

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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B E F O R E: YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS: Fernando Cabrera
Andrew Cohen
Chaim M. Deutsch
Ruben Diaz, Sr.
Rafael L. Espinal, Jr.
Peter A. Koo
Stephen T. Levin
Mark Levine
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Donovan J. Richards
Deborah L. Rose

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

Patrick Foye, Chairman and CEO, New York
Metropolitan Transportation Authority MTA

Andy Byford, New York City Transit President
Metropolitan Transportation Authority, MTA

Bob Foran, Chief Financial Officer Metropolitan
Transportation Authority, MTA

Janno Lieber, Construction and Development
Metropolitan Transportation Authority, MTA

Danny Pearlstein, Policy and Communications
Director, Riders Alliance

Colin Wright, Senior Associate, Transit Center

Rachael Fauss, Senior Research Analyst, Reinvent
Albany

Liam Blank, Advocacy and Policy Manager, Tri-
State Transportation Campaign

Jim Weisman, President and CEO, United Spinal
Association

Jessica Murray, Member of the Elevator Action
Group with Rise and Resist and Interim Chair of
the Advisory Committee on Transportation
Accessibility for the New York City Transit

Lisa Daglian, Executive Director of Permanent
Citizens Advisory Committee to the MTA, PCAC

Jose Hernandez, New York City Advocacy
Coordinator for United Spanish Association, and
Civic Engagement Commissioner

[sound check] [gavel]

CHAIRPERSON RODRIGUEZ: Good morning, Speaker Johnson, my colleague and everyone here, representatives from the MTA. Welcome to today's hearing of the City Council Transportation Committee. I'm Ydanis Rodriguez the Chair of the committee. First, let me recognize Speaker Johnson who immediately will deliver his opening statement.

SPEAKER JOHNSON: Good morning. Thank you all for being here today. I want to thank you, Chair Rodriguez, and the Transportation Committee for holding this hearing. I see we've been joined by Council Members Cohen and Koo. We are here today to talk about the MTA's new Capital Plan, and also the Transformation Plan, but that really undersells the importance of this hearing. This is about so much more. It's about the future of New York City, our economic vitality. Our place is the greatest city in the world and the subway system that makes all of that possible, and if it fails, so does New York. The bright side here is that the Capital Plan I believe is prioritizing the right things. Signal modernization is what will actually get us to fast, reliable service. It's an acknowledgement that Andy

Byford's Fast Forward Plan is the way to turn things around, and the MTA is finally investing more in making the system accessible to all New Yorkers, but this process isn't giving me much confidence that the MTA can pull this off. The Capital Budget process has never been transparent, but this plan is even more rushed and less detailed than usual. Something this important, something this expensive should not be handled this way. Riders deserve better. I believe the key to real change at the MTA is accountability through transparency, and I will keep saying that. There are still basic questions left to answer. Why are the costs still so high? Can we really expect to get billions from the federal government? How can we finish the most ambitious capital plan ever when we're still working on the last three capital plans? We are at a crossroads here. Decisions made in the next few months will have an impact for decades, but is the city's role in all of this? After losing Veronica Vanderpool, the city may be down to two votes on a 17-member board. We have 90% of the ridership had already paid for the majority of the operating budget. We already contributed billions to the MTA' Capital Program. We

will be outnumbered three to one on the Capital Program Review Committee—Review Board. We get one member on the six member Traffic Mobility Review Board, which will have tremendous power over congestion pricing, which by the way, uses New York City streets to pay for almost 30% of the MTA's Capital Plan, and we're being asked once again to open up our wallet to give more than ever before. After absolutely no input, we're told to just hand over \$3 billion, and for what in return? Hope and faith that things turned around, that the secret to better service is to take away capital projects from New York City Transit. Obviously, my preference is to take the whole system back, have the city run the subways and buses again, municipal control as I've said would solve so many of the issues I think we're talking about today. That isn't happen over night but there has to be a middle ground. Something between that and begging for a real seat at the table because the crisis at the MTA isn't just about executing the Capital Plan. It's about a transformation plan that somehow takes one of the most opaque government structures possible and makes it worse. We're staring down a massive operating

deficit as we'll discuss today. By 2023, debt service payments will be \$3.5 billion a year from the MTA. That is 20% of the MTA's revenue. That is not sustainable. If it keeps going, the only people that will suffer will be the riders. Not the politicians or bureaucrats that got us in this mess. If the MTA wants this plan to succeed, if they want it to be viewed as legitimate, they should be actively seeking more city input. What we're doing now isn't working. I hope this is the beginning of a more cooperative productive era, but I need to see a real commitment from the MTA a real show of good faith. If the MTA wants city dollars, we're going to need a lot more transparency in return, before I—I—I hand it back to Chair Rodriguez, I want to say I have a relationship with at least three of the people that are—that are sitting there, and I really respect Andy and Geno and Pat and I—I think you all actually have been doing a great job in turning things around, but I think that this Capital Plan and the lack of transparency really goes against I think some of the good progress and work that you all have made, and I really appreciated the partnership that we've had, the ability to have an open mind of communication, to talk about projects

and issue that are both specific to me but also bigger system wide issues that the MTA is facing. I was a supporter of the city chipping in the needed money for the MTA's plan that the Governor needed the additional money for that Chair Lhota put into place a couple of years ago and having the city contribute that money, the Emergency Plan, and I think that we need more transparency. So, we're going to get into that in the testimony today, the questions that I'll have both about the Transformation Plan, about the current Capital Plan, what the city can expect, what riders can expect, how we can get some of those answers from you all today, but also on an ongoing basis today. I really mean this. It's not meant about me sitting up here and trying to score cheap shots on the MTA. It's really me wanting to dive in deep on some of the transparency issues and Transformation Plan issues that I think are really going to say a lot about what happens for the current Capital Plan, but the previous capital plans that we haven't finished out yet, and wanting to understand in finer detail how the Transformation Plan is going to affect all of this moving forward, and then I want to talk a little bit about the operating deficit the

MTA is facing, and looking at how you plan on balancing that, what that means to riders across the system, subway riders and bus riders. So that's what I want to get into today. I appreciate you all being here, and I turn it back to over to Chair Rodriguez.

CHAIRPERSON RODRIGUEZ: Thank you Speaker and, you know, everyone know how you have made transportation one of the top priorities, and the Transportation Plan is not only, the master plan is not only that bring DOT to the table to have a vision and policy for the next three years. This is about how are we running buses, trains, making this real accessible to everyone. So we know and I feel that new leadership of the MTA also they know where we are. You know that you're sitting in the hot chair. You know that you're ready to hear from the frustration of so many New Yorkers who inherit a crisis of the largest transportation system in the whole nation, and one of the largest ones in the whole world. So, we appreciate that, you know, those of you that have been around the MTA for years and years, now are also taking the baton on listening and putting your ideas, suggestions to fix our transportation system today. As I said before, you

know like I've been chairing this committee for the last couple of years. This is one of the great opportunities that we have to address something that is an equalizer for the whole city. Transportation is important for upper, middle, and working class. Throughout the five boroughs we are seeing the need to repair—for repairs in elevators, escalators, infrastructures, and the aging signaling system. We have also seen the need of affordability with the fares. We need to ensure that our subway system not only continues running consistent—consistently and reliability, but also that it is affordable to all people in New York City, and that's why we established with the leadership of the Speaker advocate our committee, we created a Fair Fare to help those New Yorkers who live on poverty lines. A large percentage of the people that use New York City's transportation system are working class. Many of the immigrants, many of them living in underserved communities, and what we call transportation deserts. These communities are located in transit desert places like in the South Bronx, Brooklyn, Queens, Staten Island lack of the proper subway accessibility and subway maintenance. This is one of the largest

plans in the history of the MTA, and that's why this plan has to come with the responsibility. We must prioritize stations like those at 149th Street and Third Avenue as well as 170 Huron Avenue Subway Station, and many stations in Brooklyn, which are in need of repairs that have been the link, they have been left to the last for decades. We must also ensure that as the MTA conducts its repairs we do not see any reduction in services or employee layoff, and I stand with the TW call to be sure that priorities should be given to riders and workers. In 2010, we saw the layoff of 1,000 workers our core within the MTA. We cannot have a single layoff of transit services in our city. At this hearing we are overseeing the MTA's Transformation in the 2020-2024 Capital Plan where it will be in effect and I believe in 40 days. The Transformation Plan was proposed as a cost cutting measure to consolidate overlapping aspects of the various—of the various subsidy gears (sic) within the MTA, contribution of New York City, a large contribution even though we don't have a Fare Share seat at the Board, congestion price and even at Twitter by that guy in the city who said that he would put the money to expand the subway to the

Second to 120–Second Avenue to 125th, it's included in the calculation of this budget, something that we need to assure that these numbers are real, and I would even call that we should use our private public partnership in DC to push DC to even expand that contribution to expand the Second Avenue Subway to the South Bronx. One of the proposals that the MTA is considering is consolidating the Capital Planning functions at each of the MTA subsidiaries including moving New York City's Transit Authority's Capital Plan into MTA Capital, which is discouraging given the work that the new person that we've been lucky to attract with international experience someone that is not shy or listening to the frustration, someone that has developed a level of trust by many of us in the public and private sector. He will see his role being reduced, and we cannot allow that to happen.

President Andy Byford has proven to improving services and developing the Modernization Plan know as the Fast Forward, the best one that we have ever had in our city, and we support it. All the more concerning is the fact that the organization goes with the release of the MTA's largest capital plan ever, which is estimated to cost \$54.8 billion.

Seventy-three percent of \$39.9 billion of that amount is allocated for New York City Transit Authority project including those proposed in Fast Forward such as it's \$7.1 billion for signals so that we can lay behind that plan that the old plan, the schedule that we have is supposed to have all the signal systems being upgraded by 2044, which I will be like 80 years old if it would follow that old plan. Now, we have a real plan, and it's something that the money is there to accomplish. \$5.2 billion for new elevators and ramp to make stations accessible and \$2.3 billion to replace 2220 buses, which accounts for 39% of the entire fleet. Se cannot see any reduction of the buses from Riverdale to any places in Brooklyn or though the five boroughs. I applaud this plan, and the steps, the MTA is taking to modernize the subway and the buses as well as create a more accessible system, But I am concerned the MTA restructuring could impact the capital process. We would like more details on the restructuring process such as we could impact Project Fine Lines. Similarly, I have concerns about how subway services will be impacted by the extensive re-signaling that is anticipated in this Capital Plan. We must ensure that we do not see

cuts to services all the while—all the while the MTA is considering cutting as many as 2,700 positions, we need answers on how the MTA will balance this interest and how they come out to that conclusion. The Capital Plan is a step in the right direction, but it will take work to fund and implement it. We need to make sure that we prioritize underserved immigrant and working class communities. When we bring the new technology to pay through the apps to the fund, none of the pilot projects included the work working class and the immigrant community, and it says a lot about the culture that we have in Went out there today to do where the immigrants and the working class neighborhoods are always the last, and we need to continue working with the MTA and advocate to make transportation free for all working class New Yorkers as well as those living in poverty. I now would like to welcome the representatives of the MTA for being with us today. Thank you for being here, and I'll ask the Committee Counsel to administer the affirmation and invite you to deliver your opening statement.

LEGAL COUNSEL: Please raise your right hand. Do you affirm to tell the truth, the whole

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2 truth and nothing but the truth in your testimony
3 before this committee, and to respond honestly to
4 Council Member questions?

5 CHAIRPERSON RODRIGUEZ: Sir, sir, you may
6 raise your hand, too. Can you repeat it?

7 LEGAL COUNSEL: Do you affirm to tell the
8 truth, the whole truth and nothing but the truth in
9 your testimony before this committee, and to respond
10 honestly to Council Member questions?

11 PAT FOYE: Yes.

12 Yes.

13 CHAIRPERSON RODRIGUEZ: Thank you.

14 [coughs] Good morning and thank you for
15 inviting--

16 (PEOPLE CHANTING)

17 SPEAKER JOHNSON: So, folks, folks,
18 folks, just--(PEOPLE CHANTING) Folks--folks (PEOPLE
19 CHANTING) hold on one second. Guys. (PEOPLE
20 CHANTING) From--from TWU, from TWU, from TWU (PEOPLE
21 CHANTING) Guys (PEOPLE CHANTING) (CHANTING CEASED)

22 SPEAKER JOHNSON: Pat, before you begin I
23 actually was going to, um, but I forgot I want to
24 just actually thank the men and women from TWU, which
25 I know you are in your remarks, for the work that

they do every single day. They really keep the subways and buses moving, and we really appreciate their hard work. I know you're in the middle of a contract negotiation, and maybe you'll talk about that today, but I want to turn it back over to you.

PAT FOYE: Speaker, I—I second that motion and I also abhor the recent increase on attacks on transit workers both physical assaults and sexual assaults. I'll note that state law provides that attacking a transit worker is a Class D felony with serious penalties, and, um, I'd urge prosecutors and—and law enforcement to look to that option more frequently going forward. Good morning and thank you for inviting us here today. A particular thanks to Speaker Johnson and Chair Rodriguez. I'm Pat Foye, Chairman and CEO of the MTA. I'm joined by my colleagues New York City Transit President Andy Byford; MTA Chief Financial Officer, Bob Foran, and Janno Lieber who leads Construction and Development. Speaker and Chairman, I want to thank you for your focus on subways, buses and paratransit. I thank you both particularly for your leadership on Subway Action Plan funding and Fair Fares, an important program with much to be done. We at the MTA would

welcome an even more engaged mayor on transit issues and an even more engaged City Council, and obviously you both have increased substantially the focus and engagement of the City Council on transit issues.

The 2020 to 24 Capital Plan are board approved in September is exactly what elected officials. CITY Council Members I believe, advocates and most

importantly, customers have long demanded. We're in the midst of an exciting and challenging time at the MTS. We remain laser focused on delivering safe and

reliable service for the 7.6 million customers who use the subways and buses everyday. As we embark on

a historic capital plan and transformation, our core mission remains the same, to keep this city and

region growing. All our agency presidents, Andy

Byford, Craig Cipriano, Phil Lang, Kathy Rinaldi and

Danny Decrescenzo are working hard to improve the

experience for our customers day to day, but we also

have our eyes on the future. New Yorkers deserve a

modern 21st Century transportation network and that's

what we plan to deliver with our ambitious and

historic proposed 2020 to 24 Capital Plan. It calls

for unprecedented levels of investment across the

system amounting to \$51.5 billion dollars over the

next five years with an additional 3.3 billion for MTA bridges and tunnels. This proposed capital program is the key to growing and maintaining the capacity of our system, which is a driving force of the state economy. The plan is forecasted to generate 350,000 jobs statewide, 75% of which would be in the city of New York, and we expect a fully 89% of the Capital Plan investment will be spent within the state of New York. It's important to note service is improving across the system. I want to highlight how we got to where we are today. After a state of emergency for the Transit System was declared in the summer of 2017, the state and the city with the Speaker and Chair, your leadership, equally contributed over \$800 million for the Subway Action Plan. This infusion of funds allowed us to dramatically expedite a central maintenance work helping to right the wrongs of decades of under-investment and neglect. It was a critical step to getting our core infrastructure back on track so we could begin providing improved levels of service. This incredible effort has led to steady sustained gains and on-time performance across the system. In October, week time-week day on-time performance

reached 81.5%. That's an improvement of nearly 16% from the year before. October was also the fifth straight month with subway on time performance above 80%. For these improvements I want to thank Andy Byford, Sally LaBrera and the entire Subways Team including our colleagues at the Transit Workers especially our partners in labor. The hard working men and women are on the front lines every day delivering operational excellence. The improvement and performance hasn't been lost on our customers. We're seeing increases in ridership across all agencies. In September the average week day ridership on the subway climbed to 5.77 million people. Compare that to 2018 where that number—that number was around 5.3 million. To put that in perspective, the subway system is carrying nearly 250,000 more trips each weekday than it was a year earlier, and buses are carrying nearly 34,000 more trips per weekday. The increase shows we're steadily rebuilding the public's trust. We're also focused on improving the bus and paratransit network. The focus on operations isn't limited to just daily service or to the subways. We're also thinking big and ambitious on buses and paratransit. We know that

buses are a lifeline for our customers outside Manhattan serving more than 1.8 million customers a day. Craig Cipriani and the New York City Transit MTA bus teams are pushing ahead with borough by borough bus network redesigns. We're taking a completely fresh and holistic look at service in each borough, including focusing on outer borough needs, and transit desert needs. Many bus routes across the city haven't been changed in decades putting them behind the times when it come to new developments in housing or job centers. The redesigns are using qualitative and quantitative data to up-to update these routes to better fit our customers' needs. We're also working closely with our partners at the New York City Department of Transportation, and as always community input is important. We've recently released a final proposal for the Bronx Bus Redesign, which include the creation of three new routes. Frequency also will significantly increase on nine major corridors, which will be served by ten routes. Thanks to Council Member Cohen for being a great collaborator during this process. Redesign work on the bus network is also well underway in Queens, and we just kicked off the redesign process in Brooklyn.

On Staten Island express bus riders are already seeing 12% faster travel times after that redesign was completed last fall. The establishment of the 14th Street Bus-Busway together with the use of automated bus lane enforcement has all recognized been a great success. It's a prime example of coordination between the MTA and our partners at New York City Department of Transportation, particularly Commissioner Polly Trottenberg. Thanks also to Speaker Johnson and Chair Rodriguez for your support on the busway. There's been a dramatic increase in bus speeds on the M-14. It once took an average of 15 minutes to travel between 8th and 3rd Avenues. It now jus takes over 10. That's an improvement of nearly 33%. Customers are noticing, too, since the—since the busway was launched in October ridership is up 17% compared to the same time last year. Before the Busway opened, there was concern that traffic on the surrounding streets would become unbearable, but according to a study that was requested by New York City DOT, there's been no significant impact on congestions on ceramic streets. We're also investing in and focused on the Access-A-Ride service. We're expanding the popular E-hail pilot program, which

offers on-demand service for paratransit users doubling access to the program from 1,200 to 2,400 Access-A-Ride customers. For the core ADA required service we provide, we're also making improvements, expanding the types of trip-trips offered, leveraging more taxis and for-hire vehicles and adding 700 new vehicles to our aging fleet. Thanks to improved GPS tracking, customers can now track their trips on an app and web page. In an effort to make the system more transparent, we regularly publish performance metrics on a public dashboard. The MTA is hopeful that Fair Fares will prove to be another fruitful partnership, and we thank you Speaker Johnson for your leadership on this issue. We strongly support this critical program, which is run by the city to give low-income New Yorkers access to the transit system. We support, too, a faster rollout of Fair Fares so this program can benefit more people. We're ready to do our part to make that happen. Let's talk for a couple of minutes about the proposed 2020 to 24 Capital Plan. We aren't just thinking about operating improvements, and the work certainly doesn't stop there. The historic \$51.5 billion proposed Capital Program. In this plan we've laid out

a bold vision for capital investment that will deliver the world class transit network our riders deserve. The system has been neglected and under-invested in for too long. Just as we've seen a 50% increase in ridership system wide in the last 20 years, we've also seen an 8% decline in the annualized rate of capital investment. Our teams deserve immense credit for getting the system to a more reliable place, but now is the time to take the decisive action to ensure the future health of our transit system in New York City. The proposed capital plan is fully a 70% increase over the current 2015 to '19 program. We worked with legislators, advocates, the public, and our customers to get their perspectives on what the system needs. New York City subways and buses will receive \$40 billion investment. I note that that's more than the entire current Capital Plan. It encompasses all of Fast Forward's priority projects and more. Our goal for these next five years is to build upon the success we're already delivering. For example, on the 7 and the L Lines, signal modernization investments have led to significant improvements and performance. Modernizing the signal system allowed us to increase

the number of trains per hour on the 7-Line to 29 during the morning and evening rushes up from 25 to 27. While on-time performance on the 7 skyrocketed from 75% to over 90. That is why the new Capital Plan includes \$5.3 billion for subway signal modernization on six more line segments. The Lexington Avenue Line, Fulton, Cross Town, 63rd Street, Astoria and Queens Boulevard lines. Thirty-three inter-lockings will be modernized or modified and we're upgrading all our communications networks. The plan also calls for the purchase of 1,900 new subway cars. Together with signaling updates, this will deliver faster, more reliable and more frequent service. Accessibility is another cornerstone of this capital broad way. (sic) We plan to invest in 70 more accessible stations that more than fulfills our commitment to ensure that no rider will be more than two stations away from an accessible station. We're targeting these upgrades at stations that serve more than 60% of our ridership. Replacing 60 miles of track will also help us deliver service. This program proposes to install miles of continuous rail-continuous welded rail or CWR across the network compared to jointed rail, CWR is more durable with

less than half the rate of rail breaks, and provides a quieter, smoother ride. Additionally 175 stations would be renewed to address components in need of critical pair-repair including the replacement of up to 65 escalators and up to 75 elevators that have reached the ends of their useful lives. The Capital Plan also provides full funding for Phase 2 of the Second Avenue Subway allowing us to expand the network into a transit desert. This will add three new fully accessible stations and a connection with Metro North finally delivering on the decades old promise to give residents of Harlem better access to our system. Beyond the subways, the Capital Plan also advances our commitment to a cleaner, greener bus fleet, which will help to create a more clean and green New York. We're buying 2,400 new buses, 500 of which will be all electric. Our goal is to transition to a zero emission fleet throughout the network by 2040. After 2029, all bus purchases will be electric buses. A younger fleet of buses can run farther before breaking down, which means more reliability and better service for our customers. Funding for this program relies on a range of sources. Central Business District tolling is a

critical element and expected to provide \$15 billion of capital. New revenue streams like the progressive Mansion Tax and the elimination of the Internet Tax Advantage will add another \$10 billion. We're anticipating \$10 billion in federal funding, and the MTA is also contributing with another \$9.8 billion in MTA funds, but it's critical to not that this will be not-enough to completely fund our bold vision. To fully execute the capital program we require additional investment including \$3 billion from the state and \$3 billion from the City of New York. The city's contribution would be used to fund accessibility upgrades on the subways. That money—that money would be timed following the expenditure of the \$25 billion expected from Central business district tolling and other new tax revenues. Without the \$6 billion commitment from the city and the state, ADA work would be delayed. We need to schedule the MTA's contribution last in order to responsibly manage our debt service, and it's important to note that capital funds are completely separate from our operating budget. The unfortunate reality is that the MTA has had to reconcile our service improvements and customer improvements with

the fact that our core structure is not where it needs it be. Even as we pursue aggressive cost cutting measures to find nearly \$3 billion in annual recurring saving, we're looking at major out year deficits. It's unfortunately the case that our operating budget is literally strained to the bone. But let me talk briefly about Transformation. The MTA is instituting meaningful change and reform to completely transform the way we do business as was required by amendments to state law in the last session. As part of the legislation that enables Central Business Tolling, the MTA was required to develop a reorganization plan that resulted in a more efficient and effective organization. The MTA Transformation Plan was developed and approved by our board earlier this year, outlining what the future of the MTA could and should look like. That vision would see the MTA become a single unified capital group with consolidated back office functions across all agencies. This way the operating agent-agencies can focus on core delivery, service delivery and safety. We're pleased to announce the selection of Anthony McCord as the MTA's Chief Transformation Officer to lead this historic effort. Anthony will work closely

with senior leaders across the organization to modernize the MTA and deliver on the hard work of Transformation itself implementing the necessary changes to consolidate and streamline the agency, and ensure the new MTA is set up sustainably for long-term success. Anthony is a Senior Executive with over 25 years of experience in industrial service and infrastructure roles around the world focusing on transformation and change management. He's a proven strategic leader with an impressive track record for team building and effecting meaningful change that will drive direct customer benefits. We're eager to have him join the MTA later this year. I'm also happy to share that we selected a future Chief Operating Officer, Mario Peloquin last week. Mario is a senior executive with over 30 years of experience in the transit and rail industry, and his distinguished career is rooted with direct field experience in both safety and operations including as a rail traffic controller and safety investigator in Canada. As COO, Mario will lead our team of exceptional agency presidents so that we continue to deliver gains and performance and maintain a laser sharp focus on safety, reliability and customer

experience. A critical element of transformation and a key part of how we will deliver on this historic proposed capital program is through our new construction and development organization led by Janno Lieber. This group will be the single central point for central-capital project planning, development and delivery. We're not waiting for the next capital program to start. Some of these reforms are already well underway. A great example is the L Train project moving ahead of schedule thanks to innovative recommendations from world class academic partners and under the leadership of Janno and his team. Ultimately, Transformation will help the agency to refocus on our core mission, dramatically improving service and giving customers the safe, modern and reliable system they deserve. It will position us to most effectively and efficiently deliver on the Proposed Capital Program to put in much needed reinvestment in our infrastructure that truly powers this region and keeps it moving. Again, thank you for your support, thank for the invitation to be here and we're happy to take your questions.

SPEAKER JOHNSON: Thank you, Pat. Thank you for that testimony. I look forward to diving in.

Before we get into the details that I mentioned before, there's a big picture problem that I want to address with you. I really do appreciate the MTA being here today, but honestly, we don't see you enough. I think that's part of the problem. In 2018, the MTA came to three hearings. In 2017, four hearings. This the third time year. We could be here all day, and I wouldn't get through every question that I have or that the members of the Council have, and I know you won't be able to answer many of the questions that we actually have today. We barely have any details about this Capital Plan, nothing on addressing the backlog for the other three capital plans the MTA hasn't finished, no construction schedules for individual projects, no cost targets, nothing on how the phasing will work on the different capital plans and the projects, and if you're asking us to consider spending \$3 billion in city dollars on top of the fare box, the real estate transfer taxes, the sales tax, the internet sales tax, the mortgage recording tax, the payroll the Taxi and For Hire Vehicle charges, and the commandeering of our roads, we need a commitment to have a real public dialogue. The Council negotiates and approves

the city's annual budget. We can't make decisions on a \$3 billion magnitude based off a few estimates and a Power Point presentation. I would like the MTA to commit to testifying at least five times a year before the Council with senior staff, people that can actually answer our questions so that we're not hearing: We will get back to you, we will get back to you, we will get back to you, we will get back to you, which is what we hear at all of the hearings that we have because the appropriate people are not here to answer our questions in real time. Are you willing to make a commitment to have the MTA come and testify at the City Council more regularly with senior staff that will report back to us on the questions that are important when we are negotiating a city budget determining whether or not we should put billions of dollars into the MTA's Capital Plan.

PAT FOYE: So, Speake, you've got the senior leadership of the MTA here today. The last time I attended a hearing in this chamber we had the senior leadership of the MTA. There you've got our commitment that unless for instance particular levels of expertise are required from other people in the organization, obviously we're making a request for \$3

1 billion from state and the city, it's appropriate
2 that the Council hold hearings, and we're prepared to
3 return and to answer the questions that are raised.
4 We did a hearing in Broadway up the street with
5 Assembly a couple of weeks ago, and we're committed
6 to returning to the Council.

8 SPEAKER JOHNSON: Thank you. When can we
9 expect the information that I just mentioned on the
10 Capital Plan, the information related to the three
11 Capital Plans the MTA hasn't finished, construction
12 schedules for individual projects, cost targets and
13 how the phasing will work?

14 JENNO LIEBER: Good morning Speaker.

15 SPEAKER JOHNSON: Hi, Jenno.

16 JENNO LIEBER: Jenno Lieber. Um, I'm—I'm—
17 I have the—I completely endorse your question, the
18 direction of your question about transparency. A
19 couple days ago I instigated a meeting with all of
20 the advocates because I saw they were coming together
21 on their own, and I wanted an opportunity to talk to
22 them about just those questions and to be transparent
23 about where we are and how we are planning the next
24 capital program. In the past, Speaker, Chair, what
25 happened was the MTA approved—the Capital Program

included a list of projects with schedules attached to them. Frequently the Capital Program as the current Capital Program was actually enacted late and at that point design would begin on projects, and by the time the design ended because we were doing 100% the tradition way, then the projects couldn't get done in short order. What we would like to do is to come up with a plan which doesn't just give you as list of projects and, you know, a spend down that isn't realistic, but one that actually is directly reflecting the bundling strategy that we're going to pursue, and what I mean by that is because of the importance of the projects on the right-of-way and the importance of the ADA projects we may have to do some shutdowns, some outages, and we must make sure that every time we do an outage in the—in the transit system because we have been improving performance so much under Andy Byrford's leadership that we get every piece of work done that can be done during that outage. So, I am specifically going to your question, Speaker about the existing capital program and what hasn't been finished. We are already looking for opportunities to take ongoing projects for example the Culver Line, which is being

resignaled and the AC Line, which is getting resignaled and adding work some of which has not begun to those projects so they can be bundled and it could all get done in a much more efficient way. Once we complete, Speaker, the—the bundling analysis, and we are right now doing that to make sure that we will hit the ground running and do at least 20 AVA stations. Soon after the Capital Program Review Board takes action, we will provide a detailed analysis of exactly which projects are going to be bundled and the sequence with them, but that work is ongoing. I've been open with the advocates about it, and I'm completely willing to commit to transparency in how do we finalize that bundling process, and most important from your standpoint, how do we track it going forward? Because we do want this to be a more transparent MTA in the new MTA era.

SPEAKER JOHNSON: So, when can we expect some of those details on the bundling, on individual projects when can we expect the details on the issues that I mentioned, individual project, cost targets, phasing of work. It may not have to be all at once.

JENNO LIEBER: Right.

2 SPEAKER JOHNSON: It could in a piecemeal
3 way.

4 JENNO LIEBER: Yeah, and-and-and what I
5 said is we'll provide that on the-on the projects
6 that we're going to put out soon after the Capital
7 Plan is approved. So, I would that's somewhere
8 between and 25 ADA stations and Andy and I are
9 working on the bundling strategy for signaling right
10 now. So, I think we'll be able to give you a
11 preliminary outline of that within 60 days after if
12 the Capital Program Review Board, and a fuller
13 outline of how the entire bundling and scheduling
14 strategy is going to work within six months after
15 final approval of the-of the Capital Program.

16 SPEAKER JOHNSON: And what about previous
17 capital programs where projects are behind schedule?

18 JENNO LIEBER: Um, you know, at the risk
19 of incurring your wrath, and I want to get back to
20 you about that, I think that we are in the middle of-
21 we're in the middle of going through literally every
22 project to see how they can be bundled into the
23 existing program and the future going work. So, I'd
24 say if you give me 60 days I will be able to tell you
25 exactly when the existing-the work done to the

existing program will be bundled and will be completed.

SPEAKER JOHNSON: Thank you. So, um, I want to get into the Transformation Plan. I think the success of everything the MTA wants to do is at stake if you get the potential reorganization of the MTA wrong and I don't think it was a great start. The Alex Partners Plan was done without any real input from the public or from stakeholders, advocates, the City Council, the State Legislature, people that really care about how this plan is going to work, and one of the main reasons I've calling for municipal control of the city's subways and buses is because I think riders deserve to know who to hold accountable when things are not going well or when things are going well who should get that praise. That, you know, we don't—we don't want to point our finger at 10 different people not knowing who actually takes responsibility on this. I have been following the process, and honestly I can barely make heads or tails of it. So, I want to try to get something straight here today. The plan called for agencies like New York City Transit to lose responsibility for capital work. That work would move to one office at

MTA headquarters. For the subway, that meant one division would run signal installation and another division would be in charge of adjusting service to allow the work to happen, but then last month the MTA said that New York City Transit would be leading, quote, re-signaling work. What does that mean? Who am I supposed to call when something goes wrong? Pat, who do you call when something goes wrong on something in this arena? So, does that—does Andy get the signaling work and if he does, does that mean the whole plan is changing? Is there anything else that we should rethink as we are parsing these things out? That's what I want to understand here today as it relates to the Transformation Plan.

PAT FOYE: So, Speaker to answer your first question to paraphrase the 21st the 20th Century President, the Metro Card stops with me, and, um, you got the leadership of—senior leadership of the MTA before you. This is the group that is responsible, Andy for subways and buses, Janno for Capital Construction, Bob Foran to my left to the—to the finances of the MTA. If there are questions or criticisms or observations or in a rare case compliments, this is—this is the group. The, um,

signaling is going to be led by New York City Transit. It's, um, the construction will be done by Janno's group in cooperation with Andy Byford and his team and Pete Tomlin the Internationally recognized signaling expert that, um, that Andy recruited away from—from Toronto, an that partnership I believe will get those six lines done, and New York City Transit working closely with construction and development will figure out a way to spend funds as efficiently as possible. But also as Janno mentioned when he talked about bundling to amortize—I'll use the term customer inconvenience over as much in as short a time as possible. So, it's not only a question of being efficient with capital that's obviously a primary responsibility, but also to minimize customer inconvenience and to get as much work done for every outage.

SPEAKER JOHNSON: So, the person that was supposed to lead this reorganization the new—that is supposed to lead this reorganization the new Chief Transformation Officer—officer Anthony McCord, who you mentioned, Pat, has quite a lot of experiencing—quite a lot of experience in eliminating jobs. Some have been calling him publicly at hatchet man. I don't

know if that's fair, unfair. You'll talk about that. I understand that the MTA may need to eliminate redundancies, but is this how we want to get to started? The top priority should be about rebuilding trust, and it's hard to do that if people are afraid of potential layoffs by bringing this person on. Do you--does he have any experience in reorganizing transit agencies?

PAT FOYE: He--he has, um, experience in infrastructure, transportation. He is a superb seasoned corporate executive. I mention in my remarks, Speaker that while we are talking about a \$51.5 billion capital plan, there is extreme stress on our operating budget. Alex Partners did recommend this past summer a number of reforms, which we're in the process of implementing. One of those was the reduction of up to 2,700 positions. Many of those will be accomplished by vacancies and--and attrition. We have a, um, the Transformation is expected and must result in cost savings over the next four to five years of \$1.6 billion. Um, and reduction in head count will regrettably be a part of that going forward.

2 SPEAKER JOHNSON: so, the—the new, um,
3 Chief Transformation Officer will report to the MTA
4 Board. Is that correct?

5 PAT FOYE: Yes, sir.

6 SPEAKER JOHNSON: While the new Chief
7 Engineering and Accessibility Officers will report to
8 the MTA Chairman and CEO, you, why does the Chief
9 Transformation Officer report to the MTA Board rather
10 than you?

11 PAT FOYE: Well, I'm—I'm the Chairman of
12 the Board. That provision was set in state law.

13 SPEAKER JOHNSON: Why? Do you
14 understand? What was the reason? It seems--

15 PAT FOYE: I—I think it was a sign of the
16 State Legislature's belief in the importance of the
17 Chief Transformation Officer reporting to the Board
18 and I think that's an appropriate—I am the Chairman
19 of the Board and the CO, and I thought it was an
20 appropriate reporting relationship.

21 SPEAKER JOHNSON: Will multiple lines of
22 reporting do you think create any level of
23 disorganization?

PAT FOYE: No, I—I don't see that, and I think if there are issues that arise they'll be dealt with in the ordinary course of business.

SPEAKER JOHNSON: Other large transit agencies such as Transport for London and I just got back from London and I met with them, have recently undergone successful reorganizations that could have served as a template for the MTA, but Alex Partner's plan did not refer to the management practices of other similar agencies around the United States or around the world. In formulating the Transformation Plan were lessons drawn from the restructurings undergone by peer agencies?

PAT FOYE: I can tell you, Speaker the Alex Partners looked at other similar entities in the United States and abroad in in doing the plan.

SPEAKER JOHNSON: I—I actually think there are some great things in the Transformation Plan that was put forward, and I'm thrilled that fast forward that fast forward is happening in the Capital Plan, but do you think that it's possible that we can really do all of this at once? If it starts to go wrong it could undermine confidence in finishing projects that are actually essential for the growth

of the MTA. Are you worried about this? How is the MTA going to finish four capital plans by 2024 and reorganize a sprawling bureaucracy and deal with the confusion and growing pains that are inevitable when any large bureaucracy starts to make changes? Do you have any of those concerns?

PAT FOYE: So, let me start and then I'll turn it over to Janno. I'll note a couple of things, one is a new team at the MTA including new team on construction and development led by Janno who was obviously a pivotal player in the redevelopment of the World Trade Center probably one of the most challenging and I have some insight into this given the fact that I spent some time with the Port Authority, but probably one of the most challenging and important public/private project in the history of the nation with lots of financial, real estate, physical, political and community issues. So point one. Point two, the State Legislature among the reforms that were at issue was the passage and the requirement that MTA projects above \$25 million be done on Design/Build. I believe that that will lead to a significant improvement in efficiency. Do you want to talk about it?

JANNO LIEBER: Sure and-and Pat in characteristic understatement omitted to mention that-that his role with the World Trade Center was to negotiate against me. So, that's how we got to know each other. Um, but, um, there-there-Speaker, there really is a way to deliver this entire program, and the work that remains to be done with much more efficiency, and it starts with that concept of bundling I referred to earlier, reducing the number of projects. For better or worse, historically at the MTA you sometimes have a separate capital project for a different wire on the same, you know, two different wires on the same subway tunnel wall. That makes no sense. We have to look at these as major undertakings and piggyback all the work that can be done in a single outage, and by doing that, Speaker, we will reduce the number of projects in the Capital Program from somewhere between 1,400 or a project-a capital program of this size, maybe 2,000 projects down to somewhere between 2 and 500 separate projects. So, that's number one. Design Build. The Design Build is not only going to allow us to do less time design-designing a project and get it into the construction phase much faster, but it's going to

produce contractor innovation like the contractor innovation that has allowed us to do the Third Track Project on Luck Island. So much faster and with less customer and public impact that anybody thought about, fewer delays, fewer change orders, eliminating all the red tape, which the MTA has burdened itself with and to some extent the MTA has been burdened with over time that creates delay after delay on projects and I have done that on projects. On the Third Trace Project on Long Island, we have—it's a \$2.5 billion project. We have 25 change orders and it is a net credit to the MTA. So, we're getting money back instead of on the Second Avenue Subway Phase 1, 2,400 change orders. You see a change of direction on that. So, I'm not going to belabor. There are many other issues that—that I think we're going to take on that are going are going to change the direction and make it much more certain that we can deliver work in a short time. We're going to empower the—the—the people who are running projects to make decisions in ways that were never before. We're going to eliminate scope creep and design changes which have bedeviled major MTA projects and again caused cost rises and delays that are part of

the source of the problem, and we're going to motivate contractors in a way that's never happened before. I've already cut the payment time for contractors to 15 days for 30 days on all the projects I run. So contractors are giving us better prices, and more responsiveness. So you can see we have a very—I-I hope, you'll see—get a sense we have a very comprehensive strategy for reducing the number of projects so we can get more work done.

SPEAKER JOHNSON: Thank you. I know the focus of this hearing is about the Capital Plan Reorganization, but we need to talk about whether or not we can actually afford to run the system especially when we're planning on bringing so many new projects online. As you just mentioned, Janno, at once. In 1994, the Operating deficit for the MTA was about \$11 million. Now, it's over half a billion dollars. I hope that the reorganization keeps us from hitting the billion dollar deficit you were projecting for 2023, but I'm not holding my breath. I don't think the advocates are either, and when the MTA has trouble with an operating budget, it is always the riders the bail you out with a fare hike. I don't want to see that happen given the looming

deficit on the horizon. One reason that I'm so concerned is that we are adding almost \$250 million to the operating budget for 500 new police officers. You are in pretty dire financial straits. Every single decision that impacts the operating budget should be heavily scrutinized so that we are sure that every dollar is doing the most for riders. So, how did you get to that number? How did the MTA get to that number? Why 500 officers? Can you share the data and the analysis that the MTA did to determine that that was the right number, and that the—that we actually needed those officers on top of the NYPD officers that are already doing that work in the subways every single day?

PAT FOYE: So, Speaker, I'm going to ask our CFO to speak to the operating question and then I'll come back to the police question.

BOB FORAN: Okay. thank you. I think it's important to point out that it is not always the answer to go back to the customers and ask for fare and toll increases. We have every two years gone forward and projected 4% fare and toll increases. That is less than the rate of inflation, but what has been able and helped us to be able to address our

operating deficits is the fact that we have been reducing costs significantly. We have by the time we finish the 2023 year, we will have reduced our annual recurring expenditures by more than \$3 billion. So since 2010 we will have cut out \$3 billion of operating expenses, recurring expenses out of our budget. That's significantly more than we've raised in terms of fare and toll increases, and that's a commitment that we'll continue to make. We're going to look to see where we can be more efficient. The transformation is really important in this regard because what we're doing is we're taking redundant or duplicative services that have been provided through the years at each of the agencies, and we're combining them so that we don't need five different HR departments. We don't need five different legal departments. We don't need five different accounting departments. We'll be able to combine those into one consolidated group that will serve each of the operating agencies so that that operating presidents can then focus on delivering safe, reliable service to our customers.

SPEAKER JOHNSON: But Mr. Foran, aren't you concerned that the number is projected to be over

\$500 million in an operating deficit. As the Chief Financial Officer, outside of agencies that do these type of audits and that look at the financial health of a public authority, they are concerned about the size and scope of this. Are you concerned about what it looks like the operating deficit is going to be for the MTA?

BOB FORAN: Every four-year financial plan that we've put together since I've got--since I arrived at the MTA 10 years ago, we've had out-year deficits, sizable out-year deficits and we worked slowing, methodically to reduce costs to address those deficits. So, yes, I do think that our financial position is dire, but we are committed to trying to reduce costs in a safe way, and so that we can still continue to provide--provide reliable service.

SPEAKER JOHNSON: (laughing) I don't--I am not laughing just because I--I actually, um, appreciate everything that you said, but you just said I don't want to paper over it. You just said that the MTA's financial position is dire.

BOB FORAN: Yes, absolutely.

SPEAKER JOHNSON: That's frightening.

BOB FORAN: Well, I tell you we are in an unusual situation.

SPEAKER JOHNSON: What does that mean an unusual situation?

BOB FORAN: Our—our projected deficit in the July plan before we had the—the Transformation was a billion dollars. So, this—we have to effect the transformation and the reform effort that the Legislature challenged us to do and wrote into the Legislation. I think it's interesting that we did not receive any operating aid when the budgets were passed in Albany.

SPEAKER JOHNSON: Well, you should have.

BOB FORAN: Well, I'm just saying what they did ask us, they gave us capital dollars because it is—and that's what's leading to this, you know, tremendous historic capital program, but I think they've wanted us to prove that we could reduce our costs in a responsible way through this Transformation so that we would not have to turn immediately for additional operating aid. Now, I believe at some point in time operating aid is going to be needed, but we need to prove that we can cut our costs and reduce any duplication so that we can

be efficient in delivering the service that the customers need.

SPEAKER JOHNSON: It's interesting, but Pat before you go to the—the police question, you Nicole Gelinas had a piece in the—in the Post a couple of weeks ago, and she was referring to the \$17.5 billion budget. The MTA faces and \$800 million deficit, 5% of spending relies in \$2 billion or more than 10% of spending by 2023. That's without a recession she says. To fill the gaps, the MTA will take about \$150,000 built up from previous years, but mostly it proposes a slew of nearly \$700 million in "adjustments". Some are fine such eliminating vacant back office positions saving \$80 million a year, but another she says is just a naked cash grab, not savings. The MTA wasn't to save about \$100 million a year by asking New York City taxpayers to pay for Access-A-Ride. The inefficient service the disabled, which runs a five—which is used by the disabled, which runs a \$500 million deficit. The MTA has no legal basis, she says, to ask the city for more. Providing public transit to everyone is part of the MTA's core mission. This is no different than when the MTA helped fix its budget crisis last year by

forcing the city to fork over \$400 million for the Subway Action Plan, which the MTA was doing track and signal repairs it should have been doing all along. And then she goes on and she says that New Yorkers, New York City residents already paid the bulk three-fourths of the \$7.5 million the MTA collects in dedicated taxes and subsidies like the payroll tax and the real estate transaction taxes. Now, we are at risk for annual random cash grabs by the MTA, and so I just—and then she goes on and talks about the 500 cops, which will be \$60 million a year and that doesn't include overtime or pension costs related to it. So, I'm pointing all of that out because it is concerning that this is the financial position that we're in right now, and it seems every year we are sort of jumping to and from trying to come up with an infusion of money here, and an infusion of money there to deal with some of the underlying concerns and problems that the MTA is facing, and Pat, I just wanted to hear your general thoughts on that.

PAT FOYE: So, so, Speaker, first I didn't expect Nicole Gelinas to get so much air time in a city Council hearing, but I know she'll be grateful. I will make the following point: The

comments that you and the Chairman made in your opening remarks about issues with the MTA in the past and inefficiencies and the way construction projects and other things I think have been features—features of the past to—to be sure. The, um, new—new team here, new focus. The message from the Legislature, and I think this was appropriate was in passing central business district totaling and the other revenues, which I recognize are—are—are borne, but New York City residents in large part and commuters into—into New York City, the message in requiring Transformation and requiring Design/Build was for the MTA to get its house in order before it came asking for additional operating aid. We've taken that message to heart. We've internalized it, and we're acting on it. The requirement in the legislation that a Transformation Plan be put together be approved by the board that a Chief Transformation Office be—be hired. Those things have been now done, and are critical steps in transforming the MTA, reducing the—the cost basis, which is not going to be easy, but Bob Foran and his team working with the agency presidents have taken a couple of billion dollars of expense out, annual recurring. That's an

extraordinary achievement, and we've got more to do to get our house in order before me go, as you noted, asking for additional revenues or support from any taxpayer.

SPEAKER JOHNSON: Do you plan on going to Albany this year before the statutory budget deadline on April 1st for the State Budget to ask for additional funds for operating the MTA?

PAT FOYE: Uh, Speaker, I—I think we'll do the same thing in Albany, which we're doing here today, which is to report on—to report honestly on progress, to report honestly on challenges, and where we are in the transformation process, which I think is the single most important initiative at the MTA now in terms of reforming the agency and reducing costs.

SPEAKER JOHNSON: I just want to say, um, you know, I don't agree with the Manhattan Institute on a lot of things, but I do think that Nicole Gelinas is a very smart scholar and someone who has been forward thinking and looking at transfer—transportation and the financial difficulties that the state has faced, the city has faced, the MTA has faced, and I think she's actually been a sort of a

siren call ahead of time in looking at areas where the public hasn't had enough sunlight to look at those things.

PAT FOYE: Speaker, I, too, hold her in high regard.

SPEAKER JOHNSON: Yes.

PAT FOYE: She's terrific.

SPEAKER JOHNSON: We both hold her in high regard. Um, if you could—if you could, um, just get back to the why 500 cops, and can you share the data and analysis that was done to come up with that number?

PAT FOYE: Sure, um, first, principle. We have an obligation to provide a safe and sure—secure environment in the subways, on buses, Metro North and Long Island Railroad. I'm not—I'm not going to apologize for that. The, um, the expenditure is—came out in our four-year capital plan as—as \$250 million or a number like that. The annual expenses is a substantial expense, but it's about \$50 million. There was consultation with the leadership of the MTA Police who obviously do staffing things. I'll note that of the 500 about 80 those positions are vacancies, attrition or unfilled positions. Um, we've

got a police force as many police forces do with officers who have reached 20, 25, 30 years of service, and there is statistical data that suggests when a police class reaches that level of seniority X percent will retire in the ordinary course of business because of their provision of police pensions. So there was a whole planning exercise and that work goes on the all the time. The officers that are—that are being hired that the first waves are about to join the MTA Police Force will police New York City Transit, buses, Metro North and Long Island Railroad. The, um, agencies, you know, all of the agencies of the MTA, and frankly, we're very focused in, um, especially given for instance the transit workers who are with us this morning, the significant increase in the tax on trans workers who have come to our board meetings and talked about increases in physical assaults, and increase in sexual assaults, very focused on protecting and providing a safe and secure environment for customers and employees alike.

SPEAKER JOHNSON: I'm glad you brought that up. I was going to ask given the uptick of assaults that we've seen on transit workers is there

specific part of the plan for these officers that deals with that particularly a tax on buses given what we've seen.

PAT FOYE: So, there--there is, um, we are in conversations with the TWU on the safety issues, um, and, um, I've--I've spoken with the senior leadership of the TWU in the last week on these issues, on the Class D felony legislation, which is already on--on the books in Albany, and, um, the--the cries of the transit workers and their leadership given the increase in assaults on transit workers and sexual assaults is one the we're taking as a first order priority.

SPEAKER JOHNSON: Is there a plan on how the officers will be deployed?

PAT FOYE: Um, there--

SPEAKER JOHNSON: [interposing] How many will protect workers versus how many will monitor fare evasion?

PAT FOYE: That--that--that--that plan is--is being developed. To be honest, I'm not going to get into details on it because I think it would be inappropriate to do that in a public setting. I will

say that the, um, officers will be deployed across all MTA agencies.

SPEAKER JOHNSON: And are they getting special training on the outreach that's being done for the vulnerable homeless New Yorkers that are struggling that so many New Yorkers see on subway platforms, and in subway cars. Are they receiving specialized training?

PAT FOYE: Yes, sir. All of the officers in the first waves have gone through the NYPD Police Academy, and have gotten the same training that an NYPD recruit and a new officer would get.

SPEAKER JOHNSON: So, is it—Pat is not 500 new cops? Is it 500 new cops?

PAT FOYE: It's—it's—it's 500 hires, yes sir.

SPEAKER JOHNSON: So, um, you know, I would love to—for you to share with us, um, the data and analysis that was done to—to reach that number on how the MTA figured that out so we can understand given that it's a significant expense of the Operating Budget, and riders want to focus on improving service, that's where I think money should be directed. I was—I was someone that wasn't

supportive of--of hiring this given that we have almost over 2,500 NYPD officers that are currently doing this work, and I think what you see, I don't if you are monitoring Twitter, but what I see on Twitter as it relates to every day New Yorker, not advocates just random people who are riding the subway who will see four, five, six, seven police officers standing outside the turnstiles watching to see if people are going to evade the fare. It doesn't seem that the current officers are being deployed in a way to actually deal with assaults against Transit workers or deal with other major felonies that are happening across the system. Instead, what I think New Yorkers see are three, four, five, six, seven, eight cops standing at the turnstiles, and they say is this what we should be spending on?

PAT FOYE: Well, look, I--I think that the NYPD, which is an incredible police force and the MTA Police Department which is an incredible transportation police force do extraordinary work in a very demanding, um, and very demanding and challenging environment. I will tell you the 500 hires that will be put in place by the end of 2020, 80 as I mention are attrition unfilled positions and,

um, and vacancies. Um, the, um, I—providing a safe and secure environment for the subways, buses, Metro North and Long Island Railroad is not in my mind, and I know you weren't suggesting this Speaker. It's not an option. It's not an add-on. It's not a luxury. It's a fundamental part of providing transit service. I think that given the increase in certain levels of crimes including a tax on transit workers, but also in assaults generally and in misdemeanor—misdemeanor arrests that this was an appropriate—an appropriate investment, and it will further our goal of providing a safe and secure environment at every agency.

SPEAKER JOHNSON: So, how much of this had to do with fare evasion verses the issues that you just outlined?

PAT FOYE: Fare—fare evasion, quality of life, increases in crime, these officers like all officers are going to be doing general policing. How they are deployed will depend—will be decisions made by the police leadership at the time, and—and I'm not going to comment on that, and it will as it does in the NYPD those deployments will change depending on the, you know, the order of the day or the circumstances at the time.

SPEAKER JOHNSON: I mean I really question if—if putting more law enforcement on the subways is really the best option, but just on fare evasion specifically, is the MTA looking at what other cities are doing to deal with fare evasion. The Dutch are focusing on better gate design when people are entering the transit system getting people to pay, and avoiding violent interactions that they may have with people that are trying to crack down on fare evasion, and one city that's outlined in this great article by City Lab, which you all should look at if you haven't read about what cities across Europe are doing to deal with fare evasion from the UK to Berlin to all over the Netherlands. In one city part of you fine actually gets your card loaded with rides. So, you pay the fine and the fine doesn't go to the MTA or to the police, it actually goes toward giving you a card that actually has I think in this in this—in this place in the Netherlands the city of 200,000 people it helps fund ten rides on subway card for you to actually encourage you to become a paying customer. You know, we, of course, invested in Fair Fares. We are glad to partner with you on that. To me it just seems

like overkill and that there are better ways to get at this. I just want to hear what the MTA's long-term vision is on dealing with fare evasionists.

PAT FOYE: Andy.

ANDY BYFORD: Good morning. Good morning Mr. Speaker. Good morning Mr. Chairman.

SPEAKER JOHNSON: Andy, I'm glad that your resignation letter was not accepted, and that you're sitting here today.

ANDY BYFORD: Well, I appreciate that, Mr. Chairman. So, Mr. Speaker. So, Mr. Speaker, thank you. Um, so, um, fare evasion is not unique to the MTA. It is—it's a challenge certainly in everywhere I've ever worked in Malkoff in Australia and achieved that with TTC. Um, but it, and so it—it is a—it's a global phenomenon, and you raised some great samples there of different ways in which different agencies have tackled it. We can't and we shouldn't just ignore it, and what we should be saying to people is if you can't afford the fare, not paying for the fare isn't the option, but there is now a laudable thanks to your leadership, a laudable alternative namely below the fare—Fair Fares Initiative and—and certainly we don't want to arrest

people. We don't want to see people get into trouble. We just want them to pay their fare. Why? Because (a) That's fair-f-a-i-r on other people that do pay, and (b) it means it's not revenue foregone that can be put into improving service, which is what we all want. Um, so, um, you know, in terms of the actual deployment of officers that—that has to be equitable. We are looking at ways to design out the vulnerability, though, the Achilles Heel, if you would like of our system, and we do have, and I can't say I've seen it anywhere else a particular weakness in our station design, and that is the secondary gate. There is a feature in all of our subway stations. It's there for a reason. It's there to allow quick egress off of platforms. It's part of the Fire Code, but, of course, when people are coming out, people can go in. So, one thing I'm very familiar with, and I've got my team having a look at at the moment is why gates that still enable you to go into the station by using your Smart Card and, of course, we're getting a Smart Card that a wide gate that would not only mean that you could then, um, enter through paddles and you can't come out the other way. Um, but that you would be able to go

through that were you in a wheelchair, did you—if you had a stroller for example, if you had a load of luggage. So, that's something that progressively I think we need to do. Um, I would like to see us move to a proof of payment system whereby as long as you have proof of payment throughout your journey and that's—that's fine. So, again, it's taking the emphasis off of arresting people, but it is saying that if you, um, if in the future one of our inspectors boards a bus and we ask you for proof of payment, and that can easily be achieved with a Smart Card, um we will expect you to (a) have paid in the first place and (b) to have paid the right amount. So, um, I think one of the advantages of having worked elsewhere is I am familiar with a lot of these solutions. We are actively looking at them. The one with the loaded card is interesting. We could take a look at that. Um, I do, though, um, counsel against things like, and I know you didn't suggest this. In the past I've worked places where people have said you should just have the inspectors. They shouldn't arrest people. They should just sell you a ticket there and then. I disagree with that because where is the deterrent? You will still chance it because

you know that there's no downside to being caught. All that happens is if you get caught say one in ten times you have to pay. So there is a lot of thought going into this. We don't want to arrest people, but we can't just let \$260 million or more walk out of the door.

SPEAKER JOHNSON: I understand we don't want to lose that revenue, but I also have a concern about over-policing, and criminalizing poverty for New Yorkers, and I would love for the MTA to come back at some point, um, and give sort of a broader vision on other tools to look at on fare evasion for the long-term for the MTA given that it's a persistent problem in New York City, and in other municipalities around the world, as you mentioned, Andy, taking a look at what other cities have done successfully in eliminating the—the huge number in fare evasion, but also not having the—the primary tool be interaction with law enforcement, and figuring out maybe through a pilot program or other ways what we can do. Pat, are you—are you open to looking—maybe you already are—looking at these things that the MTA could be—could be doing?

PAT FOYE: Yeah, Speaker, the one thing I'd add--of course we're open--the one thing I would add to Andy's comments, which I think were comprehensive is--is on the funding side. Um, DA Vance from the New York County DA's Forfeiture fund allocated \$40 million to exploring these two new technologies, some of the technologies that Andy described and to help defray the cost of--cost of policing, but we're--we're open to exploring all of these things, and as Andy just showed, he's on top of the technology around the country and around the world.

SPEAKER JOHNSON: And then lastly just on this police question. Are we putting up a proportional number of officers on Long Island Railroad and Metro North trains, or is it just focused on New York City Transit?

PAT FOYE: Every agency, Speaker.

ANDY BYFORD: Every agency.

PAT FOYE: Yes, sir.

ANDY BYFORD: Mr. Speaker, may I just add one other comment--

SPEAKER JOHNSON: Right.

ANDY BYFORD: --just in case it's pertinent. I think again just speaking from experience, there's--it seems to me that what you really need to do with any fare evasion problem is you will always have, and it's again not unique to New York. You see it elsewhere, there will be a percentage of people who are determined not to pay the fare whether that's because they don't agree that they should have to pay a fare, they are mad at the transit system or whatever. There are people that are sort of hardcore. They absolutely set out not to pay the fare. At the other end of the spectrum you've got the very, um, the vast majority of decent, honest people who--who just look. It would be enough for them--to them not to pay or not to, um, sorry, to evade the fare. So, you've got two ends of the spectrum there, people that set out not to pay and people for whom that's never an option. In the middle you've got what I call chances, and--and to me that's the big opportunity here. Quite often they're people who can pay the fare, but who on--on a particular day for whatever reason take a chance. So, an effective, um, strategy has three main elements. Number 1, for those people who just can't

afford the fare there should be a lower fare option and thanks to your leadership and other City Council we now have that take. Check. Good. That's great. Number 2, you should have a, um, a very high likelihood or a pretty high likelihood and typically the accepted practice is perhaps one journey in three that you should have a high likelihood that at some point on your journey you will have your ticket inspected. We will check that you have actually paid, and number 3, if you are found not to have paid, or not to have paid the correct amount, the penalty should be pretty high, and that's how you deal with the--what I call the chances, because if you--if you really it's--the chances are you're probably going to get checked, you can't afford it, and--and the penalty, though is pretty, um, pretty high, then you will deter those chances, and that's in my professional opinion how you deal with this in an equitable manner

PAT FOYE: The Chancellor is British Englis, Mr. Speaker. [laughter]

SPEAKER JOHNSON: Thank you, Pat, and thank you Andy. Okay, I'm going to try to finish up here so I can turn it over to the Chair. I'm going

to try to rifle through or get through some things very quickly. Currently the 2015 to 2019 Capital Plan calls for \$8.6 billion in state funding and \$2.7 billion in city funding. We're at the tail end of it here. The tail end of the current Capital Plan that we're in. So, of the state's \$8.6 billion can you tell us how much money the MTA has received from the State and how much you've spent out of \$8.6 billion?

BOB FORAN: Of the--excuse me. Of that money we have committed against, meaning let contracts on almost \$5 billion of that.

SPEAKER JOHNSON: How much have you received?

BOB FORAN: And we've--and we've--

SPEAKER JOHNSON: [interposing] How much have you received:

BOB FORAN: And we've received, and we've received and spent about \$800 million of that.

SPEAKER JOHNSON: I know. How--out of the \$8.6 billion how much has the MTA received from the State into the MTA's coffers out of that \$8.6 billion?

BOB FORAN: That's the number I just gave you, sir.

2 SPEAKER JOHNSON: You're received \$5
3 billion?

4 BOB FORAN: No, we've committed. Just one
5 second.

6 SPEAKER JOHNSON: I don't understand the
7 difference between committed and received.

8 PAT FOYE: Just talk about committed.

9 BOB FORAN: Yep, committed we can't enter
10 into a contract unless we have a source of funding
11 identified.

12 SPEAKER JOHNSON: Just explain this to
13 me. When--when you get money from the, from the state
14 or from the city, either one, and we say, the city
15 says we're giving you \$2.7 billion, I expect the
16 city's transfer in \$2.7 billion to the MTA so that
17 you all can use and spend that money. Out of the
18 \$8.6 billion that the state said they were giving
19 you, or gave you or appropriated to you in the
20 current Capital Plan, how much of that \$8.6 million
21 has been transferred into the MTA's fund to be able
22 to spend the money?

23 BOB FORAN: We have--we have received,
24 again about \$800 million that we have spent.

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2 SPEAKER JOHNSON: Where is the other \$7.8
3 billion?

4 BOB FORAN: It's yet to come.

5 SPEAKER JOHNSON: Wait--wait--

6 BOB FORAN: If it was--

7 SPEAKER JOHNSON: Is it at--is it at--is it
8 at the--?

9 BOB FORAN: [interposing] Mr. Speaker, if
10 you recall--

11 SPEAKER JOHNSON: Yes.

12 BOB FORAN: --in the last Capital Program,
13 the money to come from the city and the money to come
14 from the state was to be received at the back end of
15 the Capital Program.

16 SPEAKER JOHNSON: But we're at the back
17 end.

18 BOB FORAN: Yes, and that's where the
19 money is starting to come in.

20 SPEAKER JOHNSON: So when--

21 BOB FORAN: [interposing] We expect--we
22 expect to receive all of the state's money within the
23 next couple of years, and we expect to receive the
24 city's money. Sir, the city's money is yet to come
25 in as well.

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2 SPEAKER JOHNSON: Well, the city should
3 give you the money--

4 BOB FORAN: Yep.

5 SPEAKER JOHNSON: --and the state should
6 give you the money, and they should give it to you in
7 the current Capital Plan that it's in.

8 BOB FORAN: Yes.

9 SPEAKER JOHNSON: This-this Capital Plan
10 is ending in--

11 BOB FORAN: No.

12 SPEAKER JOHNSON: --in-in 30 days or
13 something.

14 BOB FORAN: No. The way the Capital
15 Program works is we commit money. Okay--

16 SPEAKER JOHNSON: Yes.

17 BOB FORAN: --we have five-year periods.
18 The spending typically takes place over an eight or
19 nine-year period, and I have to point out on this
20 Capital Program we started 18 months late. So,
21 really, we're only-we two-thirds of the way through a
22 capital program.

23 SPEAKER JOHNSON: Well, this is-this is--

24 BOB FORAN: [interposing] So, we-again,
25 we started 18 months late in the funding.

2 SPEAKER JOHNSON: Missed the--missed the--

3 BOB FORAN: Yeah, because the CPRB program
4 was not approved-

5 SPEAKER JOHNSON: [interposing] Mr.
6 Foran, I am glad you're her today because you're
7 explaining this in a way that I understand, but the
8 average New Yorker who wants to understand how the
9 MTA works, their head would spend to understand the
10 difference between committed, received, this capital
11 plan, that capital plan, it rolls into this. The CPR--
12 I mean there has to be a better way to explain this
13 and do this for the public especially when we're
14 throwing around huge numbers of \$8.6 billion and \$2.7
15 billion, and when the city and state makes that
16 commitment, as they should, as I'm glad they did,
17 that money needs to be given to the MTA in a timely
18 manner so that Janno when he is bundling projects to
19 get the projects done on time and in an expedited
20 manner, and to bring costs down that he actually has
21 that money to play with, and is not waiting for it on
22 the back end.

23 BOB FORAN: Absolutely. I couldn't agree,
24 and that's why on this upcoming capital program the
25 '20 to '24 Capital Program we are asking--we're asking

the city and we're asking the state for \$3 billion each to come in and provide the funding. That's our—that's our ask.

SPEAKER JOHNSON: Yeah, but Mr. Foran, I'm glad you brought that up. The last time the state gave you \$8.6 billion, right in the last Capital Plan?

BOB FORAN: They committed.

SPEAKER JOHNSON: The current Capital Plan they committed \$8.6?

BOB FORAN: Yes.

SPEAKER JOHNSON: The city committed \$2.7.

BOB FORAN: Yes.

SPEAKER JOHNSON: Now, you're coming to us to the city and saying you want \$3 billion from us so \$300 million more I mean I have to understand more before I say we should do that, but fine, that makes sense, \$2.7 billion to \$3 billion. The state is going from \$8.6 billion to \$3 billion. Why?

BOB FORAN: Because between the state and the city and the Legislature has enacted, we have—
[background comments] We have a Central Business District tolling. We have the Internet Tax and we

have the Mansion Tax totaling \$25 billion that we're receiving. The extra \$6 billion dedicated for accessibility being asked of the city and of the state is part of that.

SPEAKER JOHNSON: But that—but that money for—that \$25 billion is what the total amount is when you—when you bond the—the Central Business—Central Businesses are tolling money. That is coming from New Yorkers. That's coming basically from New York City streets. So, it's coming from New York. It's not coming from the—the State Legislature or—or—or sort of a general state legislative fund of the state's budget.

PAT FOYE: So, Speaker can I--

SPEAKER JOHNSON: Yeah.

PAT FOYE: --can I make two points. One is with respect in the 2015 to 2019 Capital Plan the current one, which started 18 months late as Bob noted because of the delay and the approval by the Capital Program Review Board. We—we—we expect, and it's been our experience that every dollar that the State of New York and the city of New York committed to the Capital Plan is available, appropriated, authorized and when we ask for it to be committed or

spent it will be so, and that has been our experience so far. With--with respect to the city of New York and State of New York's commitment to capital plans in the past, if--if we start with the 2015 Plan and the 2020 Plan, the city of New York will have committed about \$6 billion in total, and the State of New York will have committed about 12--12 in total. If you look at all the approved capital programs going back to 1982 when Mr. Ravitch was the Chair of the MTA and excluding the 2020 to 24 plan, the city of New York has provided about \$13.2 billion in--in capital to all those capital plans, and the State of New York has provided 35, 34.5.

BOB FORAN: And I also would need to point out all of the money coming from the state has been appropriated. It's fully appropriated, and that's why we are able to let contracts against it and that's why we're starting to spend money against those contracts. So, we feel--we feel very comfortable that we're going to receive the money that the state has promised in the '15 to '19 Capital Program just as we feel comfortable that we're going to receive the money that the city has committed, and we are now working with the city to identify project that they

will fund, but the extraordinary commitments that were made in the '15 to '19 Capital Program where we received significantly more additional funds that the agreement was that those monies would come at the end of the Capital Program and the monies are starting to flow, and we do appreciate it, and we are spending against it, and I'm confident it's going to come in.

SPEAKER JOHNSON: So, why should the city make it's capital funding available earlier in the plan and the State's.

BOB FORAN: A good question.

PAT FOYE: Well not earlier than the State's.

BOB FORAN: No, no. it's coming in at the same time on the second capital program, and the-what the ask is of both the City and the State is this time we'll first spend the money against the Central Business Tolling District revenue that's been identified. We'll spend the money that's coming in from the sales tax, and we'll spend the money that's coming in from the Mansion Tax. Once those monies are committed against, and we're spending those dollars, that's when we're going to ask the City and the State to provide the funding \$6 billion as requested. Then

the MTA will sell \$9.7 billion worth of additional debt, but it will do it at the end of the Capital Program just as this time we did it on the front end of the Capital Program, and the reason we're making that request is we're just trying to push as far off as possible anything that would have pressure on the fare box.

SPEAKER JOHNSON: So, why should the city give the MTA the additional money when you haven't finished your current plan?

BOB FORAN: Because we're starting committing against the next plan.

PAT FOYE: So, Speaker, I think there are two answers to that question, and then I'll turn it over to Janno. Answer 1 is that \$3 billion from the State and the \$3 billion from the City of New York are dedicated to accessibility investments with respect to the city's investments entirely to accessibility investments in the subways, but the second point is the point that Bo just made doing this and this consistent with the theme that in your opening remarks about pressure on the operating budget, extending--sorry--delaying the MTA piece the 9-- the \$9 billion that Bod just described will reduce

the operating--the pressure on the operating budget from the increased debt service. We--we will delay it and, therefore, reduce it, but the--the programmatic point is that the \$3 billion from the state and the \$3 billion from the city will be dedicated to accessibility.

SPEAKER JOHNSON: Okay and my final question the new Capital Plan includes \$10 billion in funding from new revenue sources, as you mentioned Mr. Foran including a progressive tax on the transfer of high-end real estate and the elimination of the Internet tax advantage. This funding represents 18% of the total funding of the Capital Plan that we're discussing today the next capital plan. Could you tell us how much revenue you expect to get from each of these new sources and how you arrived at these estimates?

BOB FORAN: Those are based upon budget, New York State Division of Budget numbers. I think it's \$320 from one source on an annual basis and about \$370 million a year on an annual basis. So, in total about \$690--

SPEAKER JOHNSON: Okay.

BOB FORAN: --million dollars.

SPEAKER JOHNSON: Pat, I'm just going to—
I'm going to hopefully throw you a little tee ball
question here: Why should New Yorkers feel good
about the current state of where things are at the
MTA? I mean you've said a bunch of times and again
you and I have a very good relationship, and I
respect you tremendously as well as Janno and Andy
and now Bob Foran given that he's here today. Um,
but—but, um, you said we brought another team. So, it
sort of sounds like we have a new team. Trust us,
but given all of the financial issues, given the
questions around the Financial Plan, given the lack
of transparency, what would you say to the public on
why they should feel confident about the MTA's
direction, about the proposed Capital Plan even with
as Mr. Foran said we're in a dire financial situation
as it relates to the MTA an overarching answer to why
the public should feel confident about the MTA right
now.

BOB FORAN: So Speaker, rather than
talking about aspirations or what we're going to do
or what we might we might do in 2020 or '21, I want
to talk about what we're doing now so, I mentioned in
my opening remarks the L-Train is—is on time and on

budget thanks to work by Janno and his team and Andy Byford and his team, but the second track, well now a railroad project is on time and on budget. The third track was delivered a year early?

JANNO LIEBER: Yes the second track was delivered a year early.

BOB FORAN: The second track was delivered a year early, forgive me. OMNI the new fair payment system is being rolled out. It's met every—it's met—it's on budget. We report that to CPOC and the Board and the public regularly. It's on time, it's on budget. Central Business District tolling infrastructure we plan to bring to the Board this month in November. We actually brought it in October a month early. The contract with the selected vendor and a competitive RFP was signed early. The design we gave—the contractor the instructions, notice to proceed on the design. That is proceeding. Each of these are incredibly important projects we're working on now and L-Train's second track, third track on the Central Business District tolling are examples of where the MTA is not performing in the way that you and other important elected officials have appropriately criticized. We've got a lot more work

to do. We've got a U-transformation to go through. We've got a lot of expense cuts to make, but these are examples on major projects that we're either working on now or in the time that this new team has been in place are on time and on budget.

SPEAKER JOHNSON: What do you think about municipal control of the subways and buses, Pat.

PAT FOYE: Um, so Speaker it's-it's-it's a very complicated issue. I would note the following: First, I think your proposal was interesting and-and provocative. Um, I-I think the points I would make would be the following: One question would be regional taxes like the payroll and mobility taxes and-and other things, which are fundamental components of the MTA's financial structure today are a-are a byproduct of the fact that the MTA is a state agency. So, figuring out a way to replace those I-I think would be unbelievably challenging. Second is obviously most transportation policy in the state of New York is set by the State Legislature, and then third, long before any of our times, the subways and buses were run by the city of New York, and -

SPEAKER JOHNSON: [interposing] Until Governor Rockefeller took it away from their agency.

BOB FORAN: In—in 1969, correctly, but the circumstances leading to takeover was from instance a long period of time where the subway fare was not increased. That may have been an equitable thing to do, but obviously had a significant impact on the financial condition of New York City transit at the time and I would suggest that a significant impact on the ridership experience. Um, I—I think it's a very complicated—it's a very complicate issue that will be decided at levels significantly above my pay grade by elected officials in—in Albany, and, um, and here at the—at the City Council. Um, for now, we are proceeding with the assumption that the MTA's current structure and authorizing legislation will continue, and we're pushing forward with improving service improving customer service and transformation.

SPEAKER JOHNSON: So, as contributing—I assume, Pat, you're glad that Andy Byford is still here? I don't want to make him uncomfortable, but I'm assumer you're glad he's here

PAT FOYE: Amen. I look forward to working with him for a long time.

SPEAKER JOHNSON: [interposing] So how did you convince him to—to retract that, um, resignation letter that none of us have been able to see to understand why he wanted to resign.

PAT FOYE: So, so, Speaker in—in my mind, um, to use a British phrase, I think that's talking cheese, and I think that's, um, that's long past us.

SPEAKER JOHNSON: Well I want to—I want to see Andy to be empowered. I think he's—he brought a tremendous amount of confidence, um, from the riding public to the MTA. He and I did not discuss this. He's blushing and looking away as I say this because I think that's the type of person that he is, um, but I think it was very dispiriting, and, um, upsetting for New Yorkers to see that potentially he was leaving, and I'm glad, Pat with your leadership you were able to convince him to stay. I'm sad that Ronnie is leaving. I'm happy for her in her retirement, but she's been a great person to work with, and has a great career in serving New Yorkers, and I want Andy Byford to stay to be empowered to not have New York City Transit be weakened in this transformation plan. The City Council I think I could speak for the vast majority of us has tremendous

confidence in his leadership and his vision and his formulating the Fast Forward Plan. I want to give a shout out to Sarah Meyer who has done a tremendous job in customer service at the MTA under Andy and I just want to leave you with that today, and I hope you understand the gravity of that comment that I give because I think literally millions of New Yorkers are watching, and are grateful for Andy Byford's service and leadership and vision at New York City Transit.

PAT FOYE: So, Speaker, I look forward to working with Andy and Sarah Myer and their colleagues for—for a long period time. I think the, um, success of the Subway Action Plan thanks to funding from the State and the City the dramatic increase in on-time performance and the increase in ridership speak for themselves.

SPEAKER JOHNSON: Pat, thank you for being her, Janno, Andy, Bob and I really appreciate this long extended back and forth today. I look forward to following with specific questions to Janno on the projects, the cost overruns, the bundling, the sequencing, the phasing all of that to understand, um, what's going to happen in the future, and with

that, I turn it over to Chair Rodriguez. I apologize for taking so much time, but Pat told me he's available to be here until about 11:00 tonight. Thank you very much. [laughter]

PAT FOYE: Thank you, Speaker. We look forward to coming back.

CHAIRPERSON RODRIGUEZ: Thank you, Speaker, and—and before asking a question, I'm going to say [Speaking Spanish]—out of the Washington Heights then through the Bronx, Queens, Brooklyn and Staten Island. [Speaking Spanish] I believe that having Senator leaders Stewart-Cousins and Cal Hastings make a big difference to get the criminal justice reform and the new housing law that passed because they come from places that represent the underserved community. I do have an issue when you say we are the leadership of the MTA, and there's no diversity there. I feel that you make a difference and we should address it. Most of the individuals that you mentioned doesn't reflect the New York City that we have in 2019, which is 29% Latino, 27% African-American, 15% Asian and, you know, the new leadership of our society we have to be very careful because there's a new way of, or youth, people who

are not yet, they're organizing the groups in County Park. (sic) That movement didn't die at the park. That movement is spreading to the whole society and they will continue getting into the subway demanding free transportation. They will continue getting into the subway saying we don't need to have any police officers using their power, and they will bring in thousands and they will question why and how do we react, and I feel that we, all of us who are in position of powers inherit a society that we don't—we are comfortable in being placed with our diversity, diversity of the color of the skin, diversity with the gender, and I just hope that the MTA that we want to see reorganized for the future because we cannot leave the MTA with the past behind. The MTA is still there, the MTA that failed or transpires, the MTA that fails our accountability. The MTA that fail over-pricing a lot of work that they did, the MTA that only use two private sectors to do-corporation to do most of their job even though there was like a time could do the job that could reduce the cost, and that's why when the 125th Derail happened, I did call for a forensic audit of the MTA, and your case you were not in the position where you are today. So this

was not only--this is not only about individual This is about an institution. So, how comfortable can we be running institution that we know that there is no diversity in leadership or people they can bring different experience, and let me put it--let me put it in this way. Let me make a point here. You can throw some name, some number. It is better to accept that the lots of challenges, because you try to justify, you would not be accepted by the 100,000 of people who are following the conversation that we have in the city of New York. We have a problem because society of today are thinking that segregation is over because we changed the law. It doesn't happen if we don't change the culture. So, here were are, and as you know, I would be the first one advocating for more resources, but I have issues with lack of leadership, with lack of diversity in the leadership of the MTA. You can press for Eddie who was there, you can throw another name, but I just look at all the faces. Where is the Latino in this room? Where is the diversity of black, and you don't have to be black or Latino or Asian to represent everyone. Everyone would like to see people that bring their experience to the table. So, how can we,

you know as we are getting ready like forty days we start, you know, seeing the MTA implementing the most-probably one of the most ambition plan of \$54 billion dollars. Also ready to share with the city of New York that as you-as you are making changes on how and where to invest it, also you're making changes on diversity or leadership the reflect the City of New York.

ANDY BYFFORD: I might just start, Mr. Chairman if I may because I-I fully agree with you and I pride myself on working in my last role on the Transit Commission, but also here at New York City Transit. So, I would say it's the most pertinent or relevant agency for this building because we-we provide subway and bus service throughout the city. So, on merit, I'm actually very proud of the executive team that I have built, and again, it is on merit. We have the first woman ever to lead the subway in Sally Librera. Our Chief Customer Officer is with us today Sarah Meyer. I have on my Executive for the first time ever a wheelchair user Alex Alagrudin (sp?) who I think hopefully you would agree has made a huge amount of difference in pushing forward, driving the accessibility part of Fast

Forward a full call for the Fast Forward Plan, and across my executive but also the next layer down, I think we have tremendous diversity in terms of gender, race, physical ability and sexual orientation, and that also manifests itself in our GSM Team, the Grout Station Managers who are now placed across the system. There's 22 of them around the system, again on merit they were chosen to reflect the city that they serve, and so you only have to look at the pictures on the stations because again it's about accountability, and you will see black faces, you will see Asian faces, you will see Latino faces. So, again, I'm very proud of my executives certainly for—I can't speak for the MTA as a—as an entity because I—I don't, um, lead that, but for New York City Transit, we an incredibly capable, highly diverse executives that has been chosen on merit, and I think the results speak for themselves and reinforce your very valid point that it's not just the right thing to do to have diversity in your management team. It's the, um, it's the smart thing to do because a diverse team creates far better business outcomes, and I'm very proud of what we've achieve so far.

CHAIRPERSON RODRIGUEZ: That diversity reflect the New York City or the 20--no, the '19 Census that was 96% white, only 2% Black and Latino were not counted. That diversity doesn't reflect the New York City of today that is 29% Latino, 27% African-American, more than 50% Asian, and it's not having one as a token because we want to fulfill this space. It's about that we need to push harder in the process of recruiting because we want to make the MTA, you know, the best one, the best model in the nation, and for me this is big one. You know, when we have areas of the South Bronx, 750,000 people, 500,000 Latinos, most of them poor, I want to see. I want my two daughters to know that there's leaders in the top institution, institution that has a value of one trillion dollars of people who look like them. So, I'm happy to see, you know, changes that happen to see I think that people should hired, recruit based on capacity. That's what we're pushing for but this is not only about the MTA. It's something about nationwide, but in citywide. So, I just hope again for me it means a lot because especially now as we are addressing, you know, train station, where are we giving priority? You know just like everyone use

Times Square. All of us use Columbus Circle. It's important for the economy, but also stop at the 149 and Third Avenue at night. Stop at Jerome and 170, live at the Diamond Houses and have a need to go to Riverdale in a wheelchair. You have to go down to 96th Street in the 1-Train because that's the next station with an elevator in order to go up to 231st and here we are and fixing and putting the new Elevator at the 168, and I just know about you as a new person in the city someone that I'm not going to say I don't know how. I feel that you became open. You're not shy about people's frustration, and it's not only on your decision, but it is, that elevator on 168 the money and technology is there to deal with the rock and those elevators should be going down to the platform instead of leaving the elevator the new one like a one-shot on opportunity investing millions and millions of dollars in the area, that institution that's important for the students going to Medical-- Columbia Medical School, they're residents, they're patients. If they will taking the 1-Train elevator they will get a new one with a group ribbon cutting, but it still will continue going to the same area and not been going--not going down to the platform to be

accessible to on million New Yorkers with physical challenges. So, I feel again that diversity of voices and experience is important, but let me also move into that question.

PAT FOYE: Chairman, could I just make two comments if-if I would. Um, for those looking for accessibility investment, this plan will spend \$5.2 billion on accessibility in the subways, and cover 70 new stations Fast forward it was 50. We've taken it now to a new limit. We believe this is the largest single capital plan investment made any agency and accessibility in the United States. On the diversity issues, Andy talked about hiring at New York City Transit, I-I just wanted to make this point. I know this is important to you and your colleagues. The MTA is by far the most efficient organization in terms of MWBE spending and investment in the Capital Plan, and over the last several years, on the existing Capital Plan, we've made MWBE awards north of a billion dollars. Um, Michael Gardner, who many of you know is the senior leader who leads that effort, and I think frankly, he is--

2 CHAIRPERSON RODRIGUEZ: But that-but
3 that-I'm sorry. That he is the best Chairman, but
4 that is another angle of the question.

5 PAT FOYE: Yes.

6 CHAIRPERSON RODRIGUEZ: The question of
7 diversity is about position--

8 PAT FOYE: Yes.

9 CHAIRPERSON RODRIGUEZ: --of leadership
10 by the institution.

11 PAT FOYE: Yes.

12 CHAIRPERSON RODRIGUEZ: And even though
13 MWBE I think that that's. you know, I take it to
14 another question which is-

15 PAT FOYE: Right.

16 CHAIRPERSON RODRIGUEZ: --a lot of
17 changes have to be made because there's a different
18 way of how public and private are able to make the
19 number without going to the real men, when Black and
20 Latino and women there's a different way of how
21 corporations being established in partnership and be
22 able to come out with the numbers. So, you know,
23 that is even another area.

24 PAT FOYE: Yes.

CHAIRPERSON RODRIGUEZ: I have seen good progress, but I feel that, you know, we should definitely look at new reforms to get the MWBEs to really go to people who live in those communities that need to create the more-more jobs. With-with the 500 new police officers, my first question is how many men and women do we have right now?

PAT FOYE: 700.

CHAIRPERSON RODRIGUEZ: And patrolling the--

PAT FOYE: And the MTA police approximately 780, a number like that.

CHAIRPERSON RODRIGUEZ: Okay, so one-one new law that we passed at the Council is that now when because of previous negative experience that someone called 911. I remember two years ago there was a person killed by the police at Amelia Avenue in Inwood, and there was a 911 phone call. The person way saying send me a police officer. I want to kill them. However, the unit who replied to that phone call was not trained to deal with mental health. So, this really is about the average training that all police officers will receive. Do you anticipate especially now the MTA during the cold winter, you

know, being a destination for people they don't have if they got to leave, we have a lot of people also dealing with mental health issues that when there's cases that involve someone in a mental health issue, not only the men and women of the NYPD, the police officer will be responding there, but there's a--is there a specialized unit that responds on mental health cases that is the one that goes and interact with those cases?

PAT FOYE: So, Chairman, the, um, the new MTA police officers that are being hired next month and into 2020 will have gone through the NYPD Academy or will be already fully sworn officers some members of the NYPD or other regional police forces, and will have received exactly the same training.

CHAIRPERSON RODRIGUEZ: But there's not-- the City of New York right now--

PAT FOYE: Yes.

CHAIRPERSON RODRIGUEZ: --established a new law that when there's a case that is involving someone with mental health issues, the first one that responds to interact is that unit that have been trained only to respond in those cases. Is there a unit inside working with the--with the--in the MTA that

2 is also is specialized to respond with cases of
3 people that have mental health issues?

4 PAT FOYE: So, so, Chairman, um, today
5 and I suspect in the incident that you just describe,
6 the response came from the NYPD, which has primarily
7 responsibility for policing, um, the--the subways. I--I
8 will come back to you on the question about the MTA
9 Police Department, um, unit or approach for
10 interacting with the emotionally disturbed.

11 CHAIRPERSON RODRIGUEZ: Okay, with--with
12 the 51, and I don't want to get into the specific on
13 which station in particular, but for the 50--on the
14 \$51 billion capital, what percentage will be used for
15 maintenance and repair in the stations located in
16 under-served communities?

17 JANNO LIEBER: Chairman, I'm sorry.
18 Stations located--?

19 CHAIRPERSON RODRIGUEZ: In under-served
20 communities.

21 ANDY BYFORD: Um, I--can I just check
22 what--when you say under-served communities--?

23 CHAIRPERSON RODRIGUEZ: The working class
24 community.

ANDY BYFORD: How are you defining that, that's it's very broad definition with respect. I mean what's--what's your definition such that could define it?

CHAIRPERSON RODRIGUEZ: Forty percent of New Yorkers live in poverty and they live in particular seaport and they live around 149 and Third Avenue, Jerome and 170, Burnside and Jerome. They live in places in Washington Heights. They live in those communities. Now they're wharfed (sic) in the middle-class communities.

ANDY BYFORD: Understood. So--so this capital plan will make investments across the whole city in terms of re-signaling, in terms of making stations accessible, in terms of transforming bus service to bus--the bus redesigns cover every route across the whole city in terms of station modernizations, in case--in--in terms of other physical upgrades of infrastructure the whole city. So, we'd have to compare your definition against the budget to give you a specific amount, but the headline is it's across--this is designed to modernize the whole of New York City Transit and that includes those areas that you rightly reference.

JANNO LIEBER: As stated, Mr. Chairman if I may, Obviously in this—in the ADA and Andy and his team together with some important stakeholders did the selection of the initial 50 stations, but broadly speaking historically the investment in ADA accessibility has been in the center of the system in the so-called, the—the—the hundred stations that received disproportionate volume of ridership, and those tended to be in Manhattan. So, this plan in addition to the principle that Andy has laid out of having an accessible station no more than two stations away, it will be disproportionately reaching into the boroughs outside of Manhattan and into some of the communities referenced in your question.

ANDY BYFORD: Mr. Chairman, the reason that's important is again to build upon about what Janno has just said, the methodology that we applied and there's actually applicants here who—who very usefully worked with us on—on applying those methodologies, um, was designed to ensure that going forward for accessibility, you'll be no more than two stops away from an accessible station within five years, which is a huge step forward from where we currently are. In fact, by going beyond the Fast—

four to 50 station and you only needed 36 scientifically deployed to make that no more than two--no more than two stations away. We're having 70. We won't be far off. No more than one station away. So, by definition a lot of that money and a focus will be--will be targeted to outside Manhattan precisely because those areas have fewer elevators. So, so, that, I would like to think gives you assurance that and we're--we're spending this money and applying this focus across the whole system. What we will do is use census tracks to come back with a specific percentage allocation against the money that's being targeted. We can work that out for you, but again it's important to note that because we wanted to achieve that objective de facto, the extremities of the city will get more elevators. They have to in order for us to achieve no more than two, possibly even no more than one stop away from an accessible station within an unprecedented time frame.

PAT FOYE: And likewise, everyone of the--the lines that's receiving re-signaling under the proposed capital plan reaches into work--what you had just described as a working--working class

communities, the A-C Line obviously serves Central Brooklyn as well as the northern reaches of Manhattan. You've got the Lexington Avenue and what some people think of as being in the east side of Manhattan line, but you know, Chairman, that that serves huge numbers of people in the Bronx, and continuing into Central Brooklyn. So, each of the lines that's receiving re-signaling will allow it to deliver faster, better, and more frequent service is touching the communities of your particular concern.

CHAIRPERSON RODRIGUEZ: I just hope that as we will be celebrating Martin Luther King two months from now his birthday, that besides going to masses to celebrate him, we also dream on his dream to bring social justice to transportation, and-and I remember when the Governor, you know, came to Manhattan Center and many of you you were there and one thing that I like about his presentation was about we need to deal with the reality. There's a crisis. So the first thing that we need to realize is that immigrants in working class neighborhood, have been left out. If you as a resident of some community what do you think that the train station is not well maintained and protected? They will say

because most of us are working class and Immigrants,
and I just hope again that we use this opportunity.

You know life that chance for us to leave the
fingerprints of doing that. We're going to be doing
business as usual, another chair, another new city
transit will pass by. There is a real issue of
inequality in New York City. Yes, all of us will be
using the train station here in Manhattan, but

there's the forgotten stations. I was waiting for
the bus at Jerome and 170. That was like 40 minutes
like 11:00 p.m. waiting for the bus. Just imagine
people who live in transportation deserts area that

they need to walk 10 blocks away from the train
station to their apartment. A teacher that want to
make a difference teaching in a neighborhood where
they also need to walk 10 blocks, and I know that

this is top priority for you. I just want to
highlight it, the importance that you look and, you

know, especially from the staying in your leadership
we're good on doing PowerPoint presentation. I would
like to see something around how with the new \$54

billion we are addressing giving priority to working
class under-served community. No, I'm not thinking

about bringing the new station. It's no building. At

1 least maintain it for people to feel safe when they
2 take any station. A station in Columbus Circle at
3 115 and Broadway around Columbia University should be
4 as safe and as clean as the train station 2-Train at
5 149 and Grand Concourse where we have also Community
6 College—

8 ANDY BYFORD: [interposing] Let me say—

9 CHAIRPERSON RODRIGUEZ: --where we have
10 the Lincoln Center that I know that you have our
11 plan, but there's no elevator in that station.

12 ANDY BYFORD: Right. This is a plan for
13 New York City. It's not a plan for Manhattan. This
14 plan deliberately has one full quarter of it
15 addressed to accessibility, which goes across the
16 whole city. It also and across all five boroughs. It
17 also has detail of how we will progressively re-
18 signal the whole subway across all five boroughs. It
19 has a further quarter dedicated to the re-design of
20 bus routes and bus service by talking to the people
21 across all five boroughs. In my job I go across all
22 five boroughs. So, I'm entirely, Mr. Chairman on the
23 same page as you.

24 CHAIRPERSON RODRIGUEZ: We are and that's
25 why we've been from day one we like what you bring to

the city, and definitely would like to be working with you but also we just need to know that we need to be sure that we address again those two pieces not only for me and for those who are the Black and Latino in our nation, everyone should be committed to bringing leadership at the top, diversity at the top, and everyone should be committed to saying the train station the buses that run through their work-under-served community should be the same as anyone that run through the upper class community. My next question is about how much does the federal government contribute to our transportation system that is important not only for the city economy, but it's key for the nationwide economy?

PAT FOYE: How much are we assuming in the current plan? Approximately \$10 billion.

CHAIRPERSON RODRIGUEZ: Can you explain, if you don't mind, where-what is-are they-are those \$10 billion going to a specific project? I know that some that is for the Second Avenue Subway, but--

PAT FOYE: So-so Mr. Chairman about near \$8 billion is federal formula and flex and we have assumed Federal New Starts, a grant for Second Avenue Subway Phase 2 of slightly under \$3 billion. We

believe the assumptions about the federal formula and Flex are appropriate. They're based on recent levels of the funding of federal funding. We are not assuming an increase. I—I think there's a substantial case to be made that, um, New York City and New York State do not receive their fair share of federal transportation funding, um, by our assumption for this Capital Plan is approximately \$10 billion, and the, um, the competitive grant funding piece of that would be for the expansion of Second Avenue Subway into Harlem, which obviously would take subway or bring subway service for the first time to a transit desert.

CHAIRPERSON RODRIGUEZ: Yes. I—I just—and—and—and how much is that plan also anticipate that we count for the Second—for the expansion of the Second Avenue Subway?

BOB FORAN: The—the—the total costs, I defer to Janno.

JANNO LIEBER: Um, it's—the total projected cost is \$6 billion and I would add to you we—we—we're not just asking the federal government for money. We've gone through multiple phases of reviews by the Federal experts at USDOT and their own

consultants and they've actually given New York high marks in the plan for the Second Avenue Subway in addition to the fact that it's overdue that we make good on the commitment to the people of East Harlem who have been waiting since the '30s and '40s when we knocked down the elevated trains, to have first class mass transit, but we have convinced the federal government that we rate high on their system and we're cheaper on a per-rider basis than almost everywhere else because we have so many people who want to use that Second Avenue Subway Phase 2 in East Harlem and Central Harlem, and this project is ready to. It rates highly on the federal scale, and it deserves the money.

CHAIRPERSON RODRIGUEZ: But it's difficult not to have any doubts of that money when all we know based on what I know is that it's based about the Pres--the guy in D.C. who say in a Twitter that he would support bringing funding for this expansion of the Second Avenue Subway, right?

JANNO LIEBER: Yeah, we would--

CHAIRPERSON RODRIGUEZ: [interposing] He said, or let me put it this way. Is there any concrete and solid commitment in writing by-by DC

that they will fully fund the extension, the expansion of the Second Avenue Subway?

JANNO LIEBER: No. What they're--what-- we've been going through the process. This is a normal federal process for a complete grant of this size and let me add, Mr. Chairman in the United States projects of this magnitude of a new subway line are always built with federal support, but we've stepped through the various hoops, and now we're waiting for the next step for the--for the federal government to approve us to enter the next phase--

CHAIRPERSON RODRIGUEZ: But we don't have the money.

JANNO LIEBER: We don't have it absolutely locked up, but we've received high marks, as I said, and there's no reason not to say to the federal government you ought to give it to us.

CHAIRPERSON RODRIGUEZ: Well, with--with the guy that we have in the city we never know what happens tomorrow. We never know what other Twitter he will send tomorrow if he get mad with Senator Schumer and he get mad with Congressman Nadler hoping their voices are advocating on transportation

so, I get what you say. This about an institution, but the fact that we are putting that dollars as projection of money that we will have not based on—we can say, we can dispute the city and the state when the capital money will come, but we are saying in that budget we are also counting with number that we don't have anything in writing from the DC that they will fund the expansion of the Second Avenue to 125th.

JANNO LIEBER: And absolutely and we—we're not going to let the federal government off the hook, but I respect your point. It's not certain.

CHAIRPERSON RODRIGUEZ: Okay, and with that, can you -have you tried because there's one guy—one thing that this guy has been taking advantage from D.C. is to do good for his business, and many of those businesses that are in New York City and his partners. So, have you tried to work with the public-private sector to see if from D.C. there's a commitment for to get the dollars to expand it to the South Bronx.

JANNO LIEBER: I don't know that there's you know, there's an option for future phases to continue to the South Bronx, but what I would say to

you Chairman is (1) we have worked closely with the business community especially the East Harlem Chamber of Commerce and other East Harlem businesses to support this application. As far as the Bronx goes, the idea of connecting to the Bronx that area where the connection was going to be made we actually are funding in this Capital Program proposal as part of the Penn Station Access Program—Project that would bring Metro North Commuter Rail Service to the entire East Bronx, and --

CHAIRPERSON RODRIGUEZ: [interposing] No, I'm sorry. I'm just focusing on the Second Avenue that right now--

JANNO LIEBER: Right it's the same tracks. It's the same trackage that had been thought of as a potential, um, connection for the Second Avenue, the same right-of-way. So, my point to you is we do have a plan for connecting that same area of the South Bronx into providing additional commuter-- commuter and mass transit service, and it is funded in this project through the Penn Station Access Budget.

CHAIRPERSON RODRIGUEZ: So, you think it's possible that the Second Avenue will get funded

not only to 125th but to get funded up to the South Bronx?

JANNO LIEBER: No, I think it—I think—my point is that I think Second Avenue funded to 125th is real and—and we should continue pushing for it, but in this program we're serving the same area that was hoped to be funded in one version of Second Avenue Phase 3 or 4 in—in the existing Penn Station Access project, which we have in this plan.

CHAIRPERSON RODRIGUEZ: Okay, and my last question now before calling my colleague is about the system has seen an increase of ridership recently, and how are you, you know, looking? What—how do you—what do you attribute that increase of ridership to, and—and how you maintain gain in the OTP?

ANDY BYFORD: Thank you for the question, and I would attribute it to the fact that service is becoming more reliable when, um, you cast your mind back, Mr. Chairman to January of 2018, the On-Time Performance Statistic was an embarrassing 58% of trains arriving within five minutes of their booked time. Only as the Chairman said earlier on, only just a couple of months ago we actually achieved 84% on time performance and we've now hit 80 over 80%

performance five months in a row. So, the service is definitely stabilizing. We have, as the Chairman said, we have introduced new signaling on the 7-Line, and that line went up from around 63% punctuality to 9% punctuality. So the Subway Action Plan, The Save-Save Seconds Campaign, all of these things are benefiting customers who are noticing quicker journey times, less disruption, fewer major incidents, quicker response times. So, people do feel now certainly my interaction with customers everyday on the subway that people do say to me they are noticing a difference, and so, therefore, that's attracting them back to the subway. Meanwhile, on the buses let's take the 14th Street as an example. We've seen a 34% increase in ridership on 14th Street since in conjunction with yourselves, with the city and with DOT and I'd like to thank Polly Trottenberg for her invaluable support and that of her team. Um, we've now achieved a huge percentage increase in the average speed of the of the service end to end. The journey time is down, and customers are flocking back to what was a route in decline. There was a precipitous decline in that bus service before, and if I site a second bus example the Staten Island

Express Network where we redesigned it and in conjunction with the community. Already customers are noticing increased reliability, faster average speed and shorter journey time as a result of the work that we've done, which we're now replicating in the Bronx, and we're underway in Queens and we're underway in Brooklyn. So, I think progressively as you attend to the base reliability of the service you drive up punctuality of the service. The great work that Sarah and her team is doing to make customer information better, we've had a push on cleanliness. You know, there's—there's a lot to making a transit system attractive, and we're targeting—actively targeting all of the key points, and that's bringing people back to buses and subways. There's a long way to go, but we intend to continue on that upward trajectory.

CHAIRPERSON RODRIGUEZ: Okay. I'm sorry. With the Fair Fares providing 50% discount to New Yorkers living on poverty line, will you support a plan to expand the Fair Fares to provide 100% discount to New Yorkers living in poverty?

PAT FOYE: We would support a city funded expansion of Fair Fares. We provided 150,000 Metro

Cards in Phase 1 of Fair Fares. I believe 96,000 or a number like that has been disbursed. I—I think that a city funded expansion of Fair Fares, Chairman as you have described is something that we would work with the city and city agencies to, um, to expand and we commend you for that suggestion.

CHAIRPERSON RODRIGUEZ: Okay. I also introduced a language to create legislation to create the Transportation Improvement District that follow the idea through from some professor. He will create by-with a small contribution and data to—from the business community in their commercial space every year he will help us to raise \$1 billion every year. Will you be open to—you know, of course will as I say bring the money in because need it, but I know this is something that will require again public and private and academic, you know, leadership to that potential idea. Will you be open to, you know support different ways the creation of the Transportation Business Improvement District so that that money will be used for transportation?

PAT FOYE: So, Chairman, we've been very candid here today, at our board meetings at the State Senate and Assembly hearings and up--up--up the

street up Broadway about our financial condition.

We're in dire financial straits, and um, additional revenue would be welcome at any time at the MTA, but particularly now, Chairman.

CHAIRPERSON RODRIGUEZ: Thank you. With that [off mic] Council Member Cohen.

COUNCIL MEMBER COHEN: Thank you, Chair. Good afternoon I will say that I have found this hearing—I've learned a lot already. So I appreciate you taking the time and talking to us today, and I do have some systemic questions, but I—I would be remising if I didn't take this opportunity even though I'm—I'm aware that you—you are all intimately aware about my concern about the impact of the proposed reduction of services to Express Bus service to the western part of my district. I also although they haven't quite been as vocal, I am concerned about on the BMX-4 the bypassing of the—the Norwood Station, but to your credit, I have to say I am extremely appreciative that you have sent, you know, high level leadership to come to the district to listen to people, to hear their concerns and I look forward to coming up to a solution that serves your needs as well as the needs of my constituents. Um, I

do have some questions about accessible stations. I guess if we're talking about 70 stations, it sounds like you've—you've identified 50. It sounds like you also have a principal in terms of trying to make sure that within two stops there's an accessible station, but to the extent that you have discretion, how are we going to identify the remaining stations and making sure that the city's , you know, that they're all communities are represented?

ANDY BYFORD: Okay. Well, first of all, Council Member, thank you very much for the kind comments about Riverdale. We've—we-I would stress again the—the-the discussion is not over although we have come up with a final plan. We did make the points and I'm happy to re-reiterate in public here that the debate is ongoing. We know you have concerns. I've got my colleagues Craig and Mark here today, and we will continue to talk with you. Um, on the basis or the points of accessibility, just allow me to just comment on how we chose the first 50 and specifically the first 36 in order to get to no more than two stops away, and then I'll come onto the remaining 22, and that was very simply by applying some science behind where you need to fill in the

gaps in order to achieve that no more than two stops away objective, but also by applying a bit of logic and applying a customer lens to look at for example it makes sense to be mindful of demographics so if there's an area with a particular high senior population if there's a hospital, we look at interchange stations, we look at stations where perhaps we've only done half of the stations so it make sense to finish the job off. We look at stations where there's an interchange with buses. So there are a series of criteria that we apply so that ultimately we want to get every station done, but in the meantime, let's do those that have the most value, and we also obviously look at footfall as well, the numbers of people using the station both on an in and an out or an interchange perspective, and so I would—I would recommend that we—we adopt that same strategy, and certainly we've got an idea which the 22 should be [bell] but we're very happy to continue that dialogue in conjunction with yourselves and the advocacy groups.

COUNCIL MEMBER COHEN: Chair, just a couple of quick ones. You know, when I ran for office someone told me that I always had Metro Card

in my wallet just in case the media ever asked, and they never have, but I can say that I'm particularly knowledgeable OMNI because I guess, you know, it's limited installation so far. Could you talk about how that--that's going, what the impact will be and--and also about in terms of integration of paying for services. That came up as a discussion regarding the buses, and I'd like--I think that there is value in having an integrated pay system for including express bus service?

ANDY BYFORD: So, I'm very excited about it. I think it's an absolute game changer for New York. I was in London when the Oyster Card came into being and that certainly transformed--transformed, um, transit in London. In my latter days of the Transit Commission we were rolling out the Smart Card there. So, it's definitely the way to go. What is, um, what's particularly exciting for New Yorkers we're not just using cards, we are going straight to what's called open payment. In other words, you will be able to pay with a phone. You will be able to pay with a Smart watch if you've got one of those watches that's linked to say an Apple payment system. You'll be able to use your credit card. We're doing it in a

phased fashion. It's a--it's a very simple methodology where you--you tap and the fare is deducted and you're good to go. You never have to talk it up. You can set your bank to alter reload. You'll still be able to use cash, but you'll be able to buy either a machine or through a third-party vendor. We will progressively be migrating all the existing products onto the OMNI system. So, at the moment it's pay as you go on 16 stations and on all the Staten Island buses progressively over the next year every bus and every station across all five boroughs will be fitted with this, um, this system. It's configurable. It means that you can for example make it more inter-regional. We're already talking to the Path people and to New Jersey Transit. So, it's the way to go. It's on time and it's on budget and it's hugely exciting.

COUNCIL MEMBER COHEN: Thank you. I do have--I have one more question and just, you know, I do want to echo some of the concerns raised by the Speaker in terms of the city's role I leadership at the MTA. I--I--I, you know I want great mass transit for my constituents, but I do--I do have some concerns about funding the MTA what I feel--and I do realize,

you know, this is not good decisions made by you guys, but that the—the role of the city and leadership of the MTA I think is a real concern particularly, and I think the Speaker also made the point that not only do we pay direct transfer of resources but, you know, congestion pricing is going to be paid by New York City residents. It—it all—we—we pay more than our fair share, and I think that we don't have, um, the role that we should have in terms of governance. I was a little—I'm interested because people have talked about the signal modernization as sort of a panacea. I'm curious as to what the impact will be in terms of capacity if you feel confident that you know what that impact will be. Will it be as significant as I'm under the impression it will be?

ANDY BYFORD: Um, sorry, Council Member. I think it is a panacea. I said when I got here the most transformative thing we can do for subway service is to bite the bullet and get on with re-signaling. Let's just take the two lines that are currently under modern signaling. Those are the L-Lines and the 7-Line, and it's no secret or coincidence that those regularly achieve over 90%

punctuality whereas the other conventionally signal lines are at a lower level. Um, and let's take another example. On the 7 we jumped from around 25 trains per hour to 29 trains per hour, and the reason it's so transformative is twofold. Number one you get exponentially more reliability with modern signaling because you're not reliant on so much line sight equipment, which is in itself potentially a single point of failure. Trains stops, straight (sic) carts, airline's signal trees. There's a lot and it's a safe systems, but there's a lot of mechanical equipment that has to be maintained or could go wrong, and because—and the second reason because the trains talk to each other, it's a train-to-train communication system or CBTC. Um, you can run trains safely closer together. So, it's way more capacity around typically we're seeing around 10% more capacity. Um, and there are lines out there around the world and back on my old stomping ground the Victoria Line, 36 trains per hour. It's a very, very capable system. I brought in a world class signaling expert, Pete Tolman. He knows what he's doing. He's done it around the world. This plan will see CBTC rolled out across the system in an

unprecedented fashion. It really is transformative actually.

COUNCIL MEMBER COHEN: That sounds amazing. Thank you, Chair. I appreciate you letting me abuse the clock. [laughter]

CHAIRPERSON RODRIGUEZ: Council Member Richards.

COUNCIL MEMBER RICHARDS: Thank you, Chair and let me start off by thanking you all for the work that you're doing. The A-Train has been running better recently. We're not out of the woods yet. Um, before I begin I just wanted to, um, start off by just asking some questions around vending and--and the MTA system, and I just wanted to hear a little bit more about your policy around vending in our subways.

PAT FOYE: So, Council Member, um, the city of New York Department of Health regulates food vendors in particular. Other vendors are regulated by other parts of the city. The current city of New York Department of Health Code prohibits the selling of food within 10 feet of a subway station, and unless--and inside a subway station obviously there are--there is some food vending by vendors that have

been approved and entered into a lease with the MTA, and their food storage preparation-preparation, et cetera has been approved by the Department of Health. The, um, the concerns that we would have with respect to a, um, unregulated food vendor program in the subways would include the following: First, subways-subway stations whether it's the stairs up and down, the mezzanine, the platforms, et cetera have limited real estate, um, and they are crowded places. So, there's a safety issue related to crowding and-and having a significant number of vendors in a subway station. There are significant issues related to the preparation of food storage, et cetera, um, refrigeration that-that I just mentioned. Third, there are questions what happens to the food if it's-if it's not all consumed or in preparation and-and vermin and-and last would be a cost issue from an MTA point of view. Um, any proposal that's made by the city, the Mayor or the City Council we'll consider seriously, of course, but those are the issues that we would have as the operator of the subways.

COUNCIL MEMBER RICHARDS: And I know there's been a proposal thrown out there on dedicated space to alleviate quote/unquote "congestion"

although we know congestion has a lot to do with the, um, infrequency and the trains coming on time and coming more rapidly. That's what actually adds to a lot more congestion in our subway system. Um, but what I'm getting is, you know, we don't want to see people criminalized over selling churros. Um, you know, I'm confused at how that's adding to congestion, one person with a cart selling churros in our—in our system. So, I'm not saying that there should not be rules, but we should be more thoughtful and perhaps figuring out [bell] a medium with—with the Police Department to ensure that there at least is some dedicated space and the last time I checked there's also a lot of vacancies right now currently I think in a lot of your commercial spaces in the subway system. Am I correct?

PAT FOYE: Well, there are vacancies, yes.

COUNCIL MEMBER RICHARDS: Alright, and how many vacancies are ther?

PAT FOYE: It's—it's probably at this point north of 100, but we have in process, um, more than 50 RFPs where there is actually a selection process, and I would add that a lot of those, um, you

1 know, the--the news--the historic newspaper vendors,
2 which I--I know you're aware are disproportionately
3 immigrants--
4

5 COUNCIL MEMBER RICHARDS: Uh-hm.

6 PAT FOYE: --um, are trying to update
7 their businesses to meet with the modern--the modern
8 marketplace so they're not just selling print media
9 as people use a little less print media and candy and
10 soft--and soft drinks and so on, but we're trying to
11 help them provide a framework where there's a little
12 more walk-in opportunity, they can diversify what
13 they're offering so that that--that community can be
14 equally successful, um, in the--in the MTA's space.

15 COUNCIL MEMBER RICHARDS: We've got that
16 and wouldn't it make sense to figure out a process
17 where if there are individuals selling churros so
18 whatever they're selling down there, is there some
19 sort of process that the MTA has where they can alder
20 these individuals, Hey, there's an opportunity here
21 to partner here or if you have a hundred vacancies,
22 what--what does the outreach plan look like, um, to
23 ensure that perhaps there's opportunities for these
24 entrepreneurs?
25

PAT FOYE: Absolutely. We can—we can—we can talk about the outreach plan. The MTA has actually done a lot more outreach on some of these, um, some of these retrial spaces than it has in the past, and we've had I think some interesting successes in creating new spaces that are really going to work for our customers. So happy to talk about.

COUNCIL MEMBER RICHARDS: I'm putting on my thinking cap for a second. I think one of the things we should do rather than arresting and summonsing people for perhaps for the first time, um, for and offense is to ensure that they're getting that specific information, and perhaps the MTA should do a better job of making sure they know those opportunities are there. Um, the second thing I just wanted to put on the record is about, um, the more than 500 officers now being proposed, um, for fare evasion and literally walking off the train. I saw someone getting a summons for fare evasion this morning. Um, wouldn't it make more sense to put some of at money into Fair Fares rather than hiring over 500 individuals because of fare evasion?

PAT FOYE: Well, Council Member, as I mentioned to the Chairman, we are fully supportive of the current Fair Fares Program. We would be fully supportive. As I mentioned, we provided 150,000 Metro Cards for Phase 1. As an expansion of Fair Fares we would also support and work with the city and city agencies to, um, to make it work.

COUNCIL MEMBER RICHARDS: Okay, um, but I'll just put this on the record: If we're going to spend that amount of money to enforce fare evasion, it would make more sense to put money into Fair Fares to ensure that people could actually get on a train. The last I checked, no one hopping a turnstile is a millionaire, although the NYPD claims that they find people with stacks of thousands of dollars on them when they're hopping a train, but the people I see participating in fare evasion are from communities that historically have been underfunded. They don't have the jobs, and I just wanted to make sure we put that out on the record that that would be a wiser, um, cost, and wouldn't it make more sense to make sure that social workers are also paid for to deal with the homeless rather than having this heavy law enforcement strategy, which has never worked in the

first place. This is why we're running back into the same issues again.

PAT FOYE: So, Council Member, if I-if I might, again, totally and enthusiastically supporting of Fair Fares and its expansion. I-I did just want to note the following: The 500 police officers are not being completely dedicated to fare evasion.

Indeed, a portion of them will end up on the Long Island Railroad and Metro North and doing policing there. Um, those that are dedicated and deployed to the subways and buses will be doing what police officers do most fundamentally providing a safe and secure environment in the subways and fare evasion would be one of the responsibilities that that group dedicated to the subway.

COUNCIL MEMBER RICHARDS: [interposing]
Right, but-but subway crime I mean obviously has its ups and downs, but does hiring-I mean are we at that space where it warrants 500 new officers, um, to be in our system based on the numbers and I Chair the Public Safety Committee so I study these numbers, um, pretty closely and I don't think what we're seeing warrants 500 more officers in our subway system.

PAT FOYE: Well again, Council Member, and it may have been before you joined the--the meeting. I noted that there were about 80 positions that are open as a result of vacancies and attrition and--

COUNCIL MEMBER RICHARDS: Uh-hm. Okay.

PAT FOYE: --unfilled positions, and the, um, the 500 will be deployed across all MTA agencies. So, I--I think that point is worth noting.

COUNCIL MEMBER RICHARDS: Okay. I'm going to just go to--I just have a few questions, and then I'm going to go to my--

CHAIRPERSON RODRIGUEZ: [interposing] I'm sorry, Council Member. I'm sorry--sorry--

COUNCIL MEMBER RICHARDS: I know, I know, let me get--let me get two more.

CHAIRPERSON RODRIGUEZ: Council Member. I'm sorry.

COUNCIL MEMBER RICHARDS: I know--I know.

CHAIRPERSON RODRIGUEZ: Council Member-- Council Member, I'm sorry.

COUNCIL MEMBER RICHARDS: Okay, okay, I'll respect the Chair.

2 CHAIRPERSON RODRIGUEZ: And a Council
3 Member has the next questions so we move to the next.

4 COUNCIL MEMBER RICHARDS: I mean but you
5 took a sizeable amount of time. So, we—okay.

6 CHAIRPERSON RODRIGUEZ: [off mic] Council
7 Member Menchaca. [on mic] Council Member Menchaca,
8 Council—followed by Council Member Levin.

9 COUNCIL MEMBER MENCHACA: Okay, thank
10 you. Hi, gentlemen. Because I only have three
11 minutes, I'm going to ask my questions, and I invite
12 you to pick up your pens if you want to, to, um, get
13 the questions. So, my first question is about
14 privacy, and I know there's a big push to bring the
15 OMNI Program in to allow for every access point of
16 the transportation system to have the kind of
17 technological advanced way to get onto the train. Um,
18 we've been having some conversations here in the City
19 Council about Smart Chips, and so can you talk a
20 little bit about the privacy of the data you're
21 capturing or how you'll be able to protect that data
22 if people want it because I'm assuming that some of
23 these things are going to be connected to our phones
24 to our identity, and so folks coming in and out of
25 the subways I think it's—it's concerning and we want

to understand a little bit more. Second, do you have any data--

PAT FOYE: [interposing] Council Member, we do prefer we come back to you on that.

COUNCIL MEMBER MENCHACA: Come back. Yeah, I'm going to ask all my questions so I don't have to, um,

PAT FOYE: Fine.

COUNCIL MEMBER MENCHACA: --fight with the Chair about time, just keep-keep talking. The second question is about Lyft and other for-hire vehicles using the spaces that the buses have to pick up riders. That's been a big issue in my district. Um often times a car will wait there for a passenger. A bus honks and people don't get out. This causes a lot of delays not just around the bus stops but around MTA stations as well. Talk a little bit about data and what you're doing to that effect, and whether we can partner up at the city level to essentially make on unpickable--a place for non-pickups to kind of ban pickups. The third is the B-71 is a line in Brooklyn. Like many lines that have been cut and are asking for restoration, it's an interesting one because it points and connects to

places like Red Hook, who are disconnected from some of the main infrastructure around—around trains and subways, and so if there's any update on that, and how you're thinking about restorations. I know we've been in meetings together, um, and talking a little bit about that restoration. Red Hook also presents an interesting one that, um, connects to the ferry, but the ferry doesn't connect to the MTA, and people always ask me that question: Why can't I use my Metro Card at the MTA—my MTA Metro Card on the NYC ferry? Give us a little bit of insight on that. The Administration says well, there's no communication or, um, or actually just give us fresh—fresh information about when we can use the MTA on the ferry, and then the final, the final question is more about the work that we have to do around construction sites. So, this is a kind of opportunity as you are pushing a lot of capital improvements that spills out into the streets. As a bike rider, I don't have a car. I don't drive so I ride my bike a lot, and a lot of New Yorkers are beginning to ride [bell] feel uncomfortable without a—an extended kind of bike lane that can protect people around construction sites. That's the last thing. I don't know if that's

something that you can speak to as you—as you kind of talk a lot about the capital improvements that's going to have a big issue on the ground, and we passed some local laws recently to, um, mitigate some of that, and where does the MTA fall in those things? Okay, thank you. You can start wherever. I'm done with my questions.

ANDY BYFORD: [interposing] Well, let's—Councilman. Let me have a go at it please.

COUNCIL MEMBER MENCHACA: Okay.

ANDY BYFORD: I was just checking the answer to that.

COUNCIL MEMBER MENCHACA: I think those are four questions. Go ahead.

ANDY BYFORD: Yeah, okay. So, you—you set a time to ask your questions. That's fine. Okay, so let's kick off with—I'll do them in the order that you came up with. Janno and I expect I may need one to come into number four, but let me give these a go. Privacy concerns around OMNI, we're very mindful of those, and we're taking this very seriously. So, um, the—the data is anonymized. It's a—it's what's called anonymized aggregated data. So, we can use it to—to for planning purposes and that is very useful in that

regard because you can look at the number of taps on and the number of taps off a particular station or on a bus route, which is invaluable for making informed decisions about where to add service for example.

Um, but it's absolutely secure. So, it's—it's encrypted end to end. So, the transactions and—current and accounts information is kept secure. So we will comply. We do comply given that OMNI is already up and running in certain locations with the same banking and credit card industry security requirements that other, um, large retailers have to adhere to. So, we don't track individual people. We don't sell customer data, and we never will. So there's a huge amount of, um, of focus put onto people's anonymized data, but where the—where the data is useful on a—on an anonymized basis, we will—we will use it for that. In terms of Lyft and other vehicles for that matter using those spaces, quite simply they shouldn't be, and this is a problem and I have seen it myself, and I've seen, you know, in some cases other vehicles parked up where they shouldn't be. So, I'm pleased to--let's have a separate conversation about any specific areas that have given you concern recently, but we are aware of the

particular trouble spots around the system. We do regularly ask people to move on. They're not supposed to be sitting there. The bus stops there for a reason. It's—I think it's selfish to park up in space like that because you are precluding a vehicle that can carry 50 people, 60 people from being able to stop. So, we'll keep on that, if there's somewhere in particular that you have a concern about, um, give me a call or I'll jot you an email later. In terms of the B-71, um, well, I'd say that in conjunction—in-in conjunction also with all the other routes, we—we do have them very much under review right now. um, all of the routes in Brooklyn are under review because we've just as you know, engaged upon the latest of the borough redesigns. So, B-71 we know is of concern to you. We are having a—have a look at that, and all of the other routes to make sure that we've got them right. Um, obviously there's a balance between, um, what we—what we can do across the whole city, but I was down in Red Hook just the other day actually and, um, uh I took the ferry there you'll be pleased to know. So, I know the area, and I know how important that is to that, um, that location. In terms of the ferry and migrating onto OMNI, we would love to see

that happen. As you know, at the moment the ferries are the same price as the subway \$2.75, which I think is great. So, it wouldn't be too difficult at all to migrate the ferry system onto OMNI. That's something that we're actively wanting to talk to the city about. To me it would be crazy to not have the two systems fully integrated, and lastly, with regard to construction sites, um, I mean it's—it's something that we would need the cooperation of DOT on if we were to for example, um, install a temporary bus lane around—around the construction site, but as a—as general point, we're very mindful of safety implications around worksites. Obviously the worksite itself has to be protected, but equally we want to make sure that people migrating around it are protected if it warrants a bike lane or if it warrants some other kind of, um, protection with Jersey fencing or whatever, that's something that we actively discussed with DOT to make that we keep people safe, but we don't inadvertently create another problem. So, again, if you have any particular sites you're thinking of, which prompted the question, give me a call. I'll happily look into them for you.

COUNCIL MEMBER MENCHACA: Thank you.

CHAIRPERSON RODRIGUEZ: Thank you.

Council Member Levin.

COUNCIL MEMBER LEVIN: Thank you, Chair.

So, my first question has to do with, um, the 500 police officers. Um, what went into making this decision? Who--was there--was there a study that showed that there was, um, a shortage of--of NYPD Transit Police or was--or did you hear--did you--did you hear from the NYPD that there is a shortage of transit police that they needed supplemented by MTA police.

BOB FORAN: So, Council Member, the MTA police obviously does its own analysis of--of its needs. They--they started with the fact, as I mentioned that there are 80 vacancies, attrition, unfilled positions that--that needed to be filled. They like the NYPD, which is a much larger force have data that suggests once a police officer reaches 20 years of seniority, and he or she vests in the pension, there is an X percent likelihood that within 12 or 15 months they'll retire. So, it's things like that. Point one. Point two we--we looked not only at New York City Transit, but--

COUNCIL MEMBER LEVIN: I know but with
MC. I get it.

PAT FOYE: Of course.

COUNCIL MEMBER LEVIN: Um, okay, so, um,
how much is going to cost a year?

PAT FOYE: \$50 million.

COUNCIL MEMBER LEVIN: \$50 million a
year. Okay. Um, when-when-

PAT FOYE: [interposing] I'm sorry.
Less-less a contribution, um, by the Manhattan DA's
Office for a portion of it.

COUNCIL MEMBER LEVIN: Got it. Okay, um,
when, um, when an incident occurs and, um, one of
these NY-MTA officers arrives and NYPD Transit
arrives at the exact same time, who has jurisdiction
over that incident? Who-who has rank?

PAT FOYE: Well, look the NYPD has
primary responsibility for policing the subways.
There is a high level of cooperation between the MTA
police, NYPD, Nassau County, Suffolk County,
Westchester, et cetera--

COUNCIL MEMBER LEVIN: I get it.

PAT FOYE: --and it--and it may depend in
certain cases to who got on the--who got on the scene

first, who may have seen the crime or incident, et cetera, and/or--

COUNCIL MEMBER LEVIN: [interposing] This has to be an on-scene especially in critical moments there has to be a chain of command. Where's the chain of command in between NYPD and MTA Police?

PAT FOYE: Again, there's a high level of cooperation and collaboration between NYPD, MTA Police, Nassau, Suffolk, Westchester, et cetera. They--they--they know each other at the patrol level. They know each other at the leadership level. There are protocols in place.

COUNCIL MEMBER LEVIN: Okay, um, and has-- did the NYPD--was NYPD asked whether they wanted this?

PAT FOYE: There were discussions between the MTA Police and NYPD. Yes.

COUNCIL MEMBER LEVIN: And they said yes they wanted it?

PAT FOYE: I--I--I can't say that. I wasn't--I wasn't party to those discussions.

COUNCIL MEMBER LEVIN: Um, in particular around homelessness, what--what I am very concerned about is between this initiative, and the--New York City's Outreach NYC Initiative, um, there is as we're

seeing in real time an increase in policing the homeless in the subways that we're seeing [bell] and I'm—I'm seeing cell phone video like your cell phone video, um, of these incidents taking place. Um, anecdotally it seems like it's more than it was last year. Um, the problem is that we do not actually have resources to offer people that are sleeping on the subway. So, um, we—we have the shelter system, but it's not just people that are service resistant. The shelter system is an unappealing avenue for—for a lot of people that are sleeping on the street and sleeping on the subway. Um, that's the—the, um, the basic intake center at 30th Street for men, um, Franklin Avenue for women, or the big assessment centers. They are safe havens, but there's a waiting list for safe havens. We don't have enough safe havens. We haven't invested enough in safe havens, and so if you talk to people, if you actually talk to people that are sleeping on the subway, and asked them would you be willing to go into safe haven, eight out of ten people would say yes. If you asked them whether they would be willing to go into 30th Street or Franklin Avenue, 8 out of 10 people would say no, and so, when we're policing them without

actually giving them the resources that they need or want or will use, um, is a recipe for bad outcomes, bad outcomes meaning arrests, people getting handcuffed in the middle of the subway station, getting caught on video, um, going viral, um, everybody, um, saying this is a terrible idea. I don't see this policy working, either policy, the city's policy or your policy if we do not have actual resources to give people to get off of the subway or off of the street, and so if we're investing \$50 million a year in 500 new police officers that I don't think the NYPD actually asked for, and it's a murky jurisdiction, that money could be very well used for new safe havens or better outreach or social workers, or people like in the incident that happened just on Friday in Jamaica, that, um, there should be somebody that's a high level social worker that goes out for people that are extremely service resistant, psychotic, you know, that has a psychosis or, you know. So that is—but-but that's not what is happening, and if we're just sending a police officer an NYPD or an MTA Police Officer to go out and interact with somebody with a psychosis, then that is just—there's a recipe for a bad outcome so--

PAT FOYE: So, Council Member, let me—let me start and then I'll turn it over to my colleague Andy Byrford. So, a couple of things. The—the incident that you referred to I think is the one where the head of the Health and Hospitals Corporation was in the subway station, and he, um, without identifying the name of the patient or client suggested that the, uh, the approach had been exactly right in that cast. Point one. Point two I will note that there was an agreement reached and—and a press release, um, done among the city, the MTA, DA Vance, the NYPD with respect to—and the MTA, of course, with respect to these quality of life issues. Point 3 is as I understand it and I don't claim to be an expert on these issues, but the city of New York has got a statutory obligation to provide resources including safe havens and shelters--

COUNCIL MEMBER LEVIN: [interposing] We have a right to shelter in New York City. That doesn't mean that they have the right to a safe haven, they have a right to shelter.

PAT FOYE: Oh, as I—as I understand it right, there is a statutory obligation imposed by the

state on municipalities around the state of New York with respect to--

COUNCIL MEMBER LEVIN: [interposing] Case law that requires the right to shelter.

PAT FOYE: Right and then I'll--

ANDY BYFORD: Um, [coughs] Council Member I thought your question was very thoughtful actually and resonated a lot with me. Um, this a really tough, um, challenge because on the one hand, and this is the dilemma I face as the person you rightly hold accountable for providing, you know clean, safe, reliable on-time performance, right. I'm on the subway every day, and on the one hand you're trying to be humane and Christian to people who are really vulnerable, who, you know, haven't chosen this way of life probably. A lot of them have psychological challenges and they've got real issues, and, you know, and need help not--they certainly don't need to be arrested, and I've spoken to people--to homeless people and asked them about, you know, there are alternatives, you know, would you--would you consider going for services? I spent a whole night--I passed as Archer one night, and I was talking to homeless people, and I was interacting with the BRC the Bowery

Residence Committee and I was doing that for my own education to just ask people, you know, why wouldn't you go to the shelters, and I remember one guy said to me, it was quick striking. He said, Sir, have you ever been to one of the shelters? It's actually really quit scary.

COUNCIL MEMBER LEVIN: And dangerous, more dangerous than the subway.

ANDY BYFORD: Absolutely, and not in an individual room. You're in a big dormitory. You know, you—you—I invite you to try to go to sleep with people prowling around. So where people sometimes say it's an MTA issue, I actually don't agree. I think it's a societal challenge, and it's only as a society that we will properly crack this by, um, the state, the city and other participants. We're not—we're not passive to this. The MTA the NYPD, the Bowery Resident's Committee, the Social Services. We've all got to work together to come up with a, um, to address the root cause and to provide viable solutions because it's very hard to with humanity to kick someone out knowing that the alternative is pretty unpalatable, but the reason I said it's a dilemma for me is because equally, I can't just

ignore, you know, a mess all over a train. The E-Train I ride it regularly. It's like a traveling hostile. In some cases you can't get into cars because everyone is stretched on the seats or, you know, there's some or it's very difficult for my cleaners to be able to deal with those issues. So we've got to get that balance right, and I understand you're linked with the—with the police. I certainly don't want people to be arrested. What we're trying to do, though is—encourage people to go to alternatives. We need to fund those alternatives so that we can with good conscience say, you know, things have moved on. Sitting or lying down in the subway is no longer an option, and there is a viable alternative. That's the challenge. If in the short term we just keep asking or keep throwing people out, they'll just keep coming back in. That's the simplistic response or simplistic challenge to the MTA to just deal with it. It needs to be a far more intelligent comprehensive solution than that.

COUNCIL MEMBER LEVIN: Right. I think we actually know what the solutions are. They're safe havens, drop-in centers, supportive housing. That's—those are—and—and more social worker to do outreach.

Those are things that we could do today that would have serious impact, but handcuffing people and bringing them into a station house and forcing them saying they're going to get a ticket or they're going to get arrested if they don't go to BRC is-is-is not going to, um, ameliorate the issue. So thank you.

CHAIRPERSON RODRIGUEZ: Council Member Rose.

COUNCIL MEMBER ROSE: Thank you, Chair, um, and good afternoon. Chair Foye, in your remarks, you talked about expanding the popular e-Hail Pilot Program doubling access, um, from 1,200 to 2,400, um, customers. I think that's laudable, but, um, you didn't mention the-the changes in that service that will be provided. Right now, the users of this service this pilot program have unlimited, um, access to the program, unlimited rides and they pay \$2.75 for the ride regardless of how far or how long the ride take. Um, the changes, the proposed changes as stated in a letter from you, and an article in the Daily News will now limit them to 16 trips a month, and, um, and they will have to incur the charges or the cost of anything above \$15.00. Um, greatly being able-diminishing their ability to use this, um,

service changing it drastically while adding the number of participants, you are actually cutting the accessibility of people who are currently in this program, um, making, you know, this not a win, an win-win for anyone. Is it--is there--can you explain the rationale, um, for these changes?

PAT FOYE: Yes, Council Member. In--in doubling the number of participants, and I will have to say that the e-Hail On Demand Program has been widely--widely afforded.

COUNCIL MEMBER ROSE: [interposing] Yes.

PAT FOYE: We--we looked at what other municipalities around the country are doing, Boston, Washington, DC, Chicago, et cetera and--and there is no place in America where the e-Hail On Demand program exists without such caps and limits, and--and what--what we did in--in doubling it was to put ourselves in a situation where we can get richer, more reliable data to help determine the future of the program, but--but also put caps on that that are consistent with what other large cities around the United States have done with their e-Hail on Demand program, and to, uh-uh, create a situation in which further growth in a program which is not assured, but

would be done on a financially sustainable basis, and that's the reason for that change.

COUNCIL MEMBER ROSE: But now you are going to, um, limit the number of rides. You have participants who utilize this service to go to work, um, 16 trips a month will now then [bell] render them unable to-to do that, and you are then limiting access as opposed to increasing it. Um--

PAT FOYE: So, Council Member, respectfully, no. The-the e-Hail On Demand program is but one option. Our paratransit customers will still have the ability to use broker services or the accessible AAR vans. So, e-Hail the e-Hail On Demand program will never be the only service, the only mode of service available to our paratransit customers.

COUNCIL MEMBER ROSE: I-I understand that and I respectfully have to, um, disagree in terms of the-how wonderful the other AAR program is Access-A-Ride. Um, and that's pretty much why many of the people have opted into the e-Hail Program because the Paratransit, Access-A-Ride, the traditional one is not reliable, um and your own data will show that there's a lot of dissatisfaction with it. It's not reliable. So, um, that-that really isn't an

acceptable option to—to say that they will have 16 rides and then, um, they'll have to rely on the very service that made them opt to take the e-Hail services?

ANDY BYFORD: Council Member may—may I have a go, please? Actually there's three types of service. There's E-Hail On Demand, which is the one about which you're asking, and that is designed to give, um, the participants the spontaneity of choice that you and I both enjoy, and I—and I think that's fantastic. You know, if you suddenly decide you want to go somewhere short notice you can get you e-Hail On Demand and off you go, or if you have some sort of crisis, your pet's ill or a family relative is ill, off you go. That's—that's great. It's not meant to be to go to work because for that you've got the other two choices, which are the blue and white vans of Access-A-Ride and I take your point of law. I'll come back to that or the third element which is the Enhanced Broker Service that we're increasingly rolling out. Enhanced Broker being you can book it for the—a—a defined time the day before. It's a taxi. It's not a blue and whit van, not one of the big vans that accommodate several wheelchairs. It's a taxi

service and—and we've—we've been working very hard with a number of providers including CURB to make that service better along with—I said I'd come back to it, the Blue and White vans, which we absolutely accept aren't perfect yet, but we have been changing the—the No Show and the Late Policy. We've increased visibility of where your vehicle is by dashboards, but also, um, um, using phones and—and apps that you can see where your—where your ride is. We've been doing a lot of work with vehicle owners and—and train—training the—the actual operators to be more customer focused, more customer friendly. Um, we have—we've deployed a new schedule and dispatch system. We've been progressively renewing the fleet. We've got around 700 new vehicles at the moment. So back to e-Hail On Demand. What we're trying to do is keep—is-is keep it going because there was a lot of rumors wafting around we were going to kill it, and—and people kept saying to us, but hang on a minute, it's—it's the cost per ride is less, and that's true. It is.

COUNCIL MEMBER ROSE: It is.

ANDY BYFORD: It is but the volume has way out—outgrown that because it's so popular and

because people are, the participants, the 1,200 initial participants are using way more rides than we thought they would and that's their prerogative. Don't get me wrong. I can be spontaneous, so can you. Why shouldn't they but in the short term it's—it's becoming unsustainable and unaffordable. So, what we chose to do instead is rather than say at the end of the year we can't afford it any more, we've expanded it to 2,400 people. So we've doubled the size of it, but we have put some caps on. What we have also said, though is if, um, with a wider number of—an expanded number of participants if we find that the first 1,200 weren't reflective of the norm, and maybe for whatever reason just used it some more, and if over time we can—we can relax the constraints, in other words increase the subsidy and increase the number of rides then we will do that. This is about trying to keep a very popular service going.

COUNCIL MEMBER ROSE: My Byford, but, um, a subsidized ride on, um, on traditional AAR or Paratransit is about \$81.00, um, and right now you're—you're talking about limiting the eHail to \$15.00, right, per-per ride, which is drastically—a drastic difference between the subsidy that you pay

now, um, and you're-you're -you're able to maintain that at \$2.75. You're maintain that at \$2.75. A trip when you get in a-in a taxi the surcharges start at like \$6.00. So, you are vastly limiting, you know, their ability and their accessible, you know, their ability to get around. \$15.00 I think is not a reasonable cap if you're talking about financially when another subsidized ride is at least the cap is like it costs \$81.00 where it's subsidizing and-and I think that inequity flies in the face again of people who have different abilities. So, I would like you and-and Chair Foye, I'd like you to go back and-and look at this because we are again creating a disparity among, you know, a part of our population that really doesn't have a whole lot of options, and I just want to ask. I'm finished. I know, Chair. I know my time. Um, but I just want to ask there are two vacancies on the MTA Board. Is there any, um, talk or consideration of making one of those, um, those positions available to a person with other needs? A person who is from the disabilities community that can, you know, bring these very disparities, quite glaring to me, to-to the board so

that they have voice and it isn't secondary or it has to come from, you know City Council? Thank you.

PAT FOYE: So, um, Council Member, I believe the two vacancies you were referring are two vacancies of the City of New York nominees. We would welcome an ADA colleague on the board just as Andy has hired a special accessibility advisor and as I intend to do so as well.

COUNCIL MEMBER ROSE: Okay, I think it should be a requirement. Even if it's above whatever your number is, there should be a person from that particular community. Thank you. Thank you.

CHAIRPERSON RODRIGUEZ: If-if there's anyone here that is sitting the public to participate in the Governmental Operation Hearing you can go to 250 Broadway. That hearing has been moved to 250 Broadway, 14th floor. Again, if anyone from the public here is sitting to participate in the public Government Operation hearing, that hearing has been moved to 250 Broadway, 14th Floor. We will give a chance to the Council Member to ask one question each, and then we will get into public. Council Member Richards.

COUNCIL MEMBER RICHARDS: Okay, um, just points and I just wanted to second what Council Member Levin said. I hope that there's really some boundaries established when it comes to who is in charge on a scene. We saw this play out, um, in our, um, General Welfare offices across the city with the NYPD and private security, and there were some circumstances that were really bad during those occasions. So, I'm really hoping that there's a clear standard of down to reason as that training kicks.

PAT FOYE: But Council Member—

COUNCIL MEMBER RICHARDS: Um, and let me just get through it because I know our Chairman is going to kick me off the mic. He's not going to be as generous as he was to Debi Rose.

CHAIRPERSON RODRIGUEZ: I'm sorry, Council Member. I'm sorry.

COUNCIL MEMBER RICHARDS: So, I'm just going to get to my question.

CHAIRPERSON RODRIGUEZ: [interposing] I want to—I want to—

COUNCIL MEMBER RICHARDS: I want to get to my question now. I want to get to my question. I know, I'm going to get—are you going to give me the

time? Okay. Thank you. Um, I would give Debi more time than me.

CHAIRPERSON RODRIGUEZ: Hold on one second, please.

COUNCIL MEMBER RICHARDS: Alright, okay.

CHAIRPERSON RODRIGUEZ: So, we just want to be respectful to the public who goes--

COUNCIL MEMBER RICHARDS: Yep, yep, got it.

CHAIRPERSON RODRIGUEZ: Give me. I haven't finished.

COUNCIL MEMBER RICHARDS: Got it.

CHAIRPERSON RODRIGUEZ: So, we have the timing from the Council Members--

COUNCIL MEMBER RICHARDS: Got it.

CHAIRPERSON RODRIGUEZ: --and you used more, double the time. Now, we're giving the chance for each of us another question.

COUNCIL MEMBER RICHARDS: Okay, got it, um, so this question is related. You spoke of investments into different, um, stations, and I will suggest really looking at Sutphin Boulevard, which is where the Airtrain is connected where you have 200 tourists, the people coming to New York City lined up

who don't even know how to use the Metro Card machines, which really backs up the station there. So, I just wanted to hear what's your plan for that. Council Member Miller could not be here today, but he wanted me to raise the question around the Jamaica Bus Depot and where we are at with that, and then the last thing I'll ask about is the—is where are you at in terms of the bus network on automated bus lane enforcement on ABLE. So, if you could just answer those three questions: Where are you at on Sutphin Boulevard. I hope there's some real investment going there. It's shameful that that is the gateway into Queens and the gateway into New York City, and the station looks the way it is. There are no helpers to assist individuals who don't know how to use those Metro Card machines, the Jamaica Depot, and then obviously the Queens Bus Network system is being redone, but where are we at with ABLE as well?

ANDY BYFORD: Okay, um, thank you Council Member for those questions. Um, Sutphin Boulevard, yep, know it well, been there many a time, and it certainly is in need of some investments in TLC, and that certainly will be one of the, um, stations so we will be addressing the Capital Plan in terms of

upgrading all of the station. So there's a lot of component work that needs to be done, but in some--and obviously accessibility work, but also aesthetics. That--that station certainly is not looking as good as it once did. I can say though that we will be putting in OMNI soon at Sutphin Boulevard so that will help coat, um, when--

COUNCIL MEMBER RICHARDS: [interposing]
Putting up what?

ANDY BYFORD: OMNI, the OMNI system the Smart Card System.

COUNCIL MEMBER RICHARDS: Oh, okay.

ANDY BYFORD: Because to your point about having a lot of tourists arrive, obviously people off the plane and particularly people coming with chip-enabled cards with the, um, the little WiFi symbol on [bell] it will be immensely valuable for them to be able to purchase a OMNI Card. So, we're deliberately bringing forward Sutphin Boulevard as one of those stations.

COUNCIL MEMBER RICHARDS: But I would also, sir, not to just cut you off, I would really suggest you having some individuals. I know you have this program that was spoken about where you take the

token clerk—the clerks out of the—the booth to do some work. There certainly needs to be that there.

ANDY BYFORD: Okay. So, what I'll do Council Member is I will speak to the local group station manager about the staffing level there and what we might be able to do to help tourists because certainly, um, you know, it's never pleasant to turn up somewhere and not be able to figure anything out. So, I'll talk to the group station manager. With regard to ABLE, the ABLE system it stands for Automated—Automatic Bus Lane Enforcement. We are very excited about that. We have launched that on the M-15 Route. We're about to launch it on the M-14 Route, and what that does is using cameras, Biostatic DOT cameras on a bus lane equipped route and also bus-mounted cameras. You can enforce bus lane compliance because the system will capture any car that is illegally parked up in a bus lane over a certain threshold, that threshold being five minutes. If a car is caught by more than two—two buses or more, parked in a bus lane for more than five minutes, a warning is automatically generated, and when I say a warning, a fine. That starts at \$50 and it and it's on a graduated basis. You can't keep

parking in the bus lane of if you do, your fine will get bigger and bigger. Again, the intention here isn't fines. I'm not interested in the fines. I'm interested in giving our buses a fighting chance of getting through the traffic. The bus lanes are there for a reason and again to my earlier point it's also selfish to park up in bus lanes. So, we would like to see the ABLE system rolled out across the whole city. We're very interested and we're already talking to DOT about this. We would like to see more bus lanes, better enforced bus lanes, widespread use of the ABLE system. I think the busway on 14th Street is superb. It was great to have Speaker Johnson's support for that and to see—I'd love to see that be copied or installed on other systems, on other cross-streets as well across the whole city, and in terms of Jamaica Depot we have done the—we're doing the Environmental Assessment. The Environmental Assessment has been submitted. There is an issue that I know the Council Member will be interested in, in terms of the uncovered parking space. That's what we've assumed for now. I know he has a concern with that. He would like to see a different design. That is still an option. The reason that we have

submitted it with the uncovered solution is purely to keep this thing moving along. That depot desperately needs to be rebuilt, and that will happen in this Capital Plan.

COUNCIL MEMBER RICHARDS: He wanted me to emphasize it needed to be covered.

ANDY BYFORD: We're aware of that. So-so to set his mind at rest us submitting with it showing as uncovered doesn't preclude that change from being made. It was purely to move the process along. We need to rebuild that depot and it's in this plan.

PAT FOYE: Council Member, I just wanted to add one thing. The point you made about the relationship between the NYPD and the MTA Police Force, there is a high level of day-to-day and leadership coordination and cooperation between the two police forces. Um, the, um, police forces in this city NYPD, MTA, Port Authority Police and Federal forces regularly do drills, tabletops, full scale exercises, field exercises, et cetera, and—and at the leadership level and at the patrol officer on-on a subway platform, et cetera, there's as high level of cooperation including for instance sharing the color of the day with respect to undercover officers to

avoid blue on blue situations, et cetera, and I just wanted to assure you of that. That is also the case with the MTA Police and Nassau County Police, Suffolk County Police, Westchester and every other police force in the MTA area. Thank you.

CHAIRPERSON RODRIGUEZ: Council Member Levin.

COUNCIL MEMBER LEVIN: Thank you very much Chair, um, two quick comments and a question. Um, first I wanted to associate myself with the questions and remarks of Council Member Rose regarding the Access-A-Ride, and in particular having a, um, a set on the MTA Board for somebody from the disability community. I think that that would be very helpful to the MTA. Um, the second comment, um, as I mentioned to you, President Byford, a couple of weeks ago, um I've been—I've been taking the 7-Train every morning, um, and—and every evening and the signal work that was done there, um has been very effective. I rarely wait more than one or two minutes in the morning to catch a 7-Train. This morning it was one minute and Friday morning it was one minute. Um, so it's, um, it's very—it's very effective. The more that we can be investing across

the city on all lines and signal upgrades I think would be to the great benefit of New Yorkers. I think that the public would respond to that and that's the kind of thing that people really want. People really want a train that's going to show up quickly, get them where they need to go, cut down their commute time and make for a better system. Um, so there's that. Um, the—I don't know if this was brought before, but the—the methodology that you all have used on, um, estimating the amount of revenue lost through fare evasion. Um, I know there's some question about how the methodology came about, and just on its face it seems odd to me. So, do you think it's about 200 \$250 million a year? Is that right? Um, how many users are there and—and how many subway riders are there?

ANDY BYFORD: Okay. so the subway ridership is around 5.6 million.

COUNCIL MEMBER LEVIN: Okay, so, um, and so I think that—that comes to something around 10, um, fare evasion per customer per year. Is that right?

ANDY BYFORD: Well, I—I think that we—

2 COUNCIL MEMBER LEVIN: [interposing] I
3 mean if you were to break it down like that, that's
4 what it be?

5 ANDY BYFORD: Um, the--the figure I look
6 at is the annual loss. So, not just on subway, but
7 subways and buses is between \$260 to %\$300 million a
8 year. That buys you a lot of service

9 COUNCIL MEMBER LEVIN: Okay, but are there
10 other systems that throughout the world that have a
11 much lower per capita rate of per rider rate of--of
12 losses?

13 ANDY BYFORD: We do comparisons on a
14 percentage basis of let's take for example bus fare
15 evasion--

16 COUNCIL MEMBER LEVIN: Uh-hm.

17 ANDY BYFORD: --and on some lines it's as
18 high as 25%. That is way higher than anywhere else
19 I've every worked. I mean typically you'd be aiming--
20 you know, it's--kind of like in many systems that have
21 zero fare evasion typically if you can contain it
22 within the--around 3% or 4% that's--that's kind of the
23 cost of doing business.

24 COUNCIL MEMBER LEVIN: Ritht.
25

ANDY BYFORD: But to-to have some lines or routes where [bell] you are way-way north of that is just bleeding the system of money that it desperately needs.

COUNCIL MEMBER LEVIN: Okay and just really quickly on the-on the subways you know our turnstiles can be jumped as we have seen, um with these-the-the protest over the last couple of weeks, um are other cities, other systems have turnstiles that are harder to jump. So, DC or Paris they have different harder to-out turnstiles I mean I-I guess they're part of the identity of New York. They've probably been that way for several generations now, but like have we looked at replacing with harder to jump turnstiles?

ANDY BYFORD: I'm not ruling anything out. I think we-we should look at what other systems do. What I'm familiar with is huddles where you either insert your ticket back in the day or even a token or-or increasingly you-you tap on a reader, and the huddles open and there's a-there's a magic eye as they call it or like a magnetic eye a magnetic magic, but a beam just so that only one person can go through in the gates then shut again very quickly.

COUNCIL MEMBER LEVIN: uh-hm.

ANDY BYFORD: I've seen the reverse actually in Japan. I remember going to a station where it was the reverse. The default was that the gates stay open, and--and as long as you've paid and you pass through. So it's a very quick system, but incredibly quickly if someone does try to sneak through without paying or they don't pay the right amount and the gates shut. So the default is the revers. It's the gates are normally open rather than closed. Um, I've seen full height gates. I've seen low-height gates, um, we--we--I think job one is to get the OMNI system in. It will be hugely expensively to replace all of the gates across all systems--

COUNCIL MEMBER LEVIN: Uh-hm, right.

ANDY BYFORD: --but, you know, I think it is good to look at best practice so that's something that we actively talking about particularly for the Achilles heel as I described hear earlier mainly the secondary gate, which is the biggest problem.

COUNCIL MEMBER LEVIN: Because and just to bring it back to my first line of questions, the last thing we want to do is create interactions with the police , the jail system, the court system. The

very last thing we want to do is have fare evasion result in an arrest.

ANDY BYFORD: I agree.

COUNCIL MEMBER LEVIN: And so anything that can be done to avoid that from happening that is absolutely the worst case scenario.

ANDY BYFORD: So, I agree, and you'll notice the--

COUNCIL MEMBER LEVIN:[interposing] Worse than-~~than~~ just letting them go.

ANDY BYFORD: The campaign that we're running is encouraging, um, urging people to pay the fare and if you can't afford the fare, not paying isn't the right answer, going with Fair Fares applying for Fair Fares if you--if you're eligible. That is the right solution, but just not paying is not--is unsustainable.

COUNCIL MEMBER LEVIN: I understand. I'm saying in the--in the--in the effort to get people to pay the fare, um, interactions with the police and cuffing and arresting and all of the above, all of that is a--is a very--it creates so many unintended consequences. It--and it--it, um, undermines the public--public's confidence in the system. I

understand that fare evasion is—you see it as an issue. I don't know if it really is as big an issue as—as we're making it out to be, but other ways of addressing it rather than police interaction I think have—it—it is so important because it will—it will undermine other good work that you're doing.

ANDY BYFORD: Okay, but can I make just one more comment, Council Member. So, I don't disagree. I don't want to see people, people arrested. You know, I—I see it happening and I say to people so, you need to go back and buy a ticket. The, um, the \$300 million thought that is walking out the door or walking in the door, depending on which way you look at it, that \$300 million to go back to where you started, that would pay for re-signaling of a line. Not the power upgrades and the new trains, but the actual cost of software for the type of service from which you now benefit.

COUNCIL MEMBER LEVIN: Uh-hm.

ANDY BYFORD: In other word CBTC on the line with automatic train operation, which is what gives you that relentless service. That's the kind of figure we're talking about.

COUNCIL MEMBER LEVIN: I get it. I get it. I assume that there are people maybe other than you that are putting a priority on enforcement of quote/unquote "quality of life issues" and this is one of them, and it serves—I'm just—just telling you what I'm seeing out there in the city that it's going—it is serving to undermine other good work that you're doing. So, just I'll leave it.

ANDY BYFORD: Understood and I will continue to push the NYPD to—to adopt, you know, a very sensible approach to this. You know, I really respect them. I think they do a great job, but we continue to push. This is about deterrence not about arrests. Um, the arrests are actually down at the moment, um, in terms of fare—fare evasions.

COUNCIL MEMBER LEVIN: Well, there's arrests made but there's cuffing and ticketing, which is different. So, we'll talk more offline.

CHAIRPERSON RODRIGUEZ: Thank you. I—I feel that with that the and, of course, first of all like we are getting close to, you know, having you and we appreciate of your time. The message is we have seen the movies before, and we have lived the years of the '80s and the '90s, and the beginning of

2000 where someone with the city put the men and women of the NYPD in a situation that it was difficult for them, and it was difficult for other individuals that also suffered the excessive use of force. We've been there, and we've been there in the city where we have an individual leading institution that they thought that they were above on everything and-and here we are. You know, in a city where we have-if there's something that define New Yorkers it's a lot of compassion, and I feel that we never talk on a lot of things that we've been able to accomplish today, things that we were told 10 years ago that we couldn't do it, things that we say close Rikers Island. The city said no we cannot do it. Things that so with UPK, other things criminal justice reform. We should, you know, legalize Marijuana. People said we cannot do it, but they say it was legal for the rich. The only thing that we tried to do was not to the use to criminalize the Black and Latino and poor individuals. It took a lot of years, a lot of time and a lot of advocacy groups to say there is something wrong there, and-and as you know like when it was time where even across this building the position was that the city should not

contribute more to the MTA. We at the Council led the fight saying we should get the \$500 million and at the end we persuade the Mayor, too because we know that he have a good plan. So here, what we are saying is you know the men and women that we send to, you know, enforce and follow direction is like, you know, you have a great governmental relations in here, but for many years the orders that they got was: MTA doesn't participate in community meetings. It doesn't question the great, you know, commitment the great marina here, but there was direction from the top. So, a big concern that we have is that, which is real, the city's part of the movement, national movement and people say just be careful criminalizing people. If you asked me today and I know that that's the feeling for a lot of people is that fare evasion should be resolved by providing free transportation because those individuals who cannot pay the fare are not the middle or the upper class, are those individuals struggling are those individuals fighting eviction, are those individuals like myself in the '80s I walked from 124 Sherman Avenue in Inwood to City College not because I thought that walking was healthy, but because I

1 didn't have my 75 cents to pay my fare. So, those
2 individuals, young people who try to get a job and
3 they don't a job. Those who live—part of us—40% of
4 New Yorkers live on poverty. So, of course like you
5 have to be responsible for what we ask you to do. You
6 need to run the largest transportation system in the
7 nation and everyone wants to feel safe. It doesn't
8 matter if that station is in any community. We want
9 to be safe. So, it's a challenge like you know
10 something that we need to get a balance because in
11 one direction yes I don't want to walk it. If you
12 work through stations and I have seen it, you stop
13 there with the media you're going to see how a family
14 would not their teenager to walk to their station
15 where there's still, you know, violence when there's
16 things about maintenance lack of maintenance in those
17 stations. So, and we want for you to fix it. At the
18 same time we're saying, you know, let's be careful on
19 how we are dressed. The level of crimes that we have
20 in a station and for me—our challenge for me is about
21 I hope again and this also come from all Steve an I
22 and the Speaker and others we've been working hard,
23 and like is said we led the movement together with
24 the advocate group to establish the Fair Fares. Now,

we need to do our part also to look and see if we can provide free transportation to those individuals that they don't have the money, and they are the numbers of those who evade the fare. So, that's one area where I hope we can work. The second thing is, you know, do the best we can to have people who are real. I know that my brother used to—he used to be a police officer in the 42nd. So, all my respect to the men and women in the blue, but I also know again that if there's a situation of someone who is dealing with severe mental health issue and that person is in a situation in as station, if a unit that has not been trained on how to respond and interact and not the first responding, it can create a situation where even though the level of training that the police officer can have probably he or she cannot handle that situation, and that's what we would like prevent. We don't want to be in a press conference, you know, because someone was killed or someone was maybe abused by the force or someone of the men and women. We want to be sure that we support you, but from our end we also are—we're having a lot of concern about what is the interaction between those individuals. Why wouldn't think about bringing back

some of the staff in the station from the MTA so that we add more besides those individuals that we have, but we lose a lot because we cut a lot. We close a lot of talking booth 15 years ago, and with that process we also lost a lot of physical presence of the MTA in some stations. So, you know, how—I hope again that we can look at that situation with more—it's a very—I don't think it's one. It's not a black and white situation. You know, minor crimes in the train station are real. The presence of people who doesn't have a place where to live in the station is real. How do we handle it, that kid, and I signed together with my colleagues here we don't to be in a situation where, you know, the abuse of power or using those situations to send someone to—to the prison is a solution to the numbers of people that can commit any minor crimes, but again, I hope again that we can partner, advocate and to provide free transportation. When we supported the congestion price, we also asked that some of those monies should be used. We know there's \$1 billion for the big plan of the MTA but also we look about the possibility on some of those money could be used for all the matters and important in transportation. So, I don't want to

put you on the spot. Just say, oh, can you agree with us that we can use some of this money to provide free transportation, but at least I would like to put in your thought that when you think about here the city can provide the funding that also the MTA should be creative on how we can advocate together to provide free transportation to those individuals.

PAT FOYE: So, chairman, you understand, of course, that the congestion in the Central Business District totaling and the other revenue sources by law can only be used for capital, but as I—as I said before, we fully support Phase 1 of Fair Fares, and, um, it's expansion on a city-funded basis. We provides 150,000 Metro Cards, as I mentioned, and, um, and we look forward to supporting the program as it expands, and thank you for your leadership on that.

CHAIRPERSON RODRIGUEZ: So, with that, we're closing saying that from our end from our part while we want the MTA is to prioritize this \$54 billion on riders, maintenance, repairs, workers. We would like the MTA also to understand that we the city are the one allocating most of the funding. We cannot back to say the state been allocating more

than the city because a lot of people in the business sector they don't even know how many Council Member we are. What they know is that we have a transportation system that is important for them to be established in New York City so that the MTA is critical not only for the city, the state economy. So, we would like to see again how we can go thorough this process together committed to make our transportation system, you know, the best one in the whole world, and we trust your leadership, but there is a lot more that we need to do. With that, thank you. Thank you. Now, we're going to be getting call the members of the public, and we're going to be putting the clock on two minutes each.

LEGAL COUNSEL: Colin Wright, Danny Pearlstein, Rachel Foss, Liam Blank. [pause] So, now we're getting into the members of the public. We have a representative of the MTA who is here again listening to the presentation of the public. As usually if you feel that it would take more than two minutes, you summarize, but it is your time.

DANNY PEARLSTEIN: Good afternoon, Chair. My name is Danny Pearlstein. I am the Policy and Communications Director at the Riders Alliance. We

are New York's grassroots organization of subway and bus riders. It's been a very big year for riders.

This spring we won congestion pricing. The fall we're won of the largest ever MTA Capital Plan. Now the question is: When will the Subway be fixed.

Riders' number on priorities in the next MTA Capital Plan are the new signals, subway cars and elevators

that will finally deliver a modern, reliable and

accessible subway system for New York and it cannot

come soon enough. So we urge your support for those.

We urge your asking the tough questions. We

appreciate you asking those questions and holding the

MTA accountable for doing this work and for getting

the job done. You know, 8.5 million daily riders in

the MTA system depend on effective oversight and

advocacy for riders. So we really appreciate this

role. We also appreciate your role as the city as a

funding of the MTA. While the Governor controls the

MTA, we recognize the unique role the city plays in

the process and we favor direct upfront investment in

the MTA and its Capital Plan over additional debt

that has as we heard from the MTA earlier is the

driver of as they describe their dire financial

situation. You know we are as rider advocates we're,

of course, incredibly worried about that. Um, you know, we're enthusiastic about all of the Council's questions about the 500 new police officers, which we believe are a real hindrance to the MTA's budget and their ability to provide adequate service levels. Ultimately, we'd like to see the Governor shift course from hiring those police and devote the money to MTA's core infrastructure and core service provision on subways and buses. New Yorkers are utterly dependent on our subways and buses. They are the engines of opportunity. They provide the access we need to our city. So we thank you so much.

COLIN WRIGHT: Good morning, Chair. I'm Colin Wright, Senior Associate at Transit Center. Transit Center is a national foundation that works to improve U.S. cities through improved public transportation. We applaud the vision for the region's transit system in the MTA's proposed Capital Program [bell] and particularly investments in accessible stations and new subway cars and modern signals. We think this, um, this all promises a much more reliable and accessible transit service, but the sheer ambition of this plan also raises questions about how the MTA will complete it. The issue I'd

like to focus is the MTA's high cost of construction, how it impedes progress and how you can use your oversight role to remedy it. The cost estimates for major projects in the Capital Program are significantly higher than what peer transit agencies pay for similar work. For example the MTA estimates that accessible stations will cost roughly \$80 million on average. This much higher than London's average of \$22 million for recent accessibility projects under similar conditions as New York including high real estate values, narrow stations and complex tangle of underground utilities. Closer to Home stepped in Philadelphia recently and brought an underground subway station on the market Frankfurt Line into ADA compliance for \$9 million including the installation of two elevators, structural and concrete repairs and a new staircase. Likewise, MTA projects that projects that track mile of modern signaling will cost order of magnitude more than Boston, London and Paris. Given the practical limits of the authority's spending, there's no path to a consistently excellent rider experience without reducing the projected costs in this Capital Program. If the MTA brings its costs in line with peer

agencies, the Authority can stretch funds for maintenance and improvement farther and keep its debt in check, which is very important. Under Janno Lieber the MTA has identified a number of project management and procurement reforms to increase efficiency and to make bidding for contracts more competitive and we commend these steps and we believe they have the potential to bring down costs, but so far however, the MTA has yet to demonstrate that it expects to bring costs down. In fact, despite project management reforms intended to accelerate work and reduce costs, estimates in this Capital Program do not reflect lower unit costs than previous capital programs. To set goals for the cost control [bell] - I'll wrap it up. We recommend that the MTA review the transit capital costs from other cities with older rail networks and use industry averages as benchmarks to assess its own cost reduction. We want them to make these costs highly visible to the public to strengthen its case for continued work, and you know, there-we-there are many factors that contribute to high construction costs and there really are no silver bullets that will solve this problem overnight, but we do look forward to working with the

City Council to seek clear explanations from MTA leadership about the root causes of high costs and to continue working with you to make sure that the MTA reduces its costs so all New Yorkers can benefit from a strong accessible transit system. Thank you.

RACHAEL FAUSS: Good afternoon. My name is Rachael Fauss and I'm as Senior Research Analyst for Reinvent Albany. We advocate for more transparent and accountable state government including for state authorities like the MTA. We thank the Council for holding this oversight hearing. It's a critical time at the MTA, which is the throes of a massive reorganization ordered by the Governor, which will be undertaken as the MTA takes on the biggest Capital Plan in its history. The Council has an important ongoing role to play to ensure the city's voice is heard and that the Capital Plan directly benefits our way and investor list (sic) For instance the Council should be actively pressing for the Mayor, Governor and State Senate to fill the city's soon to be two empty seats on the MTA Board as soon as possible. The Council should also be intensely focused on ensuring the city gets its fair share of capital spending and that city projects essential for

restoring good service are given priority. As a representatives of the city's subway, bus and rail riding public, you should expect the MTA to be able to answer basic questions about what projects come first and how it knows how much spending is needed for items such as subway signals, tracks, cars and new buses. Specifically, you should expect the MTA to first publicly release it's 20-year needs assessment and Federal Transit Asset Management Plan. That they haven't been released yet raises the question of without these how much did the MTA determine how much restoring the system to a state of good repair would cost. If not the Needs Assessment, show us what was used. Two, release the schedule of start and completion dates for major components of the 2020-24 Capital Plan, and eventually for all projects. Three, show how much it realistically can spend per year given that it only spent \$6.6 billion on Capital Projects in 2018, the most per year to date. Fourth, revamp its current Capital Program Dashboard and ensure that it always commits to comparing original to current costs instead of re-baselining from amended plans. Fifth, release a detailed debt plan showing how it will pay for the

\$10 billion in addition buy-in without increasing its operating deficit. We also ask that the Council call for an independent debt affordability study[bell] to determine where the red line is with debt payments. This could be done by the city or State Comptroller. I'll wrap up. of course. Six billion in state and city funding should not be contingent upon exhaustion of the MTA's resources and lastly the cost to the Operating Budget of the 2024 planned projects must be made known. For example the Eastside Asset, Access Project has major operating costs, and there may be similar ones for the current projects in the new plan. Lastly, we just want to raise concerns about reorganization, which I know is a topic of this hearing. We can count the hiring freeze as a bad management policy because it leads to key positions when they're left empty based on who happens to retire, while less important jobs are retained. The debarment of contractors is similarly bad public policy because it leads to a smaller vendor pool, reduced competition and higher costs, and lastly the MTA Police Force should not be expanded without significant analysis of how it impacts the operating budget to ensure it does not result in service cuts

both immediately and in the long term as the cost of officers ramps up and my full testimony is available for you. Thank you.

LIAM BLANK: Thank you, Chair Rodriguez and your colleagues for this opportunity to testify before you today and for holding the oversight hearing of the MTA. I'm Liam Blank, Advocacy and Policy Manager for Tri-State Transportation Campaign, an organization fighting for sustainable mobility in New York, New Jersey, and Connecticut. For years Tri-State has called for increased funding to improve subways, buses and commuter rail including the state of good repair fixes that nine million daily riders need as well as expansion of the system to reach communities that are underserved by transit. So, we are pleased to see that the MTA's 2020 through 2024 Capital Program proposes the kinds of system wide improvements necessary to restore riders trust in the Authority if they are successful. The Capital Program calls for an historic \$51.5 billion in investments in our transit system. The lion's share of that investment \$37.3 billion will go toward subways including over \$7 billion for signal modernization that should help bring much of the system up to the

90% plus on-time arrival statistics that the L and 7 trains currently have. Another \$3.5 billion would go toward buses the lion's share of which is earmarked for the purchase of new buses including a significant investment in clean electric buses. While MTA Capital Construction has made significant strides in streamlining work-workflows the MTA should be clear with you and the riding public how it plans to complete the proposed work in the Capital Plan on time including improving its capital Plan Dashboard and creating a detailed online project-project tracker that allows anyone to see not only when projects are expected to be completed, but also at what cost. We should also understand how the Authority plans to handle both state of good repair projects and expansion projects and once that's prioritized in inevitable moments of capacity crunch. But we want to hear more about the Authority's plan to implement the 2020 Capital Program transparently and cost effectively. We are very glad to see a robust Capital Program that improves on previous promises made by the MTA and Fast Forward moves the MTA toward a fully zero emission bus fleet [bell] and delivers the signal upgrades and accessibility

improvements riders need to see. We support a meaningful oversight from the Legislature and City Council. The MTA will have the resources it needs to provide riders with a world class service New Yorkers deserve. Thank you.

CHAIRPERSON RODRIGUEZ: Thank you. Next Up. [off mic] Great.

CHAIRPERSON RODRIGUEZ: [off mic] Oh, yeah, I think it's from you.

FEMALE SPEAKER: Thank you.

LEGAL COUNSEL: James Weisman, Lisa Daglian, Jose Hernandez, Jessica Murray, and Mr. X. [background comments/pause]

MALE SPEAKER: Thank you for helping. Turn it on. You know, this is getting ridiculous with Patrick Foye like a rock head. Okay, he stated in his budget that he wants 500 more cops. Why? To protect his own interest. He's not concerned for our safety, he's concerned for his safety. Okay, if you don't already know Danny which for or Dennis, Dante (sp?) Police Department has cause sitting at 2 Broadway Avenue and 24 constant. Why should I send a stand to say a bunch of zombies. Okay. He can use that. At least two of them are assigned to protect

him, but apparently he forgot that part. Okay. No person can get through to him. You're not getting through to him, I'm not getting through, TW Local-TWU Local 100 aren't getting through to him. Okay, at a recent board meeting he cut me off because he felt my comments and predecessor were disgusting, and he sent them after me. He has his budget, I have my—I'm happy to share with that, but I didn't get a chance to repair it, but no we don't need 500 more cops. We don't need more consultants, which I have discovered recently he paid more—hired more consultants than employees. So, as I said it before, the MTA does stand for Metropolitan Transit Authority. That just money thrown away, and who do we have as ED? Patricia Ford who is like Bubba Ray Deli and Dusty Rose with Al Sapphire. (sic) It's time for them to go. He joined MTA. He replaced Ronni Hindko, who was a joke also a joke as MTA head, and what has he done? Nothing but make tons of excuses, and that is what he did her today. He enjoys that. It a thriller for us like a thriller, Michael Jackson. It's time for him to go.

Good afternoon. Thank you Councilman Rodriguez for this opportunity. My name is Jim

Weisman. I'm President and CEO of the United Spinal Association, the national organization. We have 58,000 members, the vast majority of whom use wheelchairs and many thousand live in New York and in the New York area. Forty years ago I was the attorney and United Spinal was the organization. We were called the Eastern Paralyzed Veterans Association, and that sued New Your City and the MTA to make buses and subways accessible. Um, I'm—I have longer remarks that I'll submit, but I do want to get to this. MTA after 40 years is finally changing its policy. Its policy was very, very poorly planned. Forty years or really 35 years ago to use paratransit as the work horse for transportation for people with disabilities, keep as many stations inaccessible as possible, and put lifts on half the buses. We got lifts on all the buses because MTA Board, their lawyers told us settle for half. We'll give you all. They need a victory, and that is what happened. They never board an inaccessible bus again, but we 100 key stations and MTA thought they were gaming the system by keeping the number small. We were the first system in the country to agree to make an old rail system accessible. They had no model to follow. MTA

though they gaming the system by having 360 some odd inaccessible subway stations and getting away with 100, and in fact, it's costing then \$700 million to make up for it in paratransit every year. Not only that, Koch when he was mayor was convinced by MTA that paratransit solely as a sole source of transportation was the answer and Koch told New York City he could do it for \$9 million a year without buses and rail. So, MTA now coming very late to-to the table is now saying we're going to use mass transit as the, um, main line-main line transit as the work horse for people with disabilities. It's a great move. United Spinal is 100% behind it. The last thing I want to say is I listened to Chairman Foye and Andy Byford talked about the restrictions on paratransit on the e-Hail System. The ADA required no-prohibits any constraints on trips except money. if the MTA-if it's financially burdensome they can stop providing paratransit, but doing things like deliberately increasing the waiting time before you can-you know 24-hour advanced reservation when you could do real time to reduce costs is really to reduce demand, and a trip reducer is probably illegal. It's probably and also the same thing with

the \$16--\$15 per ride. It's probably a discriminatory practice. It will be litigated down the road, but if you can provide rides faster, why not? It's only because it's more desirable is why not. That's an artificial constraint on trip demand and I'll--I'm sorry. Thank you for indulging me and I'll give you the rest of my remarks.

JESSICA MURRAY: Hello. My name is Jessica Murray. I'm a member of the Elevator Action Group with Rise and Resist. I'm a PG candidate at CUNY, and I'm a person with Multiple Sclerosis. I am currently the interim chair of the Advisory Committee on Transportation Accessibility for the New York City Transit, and, um, I'm--you know, a lot of the things concerns that we brought today have already been addressed so I'm just going to point out a few additional things. As Jim mentioned, these restrictions to paratransit are probably not legal, and they're not really fair, and I would advise you in your future oversight of the MTA to caution against their comparisons to other cities because the \$15.00 limits on paratransit trips for On-Demand is the most restrictive limit in the country, and that comes from Washington, D.C. which is about one-fifth

of the size of New York City. So, I don't think you can really compare New York City and Washington, D.C. and say that we're going to, you know, we're just modeling this after other cities. Likewise, um, the—the smallest cap per day for trips is in Boston they limit it based on the user's previous paratransit usage. Anyone can join their On-Demand pilot program, and based on how much they were traveling before they joined, um, they can get that many number of trips per day, but the MTA is limiting it based on the medium number of trips only for the people on the On Demand program. So, I just wanted you to be aware of that. Other trip caps per day are four per day in Washington, D.C., eight per day in Chicago. Um, so, you know, saying that they—they have to restrict it to 16 trips per month I think is a little bit disingenuous. It's the same thing when they say we're making the biggest investment in accessibility of any subway system in the country. Well, New York City obviously dwarfs every other city's transit system. So I—I would just take those, um, comparisons with a grain of salt. Um, we'd also just like to have more transparency in terms of the System Wide Accessibility Study that's currently underway. Um,

this, the lawsuit that's ongoing, plaintiffs have not been able to get the information about that study, and what the costs are that are going to be involved. It's supposed to be finished by the end of the year. It should be public knowledge already, and I hope that you push for that transparency. Additionally, we would like to support representation and inclusion of people with disabilities on the Board and in decision making. We—we appreciate that they put together this, um, all volunteer committee of people with disabilities to advise them, but we want people with disabilities making decisions, and in this Transformation Plan, accessibility got one slide on the whole presentation. Um, paratransit was mentioned one time. When we're talking about transformation people—advocates have been requesting for paratransit to be reformed for years for decades, and now their idea of reform is just to limit what they gave out unrestricted. They just want to limit it as a way to save money. Um, they also didn't mention that the increase in costs associated with eHail we're also accompanied by an increase in the number of registered passengers in paratransit. So, while an 11% increase in costs was true and you can see that

in the data, they also had 15,000 new registrants over that two-year period. So, I would just push you to look more closely at their data and ask them to be more transparent on those points. Thank you.

LISA DAGLIAN: Hi, good afternoon. My name is Lisa Daglian and I'm the Executive Director of the Permanent Citizens Advisory Committee to the MTA known as PCAC. We were created by the New York State Legislature in 1981 and our three councils know the voice of the nearly nine million transit and commuters in the 12-county New York MTA region. Thank you for holding this hearing today both on the Capital Plan and the Transformation Plan, which really come together in tandem and are so closely related. We're excited about the potential of the FY 2024 Capital Plan to really transform the rider experience and improve the system including long awaited accessibility projects that the city and state's \$3 billion each will fund. That was important to hear today, and I think that that's important to keep saying over and over again. We appreciate, as we know you do Andy Byford's leadership and the steps he's already taken to improve the city's transit network as evidenced by

the increases in on-time performance and gain and ridership. Funding and implementing this Capital Plan will really allow the aspirations of Fast Forward Long Island Railroad Forward, Metro North way ahead to become reality. The vision of congestion pricing is a game changer, and will be an integral part of financing the Capital Plan. However, those—the bulk of that money won't come due until 2021—until mid '21 to '22. So, it's critical that the early funding sources be identified and come through in a timely manner, and that's where our really big ask is for—that the city provide its \$3 billion as has been laid out, and that the state provide their \$3 billion as well early so that the accessibility projects can really get moving. The MTA said clearly that it wants to deliver projects better, faster and more cost-effectively, and we look forward to standardization of this new approach [bell] to doing business. We're already seeing a number of positive changes and new approaches including the use of Design-Build, bundling projects, reducing contracts sign-off turnaround times, feeding of contractor payments, and community—and using community input to determine contractor incentive pay marks—payments.

These are the hallmarks of effective and efficient taxpayer dollars. Approving funding and getting the Capital Plan going will finally help bring about the 21st Century Transit Network riders in our 21st Century city and region need. Thank you.

JOSE HERNANDEZ: Hello, um, my name is Jose Hernandez. I'm the New York City Advocacy Coordinator for United Spanish Association, and I am the Civic Engagement Commissioner Appointed by the Mayor in 2019. I wanted to thank Chair Rodriguez for giving me the opportunity to speak today. I'm going to focus my comments today on the pilot program. New York City gave us this pilot program people with disabilities, and it was a great success. It's given individuals in my chapter the opportunity to travel real time, enjoy many events. They've traveled from Brooklyn to the Bronx to, you know, private events and doctor's appointments. You can go anywhere in the city and it has touched the people in the pilot program. It's talked about their Access-A-Ride, the website on the Facebook group it's given great praise. With the limits that are put in place, you know, 16 rides per month and \$15.00 limit is going to cause—is going to discourage people from using it,

and it's going to cause issues. You know, what's going to happen when a person takes a ride and it's over that \$15.00 limit and they don't have the funds to pay for that? Um, you yourself Member Rodriguez was talking about how you used to walk from your place at home to college. Could you imagine someone getting on a ride in taxicab and it's \$30.00. You have to pay \$2.75 plus, you know the additional \$15.00 and what if you don't have it? What's going to happen? It's going to cause an issue where the police officer is going to be called and what happens to that person with a disability? Um, it's just concerning. Right now in Boston it's \$40 per ride, and the New York system is a lot bigger [bell] and the person was saying \$6.00 you know in surcharges to begin the ride alone. So, you can get six blocks and be at 30-\$15.00 already. So, um, if you can, you know, address that issue I would really appreciate it. Thank you very much.

CHAIRPERSON RODRIGUEZ: [off mic] Two questions about, you know (inaudible) Even though what was said about-[on mic] Can, and we know there's always going to be challenges, there's always going to be some stations that, you know, they are like 10

1 floors down or whatever it is so that knowing that we
2 can do anything with this technology, there's
3 resources there. Is that possible to make an old
4 station in New York City accessible? Have anyone—
5 have anyone done some study to look if we can turn—if
6 we can make every single station in New York City
7 accessible?
8

9 MALE SPEAKER: It's only money, it's only
10 money. We're talking about technologies there. You
11 could even if there's no place to drop an elevator,
12 you could have an inclined elevator follow a stair
13 contour and move it, and put a new staircase. So that
14 it—it-there—if you're committed, if MTA is committed,
15 they can do it. Um there are more difficult stations
16 than others, and the gap between the station and the
17 platform, which we haven't mentioned—I mean between
18 the platform and the train, which we haven't
19 mentioned both horizontal and vertical is a
20 significant disincentive to people who use wheeled
21 mobility aids from using the subway and makes them
22 dependent on paratransit. If MTA sponsored a design
23 competition right now and said we are the biggest
24 transit system in the world, we can do this, invent
25 something for us to fill this gap that's temporary

either car bone or platform borne, you'd have way more people on wheels using the subway, too, but it's, you know, this is a system that's been dragged kicking and screaming for decades into accessibility.

CHAIRPERSON RODRIGUEZ: Yes

MALE SPEAKER: So, it's not what they think of first, but it's a sea change compared to what it was ten years ago at MTA. They are actually thinking about if only to cut paratransit costs they are actually thinking about making mass transit truly accessible.

LISA DAGLIAN: Can I—can I add the MTA is currently conducting the system wide study, and they, um, there was a recent article about how that, the cost of that study has increased because they're really trying to finish it by the end of this year, but when they report their progress to the MTA Board, they say okay, now we've surveyed X number of stations. They haven't talked about how much the cost of retrofitting the whole subway system is going to be. They just say we've—we've analyzed this number of stations and currently the plaintiffs in the lawsuit against MTA have been requesting those documents to understand what the realities are and

what the costs are going to be, but they have refused to so far to hand that over, and I—I feel strongly that that should be public information. Um, if they're spending money to find out what it will cost, why wouldn't they be using that as, um, a point to okay this is—we know now what—what the costs will be. They've never done the study in 30 years, but now they're doing it. They're just not sharing that information with the public, and London as my colleague Colin mentioned, is doing stations. You know, London is much further on the rail than New York City. They have the same, you know, utilities, water, everything, the same challenges that New York City has maybe even more, and somehow they're able to do it for a third to a quarter of the price.

CHAIRPERSON RODRIGUEZ: Yes. Alright, I just again I have been having conversation in why I feel that you know, all those should be again to make all the stations accessible by 2030. I feel that, you know, the city has realized and all of us has realized that it's not only close to one million New Yorkers with physical challenges, but it's about those of us who will join that community in the future, and it's also the parents that you have like

two children, they have a stroller that you can, you know, you need to rely on an elevator and/or electrical steering in order to have access to the train. So, I just hope again that whatever progress we made in this Capital Plan it will have—it will continue. Again, quoting in with you guy—with you guys and advocating together, and also, you know, pushing the MTA to reduce the cost because what happens is also as you know you're the one that have the expertise (sic) that feel that will come—they come back and they say \$20 million for the elevator, \$25 million. That's a ridiculous amount, and—and sometime even in the station like the one in Inwood that the Dagman (sic) 1 Train, it was because of the lawsuit that we—we have just one elevator going down downtown.

MALE SPEAKER: Right, the—the ADA requires them to spend an amount equal to 20% of the cost of a renovation on station access. So, if they couldn't do both sides of the station, they were skipping it. They would renovate the station, and if 20% didn't pay for uptown and downtown, they just skipped it, and didn't do uptown or downtown. So, we sued them in Inwood about ten years ago--

2 CHAIRPERSON RODRIGUEZ: Yes.

3 MALE SPEAKER: --and--and got half a
4 station made accessible because of the ADA requires
5 incremental accessibility. At least it's half a
6 station. That is the new MTA policy or what--now it's
7 obviously much more aggressive, but you could see by
8 skipping the station they are saying okay use
9 paratransit. Every time they do it, it's putting
10 people on paratransit, which is why there's a
11 nightmare across the paratransit now to say nothing
12 of people who think they can't use mass transit who
13 probably could if they were since for the last 30
14 years as they went to school and--and started work if
15 they were using mass transit.

16 CHAIRPERSON RODRIGUEZ: Yes.

17 MALE SPEAKER: But now there's a
18 paratransit-dependent community.

19 CHAIRPERSON RODRIGUEZ: Well, thank you.
20 I'm ore than happy to continue working closely with
21 you guys. Thank you, yes.

22 MALE SPEAKER: Thank you. [background
23 comments]

24 CHAIRPERSON RODRIGUEZ: So, with that, we
25 close our hearing. Thank everyone. [gavel]

1 COMMITTEE ON TRANSPORTATION

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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 December 13, 2019