expect to have  
12 a hearing on in the near future. Savings, I think  
13 you addressed in your testimony, Commissioner. And  
14 lastly, just around early childhood, I know that it's  
15 moving over to the Department of Education, the  
16 EarlyLearn, but I would like to know from your  
17 perspective as the agency that does oversee currently  
18 EarlyLearn, the issue of pay parity, what the impact--  
19 - I know that this is a labor issue, so it's an OLR  
20 issue, it's-- you know, the Mayor's been involved, so  
21 I don't think it's fair to put you on the spot to say  
22 that, you know, the Administration's policy should be  
23 this, that or the other. The Council put it in our  
24 Preliminary Budget response for 89 million dollars. I  
25 guess my question is for ACS to answer is have you

2 seen-- what have you seen as the effects of not  
3 having pay parity between DOE, UPK, and CBO teachers  
4 in the EarlyLearn system, and kind of what has that  
5 done to-- the fact that there isn't pay parity what  
6 has that done-- have there been deleterious effects  
7 of that? I imagine that there have been in terms of,  
8 you know, attrition or people leaving one program to  
9 go to the other?

10 DEPUTY COMMISSIONER CARLSON: I'll take  
11 this one. Anecdotally we know from our conversation  
12 with our providers that there has been attrition and  
13 that that's a key piece that underlies the parity  
14 argument. So, I don't think anybody can say that  
15 that's not so.

16 CHAIRPERSON LEVIN: Right.

17 DEPUTY COMMISSIONER CARLSON: I can say--  
18 I can't give you numbers today. We can certainly  
19 look and see what, you know, what we can come up  
20 with, but I mean, this is not just a problem in New  
21 York City; it's a problem nationally, and it's well-  
22 known that wages are one of the things that can keep  
23 people in a job along with benefits and other things.  
24 So, we know it's an issue and it's something that has  
25 been I think discussed in the city for many years.

2 CHAIRPERSON LEVIN: Yeah, it's just it  
3 has-- I think it has this kind of-- it-- I worry  
4 about the EarlyLearn system as a system kind of long-  
5 term health. You know, ideally a teacher stays in  
6 their position for a decade, right? And so that  
7 they're able to-- or more, right? So that they're  
8 able to grow as a teacher and get better at their job  
9 and has some continuity within their programs, and  
10 I'm worried that, you know, an exodus from a CBO as  
11 soon as they-- you know, as soon as a UPK job opens  
12 up at a DOE facility, you know, that's paying  
13 significantly more with better benefits and shorter  
14 days and shorter years, and significantly more pay.  
15 It just-- the-- it kind of undermines the foundation  
16 of that EarlyLearn system, and I'm worried about the  
17 long-term health of EarlyLearn, frankly, in that  
18 context.

19 DEPUTY COMMISSIONER CARLSON: Yeah, I  
20 mean, I don't think that anybody would disagree. I  
21 do know that there probably are conversations  
22 happening as we speak to try to think about how to  
23 address some of these issues. So we look forward to  
24 the outcome of those conversations.

2 CHAIRPERSON LEVIN: Okay. Okay, I want  
3 to thank you all very much for all of your testimony,  
4 for answering my questions, and then we'll continue  
5 to talk moving forward. Thanks.

6 CHAIRPERSON DROMM: Okay, thank you very  
7 much.

8 COMMISSIONER HANSELL: Thank you, Chair.

9 CHAIRPERSON DROMM: And I thank this  
10 panel for coming in. We're going to take a five-  
11 minute break, and then I'm going to have the Parks  
12 Committee hearing right after that. Thank you.

13 [break]

14 CHAIRPERSON DROMM: [gavel] Okay, good  
15 afternoon. We will now resume the City Council's  
16 Hearing on the Mayor's Executive Budget for Fiscal  
17 2020. The Finance Committee is joined by the  
18 Committee on Parks and Recreation and the  
19 Subcommittee on Capital Budget Chaired by Council  
20 Member Vanessa Gibson. We are joined today by  
21 Minority Leader Steve Matteo, Council Member Barry  
22 Grodenchik, Council Member Andy King, Council Member  
23 Joe Borelli, Council Member Justin Brannan, and  
24 others may be joining us shortly. We just heard from  
25 the Administration for Children's Services'

2 Commissioner, and now we will hear from the  
3 Commissioner of Department of Parks and Recreation,  
4 Mitchell Silver. In the interest of time I will  
5 forgo an opening statement, but before we hear  
6 testimony I welcome the mic to my co-chair Council  
7 Member Gibson.

8 CHAIRPERSON GIBSON: Thank you, Chair  
9 Dromm, and good afternoon, everyone. I am Council  
10 Member Vanessa Gibson of the 16<sup>th</sup> District in the  
11 Bronx, and I'm proud to serve as Chair of the  
12 Subcommittee on the Capital Budget, and I'm excited  
13 to be here this afternoon co-chairing today's  
14 Executive Budget hearing on a topic we all love,  
15 parks. I'd like to jump right in and talk about the  
16 10-year capital strategy. The Subcommittee on  
17 Capital Budget has spent much of the last budget  
18 season working to address many of the shortcomings  
19 that we identified in the City's overall capital  
20 planning process such as authorizations and planned  
21 commitments, far above realistic spending targets,  
22 frontloading of most of the commitment plans in the  
23 first five years, and really a lack of discreet  
24 budget lines for many of the projects listed in the  
25 budget. While we've made significant progress and

2 certainly want to recognize many of the agencies, in  
3 particular the Office of Management and Budget on  
4 improving the capital planning process, there is  
5 still much work that remains to be done. This is  
6 especially true with the actual 10-year capital  
7 strategy. The Fiscal 2020 through 2029 10-year  
8 capital strategy provided as part of the Fiscal 2020  
9 Executive Budget still fails to make clear  
10 connections between the City's planned investments  
11 and the guiding principles of the overall capital  
12 program, as well as providing an appropriate level of  
13 planned spending in the second half of the 10-year  
14 planning period beyond year five. This issue is true  
15 for many city agencies including the Parks Department  
16 who we have here today. The City Parks 10-year  
17 Capital Strategy projects \$768,887 on average with a  
18 drastic one-year increase in Fiscal 2022. However,  
19 beyond Fiscal 2026 many of the park projects are  
20 projected to cost the City \$56,828 on average with  
21 planned spending remaining unchanged for the  
22 remainder of the years. This for many of us is  
23 really unacceptable. The 10-year Capital Strategy  
24 must be a comprehensive infrastructure planning  
25 document that properly anticipates sources of

2 financing for identified projects and outlines the  
3 implications of the strategy that impacts many of our  
4 communities. So, I look forward to learning more  
5 today about the Parks capital planning process. Chair  
6 Dromm and others will talk about the expense budget  
7 and many of our priorities, particularly making sure  
8 that we focus on staff and resources for the  
9 operations of all of our parks during the summer when  
10 we know we have a high population of families and  
11 children that are utilizing our parks. And also, we  
12 continue to want to strive to create a more  
13 comprehensive 10-year Capital Strategy, not just in  
14 Parks but many of our agencies as well. I want to  
15 thank the Finance Division led by Latonya McKinney  
16 [sp?], and certainly my colleagues in government, and  
17 I'll turn this hearing back over to Chair Dromm and  
18 welcome you Commissioner Silver.

19 CHAIRPERSON DROMM: Thank you very much.

20 I'm going to ask Counsel to swear the panel in.

21 COMMITTEE COUNSEL: Do you affirm that  
22 your testimony will be true to the best of your  
23 knowledge, information, and belief?

24 COMMISSIONER SILVER: I do.

25 COMMITTEE COUNSEL: Thank you.

2 CHAIRPERSON DROMM: Thank you,  
3 Commissioner, you can begin.

4 COMMISSIONER SILVER: Good afternoon  
5 Chair and Members of the Parks Committee, Chair  
6 Gibson, Members of the Subcommittee on Capital Budget  
7 and other members of the Council. I'm Mitchell  
8 Silver, Commissioner of the New York City Department  
9 of Parks and Recreation, and I am joined here today  
10 by a number of our senior staff including First  
11 Deputy Commissioner Liam Kavanagh, Deputy  
12 Commissioner for Capital Projects, Therese Braddick,  
13 and Matt Drury, our Director of Government Relations.  
14 I'm pleased to give you another update on the status  
15 of the New York City Parks, the steward of 14 percent  
16 of New York City's land mass and manager of nearly  
17 4,500 individual properties ranging from parks and  
18 playgrounds to community gardens and green streets.  
19 During the Preliminary Budget hearing I presented to  
20 the Council with a thorough overview of the work  
21 taken on by the Agency, and today we'll offer a  
22 briefing on the Mayor's Executive Budget for Fiscal  
23 Year 2020. The Mayor's latest Executive Budget  
24 provides New York City Parks with an operating budget  
25 of 540 million dollars. The FY20 Executive 10-year

2 Capital Plan provides total Parks Capital Budget of  
3 5.22 billion dollars. As the Mayor has noted, the  
4 budget is cautious and conservative. The  
5 Administration is aware of the uncertainty coming out  
6 of Albany and Washington and is adjusting those to  
7 new realities. Despite that, I believe that the  
8 current budget allocation gives us the resources we  
9 need to provide amenities and services that park  
10 goers love and enjoy. Additions to the Capital  
11 Budget include over \$25 million in funding for  
12 playgrounds staying [sic] good repair, and synthetic  
13 turf maintenance, another \$25 million for HVAC  
14 upgrades to park facilities, and more than \$36  
15 million in reconstruction efforts of parks, store  
16 houses and offices, enabling these buildings to last  
17 for decades, and ensuring personnel maintain a  
18 strategic presence in the surrounding parks. The  
19 allotments support our ability to maintain and  
20 improve our facilities and guarantee that our parks  
21 continue to serve the public. Rather than go and do  
22 a customary read-out of a list of numbers as a budget  
23 hearing tradition, I'd like to tell you a quick  
24 story, and it's a story of two parks: Van Alst  
25 playground in Queens and Playground 52 in the Bronx.

2 These parks were both chosen to be part of the  
3 Community Parks Initiative. The initiative started  
4 with a simple question: How can we give every New  
5 Yorker in every neighborhood access to world-class  
6 parks? In selecting Van Alst and Playground 52 along  
7 with 65 other parks in the five boroughs, NYC Parks  
8 took existing assets and made target improvements,  
9 leveraging the Agency's expertise and the community's  
10 desire to see something new. Van Alst cracked  
11 asphalt multipurpose area was transformed into a  
12 colorful and well-structured space for sports  
13 including basketball, soccer, and track. Playground  
14 52 will now benefit from ambitious green  
15 infrastructure, spray showers that allow kids to play  
16 in the summer heat, but aren't taxing on the  
17 environment, and completely revamped amphitheater.  
18 These dramatic changes are the end result of  
19 consistent vision and desire to improve parks that  
20 hadn't seen investment in two decades. Now, I'm  
21 going to let you in on a little secret. The story I  
22 told you isn't just a story of Van Alst and  
23 Playground 52, it's not even just a story of the  
24 other 65 completed and ongoing CPI project parks  
25 around the City; it's more than that as well. The

2 story I told you is also the central vision of NYC  
3 Parks under this Administration. The renovation of  
4 these parks, emblematic of the changes New York City  
5 Parks has accomplished over the past few years.  
6 Taken a look at existing, underutilized assets and  
7 systems while finding new ways to improve them. The  
8 Community Parks Initiative, the Anchor Parks  
9 Initiative, our Zone Management Pilot all stem from  
10 that principle. In all cases we took the resources  
11 entrusted to us and re-engaged with the space,  
12 ensuring that it could be reimagined and revitalized.  
13 You need two things to create this sort of change:  
14 vision and know-how. Parks has both. We created a  
15 new team, Innovation and Performance Management,  
16 dedicating to make sure that resources we've been  
17 given by Council and the Administration are put to  
18 the best use. We also collaborated with our partners  
19 at City Parks Foundation and our joint program,  
20 Partnership with Parks, to marshal resources  
21 necessary to give local parks the programming an  
22 support that their constituents deserve in the same  
23 ways we have committed to equip our parks for  
24 success. This agency traveled along the same  
25 trajectory. With support from City Council and the

2 Mayor, this agency is focused on delivering for New  
3 Yorkers whether through initiatives like Parks  
4 without Borders, Cool Pools, Movies under the Stars,  
5 or through the dedication of our Urban Park Rangers  
6 who this year celebrated their 40<sup>th</sup> anniversary.

7 These are testaments to an agency that is evolving  
8 with the times, remaining true to our mission, but  
9 continuing to evolve as we look toward the future.

10 Thank you for allowing me to testify before you today  
11 and for your dedication to providing great parks and  
12 open spaces for all New Yorkers. We look forward to  
13 continue working with the Mayor and the City Council  
14 to create an equitable and sustainable park system.

15 Now I'd be happy to answer any questions that you may  
16 have.

17 CHAIRPERSON DROMM: Okay, thank you very  
18 much, Commissioner. Let me start off by asking you a  
19 few questions about some budget issues. Add to the  
20 release of the Executive Budget, the Administration  
21 agreed to restore the funding of 9.6 million dollars  
22 for Parks maintenance, 1.7 million for beach and pool  
23 season extension, and a million dollars for tree  
24 stump removal. Have there been any discussion with  
25

2 OMB about baselining the funding for the restoration  
3 of these programs?

4 COMMISSIONER SILVER: There has not been  
5 discussion at this point about baselining these  
6 fundings at this time, no.

7 CHAIRPERSON DROMM: So, as you know, many  
8 of these workers are the lowest paid workers in the  
9 system, and every year for many years now, they don't  
10 know whether or not their positions are going to be  
11 guaranteed, so we hope that moving forward we can  
12 work with you on baselining that. Can you talk about  
13 the overall impact of the restorations of these  
14 programs on parks' operations?

15 COMMISSIONER SILVER: Well, clearly, the  
16 more resources we have, the better work that we can  
17 do. Having said that, we always work with the  
18 resources we have, but certainly for both the  
19 gardeners and the CPWs add value to the overall  
20 maintenance and care for our parks. So, we're very  
21 pleased, and we thank the Council for the one-shot  
22 for these positions, the pools as well, setting them  
23 for an additional week, and beaches allow the public  
24 to enjoy both beaches and pools for a lot longer. So  
25 we appreciate all of the one-shot [sic] that was

2 offered to us by Council. It does in fact enhance  
3 the experience for our park users as well as some  
4 predictability for our staff about their current work  
5 situation for the coming year.

6 CHAIRPERSON DROMM: Okay, thank you. The  
7 Executive Plan includes 4.4 million in Fiscal 2019  
8 and PS transfers to OTPS for various program  
9 deficiencies including the fleet contract shortfall,  
10 the deer contract increase, Urban Heat Island, and  
11 the retaining wall inspections. How will this  
12 additional funding be redistributed among those  
13 programs, and given this shortfall, has Parks  
14 requested that OMB increase in baseline funding for  
15 these programs?

16 COMMISSIONER SILVER: Just give me one  
17 second, Council Member.

18 CHAIRPERSON DROMM: Sure.

19 COMMISSIONER SILVER: Those were  
20 reimbursements for money already spent this year, if  
21 you're referring to some of those, the contracts, and  
22 I'll just read it.

23 CHAIRPERSON DROMM: Okay. So, is that  
24 going to be the next year's budget?

2 COMMISSIONER SILVER: Let me ask our  
3 Budget Director from Parks Department, David Stark.

4 CHAIRPERSON DROMM: And Mr. Stark, I have  
5 to swear you in, also.

6 COMMITTEE COUNSEL: Do you affirm that  
7 your testimony is truthful to the best of your  
8 knowledge, information, and belief?

9 DAVID STARK: Yes.

10 COMMITTEE COUNSEL: Thank you.

11 DAVID STARK: So, the money for the deer  
12 [sic] contracts will be in place next year also, and  
13 the money for the vehicles, it was an increase in the  
14 cost with the contracts as well as baselining the  
15 cost that had been coming in for one-shot for the  
16 past three years. So, they were in good shape.

17 CHAIRPERSON DROMM: Okay, good, thank you.  
18 Thank you very much. The hiring freeze savings, the  
19 Executive Budget includes savings of 3.3 million  
20 dollars in Fiscal 2020 and baseline savings of 3.6  
21 million beginning in Fiscal 20 from the elimination  
22 of 63 vacant positions. What are the titles of the  
23 positiosn that will be eliminated? Maybe Mr. Stark  
24 should come--

25

2 DAVID STARK: So, as you know, all CAS  
3 [sic] were given these targets, and that the title  
4 lines will vary. We can see if we can get you a  
5 specific list if you like, but they-- all the titles  
6 do vary.

7 CHAIRPERSON DROMM: So, I'm sorry, I did--  
8 - it's what?

9 DAVID STARK: The titles will vary.

10 CHAIRPERSON DROMM: So, do you have the  
11 titles already or no?

12 DAVID STARK: We can get those titles for  
13 you.

14 CHAIRPERSON DROMM: Do you have the  
15 titles already? Right.

16 COMMISSIONER SILVER: We'll follow up  
17 with you, but from what staff is telling me--

18 CHAIRPERSON DROMM: [interposing] Okay,  
19 the reason I'm a little insistent on this is because  
20 across the board we are expecting OMB to give us  
21 titles, and we have not been successful in getting  
22 titles, so that's why it's important to us here.  
23 Okay? The Executive Budget-- excuse me. Alright.  
24 So let's go down to minority and women-owned business  
25 enterprises. The City continues to be a strong

2 advocate for minority and women-owned business  
3 enterprises by addressing historic disparities in  
4 city contracting and providing MWBE's with increased  
5 opportunities to do business with the City. What are  
6 Parks' MWBE goals, and what is your progress in  
7 meeting those goals?

8 COMMISSIONER SILVER: Our goal has been a  
9 citywide goal of meeting or exceeding 30 percent, and  
10 we have met that target in 2019. We expect to meet  
11 that target this year as well. We're very proud of  
12 our accomplishment with MWBE's. Last year, FY19 for  
13 example, awarded \$120 million in prime contracts and  
14 typically ranked number two in the City for these  
15 awards. We have a very robust outreach. We work  
16 with our prime contractors to reach out and partner  
17 with MWBEs, and we'll continue on that same trend  
18 this year. We're very proud of our accomplishment of  
19 meeting or exceeding the goal of 30 percent.

20 CHAIRPERSON DROMM: Okay, thank you. The  
21 Executive Plan includes \$796,000 from Fiscal 19 and  
22 \$3.5 million in Fiscal 20 and in the out-years for  
23 fleet contract renewals and the maintenance  
24 contracts. What is the size of Parks' fleet?

2 DEPUTY COMMISSIONER KAVANAGH: Well we  
3 have approximately 3,000 vehicles in our fleet.

4 CHAIRPERSON DROMM: And what type of  
5 vehicles are primarily part of the fleet?

6 DEPUTY COMMISSIONER KAVANAGH: It ranges.  
7 We-- three broad categories: light-duty which are  
8 sedans and SUVs; medium duty, pick-ups, light dump  
9 trucks, vehicles like that; and of course we have  
10 lots of heavy-duty trucks, packers or garbage trucks,  
11 forestry equipment which is heavy-duty, container  
12 trucks, front-end loaders, construction equipment.  
13 We really have a range of equipment that's necessary.

14 CHAIRPERSON DROMM: Do you consider  
15 things like the gators, or what are they-- is that  
16 what they're called?

17 DEPUTY COMMISSIONER KAVANAGH: The gator-  
18 - if they are not-- they're very valuable pieces of  
19 equipment but they're not considered vehicles.  
20 They're not allowed to go on the road. They don't  
21 have licenses and things like that.

22 CHAIRPERSON DROMM: So that's the  
23 difference, if they're allowed on the road or not.

24 DEPUTY COMMISSIONER KAVANAGH: Yes.

2 CHAIRPERSON DROMM: Okay. What is the  
3 amount of funding that the Agency spends on vehicle  
4 maintenance per year?

5 DEPUTY COMMISSIONER KAVANAGH: It's about  
6 three and a half million dollars in contract  
7 spending. We do have our own staff that performs  
8 maintenance on the vehicles as well. I don't have the  
9 number associated with that workforce handy right  
10 now, but we can provide it for you.

11 CHAIRPERSON DROMM: Okay. Due to an  
12 Executive Order that calls for the reduction of  
13 agency fleets, the Fiscal 2020 Executive Plan  
14 includes baseline savings of 110,000 dollars  
15 beginning in Fiscal 2020 from Parks' vehicle fleet.  
16 How many vehicles will be removed from the Agency's  
17 fleet in Fiscal 2020?

18 DEPUTY COMMISSIONER KAVANAGH: Council  
19 Member, I don't recall the exact number. We, of  
20 course, you know, intend to comply with the Mayor's  
21 Executive Order, and we'll provide you with the  
22 number and the types of vehicles we will--

23 CHAIRPERSON DROMM: [interposing] Alright,  
24 we'll follow up with a letter.

25 DEPUTY COMMISSIONER KAVANAGH: Yes.

2 CHAIRPERSON DROMM: The Anchor Park

3 Initiative builds off of the CPI program and with  
4 direct capital funding to historically under-funded  
5 larger parks that are greater than six acres. One  
6 large park in each borough is to receive major  
7 capital upgrades like new soccer fields, comfort  
8 stations, running tracks, and/or hiking trails. Can  
9 you provide an update on the Department's progress  
10 with the Anchor Parks Initiative?

11 COMMISSIONER SILVER: Four of the five  
12 Anchor Parks are now either in construction or will  
13 start construction soon. There was one of the anchor  
14 parks that right now is still in design, and that is  
15 in Fresh Kills [sic]. So, all the other parks they  
16 were being done in phases, but almost four of the  
17 five have already proceeded. Fresh Kills is the only  
18 one that's lagging a bit behind, but all are  
19 proceeding on schedule.

20 CHAIRPERSON DROMM: None of them are  
21 completed yet, though?

22 COMMISSIONER SILVER: No, the first one  
23 will probably be Astoria Park. That should be  
24 completed, it could be sometime this year. So that

2 will be the first of the four, and the others will  
3 start following relatively quickly.

4 CHAIRPERSON DROMM: Okay. Let me go on  
5 to a subject that is every Council Member's favorite  
6 topic, tree stump removal. How much funding does  
7 Parks have for tree stump removal contracts, and does  
8 the Department track the number of tree stumps  
9 removed by Fiscal Year?

10 DEPUTY COMMISSIONER KAVANAGH: Yes, we  
11 have approximately three million dollars for tree  
12 stump removal in the Expense Budget this year.  
13 That's thanks to the million dollars that the Council  
14 added to do our baseline funding of two million. And  
15 we expect to remove approximately 8,000 stumps this  
16 Fiscal Year. We're on target. We've removed about  
17 7,300 so far, and we will complete the spending and  
18 the removal by the end of the Fiscal Year.

19 CHAIRPERSON DROMM: Okay. Do you know  
20 how many tree stumps were removed in Fiscal 19?

21 DEPUTY COMMISSIONER KAVANAGH: That's the  
22 8,000 approximately.

23 CHAIRPERSON DROMM: Oh, okay. Okay and  
24 just, by the way, let me point out like in my  
25 district, and I think I've said this to the

2 Commissioner before as well, where we have trees that  
3 were cut down and even the stumps were removed  
4 because of some issues with Con-Edison saying that  
5 there are wires underneath. We can't put trees in.  
6 I would still like to discuss that further with you,  
7 whether we can get trees with shorter roots or at  
8 least put a bush in there or something, because  
9 they're just sitting with nothing in them, and they  
10 actually in some cases become like garbage pits to be  
11 honest with you, and we'd love to have the  
12 opportunity to further discuss that with you moving  
13 forward.

14 DEPUTY COMMISSIONER KAVANAGH: Council  
15 Member, we'd be happy to discuss that. There may be  
16 options to move the locations slightly in one  
17 direction or another to avoid the infrastructure  
18 conflict and we'd be glad to look and see if that's  
19 feasible.

20 CHAIRPERSON DROMM: It's particularly  
21 happening in my historic district, also, which is  
22 more-- you know, I have to have trees in my historic  
23 district, so. Okay. Fair funding for parks: in our  
24 budget response the capital called on the  
25 Administration to increase the Executive Budget by

2 \$26.5 million to improve maintenance and operations,  
3 but this funding was not included. Have there been  
4 any discussions with OMB of adding any portion of the  
5 required \$26.5 million to the Parks budget?

6 COMMISSIONER SILVER: We understand the  
7 passion of the whole Play Fair Campaign, and many  
8 advocates would like to see increased funding for  
9 parks. There's already-- all-- as a year-on  
10 discussion about how we can increase funding for  
11 parks. So that happens both at the budgeting  
12 process, the new needs process, and that conversation  
13 continues. But after that conversation you now see  
14 the Executive Budget. as you know, this is a process  
15 [sic] that will continue on until the budget's  
16 adopted, but this is something that OMB is very well  
17 aware of. Both the Play Fair advocates as well as  
18 Council made that message very loud and clear.

19 CHAIRPERSON DROMM: Okay, so we will  
20 continue to advocate on that. It is a priority for  
21 us here in the Council. And I have an issue also  
22 with a problem in my district, and I'm going to take  
23 a little chair's privilege here. It involves  
24 Traver's [sic] Park. You're probably somewhat aware  
25 with it, and I know that we used to go with your iPad

2 and show people, use it as an example of parks  
3 without borders. You made reference to that in your  
4 testimony as well. This is a project in my district  
5 that's been going on for 10 years; 10 years it's been  
6 going on, and I'm very upset with what's happening at  
7 this point. You know, we closed a street. We bought  
8 a piece of property from a neighboring private  
9 school. It almost doubles the size of that existing  
10 park. We had four visioning sessions with the  
11 community, tremendous input, you know, hundreds of  
12 people turned out for this, and a couple of months  
13 ago, Howard Koppel [sp?], the owner of an auto  
14 dealership on the corner of 78<sup>th</sup> Street and Northern  
15 Boulevard comes and tells me that Parks is changing  
16 the plan. And I said what do you mean Parks is  
17 changing the plan? Well, they've come up with a  
18 different plan for the park. I said, how did that  
19 happen? Okay. I had no idea that Parks had visited  
20 Mr. Koppel and the Garden School along with DOT to  
21 change a plan that the whole community had had input  
22 in, and I don't know if that's ever happened before.  
23 Certainly, any time I've asked for a change or an  
24 addition to a park, even when my predecessor had  
25 funded it, I was told, "Well, you can't add because

2 we're in the middle of construction and it would only  
3 slow the project down." So here we are. We're  
4 halfway through the construction of Travers Park, and  
5 all of a sudden I'm being told that they're going to  
6 give Koppel Auto a driveway into the park. I just  
7 couldn't believe what I was hearing, and I have to  
8 tell you I don't believe that, you know, driveways  
9 and cars are a safe thing for kids. It should not  
10 happen. Then I read in the newspaper that you're  
11 paying some hundreds of millions of dollars for  
12 imminent domain for Hudson Yards to build a park  
13 there. One of the wealthiest areas in the City of  
14 New York, but in Jackson Heights we're supposed to  
15 accept this compromise is what it's called. A  
16 compromise? This is not a compromise. If this is  
17 something that was promised to our community,  
18 promised to our community after all of these  
19 visioning sessions that we had, okay, and now we're  
20 being told what was promised to us is not going to  
21 happen and that this alleged compromise is no  
22 compromise-- Koppel's going to get what he wants, but  
23 we're not getting what we want, and we're getting no  
24 benefit from it-- is happening. So, I don't know if

2 it's ever happened before. Have you ever stopped a  
3 design in the middle of construction before?

4 COMMISSIONER SILVER: Designs have  
5 stopped for various reasons, but first, let me just  
6 state that I want to apologize about how everything  
7 unfolded. As you know, this project preceded my  
8 tenure, but I was quite excited when I learned about  
9 the project of combining a street and a school  
10 property with Parks property. It is actually a case  
11 study about what should happen to create new park  
12 space. Given that the adjacent car dealership  
13 reactivated the legal curb cut it changed the  
14 dynamics tremendously. There is no final decision.  
15 So, what--

16 CHAIRPERSON DROMM: [interposing]  
17 Commissioner, do you have proof of the legal curb  
18 cut? Have you seen it?

19 COMMISSIONER SILVER: It is a mapped  
20 street.

21 CHAIRPERSON DROMM: Have you seen it?

22 COMMISSIONER SILVER: I have not seen it.

23 CHAIRPERSON DROMM: I have not seen it  
24 either, and I asked Buildings for it, and I have yet  
25 to see it. And even that issue of the legal curb

2 cut, you're taking-- you're doing imminent domain in  
3 the Hudson Yards. Am I right? Are you doing  
4 imminent domain in the Hudson Yards?

5 COMMISSIONER SILVER: The Administration  
6 I believe is doing imminent domain--

7 CHAIRPERSON DROMM: [interposing] For a  
8 park?

9 COMMISSIONER SILVER: Correct.

10 CHAIRPERSON DROMM: Right. But why will  
11 you do it there for the richest rich of the rich of  
12 the world, but you won't do it in an immigrant-rich  
13 community?

14 COMMISSIONER SILVER: As I stated, this  
15 is not a final decision. There are ongoing  
16 conversations. We're working with city--

17 CHAIRPERSON DROMM: [interposing] I was  
18 told that the revisions are being made.

19 COMMISSIONER SILVER: To my knowledge--

20 CHAIRPERSON DROMM: [interposing] That's  
21 what I was told. I was not given an option.

22 COMMISSIONER SILVER: Options were being  
23 explored, but no final decisions have been made. And  
24 another correction is that Parks did not have a  
25 private meeting with Koppel. As we were exploring,

2 once this came to our knowledge that there was a  
3 mapped street with now the configuration of the  
4 dealership changed, we started exploring options, but  
5 at this point no final decision will be made. We'll  
6 keep both you and the committee--

7 CHAIRPERSON DROMM: [interposing]

8 Commissioner, what do you mean you didn't have a  
9 private meeting with Koppel?

10 COMMISSIONER SILVER: Parks did not have  
11 a private meeting with Koppel.

12 CHAIRPERSON DROMM: Oh, yes, they did.  
13 They were in a meeting with Dorothy Lowandowski [sp?]  
14 and Joanna McGrande [sp?] and Diane, and they had  
15 meetings.

16 COMMISSIONER SILVER: Well, to my  
17 knowledge,--

18 CHAIRPERSON DROMM: [interposing] Okay.

19 COMMISSIONER SILVER: I will go back and  
20 check, but I was told we did not have--

21 CHAIRPERSON DROMM: [interposing] And  
22 here's the other thing, Koppel has another entrance,  
23 okay, and he just doesn't want to give it up. I  
24 mean, I cannot believe the incompetence of the people  
25 that were involved in this. This is a 10-year

2 project, and if you're serious about parks and the  
3 things that you say, this project needs to be  
4 completed as it was originally designed by your  
5 Department.

6 COMMISSIONER SILVER: And I will  
7 reiterate that no final decision have been made.  
8 This issue is being discussed at the very highest  
9 level, and we are trying to explore what the options  
10 are, and we'll make sure that we both keep you and  
11 the committee informed. So, if you're hearing  
12 there's a final decision, right now, there is not a  
13 final decision. We heard you and the committee loud  
14 and clear.

15 CHAIRPERSON DROMM: When will that final  
16 decision be made?

17 COMMISSIONER SILVER: I don't have a time  
18 table. We'll certainly get back to you as soon as--

19 CHAIRPERSON DROMM: [interposing] Well,  
20 I'm going to tell you this, I certainly hope it's  
21 before-- it will happen before the budget, okay,  
22 before adoption. Okay, because otherwise, I don't  
23 know what I'm going to do.

24 COMMISSIONER SILVER: Understood.

2 CHAIRPERSON DROMM: This is owed to the  
3 Jackson Heights community, and we're not going to  
4 back down on this, and the only option is to proceed  
5 as was originally planned. Thank you. Going to turn  
6 it over to my co-chair Vanessa Gibson.

7 CHAIRPERSON GIBSON: Thank you very much,  
8 Chair Dromm. Good afternoon, Commissioner, and I  
9 want to first begin by thanking you and your team.  
10 Particularly, I always love to give shout-outs,  
11 because they're necessary, but our Bronx Commissioner  
12 Iris, Rodriquez, Rosa, and the Bronx team are  
13 amazing. They do a lot of work. We've opened plenty  
14 of playgrounds, parks. We celebrated Earth Day  
15 planting trees. We've done a ton of things, and I  
16 look forward to our continued partnership, but I have  
17 to say that many of my Community Boards every year  
18 during budget time complain about lack of maintenance  
19 staff, and particularly PEP officers. During the  
20 summer time we are in such greater need, seasonal  
21 workers and many of the DC37 workers, but I cannot  
22 tell you going to my Community Board meetings in May  
23 and June are rough, because they are expecting that  
24 during the budget negotiations we will always  
25 prioritize maintenance workers, playground

2 associates, urban park rangers, and PEP officers.

3 And so I think when Chair Dromm talked about the Fair  
4 Funding for Parks, and really the City Council's  
5 priority in adding 26.5 million dollars,

6 understanding that there is a real need. I'm hoping

7 that the Administration understands the need, and OMB

8 and Parks Department will come to some resolution on

9 how we can get as close as possible to 26.5. I'll

10 actually take all 26.5, but I do know that this is a

11 negotiation, but I cannot tell you how, you know,

12 much of a priority it is just from my perspective in

13 the Bronx, and I'm sure my colleagues will agree with

14 me. So, I just wanted to add my voice to that, and

15 you know, many of the advocates are here, but it's

16 really, really important as we are heading into the

17 summer season. So, some of the initiatives that the

18 Chair talked about I'm very grateful. The extended

19 hours at our pools, obviously always a great thing,

20 but I wanted to first ask a question about the

21 Capital Strategy. When we had our Preliminary Budget

22 hearing a few months ago we were told that OMB made a

23 directive to all of the agencies to make sure that

24 the 10-year Capital Strategy is really reflected over

25 all 10 years and not just front-loaded in the first

2 five. Some agencies have been making strides to  
3 achieve that, but others were still a work in  
4 progress. So, in the Parks Department 10-year  
5 Capital Strategy which is about 4.6 billion dollars,  
6 and of that 4.6 billion, 4.2 or 93 percent is front-  
7 loaded in the first five years. So in years six  
8 through 10 we have a graph, and it almost goes like a  
9 flat line, literally. And so what my question is, is  
10 will we see any changes in the 10-year to more  
11 accurately reflect a 10-year plan beyond year five  
12 where we know that we will need to continue to invest  
13 in more capital projects and parks in the full 10-  
14 years.

15 COMMISSIONER SILVER: Council Member, I  
16 certainly appreciate the question. I'll have to get  
17 back to you on the allocations over the 10-year  
18 period. I do know that every year during a four-year  
19 strategy we're always making those adjustments to  
20 make sure that there's a clear strategy going forward  
21 about how we will invest in our parks, but in terms  
22 of the allotment over the 10-year period, that's  
23 something I'll have to get back to you, but we  
24 certainly take a very hard look at the four and five-  
25 year timeframe to make sure it's appropriately funded

2 to achieve the strategy we'd like to see in our  
3 capital investment in parks.

4 CHAIRPERSON GIBSON: Okay, is there a  
5 periodic timeframe in which you do assess the  
6 budgetary accuracy of the capital strategy? Is that  
7 something that parks does year after year?

8 COMMISSIONER SILVER: We do year after  
9 year.

10 CHAIRPERSON GIBSON: Okay, good.

11 COMMISSIONER SILVER: Every year.

12 CHAIRPERSON GIBSON: Okay, so in terms of  
13 any just follow-up, can we expect something very  
14 shortly?

15 COMMISSIONER SILVER: Yes, we'll respond  
16 within the week.

17 CHAIRPERSON GIBSON: Okay, great. Council  
18 Member Gjonaj is here, so I'm pretty sure he's going  
19 to ask about Orchard Beach, but as a Bronx member I  
20 definitely wanted to ask about Orchard Beach since  
21 it's our prized possession in the Bronx, and we  
22 elected officials including Speaker Carl Hasty [sp?],  
23 the Bronx Borough President Ruben Diaz, I mean  
24 everyone collectively, the former Council Member,  
25 everyone has really collectively made sure that we

2 invested in Orchard Beach because we know there's  
3 extensive work that needs to be done over several  
4 years. So, in the Capital Commitment Plan there is  
5 an additional seven million dollars in Fiscal 2020.  
6 So I wanted to understand how much is allocated in  
7 the Agency's capital budget for the Orchard Beach  
8 reconstruction, and is this properly funded? Do we  
9 need to look at more money for the full Orchard Beach  
10 reconstruction?

11 COMMISSIONER SILVER: Right now, the  
12 projects we have for the restoration [inaudible] and  
13 some additional work, all that is fully funded. We  
14 expect the project to start, I believe, in 2020, and  
15 all work to be completed by 2022.

16 CHAIRPERSON GIBSON: 2022, okay. We're  
17 still in design, right?

18 COMMISSIONER SILVER: Yes, this is EDC is  
19 working on our behalf on this project and we are  
20 still in the design phase.

21 CHAIRPERSON GIBSON: Okay, great. I  
22 wanted to ask about another popular topic, the  
23 borough Commissioner knows well, how much my  
24 constituents love comfort stations, and some of the  
25 members have asked me in terms of how the price has

2 tripled since 2011 where the average cost of a  
3 comfort station is 3.6 million dollars, and back in  
4 2011 it was about 1.3. I know there are lots of  
5 unanticipated costs, things that, you know, we really  
6 can't anticipate that much, but is there any logical  
7 explanation that you could provide to help Council  
8 Members understand for future construction projects  
9 like how the cost has ballooned so much? And then I  
10 addition, the vendors in the City of New York that we  
11 work with that actually build out comfort stations as  
12 well as renovate, have we looked at expanding that,  
13 or are we working with a few? Are we working with a  
14 larger number? How does all of this work, and what  
15 could we say about comfort stations?

16 COMMISSIONER SILVER: Let me answer the  
17 second part first.

18 CHAIRPERSON GIBSON: Okay.

19 COMMISSIONER SILVER: We reach out to any  
20 qualified contractor to bid on our projects. We have  
21 to make sure that they qualify and that we will  
22 always accept the lowest responsible bidder, and that  
23 is the approach that we take, and we're always  
24 reaching out for new contractors, be them regular  
25 primes or MWBE as to our benefit to increase as many

2 contractors as possible. In terms of your first  
3 question, we are as concerned as you are. We've seen  
4 these prices escalate. We've reached out to the  
5 General Contractors Association to find out exactly  
6 why these prices are going up. It has nothing to do  
7 with delays once the contract is awarded. That's  
8 what we're getting when we put it out to bid. And  
9 it's concerning us because we have two choices. We  
10 could accept that bid price or we can reject it and  
11 rebid it out, but that means it may cost another four  
12 to six months in delay. We're finding that in New  
13 York the prices are escalating. San Francisco is  
14 now, I believe, finally proceeded New York City, but  
15 New York City is very high and very expensive to do  
16 projects. This is both for reconstruction as well as  
17 new comfort stations. What we're doing is we're now  
18 standardizing the design of our comfort stations so  
19 that it's not customized. We used the same design  
20 across the board so that we're hoping by putting it  
21 out to bid that it will bring down the cost, but this  
22 is something that we would like to sit down to find  
23 out exactly what's going on. To some extent it is  
24 somewhat out of our control. We put out to bid. The  
25 market looks at it, and they're telling us this is

2 what it'll cost to build a comfort station in New  
3 York. So, again, I have rejected certain bids when  
4 they were approaching close to four million dollars,  
5 but we had to tell the Council Members there's now  
6 going to be a four to six month delay because we had  
7 to rebid it out again because we found their price  
8 was too high. So, this is something we're willing to  
9 talk more about with the Council, but it is a  
10 concerning trend, and it's not just comfort stations  
11 in parks, it's construction across the board in New  
12 York City. Comfort stations seem to be getting a lot  
13 of attention and headlines, but if you look across  
14 the board, whether it's schools, libraries or any  
15 project are all seeing the same escalation across the  
16 board with construction prices and bids coming in.

17 CHAIRPERSON GIBSON: Okay, no I certainly  
18 understand, and I think we're all equally frustrated.  
19 It's a booming industry. I mean, for those of us  
20 term limited out we may have some options on building  
21 comfort stations in the future. It's just  
22 frustrating, and I think, you know, while it seems  
23 like we're talking about bathrooms, but that's  
24 important to New Yorkers and residents, particularly  
25 parents with children. So, in this same conversation

2 there was talk last year. The City Council and  
3 Council Finance have been talking to Parks, the  
4 Borough Commission knows very well, but during the  
5 period of comfort station reconstruction, which  
6 typically is about a year or a year and a half, in  
7 the contract language of the contractor that's  
8 actually reconstructing or renovating that comfort  
9 station, parents have asked about the idea of port-a-  
10 potties [sic], portable bathrooms that could be  
11 provided in that particular park. But I know there's  
12 a cost, I know it's an expense, but what about  
13 incorporating that in the contract so that the  
14 contractor will be responsible for the maintenance  
15 and operation of that portable?

16 COMMISSIONER SILVER: It can be looked at  
17 on a case by case basis.

18 CHAIRPERSON GIBSON: Okay.

19 COMMISSIONER SILVER: We want to make  
20 sure that the park is secured or whether that port-a-  
21 potty, so to speak, can be secured in the evening,  
22 but we do it on a case by case basis. We can explore  
23 that as an option, and I accept that as a very good  
24 suggestion.

2 CHAIRPERSON GIBSON: Okay. And you  
3 talked about standardizing the design for comfort  
4 stations, but overall in park projects in general,  
5 the standardized process is also replicated  
6 throughout the entire design for all park projects,  
7 right? Have you guys made changes--

8 COMMISSIONER SILVER: [interposing] Yes.

9 CHAIRPERSON GIBSON: internally?

10 COMMISSIONER SILVER: We are  
11 standardizing across the board. In the past we had a  
12 lot of customized play equipment and play feature  
13 that had to be fabricated. I was very concerned that  
14 that was increasing the likelihood of difficult  
15 maintenance, increased cost, and so we have now  
16 standardized all of our play equipment, comfort  
17 station designs. It's easier to get through PDC.  
18 It's easier for us to design one project after the  
19 other. So it has helped stabilize costs. We're  
20 still seeing the rise, but now stabilized and not  
21 increasing as much as we have. Still standardization  
22 is good. You may not get a customized design like  
23 Domino Park, but from our perspective, our goal is to  
24 build many quality parks as possible with amore  
25

2 standardized design, play equipment, comfort station,  
3 benches, etcetera.

4 CHAIRPERSON GIBSON: Okay. And a majority  
5 of the design is done in-house by the Parks  
6 Department which allows you a lot of leverage and  
7 opportunity to change the process. I think for the  
8 larger conversation when we have scoping meetings in  
9 our communities-- you know, residents, we ask for  
10 everything, because we know we're not building parks  
11 every day, but I will say what I've seen particularly  
12 in the Bronx is that the standard design of parks has  
13 been changing. So where you have the opportunity to  
14 build the playground for smaller children, basketball  
15 court-- I've seen fitness equipment incorporated into  
16 parks, and I think that's a great thing. And so that  
17 to me isn't an amenity, it should be a necessity. If  
18 we talk about health and wellness, we talk about  
19 health disparities. I think fitness equipment should  
20 be a part of our overall scheme. So are those some  
21 of the things you're talking about in the design  
22 process where it's more standardized, but it also  
23 looks at creativity as well?

24 COMMISSIONER SILVER: Well, let me  
25 clarify. Each park has a budget.

2 CHAIRPERSON GIBSON: yes.

3 COMMISSIONER SILVER: So, although we  
4 have scoping sessions, we want to make sure we design  
5 it to live within the budget and not go over budget.  
6 We have changed our approach to parks. Rather than  
7 having an asphalt field, you'll see a lot more green,  
8 a lot more multi-generation with more seating. When  
9 we can afford it, we put in additional adult fitness  
10 equipment, but the point I'm making is rather than  
11 customizing play units, for example, look like  
12 airplane or railroad track, we use standard equipment  
13 we can purchase with the manufacturer versus having  
14 it fabricated. Same thing with the comfort station.  
15 We're going to add more standardized design that we  
16 can buy from manufacturer versus having it fabricated  
17 off-site. So, that's the point I'm making, but we're  
18 now multi-generational parks, a lot more green, spray  
19 showers, multi-generational. That's the new design,  
20 but we put in it what is within the budget and what  
21 we can afford, and the public scoping is a tremendous  
22 asset to make sure we're getting it right.

23 CHAIRPERSON GIBSON: Okay. In your  
24 testimony you talked about the Community Parks  
25 Initiative, CPI, and I know there's \$164 million

2 average to do reconstruction of about 30 CPI parks.

3 Overall we have two phases, phase one and phase two.

4 So, I just speak for myself, but in the past year

5 I've opened Little Claremont [sp?] Playground that

6 you joined me and the Borough Commissioner, as well

7 as Ogden, Plempton [sp?], and High Bridge, and I

8 really like the CPI initiative. I think it's great

9 for smaller playgrounds and districts that have

10 really been underinvested in for quite some time, and

11 without this CPI initiative I don't know that these

12 parks would get any level of attention. So my

13 question is, how much remaining work is to be

14 performed in phase two of CPI, and of the total

15 funding, how much have we committed so far to date?

16 COMMISSIONER SILVER: I don't know the

17 numbers. I could tell you the number of parks. So

18 there was 67 parks. The funding at the time was 318

19 million. We've now surpassed 40 of the 67, and we

20 expect to complete the rest of the 27 by 2021. So

21 we're more than half way, and I believe we're opening

22 another two in June. So, we're getting close to two-

23 thirds completing the 67.

24

25

2 CHAIRPERSON GIBSON: And would you be  
3 open to discussing expanding CPI to address  
4 additional parks that could be in need?

5 COMMISSIONER SILVER: We are very open to  
6 expanding CPI, yes.

7 CHAIRPERSON GIBSON: Oh, okay, great. I  
8 have one final question as I turn it back over to  
9 Chair Dromm. In the Executive Budget there is a  
10 specific line item for the Bronx, Syringe Clean-up  
11 Crew, and this is \$67,000 dollars in Fiscal 2019 And  
12 \$269,000 in Fiscal 2020, and that's into the outer  
13 years for six city park workers' positions to pick up  
14 syringes in the Bronx. So, I wanted to see if you  
15 could provide a summary on overview. What would  
16 their duties be? Are they only picking up syringes,  
17 and is the Bronx the only borough in which this is  
18 happening at this time?

19 COMMISSIONER SILVER: The answer is yes,  
20 we'd like to have more staff to pick up syringes. As  
21 you know, we have the disposal units that's only  
22 capturing about 10 percent. It's a pilot. It is  
23 working, but we do need additional staff to pick up  
24 the needles, and the answer is yes, you're correct,  
25 we're finding this phenomenon unfortunately in South

2 Bronx, and so that has been right now the epicenter  
3 of this syringe issue, and so we need more staff out  
4 there to pick up these syringes so that they're not  
5 interacting with the public.

6 CHAIRPERSON GIBSON: Are the workers  
7 responsible for any other type of clean-up?

8 COMMISSIONER SILVER: I do know their  
9 primary responsibility is for syringes. The numbers,  
10 depending on the park are quite high, and so my  
11 recommendation is they focus primarily on picking up  
12 the syringes.

13 CHAIRPERSON GIBSON: Okay.

14 COMMISSIONER SILVER: It's not just one  
15 time. They're dropped there throughout the day, and  
16 so it's very important that we have a full staff to  
17 address picking up those syringes, and I believe  
18 about 13 parks in the Bronx.

19 CHAIRPERSON GIBSON: Okay, did we identify  
20 the 13 parks just yet?

21 COMMISSIONER SILVER: Yes, I can give you  
22 those numbers of the 13 parks. We have them.

23 Alright, we can get you specific parks.  
24  
25

2 CHAIRPERSON GIBSON: Okay, that's fine.

3 Okay thank you. I'll turn it back over to Chair  
4 Dromm.

5 CHAIRPERSON DROMM: Oaky, thank you very  
6 much Chair Gibson. We have been joined by Council  
7 Members Gjonaj, Levine, and Van Bramer, and now we're  
8 going to go to questions to Council Member Levine  
9 followed by Gjonaj and then King.

10 COUNCIL MEMBER LEVINE: Thank you so  
11 much, Chair Dromm and Chair Gibson. Commissioner and  
12 team, great to see you. Year after year after year  
13 going back 20 years the Parks Department is asked to  
14 do more with less. I hear that mantra every single  
15 year. You've been asked to innovate and find  
16 efficiencies and use technology, and I commend you  
17 and your team for having been evermore creative in  
18 doing that, but at the end of the day this is work  
19 that's powered by people. To maintain a park it  
20 requires people, and there's no way we're going to  
21 increase-- we're going to improve maintenance if we  
22 don't have more people out there doing the work.  
23 There's just no-- there are no more short-cuts left,  
24 and that's why I've joined with the advocates, and  
25 Chair Dromm mentioned this, in calling for dramatic

2 increase in the funding to make up for the cuts that  
3 have been endured by this agency over the decades,  
4 the agency--

5 [applause]

6 COUNCIL MEMBER LEVINE: where the  
7 headcount is down 30+ percent from the peak in the  
8 70's. We have one gardener for every 130 maintenance  
9 workers. I won't recite the statistics over PEP  
10 officers which are woefully inadequate, and the CPW's  
11 are really the front lines in maintenance, and I want  
12 this hearing to be about our goal of adding very  
13 desperately needed staff to do this work. But I am  
14 really upset that we're talking about losses to your  
15 headcount which yes, are being filled through  
16 attrition, but there's no more innocuous [sic] jobs  
17 to shed, and every CPW that you lose is just going to  
18 mean less maintenance done in a park. It's going to  
19 impact the quality of maintenance if you lose even a  
20 few dozen workers because of just there's no room to  
21 cut and there are no shortcuts here. So, it's just--  
22 it's imperative that we not cut the headcount. It's  
23 imperative that we restore what we lost over the  
24 decades. That really is the only way to fix parks  
25 maintenance in the ways that we need to. And I know

2 you addressed this with Chair Dromm, I do want to  
3 pivot to capital for a minute. You know, Hudson Yards  
4 is a bustling new neighborhood. It's got tens of  
5 thousands of new people who are going to be working  
6 and shopping and visiting and living there. So, I'm  
7 very happy that we're going to get a new park there,  
8 but \$375 million dollars, every single capital  
9 priority that I've probably articulated over the last  
10 five years from completing riverfront access on the  
11 Upper East Side to building Queens Way to ten other  
12 things could be done with \$375 million dollars. I  
13 don't think every important parks project I've  
14 advocated for combined additional up to \$375 million  
15 dollars, and this project, which again I applaud, it  
16 came out of nowhere. I didn't even know it was in  
17 discussion until I saw it in the press, and I haven't  
18 found that my colleagues knew any more than I did.  
19 I'm not even sure the Parks Department knew. You  
20 probably can't answer that. But how did this \$375  
21 million dollars emerge out of nowhere for one three-  
22 acre park when we have-- and again I support this  
23 park, but we have priorities all over the five  
24 boroughs. There was not an open, deliberative  
25 process on this. Where did this money come from, and

2 can you elucidate at all how a decision was made for  
3 \$125 million per acre in this one little park when we  
4 have so many big projects that are crying out for  
5 support around the City?

6 COMMISSIONER SILVER: Council Member, I  
7 appreciate the question. I'm sure negotiations for  
8 this preceded my tenure, but it's something we'll  
9 certainly-- I'll inquire about and get back to you  
10 about how everything had transpired, but I don't have  
11 the answers for you today.

12 COUNCIL MEMBER LEVINE: So, this was  
13 agreed to before your tenure as far as you know?

14 COMMISSIONER SILVER: I do know the  
15 Hudson Yards project that how this evolved preceded  
16 at least before my tenure, so I'd have to get back to  
17 you on the particulars about how this evolved. I  
18 don't have answers for you today.

19 COUNCIL MEMBER LEVINE: I certainly never  
20 heard a price tag like that articulated. I'd like to  
21 dig into what the commitment was and what the  
22 financial commitment was. Who's building this park?  
23 Is it your capital division or is this being--

24 COMMISSIONER SILVER: No, it's not our  
25 capital division, no.

2 COUNCIL MEMBER LEVINE: So, this is going  
3 to be built independently by Related?

4 COMMISSIONER SILVER: I'll have to get  
5 back to you on the specifics. I just don't know all  
6 the details about--

7 COUNCIL MEMBER LEVINE: [interposing]  
8 Okay, but as far as you understand, the money is  
9 coming from the City?

10 COMMISSIONER SILVER: That is my  
11 understanding, but it's something again I will have  
12 to get back to you on the details.

13 COUNCIL MEMBER LEVINE: Okay. This is  
14 just a massive project, even by the scale of a parks  
15 system where it costs three million to build a  
16 bathroom. This is a huge project, \$375 million for  
17 three acres, and I just think it's imperative that we  
18 understand, that the Council understand, that the  
19 public understand where the money's coming from, what  
20 was the deliberation that led this to be a priority,  
21 and particularly who's building and what the  
22 timeline, it's really important that we understand  
23 that.

24 COMMISSIONER SILVER: Understood.  
25

2 COUNCIL MEMBER LEVINE: Alright, thank  
3 you. Thank you, Commissioner. Thank you to the  
4 Chairs.

5 CHAIRPERSON DROMM: Thank you very much.  
6 Council Member Gjonaj?

7 COUNCIL MEMBER GJONAJ: Thank you, Chair.  
8 It's so difficult to follow that line of questioning,  
9 because I think we're all taken back by that dollar  
10 amount, Commissioner, and I truly believe that-- I  
11 have faith in you that you're going to get back to us  
12 with some real explanations. That's a hell of a lot  
13 of money. It could have gone into so many other  
14 programs and could have made differences for the  
15 entire city, let alone for a small area that very few  
16 will be able to benefit from. So I'm going to  
17 hopefully get you to come back to us with that  
18 information.

19 COMMISSIONER SILVER: I will come back to  
20 you with that information.

21 COUNCIL MEMBER GJONAJ: I do want to  
22 continue on some of the questioning. When it comes  
23 to the 90-- the 150 maintenance workers, the 9.6  
24 million dollars that restored [sic], certainly it's  
25 not enough. We hear this throughout the city, and in

2 particular in my district. I represent the largest  
3 park in New York City. We do not have it adequately  
4 staffed. Our parks are not being maintained. This  
5 is not the season. Parks-- Orchard Beach is due to  
6 open this weekend. We know what the complaints are  
7 going to be for the next several months. It's going  
8 to be about overgrown grass, lack of maintenance,  
9 lack of clean-ups, illegal barbequing, no  
10 enforcement, lack of tree removal, true impediments  
11 to the citizens that want to enjoy these open spaces,  
12 and I'm counting on you to make sure that the borough  
13 of the Bronx, and I don't want to over-argue the need  
14 for my district compared to the others, because this  
15 is across the board. Perhaps we could have used the  
16 \$375 million dollars from the Hudson Yards to  
17 properly fund Parks Department for all of their  
18 personal needs and equipment needs, and we wouldn't  
19 have this discussion year-in and year-out, solve  
20 [sic] it for the next decade. But I do want to-- we  
21 talked briefly on the phone about the capital  
22 expenses, especially in comfort stations. We bring  
23 it up because what is the average square foot of a  
24 comfort station?

2 COMMISSIONER SILVER: It's about 3,500  
3 square feet.

4 COUNCIL MEMBER GJONAJ: I just want to do  
5 some quick math with you. Is that the same size for  
6 Ferry Point Park?

7 COMMISSIONER SILVER: No, Ferry Point  
8 Park is larger.

9 COUNCIL MEMBER GJONAJ: How much larger?

10 COMMISSIONER SILVER: OH, I'm guessing  
11 maybe three times the size.

12 COUNCIL MEMBER GJONAJ: Okay. So then  
13 let's use the 3,500 on the average is three million  
14 now, because Ferry Point Park went as high as four  
15 million, I believe?

16 COMMISSIONER SILVER: We have not had  
17 something-- no, comfort stations of that size we have  
18 not gone to four million.

19 COUNCIL MEMBER GJONAJ: I believe Ferry  
20 Point Park has broken four million.

21 COMMISSIONER SILVER: No, four million,  
22 that's not-- if you know there's somewhat of an  
23 amphitheater, it's elevated, it's about two to three  
24 times larger than a normal comfort station. So it's  
25 not your typical-- that's the customized design I was

2 referring to that Council Member Gibson-- we don't do  
3 those kind of customized designs anymore. We go with  
4 a standard comfort station.

5 COUNCIL MEMBER GJONAJ: So, roughly it's  
6 about 900 dollars a square foot, using the 3,500  
7 square foot model for a three million dollar average  
8 price now for a comfort station. We built tenement  
9 buildings with elevators and roofs and all sorts of  
10 needs for a lot less per square foot. This is a few  
11 urinals, a few sinks, a storage area for main-- no  
12 granite, no marble, no gold or silver at 900 dollars  
13 a square foot. We're building luxury condos in  
14 Manhattan for less than that. Is this criminal what  
15 is happening out there?

16 COMMISSIONER SILVER: Council Member, I  
17 hear you, and we have two options. The market is  
18 coming back and we put it out to bid, and they're  
19 telling us this is what it's going to cost. I have  
20 two choice: accept it or reject it--

21 COUNCIL MEMBER GJONAJ: [interposing]  
22 Reject it.

23 COMMISSIONER SILVER: rebid it. If the  
24 Council Members are prepared to wait the four to six  
25 months and then another four to six months to build

2 it, that is something we can certainly contemplate.

3 I have rejected high prices before, and we'll go back  
4 to the Council Members this will add four to six  
5 month's delay as we rebid the project.

6 COUNCIL MEMBER GJONAJ: Commissioner,  
7 Council Members have to be good stewards of tax payer  
8 money. I don't think there's a single elected  
9 Council Member that will not make the argument that  
10 we should spend limited resources wisely so we can  
11 get more out of the limited funding we have in Parks  
12 Department. I don't-- and you can take a survey with  
13 me. I assure they'll all agree to a delay and  
14 actually help you with the bidding process to make  
15 sure that more contractors bid, which is something  
16 that we spoke briefly about, and I have a meeting  
17 coming up with you on this. It is a joke. It's  
18 worse than a joke. It's actually pathetic and sad.  
19 And one of the issues I brought up on these comfort  
20 stations and why comfort stations, because it's  
21 nothing more than a bathroom, and it's not a nice  
22 bathroom on top of that. We should have been using  
23 pre-fabs. You looked at this six years ago, and I  
24 understand that no decision was made, it would have  
25 been a fraction of the cost at a fraction of the

2 time, and we could have then hired the personnel that  
3 we need. I don't know if you can answer on the pre-  
4 fab scenario, why didn't we pull the trigger back  
5 then?

6 COMMISSIONER SILVER: I know we have a  
7 meeting coming up. We can go over the findings, what  
8 we found when we approached the pre-fab. So, I do  
9 know that meeting coming up we'll share with you all  
10 the issues we found out.

11 COUNCIL MEMBER GJONAJ: And it's very  
12 difficult to argue against something that's small as  
13 a bike rack: Ferry Point Park, \$6,000, Aqueduct,  
14 Walking, Fordham Heights, I believe that was \$1,500,  
15 but yet you can buy the same bike rack online for 450  
16 bucks. How did we allow that happen?

17 COMMISSIONER SILVER: When we accept the  
18 bids, it comes as a package. I wish we had the  
19 luxury of going through every time and pick and  
20 insert, but when you have a bid it comes as a  
21 package. You accept the entire package. I don't  
22 know if there's a legal mechanism where we can start  
23 pulling apart the bids and isolating the cost of each  
24 item, but I'm just sharing with you the rules that I  
25 have to abide by. Either we accept the entire bid

2 package or we don't. We can't cherry-pick items we  
3 don't like and start examining the cost of each  
4 element. Again, this is not unique to parks. I know  
5 comfort stations seems to be a poster child, but  
6 across the board in all agencies we're all  
7 experiencing an accelerating market when it comes to  
8 cost of construction.

9 COUNCIL MEMBER GJONAJ: And Chair, my  
10 last question. Thank you for the duration. Sixth  
11 Avenue, I believe it's called Little Red Square Park.  
12 It is a reconstruction of a park. They-- the current  
13 work is going to be a two-year project. Staging area  
14 is taking up two blocks away creating an impediment  
15 to five businesses. You have no access, no  
16 visibility, no view for a staging area two blocks  
17 away. You have just assured that those businesses  
18 are going to close down. One of the owners who  
19 recently opened up the restaurant after pumping  
20 hundreds of thousands of dollars into this restaurant  
21 has said "I will make the repairs. I will do the  
22 work. I will not even charge the City because what  
23 you're about to do is bankrupt me." And the response  
24 is, you can't do that. We won't allow you, and  
25 there's nothing that you can do about it. Is this

2 the partner that New York City is with our small  
3 businesses?

4 COMMISSIONER SILVER: Council Member, I'm  
5 not familiar with this particular construction  
6 project. When you say two years that is highly  
7 unusual. Our construction is either a year or less.  
8 If it involves a building it could be up to 18  
9 months, but we'll certainly take a look at this one  
10 and get back to you, but I am not familiar with this  
11 construction project, but we'll certainly follow up.

12 COUNCIL MEMBER GJONAJ: This is dire  
13 straits for this business. I appreciate a follow-up  
14 and just to shout-out to my Commissioner Iris  
15 Rodriguez. The only complaint I have about her,  
16 Commissioner, is she doesn't come from the Bronx.  
17 Aside from that, she's awesome.

18 UNIDENTIFIED: Dually noted.

19 CHAIRPERSON DROMM: We have another Bronx  
20 Council Member, Andy King.

21 COUNCIL MEMBER KING: Yeah, Iris. Thank  
22 you, Chairs, and Commissioner thank you again for  
23 educating us on the struggles you're dealing with in  
24 your department. I have roughly about two or three  
25 questions. It goes back to the maintenance. I'd

2 just like to know how do you decide the new-- the 150  
3 that's brought on, how do you decide where they go?  
4 Is there a plan that you all have that when you open  
5 up new parks that you put maintenance people in  
6 there-- you know, we called them Parkies back in the  
7 day-- to make sure that these new parks as they open  
8 up they just don't fall pretty to elements and no  
9 one's in there constantly clean-- keeping them clean.

10 COMMISSIONER SILVER: Well, the good news  
11 is 150 are already employed in the Parks Department.  
12 So basically they will now be continued for another  
13 year. So, the gardeners, they're in place, will  
14 remain unless the Borough Commissioners, the Chief of  
15 Operations decide to place them somewhere else.  
16 They're already within the system, so they know how  
17 to deploy those staff. The same with the CPW, City  
18 Park Workers. They're already within our portfolio.  
19 We know where the allotment is-- not portfolio.  
20 They're already within our current structure, and we  
21 know where to place them. And so within that, the  
22 Borough Commissioners and the Chief of Operations  
23 know how to deploy them to the appropriate parks to  
24 make sure that they have the proper duties to do.  
25 So, that's already taken care of.

2 COUNCIL MEMBER KING: So, as I  
3 understand, speaking with my Commissioner, that  
4 you're limited with the number of bodies that you  
5 have to be at all the parks or any new parks. The  
6 reason I'm bringing it up is because we just opened  
7 up a brand new park. It's beautiful, but when the  
8 kids come up there and we start a basketball  
9 tournament [sic], there's going to be debris. So,  
10 who's going to be able to maintain that parks space?  
11 We're kicking off the summer. If no one's regularly  
12 assigned to be there?

13 COMMISSIONER SILVER: To be clear, this  
14 agency has been very effective at using the resources  
15 that we have. If you look at the Mayor's Management  
16 Report, every year Parks Department meets or most  
17 cases exceeds the target for cleanliness and  
18 condition, year over year, and it's something we look  
19 at at a monthly basis. If we see some modulations,  
20 we address those resources immediately so across the  
21 board-- in fact, I don't know if you remember this,  
22 but about two years ago we shifted for the first time  
23 in our hot spot and high-destination parks. We went  
24 from cleaning parks five days a week to seven days a  
25 week because I came to the conclusion if our parks

2 are open seven days a week, we should be cleaning  
3 them seven days a week. So, across the board our  
4 numbers keep climbing on both cleanliness and litter,  
5 and so now the parks are cleaner and we continually  
6 tweak and make sure we have the proper, we have the  
7 proper resources and allocations in our parks to  
8 maintain that level of service.

9 COUNCIL MEMBER KING: Next question:  
10 when it comes to whatever short budget you're trying  
11 to figure out because the Mayor says cut here, give  
12 us-- do more with less. Do you have the opportunity  
13 to say no, I can't do more with less? I need money  
14 as opposed to just trying to conform and say, "Hey,  
15 listen, we just go to find those cuts." When you  
16 know really you can't cut anything.

17 COMMISSIONER SILVER: Well, being  
18 management for probably about 20, 25 years, my first  
19 role is to find out how to get the job done with the  
20 resources I have. I also understand realities that  
21 the head of the City, whether it be large or small,  
22 is under. The Mayor was very clear about how  
23 cautious he wanted to proceed with the realities both  
24 in the state and the federal government. And so my  
25 job is to help get the job done with the resource I

2 have. Given more resources, I'll tell you-- I'd be  
3 the first one to day additional resources. I will  
4 take additional funds to do the job I need to do, but  
5 I also have to work with my staff to make sure we get  
6 the job done with the resources that we have. And so  
7 that's where innovation comes in. efficiencies come  
8 in, and so I'm committed to make sure we keep the  
9 same level of quality service for all New Yorkers.

10 COUNCIL MEMBER KING: Okay. Thank you.

11 And my last question is this: because we're all  
12 complained about the procurement process, the bid  
13 process, going out and taking decades sometimes to  
14 get some of these things accomplished. I think I  
15 mentioned to this to you before about how maybe Parks  
16 Department looks at creating their own in-house  
17 infrastructure to deliver on Park Construction. As  
18 opposed to building it out, if you have your own  
19 concerted team on the 14<sup>th</sup> floor some place, now  
20 every time you got a project you got to get done, you  
21 know those project costs are not going to go up,  
22 because they are city workers. They're workers who  
23 work for the park. They're your own construction  
24 team. Is there a thought of ever trying to put a  
25 system like that in place so you're not held hostage

2 to contractors who want to overprice, stick the City  
3 up, and then we're held at the mercy of their--  
4 because the only thing-- we could say no to them, and  
5 we say no to every project to get them to come down  
6 with lower bids, but now that we're at the mercy of  
7 them, they're just giving us numbers and we got to  
8 say yay or nay, but who loses in the long run?  
9 Communities who need new parks or upgraded parks.  
10 So, I'm just asking, is there ever a serious way, a  
11 thought of creating your own internal system under  
12 you that y'all can manage without being held hostage  
13 anybody else?

14 COMMISSIONER SILVER: We have done pilots  
15 where we used in-house staff to renovate comfort  
16 stations. It would take an army. We've heard the  
17 creation of a Parks Authority, and that would take  
18 state approval, but we have experimented with in-  
19 house crews to do work internally. It took us  
20 several months to do one comfort station in Staten  
21 Island as a pilot. We would need an army to shift  
22 gears. And so it's something we can talk about, but  
23 I'm not sure we can actually have a whole parks  
24 construction team for all the projects in the City of  
25 New York. We have 640 active capital projects, the

2 largest of any agency. So to have a workforce that  
3 can build-- we do about 150 at a time. It would be  
4 quite a large army, so it's something we can talk  
5 about, but I don't think it's likely. I think if we  
6 keep figuring out how to lower the cost, go with  
7 standardized approach, have conversations with a  
8 general contractor to see how we can stabilize and  
9 bring costs down may be the better approach.

10 COUNCIL MEMBER KING: Well, whatever that  
11 approach is, I'm already-- a young man say a long  
12 time ago, the definition of insanity is doing the  
13 same thing expecting different results. So, we're  
14 still working in a same system hoping that it would  
15 change. So I'm saying how do we come up with a  
16 system that changes the game so no one can play the  
17 game the way they been playing it, and all them  
18 communities held hostages when we should be building  
19 parks as opposed to people getting paid. Again, when  
20 you talk about a rack for \$1,500 we can get online  
21 for 400, the City just got stuck up. So, thank you  
22 for your testimony today, and thank you, and looking  
23 forward to us to figure out the madness of what you  
24 have to deal with each and every day. Thank you,  
25 Chairs.

2 CHAIRPERSON DROMM: Thank you very much,  
3 Council Member King. We're going to go back to Chair  
4 Gibson.

5 CHAIRPERSON GIBSON: Thank you, again. I  
6 have a few questions. The City has embarked on a  
7 series of neighborhood rezonings and in each of those  
8 neighborhoods there's an expectation of potential  
9 population growth with X number of new units of  
10 housing, affordable and others, how does Parks  
11 coordinate with the City, particularly DCP? Because  
12 if you have a neighborhood rezoning where you project  
13 anywhere from two to three, four thousand new  
14 residents, we expect to know that will be a burden on  
15 our open space and our parks. So how does that work,  
16 and does that mean that in a sense of areas that are  
17 seeing rezonings at a higher rate than others, would  
18 that be a priority for more staff because of the fact  
19 that you know those parks will be heavily used even  
20 more?

21 COMMISSIONER SILVER: I can tell you that  
22 the minute a rezoning is being contemplated-- I'm  
23 very proud of this Administration. Parks is brought  
24 in on day one, and we have conversations about the  
25 open space resources in the area, if new park space

2 can be-- if open space could be created or existing  
3 park space could be enhanced. Any time we do have a  
4 new park coming online, OMB is very good to make sure  
5 we have staffing levels for those new parks. Your  
6 questions about additional staff for existing parks,  
7 we do have cases where we can send out for seasonals  
8 to activate those parks in the summer with playground  
9 associates. So that's something we could certainly  
10 contemplate, and I thank you for that idea. But I  
11 can tell you with rezonings we're at the table early  
12 on giving input and very often a lot of those  
13 recommendations are accepted, as you probably know  
14 from the Jerome Avenue rezoning that Parks plays a  
15 crucial role. People are looking because [inaudible]  
16 open space go hand in hand, and we're very pleased a  
17 lot of those recommendations are accepted, in fact,  
18 right now being implemented as a result of those  
19 rezonings.

20 CHAIRPERSON GIBSON: Okay, well, no, I  
21 appreciate that, and as a member that went through a  
22 rezoning, all of that money was all capital, but we  
23 were also talking very, you know, deliberately around  
24 expense because we knew if we have 50-60 million  
25 dollars for parks, we should make that equivalent to

2 what that would mean in terms of staff, and again,  
3 not just for those brand new parks, because that's  
4 future staff, but the existing parks because in many  
5 of the cases of the rezonings, the housing is being  
6 built before the parks are online.

7 COMMISSIONER SILVER: Well, in terms of  
8 the maintenance, I think we're okay, because it's  
9 going to remain almost the same, but we have our  
10 programming staff through our Public Programs  
11 Division that are very flexible and can move around  
12 from park to park if we see them very crowded and  
13 want to offer some very unique services. So that's  
14 something we're very flexible at doing. We'll always  
15 keep an eye on maintenance. As I stated, we meet on  
16 a monthly basis. If those parks are not meeting  
17 their targets, we can easily make adjustments to make  
18 sure we meet those service levels in those individual  
19 parks. So, it's something we monitor on a monthly  
20 basis, and if we see trends and changes, we'll  
21 address it either through programming or through  
22 additional maintenance support.

23 CHAIRPERSON GIBSON: Okay. In the  
24 Executive Plan there's 1.8 million dollars of  
25 baseline expense funding for the pre-design site

2 testing analysis of capital projects. I'm not  
3 familiar with this process, so I wanted to know if  
4 you could provide me with an overview of what that  
5 looks like. Is it done in-house, and does every  
6 park-project go through a pre-design site testing  
7 analysis?

8 COMMISSIONER SILVER: Council Member,  
9 thank you for that question. Nobody ever notices  
10 that one--

11 CHAIRPERSON GIBSON: [interposing] Because  
12 I figure there's a cost to that.

13 COMMISSIONER SILVER: There's one of the  
14 innovations of streamlining the capital process was  
15 that recommendation for pre-site investigation.  
16 Before I came on board, if a construction project  
17 would start, we could not investigate the underground  
18 condition because it wasn't capitally eligible. It  
19 had to be expense funding. So, we go through design.  
20 We go through procurement. We go in the Bronx, start  
21 digging. We find a fire escape. The entire project  
22 comes to a halt. We have to tell the contractor we  
23 have to remove the fire escape or whatever else is  
24 underground before they can commence construction.  
25 This 1.8 now allows us to do pre-site investigation

2 on sites we determine may have subsurface conditions,  
3 and so we're able to do about 40 to 50 sites a year,  
4 which means that are 40 and 50 sites that could  
5 potentially be delayed if we find something  
6 underground. So this was something I'd recommended.  
7 The Administration gave us the 1.8 million, and we're  
8 able to do 40 to 50 sites pre-investigation so we  
9 don't get surprises when a contractor starts digging  
10 to renovate the site.

11 CHAIRPERSON GIBSON: Okay, that makes  
12 sense. And we're also talking about brown field  
13 environmental work and things of that nature, too?

14 COMMISSIONER SILVER: We do borings and  
15 we do test the soil as well. So, this has been for  
16 us a life-saver, and it was a cause of many, many  
17 delays, particularly in the Bronx when they  
18 demolished a lot of buildings. They didn't take  
19 everything out. They just dumped it on the ground  
20 and poured dirt on top of it. So, for us it's been a  
21 huge benefit to do the pre-site investigation.

22 CHAIRPERSON GIBSON: Okay.

23 COMMISSIONER SILVER: We find the  
24 problems before we start design, not when the  
25 contractors now start to do the work.

2 CHAIRPERSON GIBSON: Okay, so you said 40  
3 to 50 projects a year, so--

4 COMMISSIONER SILVER: [interposing] Right.

5 CHAIRPERSON GIBSON: is 1.8 enough to  
6 start this work with our current portfolio, or would  
7 you believe that there would be money that there  
8 would be needed moving forward?

9 COMMISSIONER SILVER: Council Member, we  
10 would accept more, but this allows us-- so we're very  
11 strategic on how we use the 40 to 50. Staff is  
12 looking at old maps and making a good estimate on  
13 where they think that 1.8 should be spent.

14 CHAIRPERSON GIBSON: Okay, okay, good.  
15 And I definitely want to keep talking about that.  
16 That was something new and I thought it should be a  
17 part of a conversation from the beginning, but I  
18 understand.

19 COMMISSIONER SILVER: We started back, I  
20 think, my second year. We made the recommendation,  
21 and it's been in place since, I believe, 2015.

22 CHAIRPERSON GIBSON: Okay. Okay. And I  
23 wanted to ask a question about the synthetic turf  
24 reconstruction crew. The Fiscal 2020 Executive Plan  
25 there's \$678,000 in Fiscal 2019 and \$827,000 in

2 Fiscal 2020, and then in Fiscal 2021 there's \$747 for  
3 seasonal, synthetic turf reconstruction team that  
4 will replace all of the fields in the out-years for  
5 basic repair and maintenance. So, my question is, do  
6 you know how many seasonal employees that operation  
7 will require, and in what parts of the city will they  
8 be operating?

9 COMMISSIONER SILVER: Oh, this team is  
10 something that I created. It's now a citywide team.  
11 Synthetic turfs, we have about 180. In the past we  
12 were relying on our [inaudible] staff to maintain  
13 these synthetic turfs. We realized it takes real  
14 professionals to groom and monitor synthetic turfs  
15 and reconstruct them. So, we have a rating system,  
16 and based upon the condition, synthetic turf has  
17 about an eight to ten year lifecycle. If you  
18 maintain it, it can go well beyond that period, and  
19 so they go across the boroughs and rate them. Both  
20 they clean them, maintain them, and in some cases  
21 repair them, but it's basically on a conditioned  
22 basis. So, it's not borough by borough. The look at  
23 the 180 and determine which ones need to be replaced  
24 based on bad conditions, and I can show you

2 photographs, and if you see some of the bad ones, you  
3 certainly would agree those need to be done first.

4 CHAIRPERSON GIBSON: Okay, wow. So this  
5 would-- this just includes repair and maintenance,  
6 but what happens if it's in such poor condition there  
7 needs to be more than, you know, cosmetic work done?

8 COMMISSIONER SILVER: If there's a case  
9 of a full reconstruction, that then elevates to a  
10 capital reconstruction. That could range several  
11 million dollars to reconstruct the entire-- they will  
12 determine whether it's a full capital project or  
13 whether it can be done with our existing staff.

14 CHAIRPERSON GIBSON: Okay.

15 COMMISSIONER SILVER: We hired a  
16 gentleman who leads up the team. I didn't know there  
17 was a degree in turf management at Penn State, but he  
18 worked for the Yankees and Red Bulls [sic] and he  
19 knows how to really maintain synthetic turf.

20 CHAIRPERSON GIBSON: Okay.

21 COMMISSIONER SILVER: He's been a great  
22 addition to our team.

23 CHAIRPERSON GIBSON: Okay. So, I  
24 definitely want to ask a question for all my  
25 colleagues that represent the East River Park,

2 particularly Council Member Rivera. I know she's  
3 been working with you guys on this interim recreation  
4 plan. There's \$1.3 million in Fiscal 2020 and  
5 \$257,000 in Fiscal 2021, and into the out-years for  
6 the interim recreation, and this funding is being  
7 added to support the relocation of all the  
8 programming while the park is under construction. Do  
9 you have an idea of what the type of programming is  
10 that will be available to the public and is \$1.3  
11 million really enough? And most importantly, when is  
12 this expected to start? For those of us that utilize  
13 that park.

14 COMMISSIONER SILVER: Well, we do believe  
15 the \$1.3 million will be adequate. We're calling  
16 this really an enhancement. We don't want it to be  
17 interim. We believe this should be an ongoing  
18 enhancement to the lower east side. We've already  
19 identified the locations where we're going to do the  
20 enhancement. We are always flexible. We can ramp up  
21 if possible with existing resource if we're committed  
22 to the \$1.3 to do the initial work for the  
23 enhancements, and we're going to start that  
24 relatively soon.

2 CHAIRPERSON GIBSON: Okay. And of the  
3 \$1.3 is that PS and OTPS?

4 COMMISSIONER SILVER: It's one million in  
5 OTPS and then we have baselined two fulltime  
6 playground associates, nine seasonal recreation  
7 positions to support the play-mobile. We have a  
8 summer sports experience, and then general park  
9 programming.

10 CHAIRPERSON GIBSON: Okay, okay, great. I  
11 wanted to ask about the water fountain lead testing.  
12 I think this Administration has done phenomenal  
13 working with the Council on all of the lead testing  
14 and lead abatement throughout the City, whether its  
15 residents in public housing, and so I was excited to  
16 hear the announcement on the news about testing all  
17 of our water fountains, and the Fiscal 2020 Executive  
18 Plan has \$1.5 million in Fiscal 2019. There's \$2.2  
19 million in Fiscal 2020, and \$200,000 in Fiscal 2021.  
20 The seasonal employees are repairing and replacing  
21 fountains that are found to be non-compliant with new  
22 lead regulations. So, my question is when will the  
23 results be made public? Can you give us an overview  
24 of the project? How will we be determining which  
25

2 fountains are getting tested, and how many employees  
3 do you think you need to cover this full operation?

4 COMMISSIONER SILVER: Well, I'll answer  
5 the stats of the program. I'll let Commissioner  
6 Kavanagh go over the specifics about the staffing.

7 CHAIRPERSON GIBSON: Okay.

8 COMMISSIONER SILVER: The results are  
9 online now. They went online last night. So--

10 CHAIRPERSON GIBSON: [interposing] Oh,  
11 that's why I didn't see them last night.

12 COMMISSIONER SILVER: Yes. It went live  
13 last night, so it's available to public right now.  
14 What we're doing is that we have a team going out  
15 that's doing testing. What they want-- there's a  
16 period of time it needs to test them. Once we test  
17 them, that information goes online and then crews go  
18 out to do the necessary repairs. If it is found that  
19 there is a negative reading on one of the fountains.  
20 It is now shut off and closed down, until we can go  
21 out to repair it, but our expectation it will  
22 complete the testing of all these fountains. The  
23 Mayor is very committed to addressing this issue of  
24 lead and we should be completed by the middle of  
25

2 June. But right now I can give you the website  
3 momentarily. It is [nyc.gov/parks/lead-testing](http://nyc.gov/parks/lead-testing).

4 CHAIRPERSON GIBSON: Okay, lead-testing,  
5 okay. Commissioner Kavanagh if you want to follow up  
6 on the staff resources.

7 DEPUTY COMMISSIONER KAVANAGH: Council  
8 Member, we are testing all of the drinking fountains  
9 in the system, both indoor and outdoor. It'll amount  
10 to about 3,600 fountains. The contractor began on  
11 May 6<sup>th</sup>. They have tested as of this morning a  
12 little over 1,500 fountains. We're starting to get  
13 the results. The results lag behind the actual  
14 testing. The process is, and you may see signs of  
15 this, they have to close off the fountain from use  
16 for a period of eight to 18 hours before they take  
17 the sample. So, they cover the fountain the night  
18 before. They come back the following day, take the  
19 sample. They put a sticker on the fountain that  
20 tells the public that the fountain has been tested.  
21 When it is-- when the lab results come back and  
22 they're positive, we put a sticker on that says the  
23 fountain has passed the test. If it does have an  
24 exceedance, there is another sticker on it that says  
25 the fountain is temporarily out of service until it

2 can be repaired. So far the results have been  
3 encouraging. We do have some exceedances, but it's  
4 less than five percent of the fountains that have  
5 been tested, and while we will have all of the data  
6 on the website, the first iteration of the website  
7 just shows you which has passed and which have--  
8 which fountains have exceedances. You can see that  
9 on a map. It's very clear. The ones that pass are in  
10 green. The ones that haven't are in red. We will be  
11 adding the specific data for each fountain as we go  
12 along. It's an enormous amount of information that  
13 we have to put into a format that is easily  
14 understood online, but we are committed to making  
15 sure that all the information is available about  
16 every fountain.

17 CHAIRPERSON GIBSON: And you-- you expect  
18 this to all be completed by June, all 3,600?

19 DEPUTY COMMISSIONER KAVANAGH: The  
20 initial testing.

21 CHAIRPERSON GIBSON: The initial--

22 DEPUTY COMMISSIONER KAVANAGH: The  
23 repairs are going to take more time. Obviously, it  
24 depends on how many fountains do need repairs, but  
25 the funding that the Mayor provided in the Executive

2 Budget is allowing us to hire 12 seasonal staff to  
3 focus exclusively on repairing those fountains.

4 CHAIRPERSON GIBSON: Okay, and during the  
5 initial testing, what happens with the instances  
6 where those fountains are found to be noncompliant?  
7 They would be out of service? Or you would--

8 DEPUTY COMMISSIONER KAVANAGH:  
9 [interposing] They're immediately--

10 CHAIRPERSON GIBSON: or you would do a  
11 second test?

12 DEPUTY COMMISSIONER KAVANAGH: They're  
13 immediately closed until we can make the repairs,  
14 take a second test, and confirm that they meet the  
15 standards.

16 CHAIRPERSON GIBSON: Okay. And so while  
17 most of the announcement that-- at least to my  
18 knowledge we heard about this was really on the  
19 media. Over the next few weeks as we prepare for  
20 students leaving school in the summer time, I don't  
21 know if Parks has already done it, but I would love  
22 to see some sort of a summary or, you know, just to  
23 give parents reassurance and New Yorkers that, you  
24 know, this is being done and, you know. Should we  
25 urge New Yorkers to be cautious about drinking from

2 fountains? I mean, I just want to make sure that,  
3 you know, we have all the information, and if there  
4 are any inquiries, we have the answers that a New  
5 Yorker may need.

6 DEPUTY COMMISSIONER KAVANAGH: We have a  
7 lot of information about the City's lead program,  
8 Lead Free NYC, about the City's water system, about  
9 the health impacts of lead on our website, so it's a  
10 good resource for anyone who's interested in  
11 information on this subject. In general, drinking  
12 fountains are not a significant source of lead or a  
13 risk of elevated blood levels by using fountains, but  
14 we want everybody to be confident that they can drink  
15 from our fountains and to use them regularly when  
16 they're visiting our parks, and that's really why  
17 we're doing this testing, to give people the  
18 confidence to know that the water is safe to drink.

19 CHAIRPERSON GIBSON: Okay. So do you  
20 know with the actual testing, does the contractor  
21 wait or let the water flow, or does-- is the testing  
22 done as soon as they--

23 DEPUTY COMMISSIONER KAVANAGH:  
24 [interposing] It's a standard protocol designed by  
25 the Environmental Protection Agency. There are two

2 things that they do. They take the initial, the  
3 first draw, that is the first water that comes out of  
4 the fountain is captured as a sample and tested  
5 separately, and then they do what is called a flush  
6 sample. They let the fountain run for 30 seconds,  
7 and then they take a second sample, and both samples  
8 are tested independently, and both results will be  
9 available on our website.

10 CHAIRPERSON GIBSON: Okay, great. Okay,  
11 thank you. That's very, very helpful to know. Those  
12 are all of my questions, and I guess just to  
13 summarize, I really, again, appreciate you  
14 Commissioner Silver. You have been everywhere, all  
15 across the City, and I especially appreciate the  
16 priority and the attention given to the Bronx. It's  
17 not always been the case, and so as a Bronx Council  
18 Member I do recognize that, you know, this is really  
19 an administration and an agency that cares equally  
20 about all five boroughs, and that's important for me.  
21 To the High Bridge pedestrian bridge that we opened a  
22 few years ago, which is the oldest New York City  
23 walking bridge that we have in the City of New York  
24 to all of the parks we renovated and opened, I really  
25 appreciate the work. But I certainly want to

2 emphasize again from the Council's perspective, you  
3 know, we don't want to lose focus on the workforce.  
4 The workforce is huge, the seasonal workers, the  
5 fulltime workers, the associates, the rangers,  
6 everyone. It's super important, and I really think  
7 again the interagency coordination with HPD, with  
8 DCP, with all the housing, all the construction  
9 that's going on across the City. the expectation,  
10 the assumption that I always make are school-aged  
11 children, my school district, and my parks, and my  
12 mass transit, those are the three areas in which I  
13 always focus on because you have to expect that  
14 people are, you know, frequenting the local parks,  
15 and we want them to do that. And I think as we  
16 continue to have these conversations, particularly  
17 around budget time, I just want to make sure that we  
18 recognize the need for workers. While I know you  
19 acknowledge that you believe that it's sufficient, I  
20 certainly always want to say we can always use more,  
21 and certainly my borough we can always use more  
22 workers because they work really hard. And I find  
23 myself oftentimes since we have such an eruption of  
24 homeless New Yorkers across the City, particularly  
25 street homelessness, they're coming out and they are

2 in our parks and playgrounds, and these are truly New  
3 Yorkers that need help, and sometimes they're not  
4 getting it, and they use our parks. And so we have  
5 to deal with that, and there are times when we call  
6 upon parks because we do want to make sure. One of  
7 the concerns that we were hearing from constituents  
8 on the ground because of the needle and the drug  
9 usage that we've seen in some of parks, some of our  
10 comfort stations were closing early because of that,  
11 because we believed that individuals would go and  
12 shoot up in the bathroom. And so that was happening,  
13 and so again, we deal with it on local level at and,  
14 you know, community level, but I think overall the  
15 message is is that we all have to work together.  
16 Just as much as DHS is working on homelessness, we  
17 have to be a part of those conversations, too,  
18 because they're using parks and many other places,  
19 because these are people that need help. So, at the  
20 end of the day, I would love more workers. Thank you  
21 for your work. We look forward to our continued  
22 conversations over the next few weeks as we adopt a  
23 budget that is truly reflective of our priorities,  
24 which means more workers. Thank you.

2 CHAIRPERSON DROMM: Thank you very much,  
3 Chair Gibson. And I certainly hope that we can work  
4 out this Traver's Park issue. So, appreciate the  
5 fact that you've come in and discussed the issue with  
6 us, and about all the parks as well. I have to read  
7 a statement, so, and then we're just going to finish  
8 after that. This concludes our hearing for today.  
9 The Finance Committee will conclude its Executive  
10 Budget hearing for Fiscal 2020 tomorrow, Thursday,  
11 May 23<sup>rd</sup>, 2019 at 10:00 a.m. in this room. Tomorrow  
12 the Finance Committee will hear from the Department  
13 of Finance, the Comptroller, the Independent Budget  
14 Office, and the public. The public portion of  
15 tomorrow's hearing will begin at approximately 12:00  
16 p.m. in this room, and that's a change from what it  
17 was originally. We will begin at 12:00 p.m. For any  
18 member of the public who wishes to testify but cannot  
19 make it to the hearing, you can email your testimony  
20 to Finance Division at  
21 [Financetestimony@council.nyc.gov](mailto:Financetestimony@council.nyc.gov) and the staff will  
22 make it a part of the official record. Thank you,  
23 and this hearing is now adjourned.

24 [gavel]

1 COMMITTEES ON FINANCE, GENERAL WELFARE, JUSTICE SYSTEM, JUVENILE  
2 JUSTICE, PARKS & RECREATION, AND SUBCOMMITTEE ON CAPITAL BUDGET 317

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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 July 11, 2019