

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND  
FRANCHISES

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HELD AT: Remote Hearing

B E F O R E: Francisco Moya  
CHAIRPERSON

Rafael Salamanca  
CHAIRPERSON

COUNCIL MEMBERS:  
Carlina Rivera  
Barry Grodenchik  
Rory I. Lancman  
Donovan J. Richards  
Stephen T. Levin  
Antonio Reynoso

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

Rachel Scall, Land Use Counsel on behalf  
of SUW 4 LLC  
Greenbert Traurig LLP

Andrew Kimball, CEO  
Industry City

Nydia Velasquez, Congresswoman  
New York State

Eddie Bautista, New York Resident

Tamara Toles O'Laughlin, Policy  
Coordinator and Green Deal Policy Lead  
Climate Justice Alliance

David Cohen, Deputy Political Director  
32 BJ

Ruben Colon, Brooklyn Area Standard  
Representative

Martin Tuozzo, President  
Brooklyn Local 926

Santos Rodriguez, on behalf of Gary La  
Barbara

Cesar Zuniga, Chairperson  
Community Board Seven

Edline Jacquet, on behalf of State  
Senator Zellnor Myrie

John Fontillas, Chair of Land Use  
Committee  
Community Board Seven

Marcel Mitaynes, New York City Resident

Randy Peers  
Brooklyn Chamber of Commerce

Tom Grech, President and CEO  
Queens Chamber of Commerce

Regina Myer, President  
Downtown Brooklyn Partnership

Eric Goldstein, New York City Environment  
Director  
Natural Resources Defense Council

Lew Daly, Senior Policy Analyst  
DEMOS

Peter Iwanowicz, Representative  
Environmental Advocates of New York

Shay O'Reilly, Senior Organizing  
Representative  
Sierra Club

Pat Whelan, Managing Director  
Sahadi Foods

Jacqueline Capriles  
New York City Resident

Eric Aleman  
New York City Resident

Shalini Norman  
Small Business Owner

Kathryn Wylde  
New York City Resident

Velmanette Montgomery, Senator  
New York State

Ben Margolis, Executive Director  
SBIDC

Liliana Polo-McKenna, Chief Executive  
Officer  
Opportunities for a Better Tomorrow

Julio Pena, Chairperson  
Neighbors Helping Neighbors

David Estrada, Executive Director  
Sunset Part Business Improvement District

Cynthia Felix, Member  
Sunset Park Community Coalition

Jonathan Bowles, Executive Director  
Center for an Urban Future

Michael Stamatis, President  
Redhook Container Terminal and South  
Brooklyn Marine Terminal

David Craballosa, President  
Highrise, Concrete, Carpenters Local 212

Jessica Ortiz, 32 BJ on behalf of  
Humberto Rodriguez

Eva Hanhardt, Urban Planner  
City Planning

Davyani Guha, Urban Planner

Juan Camilo Osorio, Assistant Professor  
in Urban Planning  
Pratt Institute

Ronald Shiffman  
Pratt GCPE

George James, Urban Planner

Ni, Mandarin Interpreter

Jay Li, New York Resident

Angie Suarez, New York Resident

James Smith, New York Resident

Kristin Fernandez, Employee  
Sahadi Fine Foods

Jocelyn Suriel, New York Resident

Tarry Hum, Faculty member  
City University of New York

Rob Solano, Executive Director and co-founder  
Churches United for Fair Housing

Antoinette Martinez, Land Use Committee  
Community Board Seven

George Cardon  
Small business owner

Karen Rolnick, Sunset Park Resident

Ana Diaz, Owner  
Diaz Electric

Kenny Guan, Member  
Community Board Seven

Jorge Jauregui, Spanish Interpreter

Willie Baez, Member  
32 BJ

Danny Gonzalez, Member  
32 BJ

Oscar Gomez, Sunset Park Resident

Jose Collado, Member  
32 BJ

Rodrigo Camarena, Sunset Park Resident

Julio Vallares [sp?], on behalf of Solano  
Rosado  
Sunset Park Resident

Pablo Felipe Tapia, Member  
32 BJ

Jorge Muniz, Sunset Park Resident

Jorge Lima Rodriguez, Sunset Park  
Resident

Maria Roca, Founder  
Friends of Sunset Park

Rob Santos, Sunset Park Resident

John Santore, Sunset Park Resident

Elena Schwolsky, Sunset Park Resident

Jennifer Dundas, Founder  
Blue Marble Ice Cream

Jack Keum, Owner  
I Make A

Jacqui Painter, Environmental Activist

David Vibert, Sunset Park Resident

Joseph Lara, Sunset Park Resident

Manuel Arboleda, Property Manager  
Industry City

Katherine Walsh, Chairperson  
Brooklyn Democratic Party Assembly

Whitney Hu, Sunset Park Resident

Eric Fretz, Sunset Park Resident

William Carabano, Sunset Park Resident

Jennifer Wertz, Sunset Park Resident

Zachary Jasie, Sunset Park Resident

Elizabeth Norman, Sunset Park Resident

Marcos Diaz Gonzalez, Business Owner

Alexa Aviles, Sunset Park Resident

Jeremy Kaplan, Sunset Park Resident

Felicia DeVita, Sunset Park Resident

Laura Tinervia, Business Owner

Alondra Vargas Soto, Sunset Park Resident

Madeline Borrelli, Sunset Park Resident

Vanessa Thill, Sunset Park Resident

Patrick Robbins, Sunset Park Resident

Adam Kwapich, Sunset Park Resident

Darren Goldner, Organizer  
Democratic Socialists of America

Aidee Canongo, Sunset Park Resident



Cynthia VandenBosch, Business owner and  
Sunset Park Resident

Frankie Correa, Sunset Park Resident

Paul Demuro, Sunset Park Resident

Eve Mitchell  
Sunset Park Popular Assembly

Gloria Novoa, Sunset Park Resident

Paul Stein, Sunset Park Resident

Brian Garita, Sunset Park Resident

Carinn Candelaria, Sunset Park Resident

Jess Kulig, Sunset Park Resident

Lita Hakoda, Member  
Sunset Park Tenant Union and  
Sunset Park Popular Assembly

Helen Fillion Onsert, Sunset Park Resident

Rachel Meyer, Sunset Park Resident

Shanna Castillo, Sunset Park Resident

Blanca Carabajo, Sunset Park Resident

Elise Schuck, Translator for Blanca  
Carabajo

Grace Bothwell, Sunset Park Resident

Jane Li, Sunset Park Resident

Corbin Ledline, Sunset Park Resident

Emmitt Mendoza, Sunset Park Resident

SERGEANT-AT-ARMS: Good morning, ladies and gentleman, and welcome to today's New York City Council remote hearing on the Subcommittee of Zoning and Franchises. At this time, everybody please turn on your cameras. If you have any electronic devices that are going to make any disruptions, please set them to vibration or turn them off. Ladies and gentlemen, we want to make sure that we respect everybody's right to express their opinions today, so, make sure that when it-- Everybody will have a turn to testify. Make sure that, when it is your turn to testify, please do not use any offensive language. We will have many different people testifying here today in various languages. Anybody that attempts to disrupt the meeting will be removed from the meeting, so we need everybody's cooperation. We have a very long list of people to testify. I will repeat the same thing in Spanish for some of our Spanish-speaking folks. [Speaking foreign language]

Chairman, we are ready to begin, sir.

CHAIRPERSON MOYA: Good morning. I am Council member Francisco Moya, Chair on the Subcommittee on Zoning Franchises. I am joined here today remotely but members of the subcommittee.

Members Grodenchik, Rivera, Reynoso, Levin. We have also been joined by Council member Menchaca, Yeger, Adams, and Ayala. Today, we will be holding public hearings on to read zoning proposals. Before we begin, I would like to recognize the subcommittee counsel to review the remote hearing procedures.

COMMITTEE COUNSEL: Thank you, Chair Moya. I am Arthur Huh, counsel to the subcommittee. Members of the public wishing to testify were asked to register for today's hearing. As part of the registration process for today's hearing, counsel staff have made and continue to make efforts to facilitate language translation services for those who request such services. We ask that all speakers bear with us to ensure that everyone has their opportunity to testify. If you wish to testify and have not already done so, we ask that you please register now by visiting the Council's website at [www.council.NYC.GOV](http://www.council.NYC.GOV) to sign up. For members of the public who are viewing this meeting online, Counsel is providing multilingual live stream viewing [options@Council.NYC.gov](mailto:options@Council.NYC.gov) with audio translations in Arabic, Cantonese, Mandarin, and Spanish, ASL interpretation, and card translation services. Once

again, these options can be found at the Council main website at [www.council.NYC.GOV](http://www.council.nyc.gov). We also ask that anyone registered to testify who requires translation services please tune into one of the live stream channel options on the Council website in order to keep track of where we are in the overall meeting schedule into anticipate the approximate timing of your own testimony. When called and admitted into the virtual hearing space, individuals about to testify before the subcommittee will remain muted until recognized by the Chair to speak. Witnesses, not members of the public who have signed up to testify, will be called in groups or panels. The applicant panel will be called first, followed by a witness panel from the public who will be called in groups of four names at a time. Once the Chair recognizes you, your microphone will be unmuted. Please take a moment to check your device and confirm that your microphone is on before you begin speaking and I will remind all participants that there is a slight delay in the process of un-muting. Public testimony will be limited to two minutes per witness. If you have additional testimony you would like the subcommittee to consider, or if you have written testimony you

would like to submit instead of appearing before the subcommittee, you may email it to [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov). Please indicate the LU number and or project name in the subject line of your email. During the hearing, council members with questions should use the zoom raise hand function. The raise hand but should appear at the bottom of your participant panel. During the question-and-answer portion, I will announce council members with questions in the order that they raise their hands and, Chair Moya will recognize members to speak. Each Council member will have five minutes for questions and answers inclusive of questions. Finally, there will be pauses over the course of this hearing for various technical reasons and we ask that you please be patient as we work through any and all issues. Chair Moya will now continue with today's agenda items.

CHAIRPERSON MOYA: Thank you to our counsel. I now open the public hearing on LU's six 7080 and 679 for the 5914 Bay Parkway rezoning relating to property and Council member Yeger's district in Brooklyn. The applicant seeks approval of the zoning map amendment to change an R5 district

to an R6C24 district and the zoning district-- and a zoning text amendment to map a mandatory inclusionary housing area on the east side of the Bay Parkway between 59th and 60th streets to facilitate the development of a nine story mixed-use building with ground-floor retail, community facility use, and residential use. Estimates for the residential uses are as follows: 36 dwelling units, 11 of which would be affordable units, and 25 below grade parking spaces. I now would like to take this opportunity to recognize Council member Yeger offers some remarks on this project.

COUNCIL MEMBER YEGER: Good morning, Mr. Chairman. Thank you very much. In light of today's calendar and the work that the subcommittee has to do, I'm going to defer on opening remarks and his statement simply to allow the committee to get to its work today. I do want to, however, express my thanks to you, Mr. Chairman, for the work you put into looking at this project and understanding it and understanding and knowing my district and our community and, especially, and light of the heavy burdens that you are carrying with the work that the subcommittee has to do today. But, for now, I would

yield back to you, Mr. Chairman, to get on with today's business and allow the subcommittee to do its work.

CHAIRPERSON MOYA: Thank you, Council member Yeger. Council, if you could please call the first panel for this item?

COMMITTEE COUNSEL: The applicant panel will include Rachel Scall and Jay Siegel, land use counsel appearing on the half of the sponsor, SUW4 LLC. Panelists, if you've not already done so, please accept the unmute request in order to begin to speak.

CHAIRPERSON MOYA: Counsel, can you please administer the affirmation?

COMMITTEE COUNSEL: Panelists, please raise your right hands. Do you affirm to tell the truth, the whole truth, and nothing but the truth in your testimony before this subcommittee and an answer to all Council member questions?

RACHEL SCALL: Yes. Good morning. Before I get started, is someone controlling the slides from another computer?

CHAIRPERSON MOYA: Ms. Scall, please stand by.



RACHEL SCALL: Sorry. I don't know what happened. Okay. We're going to try again. Good morning. My name is Rachel Scall. I'm an associate at Greenberg Traurig. We represent SUW 4 LLC, the applicant seeking to raise zone 5914 Bay Parkway from its current R5 zoning district to an R67 district with a C24 commercial overlay. It should also be mapped for mandatory inclusionary housing. I am joined today by my colleague, Jay Siegel. Could I get the next slide, please?

CHAIRPERSON MOYA: Just quickly before you being, I just want to thank you. Again, we are in receipt of the proposal. When you are ready to present the slideshow, as you see, it's already been displayed on the screen, but to advance to the next slide just saying next and please note that there might be a slight delay as the presentation is loaded, as well, further advancing slides. And, finally, just before you begin, I know you already stated your name and me affirmation for the record, but I just wanted to let you know sort of the protocols of this. So, you may begin now. Thank you.

RACHEL SCALL: Okay. Thank you.

Sorry. Can you hear me? Can someone just confirm?

CHAIRPERSON MOYA: Yes.

RACHEL SCALL: Thank you. Okay. So, I'm just going to start over. Sorry. My name is Rachel Scall. I'm an associate at Greenberg Traurig. We represent SUW 4 LLC. As you can see on the screen, the proposed rezoning is located at the corner of Bay Parkway and 60th Street. It's currently in an R5 district about two blocks south of Washington Cemetery and two blocks west of McDonald Avenue at the eastern edge of Borough Park. Next slide, please. Our client owns the approximately 100 by 100 foot development site, which is currently unimproved. The development site is at the intersection of two wide streets. There is an R6 zoning district to the development site South and R5 district continues to the west and north and a C8-2 district, zoned for auto and warehouse uses to the east. Next, please. The development site sits across 60th Street from a nine story medical facility, kitty corner from the approximately 90,000 square foot Bishop Ernie high school and across Bay Parkway from a Rite Aid with accessory outdoor

parking. And there you can see the nine story medical facility and the three photos there, the tall building, the development site is the green construction fence that you see. On the top right on the left-hand side, you see the high school and on the bottom right, in that image, you have the Rite-Aide. Next, please. The proposed R6C24 district would allow up to four point FAR or approximately 48,000 square feet of development on the development site. Our client is proposing to construct an approximately 46,300 square foot new building which would contain approximately 5800 square feet of commercial use on the ground floor, which would likely be local retail, approximately 6200 square feet of second-floor community facilities space, and the remaining approximately 34,300 square feet would be used for residential uses. Approximately 10,300 square feet of the residential floor area would be affordable pursuant to the proposed MIH workforce option. The proposed new building would rise to a maximum of 95 feet, but significant setbacks mandated by zoning one program the new building from overwhelming the lower rise residential buildings to its north and west. Parking is required for 50

percent of the new buildings dwelling units, however, we understand from the community board in our client's knowledge from living in the area, that parking is in short supply in this part of Brooklyn. Our client plans to provide the 25 parking spaces requested by the community board. The spaces would be provided a cellar level semi-automated parking facility. The proposed work force option will help offset the significant costs of providing the additional parking, which is almost double what would be required by zoning. The proposed rezoning, which was voted on favorably by the community board and the borough president would create a transition between the lower rise residences to the west and north and the dense intersection of Bay Parkway and 60th Street, while bringing local retail community, facility uses, and affordable housing to the development site. And were happy to answer any questions that you have this morning.

CHAIRPERSON MOYA: Great. Thank you so much. I would just like to say that we have been joined by Council members Lancman, Richards, Ampry-Samuel, and Gibson. Also, I advise the public that, if you need an accessible version of this

announcement or this presentation, please send your email request to the [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). And I just have two quick questions for you before I turn it over to our Councilman. Can you give an example-- this is dealing with your affordability issue. Can you give an example of what eligible and common sample rents are under the workforce MIH option and how that compares to the local neighborhood?

RACHEL SCALL: So, the MIH levels for workforce, so it's 30 percent of the residential floor area has to be affordable at an average AMI of 115 percent. For a family of four, that's about 123,000 dollars. The maximum income band cannot exceed 135 percent AMI, which would be 144,000 for a family of four. Five percent of the residential floor area must be affordable at 90 percent AMI or lower. That's 96,000 for a family of four and five percent must be affordable at 70 percent AMI or lower, which is about 75,000 dollars for a family of four. I don't have the income levels for the area, but I do have comparative rents. The maximum rent that we could charge under the workforce option in conjunction with Affordable New York, which is what

our client is seeking to do here, would be 130 percent AMI which is-- Those maximum rents are still lower than the market rate rents in the area.

However, our client feels that what is actually marketable as affordable housing here would be closer to the maximum that could be charged for 105 percent AMI which makes the maximum rents being charged for their workforce units significantly lower than the market rate.

CHAIRPERSON MOYA: Okay. And also, can you describe your plans for the local-based contractors and subcontractors participating in the development?

RACHEL SCALL: We haven't gotten to the point of seeking bids yet. I know that our client is going to be seeking bids locally and from minority and women owned businesses. I can get more details on that plan and respond in writing.

CHAIRPERSON MOYA: And is there a commitment to good jobs for the future property service and maintenance workers at the completed development?

RACHEL SCALL: Yeah. That's something I can speak to my client about. We can respond in writing with our commitment.

CHAIRPERSON MOYA: Thank you. That would be greatly appreciated. That's it for questions for me. I want to know turn it over to our counsel to see if there are any members who have questions.

COMMITTEE COUNSEL: Chair Moya, Council member Yeger has a question who will be followed by Council member Reynoso.

CHAIRPERSON MOYA: Council member Yeger, you may begin.

COUNCIL MEMBER YEGER: Chair, I see Council member Reynoso also has his hand up. Can I defer to my colleague who is a member of the subcommittee and then just come in after that?

CHAIRPERSON MOYA: Sure.

COUNCIL MEMBER YEGER: Thank you.

CHAIRPERSON MOYA: Council member Reynoso?

COUNCIL MEMBER REYNOSO: A couple of questions, but this in Council member Kalman Yeger's district? Can I confirm?

CHAIRPERSON MOYA: Say that again? I'm sorry?

COUNCIL MEMBER REYNOSO: In whose district is this application?

CHAIRPERSON MOYA: Council member Yeger's.  
yes.

COUNCIL MEMBER REYNOSO: So, I'm going to do this. With all due respect to Council member Yeger, I would've loved for him to go first to understand why the workforce option is something that we should be considering here. But to the applicant, can you please again speak to why 123,000 dollars a year is the option that is being chosen by this developer?

RACHEL SCALL: Sure. So we're seeking the workforce option more for the flexibility than the maximum rents allowed. It will help offset the parking that was extremely important to this community. We understand that parking is very important here. We also are looking to help some of the community members who are maybe being pushed out of the area because, as rents rise, we understand that it's much more common to see one and two family homes constructed here rather than apartments and we feel that we're able to contribute more middle income affordable housing here and fact that it will also be rent stabilized, we hope, will bring some stable affordable housing to the neighborhood.



COUNCIL MEMBER REYNOSO: So, can you speak to the changes to the parking? So there's been a request for an increase in the parking requirements in this property?

RACHEL SCALL: Sure. So, if we did option two, because parking is required for 50 percent of units rented at greater than 80 percent AMI, if we were doing option two and sticking with 80 percent AMI, the building's market rate units would only require 13 spaces, but by providing the 25 spaces that are required, that's almost double and, in order to provide those spaces, we need to use a semi-automated facility in order to fit them on the small footprint of this building without having to go down two level underground. And so the... the workforce housing is really helping to offset those significant costs.

COUNCIL MEMBER REYNOSO: What is the current zoning of the lot and what is the proposed zoning?

RACHEL SCALL: The current zoning is R5 and we're proposing and R6 with a C24 commercial overlay.

COUNCIL MEMBER REYNOSO: How many apartment units are currently in the project and how many are going to be in the project?

RACHEL SCALL: The project cite is currently vacant. The current proposal is 36 apartment units.

COUNCIL MEMBER REYNOSO: What is the rent of a one bedroom apartment at 100 and-- what is it? 130 AMI through workforce option?

RACHEL SCALL: Sure. A one bedroom apartment would about 2500 dollars a month. Our client is not proposing rents that high. They understand that is not--

COUNCIL MEMBER REYNOSO: That is not [inaudible 00:21:51] Well, by law, that is not the case. The applicant is-- One second. [inaudible 00:22:00] So, the applicant is actually asking for up to 130 percent AMI. Am I correct?

RACHEL SCALL: That is part of the workforce option. Yes. It's actually the workforce option. The maximum would be 135 percent AMI. The reason we're discussing 130, that is the maximum for Affordable New York.

COUNCIL MEMBER REYNOSO: Which I want to be very clear with you [inaudible 00:22:22] for a long time. It's almost always at the top of the maximum-- the minimum requirement of these projects. Very rarely do landlords take the option to go lower out of the goodness of their hearts. So, at 130 percent, you're saying the one bedroom for 2500 dollars. Considering the crisis that we are currently in when it comes to housing and considering that this is in the district that has-- that is, let's say, more white, I am extremely concerned about the bird in the building deeply affordable housing go in almost exclusively to the black and brown neighborhoods and there is a perfect example. Oh workforce option and worm concern that, even in any district, including Kalman Yeger's district, that 2500 dollars for a one bedroom is questionable and the fact that we're giving a bonus to this property or an opportunity for growth from an R5 to an R6 to this property, to allow them to charge rent at 2500, I don't want to ask for two and three-bedroom apartments. Or talking about going above 3000 dollars. We have a crisis and everybody needs to do their part and I don't think that this applicant is

necessarily doing that. But my decision on what I'm going to do with this flow is going to fall on the opinions and the testimony of Council member Yeger, which I am excited to hear, but I'm very concerned about this applicant on face value. Thank you.

CHAIRPERSON MOYA: Thank you, Council member Reynoso. I now hand it over to Council member Yeger.

COUNCIL MEMBER YEGER: Thank you, Mr. Chairman and thank you, Council member Reynoso. I asked that McCauley go first because I wanted to be in a position answer some of his concerns and I do recognize the crisis of affordability very much and I have, in this Council, voted for every single application that is, before this Council for rezoning the as proposed affordable housing without regard to my personal opinions simply because I think that we have to develop affordable housing anywhere we can in the city. On this particular site, this is what I would call in urban blight site. There is nothing there. It is a decrepit lot in a neighborhood that we would like to see something the bill here. Right now, throw my neighborhood, what people are doing their building one into family homes. I'm not

seeing-- and in my time here and there Council, this is, literally, the first project where somebody has come before the Council, since I've been here, to ask for more space to build. People are not building in my district. They're just not. I need to be in a position where we can incentivize the building here and I also recognize that, without the additional space, the applicant has the ability to build market, perhaps a few less apartments, but market and we will get nothing out of it and I won't get those stabilization which, to me, is amongst the most important concerns. I want people to know that, when they sign a lease, what their rent is today is what they can count on their rent being tomorrow and the next day and the next year and the year after that. I'm constantly worried about people's rents not being counted on for their future. What I'm seeing my neighborhood is people who are living in rented multiple dwellings, three or four or five family homes and their rents are going up every year. They are not stabilized. They're not controlled in any way and they are being priced out of the neighborhood. 2500 dollars is a lot, but 2500 dollars is affordable in my neighborhood. This is

the kind of trade-off. And when they came before the community board, I had not taken a position on and I wanted to hear what people would say and I made no statement at the community board. There was not a single person from the surrounding area that objected and the community board voted in favor of this to the tune of 100 percent of the members less one vote. And I'd like to defer to a community board when they see a project like this for the same reason that, when I was on a community board for 18 years, I wanted our opinions to be respected as well as projects move up. This also had a hearing in front of the borough president. Borough president Adam looked at the project, he supports the project, as well, with his recommendation. So, for me, getting the ability to bring 36 units with a mix of affordability and market is important. One of the greatest challenges in that area and building anything is my concern about parking. This is not a transit zone, if you will, where Subway is right around the corner. Virtually everybody who is going to rent one of these apartments is going to have a car. I know we like to hope that New York City gets to the place where we are not in exclusively cars

city, but the reality is not every part of New York City is Greenwich Village or downtown. There are places in the city where people do rely on cars to get around. This is more of a suburban part of the city, but we are, I know-- it's not merely anecdotal. Look around. Everybody is going to have a car. The ability to take these cars and get them off the street and get them underneath the building was incredibly important to the community board. I heard that concerned there and that makes it incredibly important to me, as well. For me, it's also important that the applicant is stating on the record's commitment to going to 25 spaces, even though it is not required to do so. That is a giveback back, then, is important. The giveback of offering up space in the building for use by community institutions, as well, as also important. They are going to have community facilities space. That is important, as well, because it gives us the ability to have local doctors. It is the ability to have local institutions stay and be local. And that is important, as well. And in terms of the retail, you know, I don't know what they're going to do doing, but anytime somebody wants to create jobs in

my neighborhood, I say, did me a shovel. Let me start digging because I know who gets employed there and it is people from all over the city. I want them to have jobs and we have to do everything we can to get jobs. I believe this project is going to be a good project. I believe it is going to be a union project. Hopefully that will be. I want that to be the case. I know they're going to hire locally-based companies because I insisted when I spoke with him a few weeks ago. I know that the Chair, this is what he would insist and I spoke to the applicant about my desire to make sure that people who live in Brooklyn are employed by his work and building in Brooklyn. Mr. Chairman, I yield back to you unless the Chair has a question for me or--

CHAIRPERSON MOYA: No.

COUNCIL MEMBER YEGER: Council member Reynoso.

CHAIRPERSON MOYA: Thank you, Council member Yeger. Thank you. Okay. Are there any other Council members who wish to ask questions?

COMMITTEE COUNSEL: Chair Moya, I see no members with further questions for the panel.



CHAIRPERSON MOYA: Okay. Are there any members of the public who wish to testify on this application?

COMMITTEE COUNSEL: Yes, Chair Moya.

CHAIRPERSON MOYA: Thank you. So, thank you. I'd like to now thank the panel and excuse them from this panel right now and, as I said, we think you very much for your testimony and, counsel, if you could please call up any members of the public who have signed up to testify. Thank you so much.

COMMITTEE COUNSEL: The first witness panel for this item will be Joselyn Sutillo and William Rodriguez.

CHAIRPERSON MOYA: Okay. Members of the public will be given two minutes to speak. Please do not begin until the Sergeant-at-arms has started the clock and, before you begin, please state your name and the affiliation, if any, and either the LU number or the project name on which you are testifying.

COMMITTEE COUNSEL: Chair Moya, please stand by. Chair Moya, we will seek members of the public to testify at this time. This is not available at the moment, but we public testimony. If there are any members of the public who wish to

testify on LU number 678 and 679 for the 5914 Bay Parkway rezoning, please press the raise hand but now. The meeting will stand at ease while we check for member of the public.

COMMITTEE COUNSEL: Chair Moya, I see no member of the public who wish to testify on this item.

CHAIRPERSON MOYA: Okay. Since there is no additional members of the public who wish to testify on the 15 914 Bay Parkway rezoning proposal? I now turn it over to you, counsel.

COMMITTEE COUNSEL: Yes, Chair Moya. There are no members of the public signed up to testify. You will announce the closing of [inaudible 00:33:31].

CHAIRPERSON MOYA: Thank you. There being no other members of the public who wish to testify on the public hearing on LU's 678, 679 for the 5914 Bay Parkway rezoning is now closed.

Okay. Now we will move to the next item that we will be hearing is for LU 674 through 677. The Industry City proposal relating to the property located in Council member Menchaca's district in Brooklyn. The applicant seeks approval for a series

of related land use actions to facilitate the expansion of industries city. A 16 building 5.3 million square-foot complex of historic laws to buildings located in the industrial waterfront section of Sunset Park, Brooklyn. The requested actions include a city map change, zoning map amendment, zoning text amendment, and a zoning special permit and would establish the special industries city district. The proposed action would facilitate the development of up to 1.45 million additional square feet as part of three new buildings and or vertical additions to the existing buildings, bringing the fall complex to a total of 6.6 million square feet, 4.97 FAR, and allowing retail, academic, and hotel use that are not permitted by the current zoning. Sunset Park waterfront stretches from the border of Bay Ridge at the 65th Street rail yards to the mouth of the Gowanus Canal and is one of the last active industrial waterfront in New York. It is home to large city-owned properties where the city has invested hundreds of millions of dollars in industrial, economic development, including the Brooklyn Army terminal, Bush terminal, and South Brooklyn Marine terminal. The Industry City proposal

poses difficult questions about how to balance industrial and commercial development, public and private investment, and achieve more and more of an equitable, inclusive, and sustainable economy in our city. While New York is in need of investment to help drive recovery from COVID-19, proposals that affect land use at this scale also have long-term impacts we must consider, especially in an area as sensitive as the industrial waterfront. We look forward to digging deeper on the details of the proposal and its implications today. Many sunset parkers and residents from across the city have raised their voices and feel passionately about the future of this property and the Sunset Park waterfront. We know this project has been a contentious one, but we ask that everyone remain respectful in their testimony. Due to the number of speakers we have signed up, we will be limiting testimony to two minutes per person. We will hear first from the applicant and, then the public panels of four speakers each, but first we will go to my colleague, Council member Menchaca, for a statement. Council member Menchaca?

COUNCIL MEMBER MENCHACA: Can you hear me?

CHAIRPERSON MOYA: Yes.

COUNCIL MEMBER MENCHACA: Wonderful. Chair, I want to say thank you to you, the land-use team, and the entire City Council, including Speaker Johnson who have made today's hearing a new engagement opportunity. We know that there are many-- there are a few rooms that are being translated and so I just want to say thank you on behalf of my community who are now connecting in a new way. That couldn't happen without your leadership on I want to say thank you, Chair.

In 2014, a year after arriving in Sunset Park, the owners of Industry City announced plans for a rezoning. They argued the rezoning was necessary to develop their industrial property and attract thousands of jobs. It is 2020. Industry City has not been rezoned, but jobs have come. And, if you visit, you can see firsthand the mix of jobs already allowed in the industrial zone. Restaurant workers and bartenders, furniture salespeople and architects, carpenters and chocolate makers. All of these jobs are allowed at Industry City without a rezoning.

Today, 500 diverse businesses call Industry City home and 2.5 million square feet at Industry City remains under-utilized awaiting redevelopment and activation. Just months ago, in the middle of a pandemic in the worst economy in a century, their investors outbid the EDC to purchase more property on Sunset Park's industrial waterfront. For Industry City, cash and vacant space are not in short supply. Industry City can bring more jobs without a rezoning. For years, I worked to understand the nuance and complexity of this proposal. I listened to everyone who wanted to talk to me and, ultimately, I felt compelled to try. To try to make a rezoning work. The current zoning is far from perfect. My community is suffering from overcrowded schools and underemployment and 70 percent of my neighbors have no housing protections. I thought, may be, may be a rezoning could address our existing challenges. Maybe we could use a rezoning to protect to the IBZ and encourage green industrial jobs. Maybe we could finally secure substantial city investments for schools and housing. But, I also know, like many of you, my colleagues on not just this Committee, but at this Council, that Andy rezoning calms with steep costs and impacts.

Thousands of working-class immigrant families would be displaced in Sunset Park. Thousands of car trips destined to industries city to their shopping mall would choke the BQE and exacerbate the deadly conditions on Third Avenue. And, most insidious, Industry City's job promise actually threatens jobs. By adding 1 million square feet of retail, bars, restaurants, hotel and even open spaces, we put Sunset Park's current 14,000 industrial workers at risk. In other words, their proposal was not just an opportunity. It was also a threat. And without substantial changes, industries city's promise of jobs would mean little. So, for two years, I worked with Sunset Park neighbors to develop a framework to address these threats and ensure accountability. I have made those-- that framework very, very clear. Industries city had to change the application. The Mayor and his agencies had to commit investments. And Industry City had to sign an ironclad legally binding contract with the communities so that they and any future owner would be accountable to the community. This framework was designed to ensure that the city would not benefit by sacrificing Sunset Park. To their credit, Industry City agreed to this

framework in principle. But, while they agreed to discussions, the declines to do it on the communities terms. When they initiated ULRP in October 2019, both for community coalition had emerged and legally had representation, they made it clear that it wasn't about accountability. It was about expedience. The Mayor has repeatedly shut down conversations about investing in our housing and workforce needs and, to this day, a community coalition does not even have a lawyer. In other words, the framework that I have set, failed. Industry City promises opportunities for Sunset Park. For the city as a whole. An iron Jew, colleagues, and to remember that promises by major developers are broken every day. If we cannot protect current businesses and residents, what good is there promise? I have worked on this application for years and I have been driven by a principle that binds us, all of us, as members of this Council, to create meaningful opportunities while protecting the most honorable in our communities. You will hear from 160 people today who have signed up to speak and there will be tension. And I ask you to remember at this point, with less than two months ago, that there is no way to reach a level of accountability my



community both demands and deserves. Our residents are also not alone. Congress member Nydia Velasquez, Congress member Jerry Nadler, State Senator Zellnor Myrie, and the incoming Democratic primary winner, state Senator Jabari Bruce Port and Assembly Member Marcela Mitaynes, are all opposed to this application. So, I say thank you. For being here, for listening to our community, and to the community who has shown up today and has submitted testimony. I look forward to the conversation today. Thank you, Chair.

CHAIRPERSON MOYA: Thank you, Council member Menchaca. I'd like to mention that we have been joined by Council member Cornegy. Just one quick procedural note here we are anticipating taking a very short break of approximately five minutes around 2 p.m. And now I just want to turn it over to our counsel to please call the first panel for this item. And also, I just want to remind her colleagues that we will be getting to questions that you may have read after the panel does its presentation.

COMMITTEE COUNSEL: The applicant panel for this item will include Andrew Kimball of Industry City and Jesse Maizer and Ethan Goodman, land use

counsel, appearing on behalf of the sponsor.

Applicant panelists, if you have not already done so, please accept to the unmute request in order to begin to speak.

CHAIRPERSON MOYA: Counsel, if you could please administer the affirmation.

COMMITTEE COUNSEL: Panelists, please raise your right hands. Do you affirm to tell the truth, the whole truth, and nothing but the truth and your testimony before the subcommittee and in answer to all Council member questions?

PANEL: I do.

CHAIRPERSON MOYA: Thank you. We have a slideshow presentation that will be displayed one see you are ready to take us through it and slides will be advanced for you when you say the word next. Please just say your name and affirmation for the record and, with that, you may begin. Thank you.

ANDREW KIMBALL: Good morning. My name is Andrew Kimball and I am CEO of Industry City. I am here today after almost 7 years of listening, engaging, plan aimed, investing, rebuilding an opportunity generating task you to approve adjustments to outdated zoning regulations that will

facilitate and expand the already unprecedented private-sector rebirth of a massive long dormant industrial campus on the Brooklyn waterfront. Your approval will generate real benefits for Sunset Park and the city of New York. More than 20,000 jobs, 1 billion dollars in private investment, the largest private-sector commitment to preserve manufacturing anytime, anyplace, and 100 million dollars a year in annual tax revenue. Even as the COVID-19 pandemic continues to touch so many lives, devastating Sunset Park and other areas of the city, the economic impact is already clear. One in five New Yorkers have lost their jobs in the city faces the largest budget deficit in history. Approving this plan, the only viable job planned to come before the city Council since the pandemic began, and a plan of this magnitude that is likely to reach the Council before this term expires, will send a clear message that business and investment are welcome in New York City. While unprecedented in many ways, the reactivation of Industry City mirrors other successful initiatives. Brooklyn is home to three massive industrial complexes on the waterfront. The city owned and managed Brooklyn Navy Yard, the Brooklyn Army

terminal, and a privately owned Industry City. For the last 15 years, I have devoted my career to reactivating two of these facilities. I'm proud to say that, with teams of incredibly talented people, we've been able to achieve something remarkable, an uptick in Brooklyn-based manufacturing for the first time in decades. And, by working with mostly small businesses and dreamed chasing entrepreneurs, the creation of tens of thousands of jobs. Prior to joining Industry City, I led the Navy Yard redevelopment for eight years. Turning a long abandoned, underutilized eyes sore into a national model for urban, industrial adaptive reuse. By embracing the innovation economy, the broad range of businesses and jobs that go into making physical, digital, or engineered products or relentlessly focusing on workforce development opportunities, we were able to track 250 million dollars in public funding that, in turn, leveraged over 1 billion dollars in private funds and now the city is doubling down on its success at the Navy Yard walls so investing significantly in the Brooklyn Army terminal. In 2013, I joined the new ownership group at Industry City who are committed to bringing the

long, decrypted, underutilized complex back to life with a similar focus on the innovation economy, local engagement, and opportunity. While in the Navy Yard and industry city have similar histories and both are meant to accommodate the same segments of New York economy, there is one big difference. As a private property, government funding cannot and should not be used to rebuild Industry City. But government did show what was possible at the Navy Yard and set the challenge to the private sector. Build in economic future for New York that is inclusive, community centric, and achievable without the expenditure of public tax dollars. To achieve success is going to take a private investment of truly unprecedented levels. At Industry City, that started by pumping 20 million gallons of water left by super storm Sandy out of the buildings basements while investing and infrastructure that had been allowed to crumble for generations. Rebuilding basic systems like plumbing, electrical, and elevators to make the campus resilient in the face of climate change. Replacing broken windows with 15,000 energy-efficient windows, adding 55 new loading docks and installing pedestrian friendly elevated sidewalks. The adaptive reuse of

16 buildings for their original, industrial commercial purpose is now one of the largest and most environmentally sustainable projects in the country. I've brought and applied to Industry City everything that I learned at the Brooklyn Navy Yard, including where to start. By listening. In industry city, both for a single architect or planner was hired, before any design was drawn, and before we landed on a plan, we will send. To the community. To tenants that were already in place. To neighborhood service providers and nonprofit organizations. To elected officials and agency representatives. We knew that nothing would be achieved unless real partnerships were forged and meaningful ways to gather and incorporate community input were not only developed, but actually used. We invited people to come tour campus and asked if we could come visit them. We surveyed area businesses, went door-to-door to meet area residents, brainstormed and swapped ideas with dozens of organizations and study the existing data and plans to explore our way forward. What we found was remarkable. Historically, the economic vitality of Sunset Park and others surrounding neighbor's has been tied to the activities within this 16 building

campus. At peak activity levels in World War II through the early 1960s, more than 25,000 people worked at Industry City in Sunset Park flourished as a working class neighborhood with thriving retail strips and waterfront shipping. We also learned what many in the community already knew firsthand. As World War II ended and manufacturing began its long decline, Sunset Park suffered. But people didn't give up. They had a vision for what the waterfront could become and how it would give the rest of the area of the boost it needed. That vision became a plan. Specifically, the community board sevens 197 A plan. And that plan became the foundation of our plan, the basis of how we would reactivate Industry City. In studying the 197 A plan and in all of our conversations, the number one thing we heard-- and I would say loud and clear-- is that we, the private owners, should do everything we can to create opportunities for our neighbors. People needed jobs some local entrepreneurs wanted to be nurtured, so we launched to the Innovation Lab, the first such facility to be started by a private landlord in New York City. The areas elected officials at every level stepped up to supported and community-based

organizations and New York City colleges and universities became our partners. Now, more than 5000 area residents have been trained, served as interns, been placed in jobs, receive support for new business, or otherwise benefited from the Innovation Lab. Makers wanted places to make things and manufacturers needed room to grow. To meet this demand, we transformed wide-open warehouse floors into small workshops where artists and innovators could make and sell their products. In fact, our range of businesses is so diverse we, literally, have the butcher, the baker, and the candlestick maker on our campus. To help New York remain a viable option for manufacturers of all kinds, we built spaces for garment companies, distilleries, jewelry makers, and many others. And now we're prepared to make the largest private commitment to the preservation of manufacturing in New York City's history. Nearby retailers, service providers, and contractors wanted to do business with us and so we aggressively sought participation by local contractors with over 100 million of the 400 million already invested spent at area businesses. And local residents wanted access to local events and amenities in their neighborhoods



and are tenants wanting to be engaged. And not just with each other, but with the broader Sunset Park community. Hundreds of community events have taken place at Industry City, often in collaboration with our tenants. And when the COVID-19 pandemic devastated our communities, we collaborated with our tenants to produce PPE for local hospitals and provide food donations to local food pantries. All of this was done because we listened and because we know our future and that of the local community are fully linked. We only succeed if Sunset Park and the city of New York succeed. Moreover, between the time we originally shared the plan some six years ago and the start of ULRP, substantial changes were made to reflect the input we had received. For instance, our original plan included dormitories to serve the colleges and universities we would like to bring here. But some community members and elected officials were concerned that was too strong a step towards residential development, so we eliminated them. And now, despite the important role that business hotels and conference space play in successful innovation districts across the country, we are prepared to drop the element of our plan, as

well. Industry City has come alive over the last six years thanks to hundreds of local entrepreneurs and small businesses who have embraced our vision. Employment has grown from 1900 to 8000. New businesses have grown from 150 to over 500. 400 million dollars have been invested. One in five people who live and work in Sunset Park are now working at Industry City. Key sectors of growth have mirrored those we counted on for the rebirth of the Navy Yard. Design, engineering, Thelmen media, tech and art. Over 80 percent of our companies have fewer than five employees and operating out of space and smaller than 2500 square feet. Many companies that Industry City utilized some element of production or light manufacturing. In fact, today, we had more manufacturing at Industry City than at any point in 40 years. In the limited capacity in which we are allowed, under current zoning, CUNY City Tech, NYU Tandon, RPI, Saint Francis, and Parsons all have outposts at Industry City. Scores of partnerships and programs have been established with local high schools, as well as with middle and elementary schools. Other key elements to the success of Industry City today and the other successful

innovation districts across the country are, first, proximity of innovation economy businesses, including manufacturing, to academic institutions and workforce development entities, resulting in internships, guest lectures, partnerships, and technology transfer. Second, a common and open space which encourages networking and community building and, third, retail, entertainment, and wellness amenities. So, why is rezoning needed? Outdated land-use rules created some 60 years ago for the days of the smokestack are restricting our ability to grow in ways that best support local small business, job creation, and academic pathways. We need a zoning framework that supports the industrial manufacturing, and the innovation economy companies competing in the economy of 2020, not 1960. For instance, because we can't have academic classrooms, we are only scratching the surface of what can be achieved by integrating colleges and universities and do a campus to maximize the creation of on ramps to the jobs of today in the future. This is already happening at similar campuses across the country. Innovation districts in Philadelphia, Pittsburgh, Boston have embedded elements of such schools as Penn State, Carnegie

Mellon, Babson College, U Mass, and Northeastern.

Close to home, at the Brooklyn Navy Yard, Brooklyn College opened the first school of Cinema embedded in a working studio lot. Academic collaborations that industry city have begun and will really flourish with the new zoning framework in key innovation economy industries such as film and media, design, engineering, and green energy. For example, through a joint venture with Red Hook Container Terminal and in partnership with the city and state, we are working to bring the offshore wind industry to the South Brooklyn Marine Terminal just across the street from Industry City. Many of the companies operating at SBMT will also take space in our buildings for all foods, R&D, and support space. Local high schools, colleges, and universities will be key players in not only selling the hundreds of green jobs at SBMT, but also working on R&D and other initiatives that advance the offshore wind industry, pioneering the green jobs of the future. But that is far from the only reason is rezoning as needed. The inability to lease to larger retail tenants limits our ability to draw people to the location that does not have been well not have housing. Shoppers at larger stores on

our campus will, in turn, support the scores of small businesses that are both maker and retail that have opened at Industry City under the existing zoning. Finally, the inability to build on vacant and adjacent properties limits our ability to serve the broadest set of innovation economy tenants, particularly those that need high ceilings and column free space. The tremendous success of the new building 77 at the Brooklyn Navy Yard has proven incredible value of and demand for such space. The new zoning will allow us to lease faster, creating more jobs in providing the returns necessary to build out a commercial industrial campus that is 100 percent privately financed. The alternative as of right strategy will create far fewer jobs than forfeit the dynamic academic collaborations we proposed. It will also force us to look closer at the highest return opportunities available in a heavy manufacturing zone today, namely pure office and last mile warehouse distribution. While it is certainly not been our leasing strategy the date, last mile warehouse pays more and is growing faster than any other industrial use in the city right now. For all of us who love the city, these are challenging times.

Unfortunately, overheated rhetoric and unfounded accusations that are supported by the facts continued to be offered about this project. Even buys some people whose commitment to remain uninformed has included an absolute refusal to visit Industry City or engage in meaningful dialogue. Given what you may hear today, I'm going to take the opportunity to directly address some of what we have already heard and what you may be hearing today from the people who oppose this plan. Gentrification is real and it needs real solutions. It is, in fact, happening in Sunset Park and in many other areas of New York. But there is no evidence linking the creation of jobs at Industry City to gentrification in the neighborhood. In fact, rents and housing prices and other objective measures of gentrification show that the rate of gentrification in Sunset Park is occurring at a similar pace to other neighborhoods and in the years after 2013 when we began to bring jobs and businesses to industries city, as in the years before we began that revitalization. In other words, there was no spike in gentrification as a result of our investment. Regardless, the answer to gentrification is not to kill jobs, but to create jobs and ensure

that local residents have access to them. They insert to the gentrification is also to build affordable and workforce housing near to where jobs are being created. That will require local leadership that supports greater density on sites near Industry City. And on jobs, we have heard that these-- those openings, this plan-- those created by this plan won't go to local folks, despite all evidence to the contrary. Today, if you live and work in Sunset Park, chances are you work at Industry City. That's because 20 percent of the people who live and work in the neighborhood work at Industry City. More than anywhere else. 35 percent of the 8000 jobs at Industry City are held by people from the surrounding neighborhoods and nearly 70 percent by the people who live in Brooklyn. Move also heard the calls for preservation of the site for green jobs and, again, we are happy to say that Industry City and our partners directly across the street at SBMT and creating the city's largest hub of green manufacturing. As we undertake one of the nations most significant and adaptive reuse projects sent hurdle in bringing historic, but took rapid, buildings back to life. We've heard that Industry

City's vision is not compatible with the community's vision and that the true voice of the neighborhood is opposed to this plan. As I have already demonstrated, our plan mirrors the community boards 197 A plan. We have also heard that a plan of this scale should be considered as a public application. That the city should devote resources to its fullest implementation. While we agree that the city should address the need to upgrade the area's infrastructure, I think it is a worthwhile reminding everybody that this is a private application and covers privately owned property. That is different from area wide rezonings where the city puts forward a plan to rezone large sections of the neighborhood with properties owned by numerous private interests and individuals and almost always includes public land. We have heard that there is no way to lock in all these promises to ensure they come to pass. Our promises are real and our seven year track record has been proven. However, area stakeholders are right to be uncertain of what any entity will do in the future. That is why we are willing to lock into our commitments into an enforceable CBA that binds the property, no matter who owns it, to certain



commitments. These include preserving manufacturing as we take advantage of retail and new buildings that we can't do today. It means not fully unlocking our ability to add new retail and new buildings until we have demonstrated the jobs are going to local residents. We know you will hear criticisms like those I mentioned from many people waiting to testify the day, but you are also going to hear from manufacturers who came to Industry City so that New York City could have and the jobs they create before they moved to another state. You'll hear from business owners who grew up in Sunset Park and still find it hard to believe that they are achieving their version of the American dream in the neighborhood they love and still call home. Through the tough times and are a testament to the areas tenacity. From a curious passerby who noticed a banner on the side of the building where Innovation Lab is and now has a job as a senior manager at a company manufacturing eyeglasses. You'll hear from people who were born in Sunset Park, still live there, and are counting on this plan to help the neighborhood to become a place full of opportunity for their children. Where people have a chance to get the

education they need, the waterfront they want, and a future that is not only full of hope, but provides a real promise. And because New York City's economic future is on the line, you will hear from civic leaders and people from organized labor and from community organizations who never gave up on New York. So many refused to give up in the seventies when we were on the brink of bankruptcy or in the 80s when crack and aliens threatened our future or in any other crisis. They have refused to do so now when so many others have declared that New York has met its demise. And that your approval will help New York recover from the nightmarish situation that confronts us. Thank you for your consideration.

CHAIRPERSON MOYA: Thank you so much for your testimony. Before I get to questions, I just want to remind the public that you can email your request to landuse[testimony@counsel.nyc.gov](mailto:testimony@counsel.nyc.gov) if you need an accessible version of the presentation that was shown today. I also just want to make a quick reminder to my colleagues that, once I am done Council member Menchaca, we will allow five minutes for members to do Q&A and I will remind everyone as we proceed, as well. And we have also been joined by

a Council member Powers. And so, before I open it up to questions, I just have a couple questions of my own. Thank you, Mr. Kimball, again. The question of rezoning. So, according to information that you have provided here, the economic activity act Industry City has grown by hundreds of businesses and thousands of jobs since 2013 as its ownership group invested over 400 million dollars. If the development under the current zoning and mix use has been so successful, why do you need the changes to the zoning?

ANDREW KIMBALL: Thank you for the question, Mr. Chairman. I appreciate the time today. Look, what is clear is that we have a track record of success. Council member Menchaca mentioned it, you just mentioned it. There is no doubt and we are proud of that. What I would argue is that that is all the evidence you should need to figure out how to support that success and grow that success when the time that the city is facing massive unemployment north of 20 percent, budget deficits we have seen since the 1970s that are historic. So, what I would hope this Council would be figuring out what to do is how to find projects like this and how to support

them, number one. Number two, I would say, pathways into good jobs that are career pathways, can be enhanced by this zoning by bringing more businesses here, by bringing colleges and universities here, by bringing a vocational high school, something that Council member Menchaca, to his credit, has advocated for. There is one at the Brooklyn Navy Yard right now that is astonishingly impressive. We would love to bring a replica of that here. Now, we currently do scores of internships at the local schools, the high schools, but having schools embedded in our campus, where they are next door to the businesses that are here, will facilitate those internships, that kind of tech transfer, that kind of entrepreneurship that will allow those individuals that to either join those companies or start their own business here. And we will need more space for that. There have been questions raised about the amount of vacant space we have now. Sure. We have vacant space, but we have also leased over 3,000,000 feet in the last six years, so we have shown that we can fill space. A significant portion of that vacant space today cannot be leased. It is decrepit. It needs massive investment. This summary zoning will

create the economic resources that will allow us both to invest in that last portion and to build new for those kinds of companies that don't fit into buildings that were built in 1890s to 1910 that have 15 foot high ceilings. Many innovation companies, modern businesses need high ceilings. They need more space. They need modern systems. They can't be outfitted in old, historic buildings. So we need more space to grow. So, again, it is my hope that the Council would recognize-- and we appreciate the recognition-- of the outstanding work we've done in the last seven years. Let's build on that together and let's help New York City come back from this crisis.

CHAIRPERSON MOYA: So, just staying on that topic, as well, what is the most likely scenario for the future of Industry City if the zoning remains the same? So, kind of maybe walk us through what that as of right would be that you currently have.

ANDREW KIMBALL: Right. We are all New Yorkers. I speak on behalf of myself and ownership here who care deeply about this city. We're not going to run away from the site. We're going to keep investing, but it comes much harder to create the

economics to allow us to grow at the same pace, even more so in an economic recession now. Or an economic crisis, I should say. So, sure. We will continue to try to attract small business 100 percent. It costs a lot of money to cut up space into small units. We will continue to try to attract innovators here. But we're also going to have to look at those things that are available to us under the heavy manufacturing zoning. So, again, as I said in my testimony, if anybody looks-- and I really hope the city Council looks at this-- because to me-- and I'm speaking as an individual here-- this is a real crisis in New York City. This massive last mile distribution facilities, many of which are getting built in Bread Hook in Sunset Park, as we speak, but also Maspeth in Queens, the South Bronx, where you take a tractor-trailer, you drive into a 250 square foot building, you go up one floor, three floors, four floors with a tractor-trailer. You pick up the electric toothbrush that somebody ordered at 2 A.M. and deliver it to their neighborhood by 2 P.M. just the way I'll need it the same day. That is not healthy economic development in my view. That puts more trucks on the street. That puts more pollution in our

neighborhoods. It causes more traffic. So, I would argue that the diversity of you says we have, the ecosystem movies since we have, which, of course, will include some e-commerce, but will be overly dependent on it is what we need to be incentivized to do. And to do that, you have to have an eclectic mixture of uses. You have to have more flexibility on academic and other things. So, that is one track. The other track is that, under M-3-- and, again, what we're talking about here is a zoning that was designed in 1950-1960 for the days of the smokestack where you wanted to have things like tanneries, chemical plants, asphalt plants, nuclear waste storage away from where people lived, away from other businesses. We don't live in 1950 or 1960. We live in 2020. Okay? You can have those things near to each other sustainable ways. So, that is the eclectic kind of ecosystem we are looking to build. But under the M-3, you can also do pure office. So, tomorrow, if somebody wanted to lease the whole place for an office complex, they could do it. Again, that is not our vision. We are proud that we have grown manufacturing year. That is part of why innovation companies that may look more like tech or design or

office want to be here also. They want to be in that environment. I know that you may not have had too many projects come before you like this, but that is the reality of what is working for us. And, by the way, that's what worked for me at the Brooklyn Navy Yard.

CHAIRPERSON MOYA: Thank you. So, you had brought up the question about gentrification and I want to kind of get into that a little bit right now. We know that this has been a growing concern throughout the city, but, mostly the community has concerns about gentrification in general and they are also concerned that the new commercial businesses are going to attract a new workforce of higher income workers who will help drive up local housing costs. Let's get into some of the numbers here. What is the current mix of the type of business tenants at Industry City and what are the current ranges of rents and Industry City?

ANDREW KIMBALL: Sure. We have about a million square feet of warehouse distribution today. We have about a million square feet of manufacturing. We have about 900,000 square feet of office. We have about 400,000 square feet of art and design and we



have about 120,000 square feet of retail. So, it is a very eclectic and interesting mixture of spaces and, by the way, for any of the members on the phone who haven't visited, I would love to walk you through this campus. You certainly are allowed to do it on your own, but I would love to take you through it. The rent range is incredibly broad. The bulk of the rents are between 15 and 30 dollars a square foot, but they go as low as 12 dollars a square foot and as high as 40. And, by the way, those rents happen to be fairly in-line with the rents and recently developed spaces at places like the Brooklyn Navy camp yard.

CHAIRPERSON MOYA: And do they vary based on the type of business?

ANDREW KIMBALL: Absolutely. You know, but there is not a straight rule. Typically, you would think that warehouse distribution would pay the least, but, today and industrial, as I just said, that is paying the most. Exponential increases in the last 10 years on last mile warehouse distribution. Exponential. Certainly for spaces that are more designed in engineering that you walk into when people are on computers, that there are 3D

printers or plotters in the corner, they are likely to be paying on the higher end. Absolutely. So, you have a range.

CHAIRPERSON MOYA: And so, just going back to the sort of the ongoing concern that, you know, this will sort of displace many of the businesses and local communities, do you think it's fair to argue that gentrification is part of the development vision proposed here and kind of how do you respond to those arguments? And I know you touched a little bit on that during your presentation. Can you walk me through that one more time?

ANDREW KIMBALL: Yeah. So, I will say this and I've been saying this for a long time publicly, both that this position and when I was at the Navy Yard. But to me, the answer to gentrification, which is very real, a concern for all of us who live in New York. And I am a lifelong New Yorker. We need to maintain the diversity of our neighborhoods, but the way you do that is by creating, particularly in places like the Bronx and Queens and Brooklyn, particularly along the waterfront where you have seen growth, you need to

build affordable and workforce housing near to where the jobs are being created. So, there is been very little affordable and workforce housing built in the area near to Industry City. I hope that, going in the future, there will be the commitment to do that, but that is going to require density, as well. And so, that is going to take real leadership and I hope that that happens. But the answer to gentrification is not slowing down and killing jobs, particularly jobs that are accessible in the broadest possible way and create pathways to careers that will give people the incomes it is certainly in our interest to have this property remain a heavy walk to work property. That is in the businesses interest, that is, candidly, big reason that we set up the Innovation Lab. So that we were prescreening, placing, in some cases, training folks from the surrounding ZIP Codes to come to work. All of our tenants love the fact that they are hiring locally, but they are not just doing it out of the goodness of their heart. They are doing it because it is really smart business. If you're who has a short commute, particularly a walk to work, they are much more likely to stay in their job more than six

months. That helps the business. That helps the landlord.

CHAIRPERSON MOYA: So, the city has invested hundreds of millions of dollars in industrial economic development on the Sunset Park waterfront. How do you see the future of Industry City in relation to this public investment at sites like the Brooklyn Army Terminal, Bush Terminal, at BMT, and many of the public and community plans that call for this waterfront to remain focused just on industrial uses?

ANDREW KIMBALL: Yeah. I am, obviously, huge fan of what happened at the Navy Yard, but it hasn't just happened there. It's also happened at the Brooklyn Army Terminal and now it is happening at Bush Terminal and just south of Industry City where government, our tax dollars, are invested heavily, heavily in cross subsidizing, keeping industry, industrial businesses, manufacturing local and creating local pathways. That is fantastic. That is good public policy. I wish we had another 10 or 15 Brooklyn Navy Yard's and Brooklyn Army Terminals in New York City. That would be a great thing for New York and I would encourage the city to identify other

public sites where you could do that. Some of it is happening at Hunt's Point. I wish it was happening in more locations. But New York is not going to address its issues of equity and opportunity and really tackle the gentrification issue unless the private sector also invests in this space. There is not enough public money to go around. There is zero public money today, as we all know. So, I would argue that this kind of project is exactly what the city should be supporting, directly or indirectly, both here and in other locations. I would also say that some of the success that the city is seeing at a place like Bush Terminal where they recently announced a huge movie studio coming there and thousands of new jobs. That's directly related to the investment that we're making in this property. People now see Sunset Park as a fantastic place to grow a business. Great local workforce, great space, place where people can walk to work, a park down on the waterfront. So I think these things are creative and connected and I think the Sunset Park waterfront is one of the most exciting commercial industrial districts anywhere in the city of New York.

CHAIRPERSON MOYA: So, just going back to sort of the-- you talked about density. Why the additional density? The ability to contrast new ground up buildings or rooftop additions important to your vision, but also your application states that half of the current buildings are vacant or storage. So, why is any of this new space needed?

ANDREW KIMBALL: Sure. So, the application was made many, many years ago, in part because we have deferred it several times at the Council members request before deciding to go forward in the fall. When I got to Industry City, we were about 70 percent occupied. 40 percent of that was static storage because that was the leasing strategy of previous ownership because they couldn't figure out how to attract the dynamism, the high employment businesses of today in the future. So, the easy thing to do was fill it up with boxes and take a low rent, but don't put any money in the building, let the buildings continue to decay. Okay. So, here we are now, seven years in. We have taken that 40 percent static warehouse, new jobs, and we have cut it in half. So, that is very significant. We have leased that space to businesses that are actually

creating jobs and we've also cut into the vacancy by about five percent. So overall, the total amount of leasing we've done is about three and a half million square feet of space. That's extraordinary. And, again, what I would say is that is an example of what we can do. And so, we are asking the City Council to recognize that and say, wow. At this moment of massive unemployment and budget deficits, we need projects like this to lift not only the community, but the city out of this economic crisis. So, let's give them the flexibility in the future of when a company or an academic institution may come along and say, hey, it doesn't work for us to be in the building that was built in 1890. We would like to be in a modern building, a green building, that we have an opportunity to build that building and create more jobs as a result of it.

CHAIRPERSON MOYA: So, another big concern and issue that we have seen across the city is sort of big box retail taking over, displacing mom-and-pop shops throughout here. In addition to the added density, the application would remove existing restrictions on the size and types of retail use. So, my question is, how many square feet of

retail is at Industry City today and what is wrong with the existing zoning restrictions in your view? What are the types of retails that are not allowed today that you might want to see in Industry City in the future? I know that's a lot.

ANDREW KIMBALL: No. Great question. So, we're at about 120,000 square feet today. We are very restricted in the types of retail we can use limited intent under 20-- and there are certain categories that we can't do today. So, for instance, a middle-market home goods retailer like a T.J. Maxx, if they wanted to lease over 10,000 square feet today, a broadly accessible store, I will note. They can't lease here. If we wanted to do a sporting goods store underneath where the Brooklyn Mets has their practice facility-- and that didn't come up in my testimony, but we are thrilled to have them here and they have about 70,000 square feet of office space but if a sporting goods store came to the base of that building, they couldn't today because under the 1950 design M-3, they could sell a baseball bat, but they couldn't sell a baseball glove because the hard good would be okay in a noxious environment, but not as soft good. Okay? So, these are the kinds of



challenges we face. Big box retail has changed radically over the last 10 years and that is only accelerated over the last five years. So, there is no danger of a massive big-box investment here. And, by the way, most of those stores that people might call big-box-- like take a Target. Most of any new Targets that are getting built anywhere are 25,000 square feet or under. So we would be delighted in the course of this process, because the Council member has raised this as one of his 10 concerns that he wrote to us in September and we immediately wrote back that we can work with him on all 10 of his concerns. We are open to reducing the overall amount of retail and exploring location. The overall goal for retail-- and some people, you know, they think they're very clever at describing this as a luxury mall. Well, please come down and take a tour with me. I think that would disabuse that notion, but we are talking about, overall in our plan, at full build out, 14 percent being retail. And we would be willing to reduce that as part of this process because that is something the Council member has said is important.

CHAIRPERSON MOYA: Thank you. Let's get to the jobs here. And kind of let's clear up the numbers on that. There are currently how many jobs that Industry City?

ANDREW KIMBALL: About 8000 jobs.

CHAIRPERSON MOYA: And how many are projected if the proposal presented today was fully built out?

ANDREW KIMBALL: We're projecting a little over 15,000 on site and then another 8000 off-site because of all the economic activity that is generated here.

CHAIRPERSON MOYA: So, the future with action, the scenario presented today represents an addition of how many jobs compared to what we have today? What is that? I'm trying to do the math here.

ANDREW KIMBALL: Oh, it's the math is an additional 15,000 jobs overall.

CHAIRPERSON MOYA: 15 in total.

ANDREW KIMBALL: Correct. Because it goes from eight on-site to 15 on-site and an additional eight off-site. A total of 15.

CHAIRPERSON MOYA: So, as you know, much of the argument that people have said in favor of this proposal is based on job creations, but Industry City, you, the applicant, the property owner, said that the jobs would provide indirectly by tenants. So, how are you calculating the job creation estimates and, since these are not jobs directly generated by Industry City, you can't truly guarantee that these jobs will exist, correct?

ANDREW KIMBALL: I'm not sure I understand the question. You're saying that if we get approved for this rezoning and we don't invest anything or build any new buildings, maybe the jobs won't grow? Is that what you are--

CHAIRPERSON MOYA: So, based on-- Right. The jobs that are being provided are indirect by the tenants that you bring in.

ANDREW KIMBALL: Uh-huh.

CHAIRPERSON MOYA: so, for the tenants that are coming in, you're not providing those jobs directly. They are.

ANDREW KIMBALL: That's right.

CHAIRPERSON MOYA: Okay. So, how are you calculating your job creation estimates?

ANDREW KIMBALL: How are we calculating the job creation estimates? Got it. So, they were based on track record, right? So, when we filed this application, we had a blend of jobs that was not dissimilar. There were lower numbers, but the numbers that I just gave you. The mixture of manufacturing, offices, design, art. And we projected out into the future using a REMS model. This is very common. This is part of our EIS and done by HR and A for us and that is something that we are required to do the EIS. And that's how we came up with those projections for the future because we expect the blend of uses to calm. So, a few things there. Somebody might say, well, what prevents you from just eliminating all of the manufacturing? Right? Manufacturing has changed radically in the last 15 years. What happens in 10 years when everything is AI or robotics? Well, we hear that and we believe that manufacturing is a key part of our ecosystem, but we are willing to put skin in the game here. So, what we are saying and what we are prepared to sign-- part of this could be in the zoning. Part of this could be in a legally binding CBA, but as we add new retail that we can't do today,

as we are new buildings that we can't do today, through a formula, we would preserve manufacturing space. Right? Going forward. On top of that, we would provide space for a local not-for-profit operate at Industry City, similar to what GMDC has done. If you guys have been 10 GMDC's spaces, they are extraordinary. They are a mission driven not-for-profit Bentleys student primarily manufacturers makers. So, we would have that outpost here. If, for some reason, in the future, we fell below the overall amount that we are prepared to commit to, which is in the many hundreds of thousands for manufacturing space that we couldn't lease it for a year, then the not-for-profit would come in and take over that space and tried to lease it for the next year. If they could leave sick, fantastic. It stays. If they can't leave, I think that suggests that manufacturing is possibly gone. So, then that space will come back to us. So, that is one scenario that ensures the diversity of uses going forward. So, let's talk about jobs and how it is related to the future. So I think our numbers are pretty extraordinary of what we have done to date, but, as I said in my testimony, you know, you need more proof.

You need more commitments to ensure that, in the future, for us or any future owner, there will continue to be that mix of walk to work and local folks getting jobs across every sector. Not just retail, but innovation jobs, manufacturing jobs, a very sector we have.

CHAIRPERSON MOYA: I hear you, Andrew. I guess what I'm trying to get at his side, since these jobs are not directly generated by--

ANDREW KIMBALL: Yeah.

CHAIRPERSON MOYA: Industry City, then you can't truly guarantee these jobs will exist, correct?

ANDREW KIMBALL: I don't know that anybody can make that guarantee. Yeah. Any landlord that is leasing commercial space could make the guarantee that they will lease every single space. I don't--

CHAIRPERSON MOYA: Well, I guess it is, you know, how are we going to achieve this 15,000 new jobs that are coming in here?

ANDREW KIMBALL: Right.

CHAIRPERSON MOYA: Just considering like how can the city hold Industry City account to Paul

for the economic benefits that are being promised?  
And also with that, would you be willing to work with  
a third party? Perhaps a city agency? EDC, SBS to  
monitor and publish jobs data?

ANDREW KIMBALL: 100 percent. And I  
apologize for going on too long and not answering it.  
Just to finish my point before because I think it's  
important, Mr. Chair, is that, on the jobs-- and  
this is something that we announced yesterday. That  
in the future we will not be able to fully utilize  
the things we get out of this rezoning. It will not  
be able to fully utilize the retail that we can't do  
today. We will not be able to fully utilize a new  
buildable unless we can demonstrate, through a third-  
party-- and it could be a city agency or whatever  
the city or community decides along with us as an  
independent arbiter of this-- that the jobs are  
continuing to go local across all job types.

CHAIRPERSON MOYA: So, I'm just going to  
stick to this for just a couple more minutes. The  
question we ask about sort of the economic  
development proposal, according to the information  
that you provided, 35 percent of the people who work  
at Industry City, from the surrounding neighborhoods.

And one in five Sunset Parkers who live and work in Sunset Park work at industry city. My question is, what is the source of this information and sort of how much of-- well, just tell me what the source of that information is first.

ANDREW KIMBALL: Sure. We did an extensive survey towards the end of 2017. So, after about four and a half of heavy investment and job growth, think we are at about 6500 jobs then. We are now at 8000. It was statistically relevant survey and went across every sector. So, proportionally, again, as I laid out what we have today, we've got a certain number of warehouse distribution companies, a certain amount of manufacturing companies, a certain amount of what might be called office or art and tech. And we surveyed them and we did that, again, with our colleagues at HR and A and we got individuals to fill out data and then we also got ZIP code data from those companies. And so, the analysis of that data showed that about 35 percent came from the surrounding ZIP codes. Now, that's South Brooklyn. That includes Redhook. It includes Sunset Park. It includes the other ZIPs surrounding Sunset Park. And I will say, at the Brooklyn Navy Yard, we



had a very similar statistical set of data going to the neighborhoods around the Brooklyn Navy Yard. It's just the reality of these big industrial campuses that it's really smart to recruit and hire locally from the local community.

CHAIRPERSON MOYA: So, much of Industry City's branding has been focused on the innovation economy, but people of color remain highly underrepresented in both the technology and creative sector like arts and design while only 35 percent of the total New York City workforce is non-Hispanic, white. 51 percent of computer, engineering, science occupations and 65 percent of the arts and design and entertainment and media occupation are held by white New Yorkers, according to the most recent available census data. So how do you see your role as a landlord of millions of square feet in working class majority minority neighborhoods in addressing this disparity?

ANDREW KIMBALL: Yep. It's a really great question. I appreciate it. That same survey, by the way, showed that over 60 percent of the folks who work here are people of color. 70 percent come from--

CHAIRPERSON MOYA: [interposing] Can you pause real quick? We're just having some technical difficulties right now. If you could pause until we're able to fix this. So, we've paused for a moment just to ensure that our closed captioning is working.

ANDREW KIMBALL: Great. So, should I proceed?

CHAIRPERSON MOYA: Give me one second before I get the--

ANDREW KIMBALL: Okay.

CHAIRPERSON MOYA: green light and then--

ANDREW KIMBALL: Got it.

CHAIRPERSON MOYA: So, while we're waiting to get our closed captioning up, I just want to make the announcement. We know that a lot of members of the public have signed up to speak and we're eager to hear from all of you. So we really appreciate your patience, but we understand if you are not able to stay on. We ask that you please email your testimony to

[landusetestimony@Council.NYC.gov](mailto:landusetestimony@Council.NYC.gov).

[landusetestimony@Council.NYC.gov](mailto:landusetestimony@Council.NYC.gov). And we'll come back to you as soon as we get clearance. So, our

meeting will now stand at ease until we figure out this problem and then we will come back momentarily. Thank you. Okay. We're not going to proceed. We were able to resume. We have our closed captioning issues solved and so, Andrew, I don't know if you want me to ask you the question again or if you're-- I know you might of lost--

ANDREW KIMBALL: I heard the question and I really appreciate the question. It's something I feel like I've dedicated the last 15 years of my life too, so I feel strongly about it. So, this issue of making sure that a diverse pipeline is coming into the sectors that are relevant to New York City's economy today and in the future, could not be more important. So, I agree 100 percent on that. So, there is no silver bullet here. It is going to be really hard work on a lot of different fronts and a lot of different programs. Some of the different programs I've worked on, including at the Brooklyn Navy Yard, where we set up with Brooklyn Workforce Innovations, a not-for-profit that works in Brooklyn, both at the Navy Yard and now with me at Industry City that would do production training assistant programs to get folks with limited educational

backgrounds into union pathways in the film and television industry. That is one example. Also, the Brooklyn Navy Yard, through the new vocational high school there, again, if you go there, some of it is traditional manufacturing, but there is a space where young people learn about design. There is a space where people learn about postproduction and innovation. There is a space where people learn about coding and then there is a space where people learn about culinary careers. All vocational, all working, all experiential. And, again, we hope to replicate that school at Industry City and, again, all credit to Council member Menchaca who has pushed that concept and we fully agree. Other programs here that we have run through the Innovation Lab have included cloud computing training done by Opportunities for a Better Tomorrow. The cyber security training program working with young women Sunset Park high school. An engineering internship that has been working with about 25 Sunset Park students, high school students over multiple years to train them to get them into the engineering sector. These are the real challenges. Getting into the sectors needs to start very early on in education,

even before high school, but we can accelerate that by embedding the schools in Industry City. High schools and colleges and universities, particularly schools like CUNY, to create the pathways for the diverse set of New Yorkers that we all want to see you succeed there. I would say entrepreneurship is another key area among folks of color to support them, nurture them. It's something we've tried to do through the Innovation Lab. We would love to do more of it and I am all ears for folks who have really successful programs in their districts to see what we can learn there, but we are working very hard on that issue.

CHAIRPERSON MOYA: Thanks. And now, on the other hand, the workforce. Sort of the more traditional, industrial jobs: manufacturing, construction, transportation, maintenance, repair, etc., is over 80 percent people of color and, again, this just brings me back to the question how can we ensure that that industrial business will have a place long-term Industry City?

ANDREW KIMBALL: Yeah. And I'll highlight again the two key areas there because they are very unique, but one is we don't get to benefit

from this rezoning unless we are also setting aside manufacturing space. So, those two things are going to be linked. So, again, some of those manufacturing businesses will be higher end manufacturing. Some of them will be much accessible assembly line where folks who just have a GED or a high school degree can get access. And we have a blend of both. And, again, we are prepared to embed a not-for-profit, like a GMDC, in our campus to ensure that they also have the opportunity to bring companies like here.

CHAIRPERSON MOYA: And sticking with the job front here, are you committed to providing good paying jobs at this site and what have you done to secure those?

ANDREW KIMBALL: We're very committed to that and I would say that you are going to hear later today both from the building trades and from 32 BJ about their strong support for this project. So, I think nothing speaks louder than that in terms of creating good paying union jobs. Secondly, I would say that, you know, the kinds of sectors that we are developing year-- not all, but a considerable portion of them, do pay more than 50,000 dollars a year entry level with career pathways. And so,

again, to go back to your preceding question, the key challenge, the key metric is how do we make sure local folks, and a diverse set of folks are accessing those jobs? And that is something we are prepared to work on together. Yeah.

CHAIRPERSON MOYA: Okay. Thank you. Just got one-- I've just got two more questions and then I'll turn it over to my colleague. We've noted that the development will undertake-- the development will be undertaken without the expenditure of public funds, but I just want to clear up some things here. So, if you could just bear with me and we will walk through this. There are tax exemptions, tax breaks, that Industry City is receiving, correct?

ANDREW KIMBALL: We receive ICAP. That is correct. Almost always in economic development projects like this, particularly if it involves public land, there are direct expenditures of public money, meaning public capital money. Over 1 billion dollars at the Navy Yard. Same it Brooklyn Army Terminal. There is no money of that sort going into this project. We are benefiting from ICAP. Which any business that is adaptively free using an old building is likely to be benefiting from,

particularly if they are building and creating jobs in the outer boroughs.

CHAIRPERSON MOYA: Right. So, the only tax exemption that you are currently receiving is ICAP?

ANDREW KIMBALL: Correct. We benefit from Energy Cost Savings Program, as well, which is an energy cost saving program directly targeting industrial and manufacturing businesses.

CHAIRPERSON MOYA: Would you know what the estimated value of that is? ICAP and--

ANDREW KIMBALL: Yeah. I don't have that off the top my head, but this is-- let me try to explain this in the most simple terms and why these programs are valuable. So, private investment wouldn't be made in these buildings if there wasn't some certainty about property tax break going forward. So, what ICAP does is incentivizes your investment that then benefit the businesses that are brought in because it creates the space that can be used by that business and then those businesses pay taxes, as well as the landlord. So, the overall tax impact to the city far exceeds any increased property tax that might've happened due to those investments because the investments wouldn't have happened



without them. Okay. So, in our case, were talking about a situation where, as a result of being able to lock in taxes, we are investing 400 million dollars. That is creating lots of jobs and businesses. Those businesses pay taxes and, ultimately, this is going to create 100 million dollars a year in annual tax revenue for the city.

CHAIRPERSON MOYA: And, lastly, others exemptions important to the economic success of the complex?

ANDREW KIMBALL: 100 percent. And I think many of you heard broadly the business community, chambers of commerce across the city coming together every few years when these programs are up for renewal saying how critical they are, as well as the businesses that actually benefit from them that wouldn't otherwise have been able to move here if it wasn't for those incentives.

CHAIRPERSON MOYA: Okay. And just lastly, and prior testimony and comments, Industry City has stated the willingness to remove the hotel aspect of the development. Is that correct?

ANDREW KIMBALL: That is correct.

CHAIRPERSON MOYA: Okay. And also CUNY has expressed an interest in locating an academic use at Industry City. Is there any conversations happening there?

ANDREW KIMBALL: What I can say is pre-COVID, we're having very positive conversations that are gone on for several years. We were very optimistic. Obviously, they are facing a major budget crisis like every other entity is, economic crisis. So those are on hold for the moment, but I am quite confident that they will restart, particularly once the economy restarts and we all hope that is relatively soon, but let's assume there is a vaccine in the next six months and, maybe, by this time next year, things are starting to move back to normal. But we are very optimistic that there will be an opportunity to partner with CUNY and it is for the same reason that I said. All of these schools that have approached us over the years, their students want the experiential learning that comes being embedded in an innovation district like this.

CHAIRPERSON MOYA: And this is my last question. The borough president, the community board, recommended modifying zoning to ensure that

the finger buildings that are privately owned, but publicly accessible, the streets, the courtyards, remain open to the public in perpetuity. Are you willing to support this?

ANDREW KIMBALL: The commitment we have made is to keep the streets open. Those are privately owned streets. The courtyards we have invested enormously in in creating open green space for the community and we expect it to stay that way. I believe the borough president had a request to that, if we were to build over them at some point, that it be at a certain height so that the open public space could remain in place.

CHAIRPERSON MOYA: Thank you, Mr. Kimball. I now want to acknowledge that we have been joined by a Chair Salamanca and I want to see if the Chair has any questions.

COMMITTEE COUNSEL: Chair Moya, Chair Salamanca has no questions at this time.

CHAIRPERSON MOYA: Okay. Thank you, Chair, for joining us. Thank you, Mr. Kimball. I want to now turn it over to Council member Menchaca and I just want to, again, remind everyone, my colleagues, Council member Menchaca will have 10 minutes, but

everyone else will have a five minute time limit.

And I appreciate your patience and all those that are waiting, as well, to testify. So thank you and I now turn it over to my colleague, Council member Menchaca, for questions.

SERGEANT-AT-ARMS: Time begins now.

COUNCIL MEMBER MENCHACA: Thank you, Chair, for those questions. I think you've highlighted, not just concerns, but ideas that we've been going back and forth on. And so, I'm going to use my time just to kind of pin down a couple more pieces in the areas around jobs, the Community Benefits Coalition, and a couple other items. Andrew, Ethan, and Jesse, good to see you all. It's been a while since we have been in the room again and so, I want to say thank you, again, for being here today. Specifically you, Andrew. You have done an incredible work in Brooklyn to do great by the community and manufacturing and so I just want to start by saying that I know that you calm with a lot of good work and I not only appreciate that, but I have seen that. The conversation that is happening today, in some ways, respects that, but will confront the place that you are in right now, private

application. And so, I'm glad that we're going to be having this discussion. You've talked a lot about jobs. In fact, I think your whole presentation really asks us to give you what you want because of these jobs. And so, I want to get a better sense of about some of those pieces as we understand the future that you are painting for us. How many people directly work for Industry Sent me today? Directly. Chair Moya really spoke about the fact that you are landlord and so it is hard to really count.

ANDREW KIMBALL: Right.

COUNCIL MEMBER MENCHACA: But the people that you send a check to--

ANDREW KIMBALL: I believe that today we have about 80 people under our employ and that is a mixture of folks that do leasing, design, development, folks who run the elevators, folks who do demo. That the general range of folks who work on electrical systems. But that's about 80 today. I will follow up in writing just to confirm that, but I believe that's the number today.

COUNCIL MEMBER MENCHACA: Wonderful. So, really, the bulk of the jobs are really the kind of expansion and, on top of what you've already

brought today, of the 15000 includes the 8000 that you have currently on campus.

ANDREW KIMBALL: Correct. 7000 more on campus. Another 8000 that comes because of the investment and business growth here. Uh-hm.

COUNCIL MEMBER MENCHACA: Okay. So, we're really talking about 7000 jobs on-site that you are leasing. Let's talk about the lease really quick. I know that we've had a lot of conversations about how do you create accountability? That's the major issue here for me. We asked you to put items on the lease to require anyone that you are leasing, local hiring measures. What prevented you from doing that?

ANDREW KIMBALL: We are very open know a conversation about putting in leases, commercial and reasonable efforts, to work with us. Let me just talk a little bit about that because I think this is a key point.

COUNCIL MEMBER MENCHACA: I'll just remind you that I'm on clock. So--

ANDREW KIMBALL: Okay. I'll be very, very quick. I'm sorry. But just I want to say both the Brooklyn Navy Yard in here, it's the same story.

The way you are successful with workforce development and with on-site employment centers is by making it an amenity for the tenants, not a penalty. The minute a small business-- you show up in a small business's space and say, you have to sign all these legally binding things are not going to lease the space to you, that's the moment they say goodbye. We'll go somewhere else.

COUNCIL MEMBER MENCHACA: Got it.

ANDREW KIMBALL: So--

COUNCIL MEMBER MENCHACA: Okay. That's pretty fair, so thank you for that.

ANDREW KIMBALL: Okay. Okay.

COUNCIL MEMBER MENCHACA: Let's talk about job quality and wages. But my understanding is we will be hearing from workers today later on that have been working for over 15 years of the complex who are making 15 dollars an hour. And so, I just want to make sure that we understand that discrepancy and that panel will be here soon. But those are the kind of conversations that we need to have here and members need to understand about what is actually going on Industry City with workers that you are directly supervising and paying.

ANDREW KIMBALL: I think the support of organized labor is going to speak for itself.

COUNCIL MEMBER MENCHACA: Great. Thank you. We will get to that. You've talked about union agreements and so-- but if you don't employ most of the people, how can we make the promises about the quality jobs and commitment to those jobs? So, if you can just kind of give us a quick picture of Bo though organized labor and the conversations you are having with them.

ANDREW KIMBALL: So, as it relates to the building trades-- and I can't go very far. You're certainly welcome to ask Gary LaBarber about it, but they are enthusiastically supporting this because of the opportunity to build new here, which is really where organized labor always benefits the most. We have certainly had projects that have been both union and nonunion. For instance, we have spent 50 million dollars on electrical upgrades here. That's mostly been union work. We have also spent 10 million dollars were building our street, which was all done by a nonunion, minority owned, MWBE from the community.



COUNCIL MEMBER MENCHACA: [interposing0  
hold you there. And just on a date, when do you  
expect the construction to actually begin for all  
those jobs?

ANDREW KIMBALL: I think it's very hard  
to tell you in a pandemic and economic crisis, but  
even if we weren't there, I still would probably have  
a hard time telling you because that will be at  
someday in the future. I can't tell you whether that  
is two years or five years from now, but this will  
create the conditions, this rezoning, that when we  
come out of this economic crisis, we will be ready to  
go. It gives us the opportunity when we are talking  
the colleges, for instance, that may be they don't  
want to be in low ceiling historical buildings. They  
like modern, new structures.

COUNCIL MEMBER MENCHACA: Okay.

ANDREW KIMBALL: And they are [inaudible  
02:03:10]

COUNCIL MEMBER MENCHACA: Thank you.

ANDREW KIMBALL: flood plain.

COUNCIL MEMBER MENCHACA: Thank you for  
that. So, do you believe that the 900 square feet of  
destination retail is supportive of an industrial

district that is designed to support industrial manufacturing businesses? You're someone who is champion those for a long time. Do you--

ANDREW KIMBALL: Sure.

COUNCIL MEMBER MENCHACA: [inaudible  
02:03:29] make sense to put together?

ANDREW KIMBALL: Destination retail is not an appropriate description. Much of this will be locally accessible retail that is not accessible to the community today were, in fact, folks in the community are getting in their car and driving somewhere else to make use of. So, that's number one. We expect a lot of people will be coming on foot. Retail is changed radically. We will continue to have lots of those small and maker retail. But, again, the retail were talking about-- and I just want to emphasize this point for everybody on this Zoom-- today-- and we've agreed to reduce said working with you and the community-- it is 14 percent of the overall plan. It is not a destination mall.

COUNCIL MEMBER MENCHACA: But it comes first, right?

ANDREW KIMBALL: That we've invested in 55 new loading docks throughout the campus that serve our industrial manufacturing tenants. You and I want to those. They will have separate loading for retail and that comes and there will be no conflict. So, I believe that the two, in fact, live very well together.

COUNCIL MEMBER MENCHACA: Well, I think that's where we differ. I only have two more minutes, so let's talk about the community benefits agreement and the framework that I laid out a very long time ago. Goalposts have not moved. In fact, you have known what we have been wanting for a very long time and you were with us in those conversations. So, do you believe that it's possible for this condition, the legally binding condition, to be met before November 3 when the Council's 50 day ULRP clock-- you know, that's when it expires. Do you think that that's possible from your point of view?

ANDREW KIMBALL: It's 100 percent possible. And I love the 10 commitments you gave us, we remain committed to all 10 of them. Some of those can be accomplished through the rezoning, working

with you and your colleagues. Some of them can be  
[inaudible 02:05:25] CBA.

COUNCIL MEMBER MENCHACA: Thank you.  
Thank you. And, I guess, my next question is have  
you been in contact with that coalition to begin  
discussions about that component?

ANDREW KIMBALL: I can't comment on any  
conversations that are taking place at this point,  
but I am optimistic that people of goodwill will  
emerge who believe that it is better to have a  
rezoning than not have a rezoning for all of the  
community benefits that can result from it.

COUNCIL MEMBER MENCHACA: So, you're not  
going to be able to answer my colleagues today that  
you have had conversations or not had conversations,  
but you believe that there will be an emergence of  
people that will, and sign a legally binding  
document?

ANDREW KIMBALL: I am optimistic. Yes.

COUNCIL MEMBER MENCHACA: Okay. Second  
is do you know if they have legal representation at  
this point?

ANDREW KIMBALL: I can't comment on.

COUNCIL MEMBER MENCHACA: Got it. Okay. So, there's a lot of unknowns here, colleagues, that are making us nervous and are making a lot of people nervous. In the community, transparency has been pretty big in this accountability question. Okay. So, here's the last question because I only have 15 more seconds. You said it a couple times that, because of your success in the past, that is the thing that we should just take for granted and give you what you need to build the flexibility to be able to do the future. To kind of bring the future of the working--

SERGEANT-AT-ARMS: Time expired.

COUNCIL MEMBER MENCHACA: And so, I just want to go back to that framework. This framework has three pieces. The mayor's commitment, the CBA, and your commitment with days ticking to the end. How is it that you can ask us to just trust you at this point when we have known every single time that when developers are in this position, the weakness of the final agreement leaves communities vulnerable? Period. I just wanted you--

ANDREW KIMBALL: I have put forward historic commitments that will ensure that we can't

fully use the things we are going to get out of this rezoning on the last so we are reaching the goals that you have laid out for us and that we expect folks and the CBA would lay out for us.

COUNCIL MEMBER MENCHACA: And without the Mayor and his agency is coming in with resources?

ANDREW KIMBALL: I can't speak for the mayor.

COUNCIL MEMBER MENCHACA: Okay. Well, that is it for me. I don't know if there is a second round, but, I just want to say, thank you, Chair for this time and I look forward to hearing--

CHAIRPERSON MOYA: Thank you, Carlos. And, Carlos, you can come back, if you want, for a second round, or if you have a quick question now, I will let you ask one quick question now and then--

COUNCIL MEMBER MENCHACA: I'll come back for a second round.

CHAIRPERSON MOYA: You'll come back? Okay. Thank you.

COUNCIL MEMBER MENCHACA: Thank you.

CHAIRPERSON MOYA: I just want to quickly acknowledge that we have been joined by Council

member Rosenthal. And I now will turn it over to our committee counsel.

COMMITTEE COUNSEL: Chair Moya, Council member Rivera is a question who will be followed by Council member Richards who would be followed by Council member Reynoso who would be followed by Council member Cornegy.

CHAIRPERSON MOYA: Thank you. Council member Rivera?

SERGEANT-AT-ARMS: Time begins.

COUNCIL MEMBER RIVERA: Thank you so much for being here. Thank you for answering all of these questions. I appreciated the brief history that you gave. My grandmother actually worked in one of those factories Manning, many long hours in a cosmetics factory inhaling nail polish. She was able to provide for us. So, I want to ask a few questions. I will try to breathe through it because, again, we don't have a lot of time, so I'm not trying to be short, I'm just actually trying to be efficient. So, since you mentioned in your testimony that estimates are hard considering the pandemic, but since the job projection you cite are estimates from 2017, based on pre-COVID-19 market conditions, do you still expect

the jobs originally estimated to be fully created? And let me just like expand on that a little bit. How many companies at Industry City are fully or majority work from home at this point and how many have committed to fully return to an office work when COVID ends? Have any of your tenants negotiated or are looking to negotiate for smaller spaces or sublease based on a permanent work from home future for their company?

ANDREW KIMBALL: Great. Thank you so much, Council member Rivera. I appreciate your introduction then one of the most satisfying things to me is that a number of the children of people who worked here in the 70s and 80s and some of those noxious conditions have come back after years of decay to start their own businesses here. And you'll hear from some of them later in the testimony. So, in terms of what today looks like versus before COVID, you know, we've all heard about some of easement and office buildings, you know, emptying out end may be being that 10 percent of the activity they had, we are at about 40 percent today in terms of people who are physically coming to the site, versus working remotely, but that seems to go up every week



as people get more comfortable coming back in. One of the great benefits of this site and one of the reasons we turned all these old courtyards into open spaces is that people feel very comfortable here. We have wide open staircases, industrial staircases, that go up, so you don't feel like you are getting in an elevator and going up 50s stories and not having good air circulation. So--

COUNCIL MEMBER RIVERA: Do you have any numbers there?

ANDREW KIMBALL: Well, it's about 40 percent of 8000, so, you know, somewhere between three and 4000 of the 800 are back on campus. But we expect we will get back up there. There is no doubt we are going to lose some businesses, but we have, to go to your question about accommodating the company use, and some of the folks on the call know this well, but I spent almost all of my time during the crisis working with the company is to first help them access PPP. Then, as they came out of that, we had a team of, I think, 10 people working with each and every one of our companies to figure out how to help them survive. In letters included a broad range. There is no cookie-cutter approach. So, some--

COUNCIL MEMBER RIVERA: [interposing] I understand. I'm so sorry to do this. I tried to--

ANDREW KIMBALL: Sure. Sure.

COUNCIL MEMBER RIVERA: give a disclaimer. Where just curious as to whether you have data on that and have you had any of them tried to sublease or subdivide? And we would appreciate if you just show us the data. So, do you believe that, as one, if not the largest commercial landlord in Sunset Park, that you owe a responsibility to address the impacts of your presence in the community and does that responsibility extends beyond just jobs themselves? Did you ever lobby the double Osseo administration to take a more active role in this rezoning around thing is like affordable housing or education and climate resiliency, particularly as it was a key part of Council member Menchaca's framework for negotiations?

ANDREW KIMBALL: Yes. I have had numerous conversations with the deputy mayor for economic development.

COUNCIL MEMBER RIVERA: Actually, let me just add one more thing that is related. Earlier this year, Mayor deBlasio pledged to invest 57

million in the South Brooklyn Marine terminal to help support nearby offshore wind production at the facility. Given the climate crisis and the need for offshore wind development in our region, we've seen a lot of coastal and river based communities begin to produce plans to hopefully or already secured these kinds of facilities, including from Portland, New York, Port Jefferson, New York, New London, Connecticut, and from several communities and South Jersey along the Delaware River and in Rhode Island. Why shouldn't this be a part of the South Brooklyn industrial waterfront and do you believe heavy industry is over and cannot return to New York City?

ANDREW KIMBALL: So, five years ago, I put together a joint venture with Redhook Container Terminals to bid on the South Brooklyn Marine terminal. On the cover of our proposal was the offshore wind turbines that had gone in--

SERGEANT-AT-ARMS: Time expired.

ANDREW KIMBALL: Rhode Island, which were the first in the country. It took five years. We won the selection. So, we now have a long-term lease for that site. We are currently in negotiations with a number of international offshore wind developers

that is coming. It will happen. We are delighted it will be heavy industry right across the street and there is going to be spillover into our buildings in terms of office and R&D and all sorts of workforce development opportunities to our Innovation Lab and colleges and universities and high schools. We are thrilled and it absolutely is compatible with what we are doing at Industry City.

COUNCIL MEMBER RIVERA: And can you just answer the question on lobbying the deBlasio administration into taking a more active role in the rezoning around affordable housing, education and climate resiliency, particularly as it was a key part of Council member--

CHAIRPERSON MOYA: [interposing] I just want to quickly come in--

COUNCIL MEMBER RIVERA: That's all, Chair. Thank you so much.

CHAIRPERSON MOYA: Okay. Thank you.

ANDREW KIMBALL: The answer is yes.

CHAIRPERSON MOYA: Thank you. Arthur, who is our next--

COMMITTEE COUNSEL: The next Council member with questions is Council member Richards who

will be followed by Council member Renaud so,  
followed by Council member Cornegy.

COUNCIL MEMBER RICHARDS: Thank you so--

SERGEANT-AT-ARMS: [inaudible 02:15:22]

COUNCIL MEMBER RICHARDS: much. Thank  
you, Chair. Thank you, Carlos. Thank you, Andrew.  
And let me just start by saying, of course, you know,  
I'm supportive of bringing jobs during the time when  
we are seeing unprecedented unemployment in our city,  
but one of the challenges I also find as we talk  
about economic development-- and I like to always  
talk about it in the framework of community  
development. And I do find the deBlasio  
administration not being at the table to be very  
disappointing during this moment when there are some  
legitimate concerns that we have heard from  
communities like Sunset Park around housing  
pressures. And I do just want to frankly put out  
there that I believe that the deBlasio administration  
should be at the table to make sure that this plan is  
more comprehensive. So, I'm hoping that, as the days  
countdown, that the administration will be at the  
table working with Carlos and the community on some  
strategies that could strengthen this plan. With

that being said, I wanted to just hop directly into questions around jobs in tracking mechanisms.

Andrew, I'd be interested in hearing is your specific team committed to reporting mechanisms to the community on demographics and job information, perhaps, on a monthly basis, biannual basis. I don't know what it looks like. I would leave that up to the coalition to figure out, but what mechanisms are you putting in place to make sure that you are transparent and where these jobs are going to?

ANDREW KIMBALL: So, we're 100 percent committed to that and are eager to work out those details with the coalition and, whether it is on a monthly or an annual, we can leave to the coalition, but we are 100 percent committed to that transparency and not reporting under a legally binding agreement.

COUNCIL MEMBER RICHARDS: Right. And then the other thing. Right. And that's important for several reasons because, you know, there is always going to be some discontent when we hear from developers when we hear that jobs are for our communities. We figured out how to do-- create this sort of framework in the rockaways and not always having an independent organization, whether it is a

coalition or someone to be a part of this is definitely critical in ensuring that the framework and transparency is there. I know that Carlos did bring up some of the CBA stuff. When do you expect for there to be much more movement on some of the terms of agreement? So, I think you did allude to on 10 of the 10 things, I believe, that the CBA requested that you are in alignment with those things. I think I heard today. When do you anticipate more movement on those things?

ANDREW KIMBALL: I am hopeful that, in the not too distant future, but I can't give you an exact day.

COUNCIL MEMBER RICHARDS: Okay. But I assume the clock is ticking now, so you're going to be back at the table.

ANDREW KIMBALL: [inaudible 02:18:29]

COUNCIL MEMBER RICHARDS: [inaudible 02:18:32]

ANDREW KIMBALL: be done by the time the Council votes.

COUNCIL MEMBER RICHARDS: Okay. And then, the other thing is in the administration EDC, SBS has not been on the table currently. Is that

what I heard today on some of the [inaudible  
02:18:47] around the job strategy?

ANDREW KIMBALL: We are totally open to that conversation. We need to work closely with EDC on South Brooklyn Marine terminal and we are delighted with their redevelopment of the Bush terminal. But, you know, who is the independent auditor that comes in, whether it is EDC or some other entity, we are really looking to hear from a CBA group what they would like to see, but I also think that Council member Menchaca's voice is critical here in terms of what he would like to see.

COUNCIL MEMBER RICHARDS: Ray. And then, on the green jobs front, just go into that a little bit more because I know that there is a counter proposal on creating much more, you know, green jobs. What are you thinking about in terms there? Is there room to have conversations with some of those folks who want to see more green jobs opportunities at the site and is their willingness to also have that conversation?

ANDREW KIMBALL: Anybody who has worked with me over the last 15 years knows that I am willing to sit down and have a conversation at any



time, any place, as it relates to creating commercial manufacturing, industrial jobs, particularly green jobs. The definition of what a green job is has evolved erratically over the 15 years. So, I'm proud that the Navy Yard was a national model for that. The truth is, a lot of companies who have incorporated triple bottom line or sustainable goals do not do find themselves as green manufacturers anymore. That's a bit of a vestige of, you know, 10 years ago. However, this offshore wind thing is a real and extraordinary and--

SERGEANT-AT-ARMS: Time expired.

ANDREW KIMBALL: city is going to hear more about. So, we are deeply committed to that. And anybody who can bring us a green job, please comment meet with me. I am delighted to least any company that will do that or any not-for-profit that can help leverage that.

COUNCIL MEMBER RICHARDS: Thank you. Thank you for the work that you are doing. We look forward to continuing the work ahead with you and Carlos another folks to make sure that we really, during this time, when we need to see some movement

and economic development, that that is happening.

So, I look forward to continued conversation and--

ANDREW KIMBALL: Thank you.

COUNCIL MEMBER RICHARDS: working  
alongside everybody. Thank you, Chair.

CHAIRPERSON MOYA: Thank you. I now call  
up Council member Reynoso for question.

SERGEANT-AT-ARMS: Time begins now.

COUNCIL MEMBER REYNOSO: Good  
afternoon, Andrew. I hope you are doing well.

ANDREW KIMBALL: Thank you. You, too.

COUNCIL MEMBER REYNOSO: So, Andrew, I  
think you know my resume when it comes to  
manufacturing probably more than a lot of people on  
this call right now. On this Zoom call right now.  
So, you know, I am going to stay away from, I guess,  
the resume situation here and let's just get to like  
brass tacks. And I think the jobs, you said it is  
15,000 now. It went from 20,000. Now it's 15,000.  
And, of those, I wanted to ask are you going to lose  
the jobs that you currently have if you don't rezone  
Industry City?

ANDREW KIMBALL: That's a great question.  
It is hard to know, but you will hear some of the

manufacturers who decided to keep their facilities that Industry City and in Sunset Park and keep them at Industry City because they bought into the vision that we have pushed and been executing on for seven years. And a key part of that vision is the rezoning. So, I can't tell you. I can't look into a magic ball, but rezoning is the best way to ensure that a robust manufacturing sector stays--

COUNCIL MEMBER REYNOSO: Right. Right. Andrew, I trust in your leadership then the work that you two that you are either going to retain the use 7000 jobs to some degree or you are looking to retain them, but I just don't know that, you know, adding them to the projected 8000 jobs that you are going to be getting those like this cumulative total that we would get from this rezoning is honest. I think it is misleading, I guess. I'm not saying anyone is lying. I just think it is misleading. We're talking about 7000 jobs and I want to be clear that 7000 jobs is a serious number already in and of itself, but everyone is throwing out this 20,000 number and it is just not true. So, you know, there Council members are going to get on this call and talk about 20,000 jobs. Just don't do it. It is 7000 jobs projected,

given the time that we are in right now, there is no one that can say that you are going to get those 7000 or 8000 jobs added the year after. We don't know what the industry is going to look like. The economy could be changing significantly and the needs of businesses are going to change. And you're going to have to have some flexibility as to how you work for that. But this 8000-- this jobs numbers is something that is just so-- I think it would be naïve for any Council member to think that a number that is thrown out, projections, specifically by the applicant is something that we should trust solely in and of itself. But, Andrew, I don't blame you. I think you are trying. I actually do think you are trying to figure this out. I just don't like when people mislead. And I'm not saying that you are doing that. I think that people trying to make this argument with mal intentions are misleading. But I would say that your biggest problem, Andrew, is Mayor deBlasio. It's sad that a community is going to have to suffer at the interests of a private applicant to solve many of the issues that Sunset Park is going through, specifically resilience. Resiliency. Resiliency is a big problem. And the city not

entering here is actually going to put your investment in jeopardy and it is moving away from the needs that the city is going to have long term. So, I think that it would be unwise for the city Council to move on a private application that is going to leave out the opportunity for investment on city infrastructure or city infrastructure work. It's just not happening here. And I think that is to your loss, but it is the truth, Andrew. You are in a floodplain. Sunset Park has huge issues when it comes to resiliency and none of it has been addressed. But one thing that is going to be addressed is your application gets to fly through. And I just don't think that that is equitable and fair. So, for me, it's just like be careful with these job numbers. We have seen them thrown around all over the place. Usually the statistics and the data comes from the applicants themselves. And I think the biggest failure that we have here is our planning process that is not comprehensive and that is going to let Sunset Park down either way because nothing is happening under this administration. So, I guess I was more of a statement, Andrew. Then, as of now, I would be hard-pressed to vote on this

application unless I see a significant investment and entrants of city agencies into this process. Thank you. And, Andrew, you can take the rest of my time to speak to my statement, I guess, if you want to.

ANDREW KIMBALL: Okay. Thank you, Council member. And I have a lot of respect for the advocacy that you've done and your district around manufacturing. But let me address resiliency first. This is private property. We have to make it resilient. So a huge portion of the 400 million dollars that we spent has been related to resiliency. We have moved to the electrical out of the basements. The basements that were flooded with 20 million gallons of water during storm Sandy. At 50 million dollars, we have moved all of that to the roofs. We are replacing 15,000 windows with energy-efficient windows. We have replaced all the boiler systems with low impact, energy-efficient systems. We are doing the largest adaptive reuse project of this kind for an industrial commercial use anywhere in the country. The most sustainable, environmentally friendly thing you can do is adaptively reuse the building. Any new building will be built out of the floodplain and, on top of that, we are helping to

bring green offshore wind jobs across the street. As it relates to jobs, the fact of the matter is that an EIS requires you to give a 10 year projection of where you are going to be by the time you have full belt. That is based partly on your track record to date and partly on economic modeling going forward. I think that the jobs that we have created to date is not something to be scoffed at, but something to be looked odd and said, how can we help that business create more jobs? And that is what we are asking the Council did to at this time of economic crisis.

CHAIRPERSON MOYA: Thank you, Council member Reynoso. I now call on Council member Cornegy.

SERGEANT-AT-ARMS: Time begins now.

COUNCIL MEMBER CORNEGY: Thanks, Chair Moya and the members of the subcommittee for allowing me to offer my perspective on the Industry City land use items before the subcommittee this morning. The severity of the crisis we are in shows up plainly in the labor department job figures. New York City recently suffered staggering job losses resulting in 19.8 percent unemployment rate and just general. The, and black and brown communities, almost 50

percent unemployment for black and brown men. We just suffered 13,000 job losses and manufacturing, 35,800 job losses in other services, and 110,000 job losses and professional and business services. And that is only a sampling of the sectors the Labor Department reports. With the other sectors faring know better. A sampling of the hundreds of thousands of severely impacted by the dual COVID and economic crisis is we face. Those crises are part of the frame I urge my colleagues to consider when examining these Industry City land use items before us today. We as a counselor in a position to drive the hardest bargain we can on behalf of the constituents we represent, including and not limited to those of Sunset Park. And, at the same time, we, as a Council, are in a position to be a catalyst for job creation now. Now, the numbers-- I was never naïve. I understood that the numbers were four of 7 to 8000, literally, on the campus, but I'm also aware of the ancillary impact of job creation on the immediate community. So, I don't know what those numbers are-- and these are projections, so I was never naïve about that. Moreover, Industry City offers us the opportunity to use the success of the STEAM program



or the STEAM Center as a model for providing on-ramp soon to science, tech, engineering, and arts careers. Let's help ensure our community residents and our young people receive the education and training that mean that they are a part of making Industry City a success. I wanted to make a statement and ask a question, but I was given five minutes, so I will stop my statement there and ask a question. In light of the need to change the zoning to bring SUNY and/or CUNY campus is on to the campus at Industry City, can you tell me, Andrew, what is your commitment there and what's your vision for having that educational on-ramp for local residents of the Sunset Park community?

ANDREW KIMBALL: I'd have to thank you, Council member. This is what I call the ideal intersection of good public policy and good real estate. We have a lot of space we need to lease. Colleges and Universities can take a lot of space. It's good public policy because we are committed to embedding those campuses in the overall ecosystem, which means connecting it to the companies here, whether through internships, guest lectures, tech transfer, creating economic pathways for young people

in the neighborhood. I really appreciated what you said about the STEAM Center and, again, that is something that we are fully committed to do so you have both high school level in college. Potentially community college and a full four-year and very high-level R&D all going on at the same place. It is smart for us as a landlord to make these kinds of commitments. We saw the success at the Navy Yard, but we also have seen it in Pittsburgh and Philadelphia and Baltimore, and other innovation districts across the country. This synergy between enervation companies, colleges, universities, and high schools, most of them, by the way, that have a local hotel right there. A business hotel, which we are prepared to give up. So, we are fully committed to that and, by the way, Council member, we are willing to put those commitments into a legally binding CBA with part of the annual reporting, the transparency being what steps have you taken with the high school or with those colleges and universities to connect them to young people in the community and create pathways?

COUNCIL MEMBER CORNEGY: Thank you. In my last 54 seconds, what I would like to say is I am

committed to making Industry City is success as I was formerly the Chair of small business and now currently the Chair of housing and buildings. I believe that success as a site for entrepreneurship, success of the site for education, success of the site for providing greater opportunities in all our shared communities. We can look out for the residents of Sunset Park, the residents of Bed-Stuy and Crown Heights, and all the communities we collectively represent. That is why I believe that this is the right project to support in these challenging times. Thank you. And I just want to change the narrative that I am against my colleague and friend, Carlos Menchaca. I am for progress and promoting building capacity in these industrial parks that we have to provide jobs and pathways to good jobs, which is why I support the labor movement in this. And you will hear from some labor leaders later. So, thank you.

ANDREW KIMBALL: Thank you.

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON MOYA: Thank you, Council member Cornegy. Before I let you go, counsel, are

there any other members with questions for the applicant panel? If so, please raise your hand.

COMMITTEE COUNSEL: Chair Moya, checking right now. Chair Moya, Council member Menchaca has raised his hand for a question, followed by Council member Rivera.

CHAIRPERSON MOYA: I'll turn it over to you, Council member Menchaca.

COUNCIL MEMBER MENCHACA: Thank you for the second round. Andrew, what has failed in your ability to gain support from the local elected officials? The Congressional members, State Senator Zellnor Myrie, the incoming elected officials that were just elected? What has caused your failure in gaining support of the district leaders in our community?

ANDREW KIMBALL: So, I would argue, actually, that we have very strong support at the community level. You and I talked about this in the past. I think that for average folks that are concerned about their economic future, they want a place to go to work and they want the jobs of the future for their kids.

COUNCIL MEMBER MENCHACA: Andrew, I--

ANDREW KIMBALL: And so, very proud that Senator Montgomery will be testifying today. I understand that we are in a moment in time when it is very hard for any elected official to support a private development project. That is the moment we are in, so I get it. The bar is high. But this kind of project actually sets the bar high for any future developer for exactly the kinds of things that you care about.

COUNCIL MEMBER MENCHACA: Well, I just want to let everybody know that the bar was set high by me in the local elected officials in the community, not necessarily by you are trying to beat that, but that is failed. And I just want to let everybody know that the bar was set high, but we did not reach it with all the different entities that needed to come in to ensure accountability. I'm not is what is failed. And there are many people were going to be testifying today and I hope you stay around to listen to everybody because it is an important piece of this larger conversation. Now, let's talk about one of those pieces. Because the accountability is not just coming from you. We spread that accountability to the community and the

Mayor's Office. How do you stand here and talk about a school blossoming on the camp is if the DOE, the SCA, the mayor have yet-- and who have rejected-- and I'll be suspect if they common say we want to do something now, on the school itself? How does that happen and how can anyone stand with credibility?

ANDREW KIMBALL: I'm not going to speak for any of them, but what I will say is that we are prepared to put in a legally binding CBA that we will remain committed to having the DOE school when the resources, available and when we come out of an economic crisis.

COUNCIL MEMBER MENCHACA: And so, we keep hearing a lot about that, but not a lot of there when talking about not being able to speak on the coalition. A coalition where we have been demanding transparency in the very beginning and ensuring that they were talking to community. So, now, you are kind of speaking to this back room that will emerge without and the communication with me about that or the community. This is--

ANDREW KIMBALL: I'm always available to sit down, Carlos. 24/7.

COUNCIL MEMBER MENCHACA: Andrew, I'm asking you right now to tell us, but you can't. This is the nature and the breaking point of this entire application. My colleagues are asking questions that you can't answer. My colleagues are asking for things that they want to see, as well, but it is the community that will hold you accountable and that is the nature of the breaking point that we are trying to expose right now. And so, I think that's going to be my kind of continued conversation with members about that nature. Now, if you can-- I'll give you another opportunity. How is this going to come together and what are your conversations with the local community coalition that you see as emerging?

ANDREW KIMBALL: There's plenty of time between now and when the Council votes to come up with a legally binding CBA if people of good will step up, including yourself, to try to make that happen.

COUNCIL MEMBER MENCHACA: In the unfortunate nature of that is that this is what I did not want. Members across time and Counsel have waited for about last 12 hours to compile everything. This is a massive application in my whole point is

that we did not want to have these lives 12 hours dictate 90 percent of the things that the community is going to want. This is why we started with the framework from the very beginning. And so, it's hard for me to hear you talk about how you are moving forward, you are pressuring this forward without those other pillars that you agreed to. The Mayor is not here. We don't know when that is going to happen, and the suspect to that, and the nature of this budget. And then the community coalition that has been working so hard that I asked you to stop this rezoning then, in October, he said, sorry. I think we're going to have to move forward. Can you deny that? That myself and the coalition and many community members are saying we are not ready to engage. We need more time to build a legally binding structure to be able to have something and you decided to move forward instead.

ANDREW KIMBALL: We've been having this conversation since 2013. Leading up to certification in February 2019, community board seven sponsored town halls in the community on July 23, August 13, September 17, and October 1. We then delayed the application at your request. So, then the next year,



town halls were July 17, July 22, July 29, September 16 and October 3. You sent me a letter on September 19 with 10 requirements. I responded within 48 hours that we can meet all those requirements.

COUNCIL MEMBER MENCHACA: This not what accountability looks like and the moment that it gets tough and the moment that your investors are getting nervous, you went in another direction. You are correct. In 2013, we started having conversations. Before I even was inaugurated to become the Council member. We sat down and started talking about this vision. The vision that was already cooked and was already being presented to the community. And that began your communications plan to the community and you have yet to gain the confidence of the people who are representing this community and the community board that was split with tension and insane amounts of changes to the application and city investment. We are presenting to you a plan and I want my colleagues to understand that. That we've been working so hard to try to figure out how we keep accountability at the top of this entire process. And that has failed. And so, anything that gets constructed in the next few days as we lead to the

ULRP clock will have failed and accountability is what we can go back to our community and bring jobs and all the promises that you're talking about. And so, it is not enough, Andrew, that you're coming with your history and this idea that the success of the last few years is enough. It is not enough. It is not enough and cannot continue to be enough. Then 1970s and the financial crisis that we saw in the city offered opportunities for private corporations to come in and get us out. That is only created more divide between the people who have and who have not. And so, I just hope that we can continue to be honest with each other here. And I think you are failing to do that as you speak to the conversations that you cannot reveal today with transparency about what is going to happen. And I should raise flags for all my colleagues. Thank you.

CHAIRPERSON MOYA: Thank you, Council member Menchaca. I now am going to turn it over to Council member Rivera for some question.

SERGEANT-AT-ARMS: Time begins now.

COUNCIL MEMBER RIVERA: Thank you. Thank you, Mr. Chair, and thank you for answering our questions. Earlier, you responded to a question from

Chair Moya regarding how much you have leased at the current Industry City buildings. You said the Council should be proud to hear you've leased 300 million square feet of space, but that is only half of the total space, right?

ANDREW KIMBALL: No. We've fleeced about 3 1/2 million square feet. That's of 5.3 million square feet of leasable today. A substantial portion of that 1.8 million square feet left cannot be leased today because it is decrepit and falling down. So, that is going to require enormous investment which is part of the rationale for the rezoning.

COUNCIL MEMBER RIVERA: And considering the size and scope of the project and earlier in your presentation you did mention trying to address the community's concerns on gentrification, do you believe you should be developing affordable housing alongside the project or, at the very least, strongly advocating for public investment in affordable housing?

ANDREW KIMBALL: I absolutely have been advocating for that and I have been speaking at every single one of the town halls about the importance of leadership around affordable and workforce housing

near to Industry City and I would make the same argument for every other commercial center outside of Manhattan that that is exactly what we need right near where the jobs are. But I haven't seen that yet. And I will continue to advocate for that. I am not in affordable housing developer. My partners are not affordable housing developers, but there are a lot of very good ones in New York City.

COUNCIL MEMBER RIVERA: Agreed. And a collaboration, I'm sure, is something they could both benefit from in terms of just perception in real investment. So, just to get a clear definition of local hiring requirement, I know we've talked about this a bit at length today, but there have, obviously, been thousands of New Yorkers who have moved into this neighborhood over the past decade, plus, as part of a wave of gentrification that is partially due to the kind of current iteration of Industry City. So, our local jobs for residents who grew up in the area? And I just ask because of people that have recently moved in. If you've only lived there for a couple months, do you qualify as a local hire? Can you justifying it for all of us?

ANDREW KIMBALL: We're happy to have the conversation about however anybody wants to define it, whether it is demographics, how long they've lived in the neighborhood, what ZIP Code they are in. All of those things could be part of an annual reporting mechanism.

COUNCIL MEMBER RIVERA: Well, I think we are trying to have the conversation on how to define local hiring. That's why I'm asking you because you're the one writing up the contract.

ANDREW KIMBALL: I am open to all of those things. I can tell you that one of the things that is made me most proud is the folks that have grown up in Sunset Park who are now entrepreneurs here and they see at about them and their kids to have the opportunities that a development like Industry City is providing.

COUNCIL MEMBER RIVERA: All right. Then for the local hiring mothers going to occur has occurred, again, we would love that data and the data that I requested earlier would certainly be welcomed in our decision-making process. Thank you so much, Mr. Chair, for allowing me to ask another question.

CHAIRPERSON MOYA: Thank you, Council member Rivera. Thank you for your testimony. If there's any other Council members who have questions for the applicant panel at this time, please so indicate by using the raise hand button.

COMMITTEE COUNSEL: Chair Moya, Council member Grodenchik has raised his hand for a question.

CHAIRPERSON MOYA: I'd now like to turn it over to--

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Council member Grodenchik for some questions.

COUNCIL MEMBER GRODENCHIK: Thank you, Mr. Chair.

SERGEANT-AT-ARMS: Starting time.

COUNCIL MEMBER GRODENCHIK: Thank you, Mr. Chair. Thank you all for being here today. I don't know if I missed it. It's been a busy morning. Can you tell me what the total investment that you plan under the current package would be?

ANDREW KIMBALL: So, the investment today is 400 million. We believe the ecosystem that will be created through this rezoning will take a bad investment to 1 billion dollars.

COUNCIL MEMBER GRODENCHIK: Okay. So it will be another 600 million if my math is correct.

ANDREW KIMBALL: Yep.

COUNCIL MEMBER GRODENCHIK: And what percentage of that investment would be private?

ANDREW KIMBALL: 100 percent.

COUNCIL MEMBER GRODENCHIK: Okay. Ai thank you, Mr. Chairman. That satisfies my curiosity right now. Thank you.

CHAIRPERSON MOYA: Thank you, Council member Grodenchik. Are there any other Council members who have any questions?

COMMITTEE COUNSEL: Chair Moya, Council member Rosenthal has raised her hand with a question. It will be followed by Council member Reynoso.

CHAIRPERSON MOYA: Thank you. Now--

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: to Council member Rosenthal.

COUNCIL MEMBER ROSENTHAL: Thank you so much, Chair. I really appreciate this hearing and the opportunity to hear from everyone. I'm wondering will the developer agree to a legally binding community benefits agreement? Otherwise--

ANDREW KIMBALL: Yes.

COUNCIL MEMBER ROSENTHAL: how will the developer's job creation projections be properly tracked and assessed? You know, the truth is the city's own workforce development programs have difficulty tracking the actual number of jobs created by various projects, including retention rates, so-- as well as salary levels. So, we want to understand how you plan on doing this and what mechanism of accountability you will there be?

ANDREW KIMBALL: Thank you for the question. We absolutely will agree to a legally binding community benefits agreement. We have also already laid out that much of what we would get out of this rezoning will be directly linked to two things. One is setting aside space for manufacturing at a historical level and, number two, putting a cap on how much we can build without demonstrating on an annual basis, which we will have to do, that the jobs are going to local community in certain ZIP Codes. Some of your colleagues have talked about demographics associated with that, how long people have lived in the community. Where open all of those things being put into a CBA and being put into a very



transparent process where we would report on it regularly.

COUNCIL MEMBER ROSENTHAL: So, is there a way to tie that job progress to the, I guess, sort of automatic-- I forget-- you just said the name of it. ICA? ICD? Sorry. I forget the acronyms. Those public dollars that will go to the developers. Is there a way to tie those two things together?

ANDREW KIMBALL: ICAP is directly tied to--

COUNCIL MEMBER ROSENTHAL: ICAP.

ANDREW KIMBALL: an investment, so you have to invest 50 percent of the assessed value of the property at the time. That's a massive amount of money. That is what a substantial portion of the 400 million dollars we spent so far has done and, as a result, over time, you have this tax benefit that any tax benefit there is exponentially superseded by the additional taxes paid by the businesses that come and benefit from the investment that--

COUNCIL MEMBER ROSENTHAL: Yeah.

ANDREW KIMBALL: [inaudible 02:50:06]

COUNCIL MEMBER ROSENTHAL: I understand that theory.

ANDREW KIMBALL: But there's no connection with the jobs. That's just the way the law is written. And, as you know, the law comes up every two or three years and there's a big discussion about it and the Council's involved and Albany's involved and then a decision is made.

COUNCIL MEMBER ROSENTHAL: Well, so yes. I'm aware and, in fact, was able to put-- change the law so that ICAP had to now prove that anyone who get ICAP funding now has to really prove that they spend a certain portion on minority and women-owned businesses. So no need to lecture the Council--

ANDREW KIMBALL: I appreciate that. Thank you.

COUNCIL MEMBER ROSENTHAL: on your understanding of ICAP. But, regardless of what the law requires, are you willing to tie that any government funding that you get to actual job numbers? So would you be willing to go above and beyond what the law requires you to do?

ANDREW KIMBALL: Yesterday we made a historic commitment that is above and beyond any private development project that has no public capital or public expenditure coming into it which is

that we cannot fully benefit from the retail and the new building that we would get under this rezoning unless we are [inaudible 02:51:34] that jobs are coming locally. So, similar mechanism years, but we've already committed to it.

COUNCIL MEMBER ROSENTHAL: Okay. I would love to see that in writing. I would defer to Council member Menchaca or Moya for understanding the details of that better, but it strikes me that, particularly, where we are economically right now and how communities are suffering that the implications of gentrification--

SERGEANT-AT-ARMS: Time expired.

COUNCIL MEMBER ROSENTHAL: the implications for low-wage insecure jobs now might not be the exact time we should be investing city dollars like this. But I appreciate your coming before this committee and starting to answer questions. I really do.

CHAIRPERSON MOYA: Thank you, Council member Rosenthal. I now turn it over to Council member Reynoso.

SERGEANT-AT-ARMS: Starting time.

COUNCIL MEMBER REYNOSO: Thank you.

Andrew, I wanted to ask-- Council member Menchaca was talking about two things. Your CBA. Is Council member Menchaca not a part of the group overseeing the development of the CBA?

ANDREW KIMBALL: I can't comment on Council member Menchaca's role. You can ask him directly. We are optimistic that a group will emerge that's committed to a legally binding CBA. That's all I can say at this point.

COUNCIL MEMBER REYNOSO: A legally binding CBA in which the Council member is not a party to the agreement?

ANDREW KIMBALL: My understanding is that it is not allowed by law for the Council member to be a party to a CBA, but you can correct me on that if--

COUNCIL MEMBER REYNOSO: Yeah. You can.

ANDREW KIMBALL: I'm now a lawyer, but that's what I've been told.

COUNCIL MEMBER REYNOSO: Yeah. We can't sue you, but that's different. But the Council member doesn't need to be a part of it, but he needs to know, I guess, what the agreement is. He needs to

be involved with the information of what is in the agreement and, from what I understand, is that you can't say necessarily what agreements-- what agreements, if any, have been agreed to, I guess.

ANDREW KIMBALL: He's given me 10 requirements and I've agreed to all of them and those that aren't addressed through the Council because they're related to zoning will be addressed in the CBA.

COUNCIL MEMBER REYNOSO: Okay. And then, Andrew, the last thing is are one of those CBA agreements a school?

ANDREW KIMBALL: He has written as one of the 10 that he'd like to see a vocational high school similar to the one at the Navy Yard and we have agreed that we will provide that space whether it's tomorrow or in the future when the DOE is ready to build that space at Industry City.

COUNCIL MEMBER REYNOSO: Andrew, you know that like in innovative districts across the country, when they do it right, that these schools are extremely important. But if the Department of Education and the Mayor's Office doesn't-- hasn't been brought to the table here, you know, as we're

closing the deadline here, it's an important part of this agreement that you can't guarantee that because the city has said that they're not going to be investing in this. In this Industry City. So it's like an important part of the agreement that you can't guarantee.

ANDREW KIMBALL: I can't speak for the Mayor.

COUNCIL MEMBER REYNOSO: Right. Okay. But has the Mayor told you that he's going to build you a school, Andrew?

ANDREW KIMBALL: I can't speak for the administration. They can--

COUNCIL MEMBER REYNOSO: Have you received notice from the Department of Education or anyone in this administration that they will build you a school? [inaudible 02:55:40]

ANDREW KIMBALL: [inaudible 02:55:42]

COUNCIL MEMBER REYNOSO: Have they talked to you about this?

ANDREW KIMBALL: I have a strong interest in all of those things that the Council member has highlighted.

COUNCIL MEMBER REYNOSO: Andrew. Have you--

ANDREW KIMBALL: [inaudible 02:55:47] the administration.

COUNCIL MEMBER REYNOSO: any notice from the administration that there will be a school?

ANDREW KIMBALL: I have not.

COUNCIL MEMBER REYNOSO: Have you hear that? Okay. That's it and that's very important because you can commit to everything. I could commit I'm going to build a 2000 acre park in Williamsburg pending administration approval. It's just never going to happen.

ANDREW KIMBALL: It's pretty substantial that a private developer would welcome, in fact, covet having a vocational high school embedded in their commercial campus.

COUNCIL MEMBER REYNOSO: Andrew, you could welcome everything. All the bells and whistles. If a big part of welcoming is an administration that is engaged, that's different. You have an unengaged administration and we're asking for a lot of things that the administration would be a part of. They have to be partners of the CBA with

you in understand how you're building it out and, if you're not doing that, then a lot of these commitments that you're making that are depending upon the administration, you can invite them all. You're just not going to get them all and you know that and the community knows that. So, this is a big problem here is that you have a lot of commitments that you're willing to make on behalf of the administration or you're open to them if the administration engages you and, until this point at the tail end of the ULRP process, they have yet to do that. So I think that that like, for my colleagues, as well, it's like we know how this stuff works. It's always last minute, but the administration is engaged long before this moment if they're actually going to do any of these things. And that hasn't happened here.

ANDREW KIMBALL: Thank you.

CHAIRPERSON MOYA: Thank you, Council member Reynoso. Counsel, can you confirm if there's any other Council members present who have additional questions?



COMMITTEE COUNSEL: Chair Moya, I see no additional members with questions at this time for the panel.

CHAIRPERSON MOYA: There being no more questions for this panel, the panel is now excused. Thank you, Andrew, for your time. We really appreciate you being here and, counsel, are there any members of the public who wish to testify on the Industry City proposal? Thank you, Andrew.

COMMITTEE COUNSEL: Yes. Chair Moya, there are approximately 200 public witnesses who have signed up to speak in total. For members of the public who are here to testify, please note that these panels will be called in groups of four names per panel. We understand that there are very many people signed up to testify and waiting for their turn to do so. We want to hear from all of you and we appreciate your patience working through this hearing. To that end, I will announce each incoming panel, as well as the following panel so as to provide some semblance of notice for the speakers in the upcoming panel. If you are a member of the public who signed up to testify on LUs 674 through 677 for Industry City, and as you hear your name

being called, please stand by and be prepared to speak when the Chair recognizes you to do so. As a technical matter, I would ask to remind those waiting to testify to please make sure that the name that you use to access this Zoom meeting is the same name that you used during your registration process. And also, for those people waiting to testify, again, we apologize that we cannot inform you of the exact order in which you will be called. If you are unable to wait for the remainder of this hearing, you may always email your testimony to [landusetestimony@Council.NYC.gov](mailto:landusetestimony@Council.NYC.gov). For witnesses who have previously requested or need, at this time, to request translation services, please indicate this first when you are recognized by the Chair to speak. The meeting will pause briefly as the translator is made available to translate your testimony for the subcommittee. Translation will be provided as you make your testimony and you will be given additional time to make your statement for a total of four minutes and 15 seconds. As a reminder, for persons who signed up to testify and have requested translation services, we ask that you continue to watch this hearing using the language channel of your

choice at the Council's main website. Lastly, please note that once all panelists and your group have completed their testimony, you will be removed as a group from the meeting and the next group of speakers will be introduced. After you have completed your testimony and once your group has been removed, public participants may continue to view the live stream broadcast of this hearing at the Council's website. We will now hear from the first panel who will be Congresswoman Nydia Velasquez.

SERGEANT-AT-ARMS: Starting time.

CONGRESSWOMAN VELASQUEZ: Can you hear me?

SERGEANT-AT-ARMS: Yes. We can hear you.

COMMITTEE COUNSEL: We can hear you.

CONGRESSWOMAN VELASQUEZ: Thank you.

Well, Chairman Moya and members of the city Council, thank you for having me. Since the beginning of this process, my priority has always been ensuring that any process is community driven and the needs of local residents and businesses are put first. Unfortunately, the proposal now before you fails to meet that test. I understand that proponents of this deal have made promise after promise related to job

creation and, given the current economic downturn, those promises may sound appealing. And I just would like for the members of the city Council to request from the Andrew Kimball to present to you an economic analysis as to the impact of COVID-19 in terms of small businesses and future tenants that will be moving in. If there is a lesson that we learned during this pandemic is that a lot of business is are discovering that they could do business remotely. So, where's that data? Where is that economic analysis? The other part of this is that we doubt enforceable mechanisms to hold the developer accountable. There is good reason to be skeptical of this speculative job creation numbers. Show me one rezoning that is taken place in New York City in the last 10 or 15 years that has proven that those promises that were made were kept. Let's go to Williamsburg or let's go to Atlantic yard. If anything, the only thing that we know, the end result of those rezonings has been displacement of brown and black people. In fact, his other previous development deals are any guide, we can expect those rosy projections will not materialize. What we do know is that deals like this supercharge

gentrification and displacement. At a time when the COVID-19 pandemic has disproportionately affected working people and immigrant communities like Sunset Park, it would be the height of irresponsibility for the Counsel to green light a rushed process that will benefit a developer while harming those already suffering a norm is economic hardship. We should also be clear that this rezoning application is not needed for job creation in Sunset Park. Today, industry city can continue uses such as office, manufacturing, film, photography studio, and large retail that has an industrial component. Industry City can perform interior renovations using 2.5 million square feet of space it currently has vacant or for storage and existing buildings and bring thousands more jobs without a single zoning change. So, let's be clear. This rezoning proposal is never been about maximizing jobs. It is been about maximizing profits. Without a rezoning, the owner has less access to financing, slowing redevelopment, and preventing speculation on industrial or residential properties nearby. This agenda is reflected in the imbalanced, unfair process that brought us to where we are to date. Council member

Menchaca has been clear about minimum standards and preconditions for even considering a rezoning act Industry City. He outlined them publicly on September 2019. There would need to be a legitimate agreement that addresses jobs and workforce, minimum industrial space, and area of affordable housing stabilization that is legally binding with a cross-section of community stakeholders. This will need to be negotiated and agreed to before ULRP, not at the end of the ULRP process. None of these conditions has been met. [Inaudible 03:06:50] was not given the resources or time to fully form, let alone even get to a negotiation. Outside counsel was never retained. The end result was this. The deck is being stacked in favor of these applications and the working people who live in Sunset Park are at risk of being left behind. We have been hearing from people that job creation will be needed because of the hardships of the pandemic. Well, what I am hearing from my constituents is the last thing we need in the midst of this pandemic is to intensify gentrification and displacement. The local city council member who represents the interest of this community has voiced his opposition. Certainly, member [inaudible

03:07:46] is a consideration. However, the well-being and livelihoods of the residents and small businesses in the area should be paramount. Today we have no meaningful assurances our neighbors will benefit from this plan, but we have good reason for them to worry about how this proposal might harm them and change their neighborhood forever. For all these reasons, I am Lord of the Council, please do not forge ahead with this rezoning. The people who live in Sunset Park are counting on us to protect them and the public interest. And by the way, is there is a point where I agree with Andrew Kimball, it's this: yes. You're right. We'd all live in the 1950s or 60s or the 80s. No, sir. We you is in 2020 overwhelmed by COVID-19 pandemic and climate change. This application, submitted by Industry City doesn't live up to that reality. In an age of change when our city and region must mobilize for the just translation for a sustainable future, our working waterfront as a precious resource we cannot afford to squander needlessly. Thank you for giving me this opportunity.

CHAIRPERSON MOYA: Thank you,  
Congresswoman, for your testimony. It's always great

to see you, as well. Now I turn it over to our counsel.

COMMITTEE COUNSEL: Chair Moya, eyes see no members with hands raised. Excuse me. Council member Menchaca has his hand raised for a question for the panel.

CHAIRPERSON MOYA: We will turn it over to Council member Menchaca.

COUNCIL MEMBER MENCHACA: Thank you, Chair, and thank you, Congress member Velasquez, for your word for bringing us into the severity of this moment and connecting us to the COVID pandemic and the economy that we are in right now. I just want to say thank you. I know you are in Washington right now I met you are taking sometime between votes to be here with us. My only final question is this. You've been connected to this conversation since 2013 since it first started and, I guess, just want to ask about the voices that you are hearing from across all of Sunset Park. What has been the strongest boys that you are hearing from the people that is motivating you today and speaking on their behalf as the member representing--



CONGRESSWOMAN VELASQUEZ: Thank you for that question and for your leadership. So I implore the city Council to understand that, in the midst of a pandemic, this is not the right way to proceed. We much respect the fear and the desperation that communities are living today and for us or the city Council to rush through this rezoning without giving ample participation for stakeholders and communities that are going to be most impacted by this, it's a disgrace. We need to show compassion and empathy. And what is the rush? There are millions of square feet that is vacant today in this development. There's no argument to try to rush this through without giving the opportunity for a process that is so complex for people to really understand, without empowering those people with technical assistance, with a lawyer. Please, you need to do better and you can.

CHAIRPERSON MOYA: Counsel, do we have any other members who wish to ask the Congresswoman a question?

COMMITTEE COUNSEL: Chair Moya, I see no members with further questions at this time.

CHAIRPERSON MOYA: Thank you, Congresswoman, for your testimony today. We really appreciate it.

CONGRESSWOMAN VELASQUEZ: Thank you for having me.

COMMITTEE COUNSEL: The next panel here to testify will include Eddie Bautista, Tamara Toles O'Laughlin, Elizabeth Yeampierre, and Anthony Rodgers Wright. As noted before, I will also announce the upcoming panel so as to provide those waiting some form of notice that they will be coming up. The following panel will include David Cohen and Ruben Colon.

CHAIRPERSON MOYA: So, members of the public, you will be given two minutes to speak. Please not begin until the Sergeant-at-arms has started the clock and I will remind my colleagues that we are going to have everyone on the panel testify and we will then take member questions at the end.

COMMITTEE COUNSEL: Chair Moya, the first speaker will be Eddie Bautista.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Mr. Bautista, you may begin. Mr. Bautista, you need to unmute yourself.

EDDIE BAUTISTA: Apologies. Can you hear me now? Thank you. Thank you, Chair Moya. I need to depart from my prepared remarks for a second and I feel okay about that because I will be submitting the testimony. I just have to react. I spent the first couple hours of this hearing listening closely to Andrew Kimball and I was pretty stunned to not hear the words COVID leave his mouth until it was in reaction to a question from one of the Council members about negotiations with CUNY. When we're anticipating only about a third of the city's workforce to return by year's end, according to the business tabloid, Crane, a partnership from New York. It's pretty stunning that Industry City is continuing to promote this fantasy of 15 to 20,000 jobs with no change in the analysis from the environmental impact statement is 2017. There was a telling moment in his testimony when he indicated that only e-commerce has grown. Which, course, begs the question what potentially is the long term proposal for this rezoning is, in fact, Industry City decides point to sell off its interest. You know, the CEO mentioned

his long-term commitment to the Sunset Park. One wonders what that commitment was when Industry City was affirmatively marketing properties to Amazon last year when Amazon was working for locations in New York. So, I beg the Council and this committee to use your common sense. All indicators show that the kind of uses that Industry City is proposing is not where the city is right now. And let me just read one or two lines from my testimony. Industry Cities rezoning application, gentrification and displacement plan that is couched as an economic development proposal is the latest in a long line--

SERGEANT-AT-ARMS: Time expired.

EDDIE BAUTISTA: I'll submit the rest of it in writing. Thank you.

CHAIRPERSON MOYA: Thank you, Mr. Bautista. Thank you for your testimony today.

COMMITTEE COUNSEL: Chair Moya, the next speaker is Tamera Toles O'Laughlin.

SERGEANT-AT-ARMS: Starting time.

TAMARA TOLES O'LAUGHLIN: Hello. Thank you for the opportunity to address this body remotely. My name is Tamara Toles O'Laughlin and I'm the North American Director of 350.org, a global

grassroots organization dedicated to the fast and just transition to 100 renewable energy and ending all fossil fuels. The reason that we are involved in this conversation today is because we want to show up in support and solidarity with the community members that have demanded to be heard on these matters. Specifically, raising the idea that, in all of this planning, there is very little meaningful engagement with community member who have opinions well after the listening tour has started along a very defined line by people who are not interested in the outcomes and well-being of those community members. This rezoning proposes that the service to the community shrouded in lots of really great numbers, metrics, really great photos and beautiful graphics, recognizing that the long-term interest of community involves engaging them from start to finish, not dispensing with them as quickly as you possibly can. It is our position that this proposal is inconsistent with the Sunset Park BOA, the waterfront revitalization plan, the climate mobilization act, the climate leadership and community protection act, along with many, many other efforts driven by community members to have meaningful engagement in

this kind of development. As an African-American who was born and raised in a different part of Brooklyn, I can assure you that we are all community. This kind of activity, no matter how dressed up, no matter what kinds of things are on the horizon and potential has two involved people who were impacted from the start to finish and it is our position that, until the community is satisfied, this matter cannot be closed. They yield my time to the people who have been waiting.

COMMITTEE COUNSEL: Chair Moya, the next speaker will be Elizabeth Yeampierre.

CHAIRPERSON MOYA: Elizabeth?

SERGEANT-AT-ARMS: Starting time.

ELIZABETH YEAMPIERRE: Okay. Can you hear me? Okay. [Speaking foreign language] I'm Elizabeth Yeampierre, the executive director of UPROSE, Brooklyn's oldest Latino's community-based organization and a national grassroots leader in the climate just says movement. Today we face multiple crisis. Climate change, racial violence, and the global COVID-19 pandemic. These crisis is are created and exacerbated by the extractive economy that currently governs us and proves time and time

again to prioritize the agendas of private developers over years of comprehensive community planning. We hope this hearing is not a testament to that or that the city is more concerned with developer's wants than community needs. I am here to testify against the Industry City rezoning and the urge to uplift our community led alternative, the green resilient industrial district, a comprehensive waterfront development plan. It's a plan that builds on years of community-based planning and organizing in Sunset Park to the target climate adaptation, mitigation, and recovery. On the other hand, Industry Cities rezoning application is built on. Claims and unchanged proposals since 2017 and outdated analysis based on pre-COVID market conditions. There is nothing innovative about hotels, destination retail, and offices in an already failing market. Economic development must be different. It is vital to take lessons learned from these crises and build and invest from and developments that not only benefit frontline communities, but are led by them. As one of New York City's last remaining and its largest significant maritime industrial areas, Sunset Park is uniquely positioned to be the place where we build

for New York and the region's economic resilience and climate means. As we continue to design and implement a green new deal, the entire nation will move to transition, as well. We can't afford to allow dated thinking developers to continue to displace industrial businesses and space, sacrificing our city's infrastructure and industrial capacity to produce. If Industry City wants to develop in Sunset Park, they must do so in context. They must withdraw their application and immediately and incorporate all the amendments and restrictions outlined in the grid. And New York City Council must say no to their proposal. Industry City had many chances since 2017 to change their application, but they didn't. They didn't listen--

SERGEANT-AT-ARMS: Time expired.

ELIZABETH YEAMPIERRE: to the Sunset Park community. Thank you and please read the testimony that will be online.

COMMITTEE COUNSEL: The next speaker will be Anthony Rogers Wright.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Anthony, you need to unmute yourself.



ANTHONY ROGERS WRIGHT: Excuse me.

CHAIRPERSON MOYA: Yes. You may begin.

ANTHONY ROGERS WRIGHT: Good afternoon. My name is Anthony Karifa Rogers Wright. I have the honor of serving as the policy coordinator and Green Deal policy lead for the Climate Justice Alliance, a network of grassroots organizations in all regions of the United States, including [inaudible 03:21:17] and the US colonies of Guam in Puerto Rico. I am here standing with two of our members, UPROSE and New York City Environmental Justice Alliance and as a proud son of Brooklyn which will always be my home and community. In 1991, the founders of the environmental and climate justice movements gave the world the 17 principles of environmental justice. Among the principles include demands for public policy to be based on mutual respect and justice for all people, free from any form of discrimination are biased. The right to ethical, balanced, and responsible uses of the land and renewable resources that firms of fundamental right to political economic and cultural, environmental, self-determination of all peoples. Unfortunately, it doesn't take a savant or a [inaudible 03:21:53] to conclude that Industry

City is antithetical out of these principles and, ipso facto, and direct conflict with landmark legislation like the climate mobilization active New York City and the climate leadership and community protection act of New York State. It's important to state that the climate justice movement and our grassroots organizations don't just come to the table with problems. We also bring community led wisdom and solutions rooted in just transition and energy to democracy. To this end, the Green Resilient Industrial District proposal, or GRID, a community led plan to address climate adaptation, mitigation, and economic recovery for the Sunset Park, BK, the city, the state, and the entire region should be an axiomatic choice in an effort to foster real solutions as a solutions multiplier instead of exacerbating the existing interlinked crises included in greed, hyper capitalism, and environmental racism. EIS for this project doesn't even include an analysis of how the environmental justice impact in Industry City would have solved communities like Sunset Park, nor does it include a side-by-side comparison of the GRID proposal. We must seize on solely operating from a lens of dollars and cents, especially when it

comes to projects like Industry City which makes no sense at all economically or environmentally if we were really honest about our proclamations of operating from a lens of justice. Industry City represents nothing more than a continuation of the--

SERGEANT-AT-ARMS: Time expired.

ANTHONY ROGERS WRIGHT: activities-- Okay. I will definitely submit the rest of this proposal online. Thank you.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: That concludes the last speaker on this panel.

CHAIRPERSON MOYA: Okay. Just one quick question, Arthur. Elizabeth, one quick question. I know you're with UPROSE. So, if Industry City, the zoning proposal is rejected, it would realistically take numerous years to advance an alternative city led proposal like the GRID and the existing M31 zoning. It would remain in place in the meantime. Has UPROSE consider the potential results of impacts of Industry City continuing to develop under the existing zoning framework and also is there any modification to the proposal for Industry Cities

rezoning that UPROSE would consider favorable in comparison to the existing zoning currently?

ELIZABETH YEAMPIERRE: Thank you for that question. Unfortunately, the application as it stands is fatally flawed, but I think that there are several Council members that are really interested in looking at what a comprehensive waterfront plan would look like from Sunset Park and for the rest of the industrial sectors throughout New York City. You know that Puerto Rico went through hurricane Maria, that California is burning, that we have tornadoes, that we are in the midst of climate change and that we really need to retain our industrial waterfronts so that we can start building for climate mitigation industrial uses that address adaptation and resiliency. Any other use for an industrial waterfront-- that's what it was created for. To build for things and to make the kinds of things that we need. And so we are hoping that those of you who are in this meeting today, and this hearing today will join us and look at that as a template that can be used to start addressing those really complex and timely problems. And the plan, really, through the legislation that has been mentioned, generates a

conservative 26,000 climate jobs that would benefit not just Sunset Park, but the region. So, what you're saying is absolutely true. It is a concern, but I'm hoping that there is the political will and the goodwill to work together to try to address what is really a crisis that is going to have a disparate impact on low income people and people of color. And so, were happy to do that and we have brought a number of people. 350, Sierra Club, NRDC, the New York City Environmental Justice Alliance, CJA, and all of the national organizations are standing with us because they are saying that economic development can no longer look like this. Economic development really needs to stimulate the local economy and look at food security, look at renewable energy, and look at the materials that the industrial waterfront is providing so that we can start building carbon neutral. You also know, sir, that from super storm Sandy, that the subway was, basically, ineffective. That we couldn't use it and that we needed to be able to get those materials somewhere and that our very businesses need to be made climate adaptable so that they can survive the next extreme climate event. So this rezoning is like any other in this industrial

sector provides us with a vehicle and economic engine to address a climate justice locally and regionally.

CHAIRPERSON MOYA: Great. Okay. You didn't answer my question, but the--

ELIZABETH YEAMPIERRE: Sorry.

CHAIRPERSON MOYA: for time purposes, do you have any information-- I mean, you've been talking about the Green Industrial Business. Do you have any information or analysis as to whether there is a demand for space in Sunset Park by the Green Industrial Businesses?

ELIZABETH YEAMPIERRE: We have to create the market for that. In the same way that Industry City promoted a market for retail and office space and uses that are inconsistent with the need of the industrial sector, we have to create the market to bring in those kinds of businesses. We have reached out to EDC and have had several conversations with them. And they certainly have an interest. We just launched the first community owned solar cooperative in the state of New York and so that is growing and there is a demand for that. But unless we are able to get past this, we won't be in a position to even

create the market for that. I don't know if any of my co-panelists want to address that.

CHAIRPERSON MOYA: But is there any data? Any hard information or analysis on whether there is that demand that is led you to this conclusion?

EDDIE BAUTISTA: May I respond?

CHAIRPERSON MOYA: Yeah.

EDDIE BAUTISTA: I mean, Andrew Campbell himself said that there's a big competition for offshore wind and the site right next-- across the street from Industry City and what was telling in his testimony was when he said that there is going to be the spillover of uses from the offshore wind that is being marketed and considered for the South Brooklyn Marine Terminal which implies that there isn't enough room right now. Yet these guys on another million and a half square feet. And I've just got to say, Chair, that we come from a discipline where you finish eating what is on your plate before you ask for seconds. And I'm not the best person [inaudible 03:28:35]

CHAIRPERSON MOYA: Right.

EDDIE BAUTISTA: But you understand what I'm saying.

CHAIRPERSON MOYA: My question is just a very basic one. Do you have--

EDDIE BAUTISTA: Yes.

CHAIRPERSON MOYA: any documentation? Any analysis that you can share so that you can--

EDDIE BAUTISTA: Andrew Kimball's own testimony.

CHAIRPERSON MOYA: I'm asking you if any of you have been talking about this have actual analysis or information that you can give the committee for us to look at as you are making this point about the demand for the Green Industrial Businesses. That's what I'm asking. And if you don't have it now, that's okay.

EDDIE BAUTISTA: We just expressed it, but we will send it over again.

CHAIRPERSON MOYA: I just want to know that if you do have it, it would be great to share with us. That's what I wanted.

EDDIE BAUTISTA: Okay.

CHAIRPERSON MOYA: Thank you. I know Council member Menchaca has a question. Council member?



COUNCIL MEMBER MENCHACA: Hi. Yeah.

Sorry. I was getting on muted there. Thank you to this panel. Your work, not just in Sunset Park, but nationally, has been just incredible and keeping us rooted in our future and that just transition. I want to talk a little bit about SBMT. About many members of this panel partnered with my office in the first term in early 2015 to really restructure the activation of SBMT. And that was a little bit of a struggle with the Mayor, if you can remember, but we partnered and really brought in community voices to shape the RFP and then activation plan. And now Industry City is saying that they want to partner to bring that offshore wind. Is it something that you support? Offshore wind? And how does the rezoning impact that activation? Talk to us a little bit about that. And this is for anybody.

EDDIE BAUTISTA: I could begin and turn it over to Elizabeth. This is what I was trying to respond to the Chairs question earlier. The offshore wind that is being proposed, South Brooklyn Marine Terminal is a solid candidate for that, right? And this predates the idea of marketing that South Brooklyn Marine Terminal for these types of jobs like

green jobs. And, by the way, I also think it was telling the snarkiness with which the CEO talked about green jobs. He said it was a vestige of the past. I would challenge the CEO to look at Speaker Johnson's climate plan that he issued this year. There is a whole section on green jobs, as well as Joe Biden. So, the issue of wanting South Brooklyn Marine Terminal to be retained for these kinds of uses-- And, again, Council member Menchaca, we have to think your leadership for assuring that that happens by the CEO's own testimony. When he says there is going to be spillover into the Industry City and if any of the offshore wind enterprises lands in South Brooklyn Marine Terminal implies that there is going to be a need for more room, right? So, again, we're looking to reward Industry City by adding another million and a half square feet of precious manufacturing zone land that we are, every decade, losing more and more of in New York City. What that means, then, is that if we don't retain the dwindling amount of heavy manufacturing, those jobs will go to Jersey. We have to be able to build towards our climate adaptation resiliency needs. So whether New York does it or New Jersey and Long Island, trust

that those jobs are there. There's a reason why the Biden in the Senate Democratic Climate Caucus has put forward massive calls for investment to generate the kind of green jobs that's the vision that you helped carve herself Brooklyn Marine Terminal. I think that more than adequately reflects. Elizabeth, I don't know if you--

ELIZABETH YEAMPIERRE: No. Thank you, Eddie. You know, the truth is that the space that addressing climate adaptation, mitigation, resilience requires is more than-- and we would lose that industrial space. We wouldn't be able to have-- and that's the only real estate in New York City to build for our climate future and, if we use it for offices and retail and things that can happen anywhere else, we won't be able to address those challenges that are here now. The other thing that I think is really important, Council member is that only 41 percent of the Sunset Park community has a high school degree. And that climate jobs pay an average of 60 to 70,000 dollars a year and that the Innovation Lab, for example, only hired 40 people from Sunset Park. So, the community is actually not even qualified for the jobs-- that job [inaudible 03:33:39] that keeps

getting pulled in front of us. But climate jobs, those are jobs-- in the market is unstable. And so we know climate change is actually here in that there is stability with that. The other important thing is that the CL CPA that was mentioned by the Climatic Justice Alliance and by 350 and the Claimant Mobilization Act, that's the kind of legislation that provides the funding and the support to make sure that we actually are able to make the-- or that we can operationalize this kind of industry. And then, of course, on a national level, we are fighting for Green New Deal, right? This is the very personification of a front-line Green New Deal. And it would benefit the region, not just Sunset Park. So, those things are really important. There is legislation that has been passed on the statewide level. New York Renews is a coalition of over 200 members and legislation that makes it possible for us to be able to fund this vision. In this community vision literally comes out of a lot of different community planning processes over the last 10 years.

COUNCIL MEMBER MENCHACA: Thank you.

And I only have a few more minutes, but I think the attention that I want to bring, moving out of SBMT

and what we've been able to do with city-owned property and moving over to the 32-acre campus that is Industry City, a private space, what makes it so important, this space, the 32-acres, and critically important, for the climate recovery that you're speaking to that the GRID speaks to? That this entire panel speaks to? Connecting it to the city and state legislation. I want to just get specific as possible in the last few minutes about what makes it so important that this conversation really impacts the development of this private space and I'm just going to-- this is my last question. I'll leave it to the panel. Elizabeth or Eddie or anybody else.

EDDIE BAUTISTA: I guess I could begin. I think that some of the estimates-- and this is some of the information that we will gladly share, as the Chair requested. Based on the Cuomo administration's job projections, the Climate Leadership and Community Protection Act for New York State, which is a mandate to bring New York State to 100 percent net zero emissions reductions by 2050 is expected to generate in the order of 150,000 jobs in the coming decade and, with the New York City Council's Climate Mobilization Act, there is also, I

believe, 40,000 job projections that the city's mandate that the city Council effectively passed last year. So, between the city and the state missions mandates, there were literally tens of thousands of jobs that are going to be generated and this is what we were saying all along is that there aren't a whole lot of crises you can build your way out of. We are talking about building our way out of the climate crisis. Right? And this is the point that, I believe, UPROSE, the GRID, and Sunset Park residents have been saying all along. We are not and time job. We are pro-economic development and what we are looking for is 21st-century development, not pre-COVID, old-style developer projections the CEO Kimball could not defend based on any of the Council member questions that were raised this morning.

COUNCIL MEMBER MENCHACA: Thank you.

Thank you to this panel and looking forward to continue this conversation. I know this is just one more step towards the end, but this is a very critical step and really listening to your both rooted Sunset Park and national conversation, I think this is going to be both really important and impactful for Council members to think about what are

we leaving out of the plan? What are we leaving out for possibilities for the Sunset Park community, the demographics, and that opportunity? That just does not play a massive and critical role in this current plan that we just saw and heard today. Thank you. Back to you, Chair.

CHAIRPERSON MOYA: Thank you. Thank you, Council member Menchaca. Thank you to the panel. Thank you for being here. We really appreciate your patience in this testimony here today. Thank you so much.

COMMITTEE COUNSEL: Chair Moya, the next panel to testify will be David Cohen, [inaudible 03:38:04] Malone, Edward Perez, Gary LaBarbara, and Martin Tuozzo. This next panel will be followed by Umberto Rodriguez who will be testifying with the assistance of a Spanish interpreter. The first speaker on this panel is David Cohen.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: David, you may begin. And, David, before you begin, unmute yourself.

DAVID COHEN: Yeah. Thank you.

CHAIRPERSON MOYA: Yep.

DAVID COHEN: Hi, everyone. Thank you for your time today and thank you to everyone who has testified in previous panels. I will move quickly because the time is brief. Good morning. I am David Cohen, deputy political director at 32 BJ and I am here today to talk about jobs and particularly how this rezoning stands to impact building service workers. 32 BJ is the largest property service work union in the country. Or you represent more than 85,000 workers in New York City, 21,000 in Brooklyn, 1100 32 BJ members who live or work in Sunset Park, then we represent approximately 100 cleaners, elevator operators, demolition specialists employed at Industry City. We support a responsible rezoning of Industry City that will create a pathway standards for existing workers and create good, new jobs. They are desperately needed. 32 BJ has more than 20,000 members in commercial buildings throughout New York City and we know the challenges that they are facing. The COVID-19 pandemic has had our industry hard. Thousands of our members are laid off and these workers are the backbone of their communities. So, we are hoping that the Council can do all it can to create and preserve good jobs like theirs and the



ones that we expect to be created. The proposed rezoning will allow new uses at Industry Cities sites and activate spaces that are currently sitting vacant and that will create investment to maintain the existing building service jobs and create an opportunity to raise standards for those current workers over the long term and, again, create more could building service jobs. These jobs can be life-changing for members of the Sunset Park community and we will do everything we could to ensure that those jobs support those residents and we support local plans for hiring and workforce development.

Furthermore-- I'm just rushing before the time clock hits me. As we face, you know, the harsh realities of the COVID-19 pandemic-- and, again, thousands of our commercial members are still laid-off. It's crucial to advance projects that will create good paying jobs, breathing in employment opportunities to communities of color, and generate hundreds of--

SERGEANT-AT-ARMS: Time expired.

DAVID COHEN: Thank you all so much for your time and we hope that you will approve this rezoning.

CHAIRPERSON MOYA: Thank you, David.

COMMITTEE COUNSEL: The next witness,  
Chair Moya, is Ruben Colon.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Ruben, you may begin.

RUBEN COLON: Honorable members of the  
subcommittee, I have Ruben Colón, the Brooklyn area  
standards are representative for hundreds of New York  
City and vicinity District Council of Carpenters  
members who live in the area of the proposed  
rezoning. Thousands more live in Brooklyn. I,  
myself, was raised in Sunset Park and lived and an  
adjoining neighborhood where I said on my community  
board. I also have close familial ties to the area,  
as do many of the members that I represent. Having  
grown up in Sunset Park, let me first make one thing  
clear. Contrary to opinions of a vocal few, I love  
my own neighborhood. It is because of this that I  
today speak out. I and many I grew up with remember  
the rapid economic deterioration of Sunset Park back  
in the 70s and 80s. Many left for greener pastures.  
Others, like myself, held steadfast. We are proud of  
what Sunset Park has become and recognize how much  
more can be done in the way of progress, but to do  
this, we cannot mire ourselves in fear. It's okay to

be cautious about change, but we cannot allow ourselves to be paralyzed by, especially so at a time when, due to the ongoing pandemic, we face economic hardships, the extent and ramifications of which have yet to be determined. Indicators or long-term consequences will be devastating to our communities, especially Sunset Park. Now is not the time to second-guess ourselves. We look to our leaders at the New York City Council to do the greater good for the greater number of people. These are not traditional times. We must think outside the box. The Council must act in the best interest of all New Yorkers, inspired of the local Councilman's objections. New York City cannot afford to cater to the few while forsaking the many. Working men and women are counting on you. On behalf of those I speak for, I pray the Council will render a vote in favor of the proposed Industry City rezoning with no further restrictions or delay. Thank you.

COMMITTEE COUNSEL: The next speaker, Chair Moya, is Martin Tuozzo.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Martin?

MARTIN TUOZZO: Yes. Hi. My name is Martin Tuozzo. I'm the president of the Brooklyn Local 926. I have a membership of approximately 2000 members of Brooklyn union carpenters, many of which live in Brooklyn, have families or close ties to it. I was born in Sunset Park on 49th Street and Eighth Avenue. I was raised in the neighboring Park slope. I wish to emphasize what rezoning of Industry City means for my members. A vote in favor of rezoning means potentially hundreds of union jobs lasting for years. As carpenter members, such jobs provide wages, good benefits on which our families can be raised. Rents, mortgages can be met. Local purchases can be made. We can shop in our small business. A favorable vote can bring much-needed comfort and a time of uncertainty, given the ramifications of this health crisis that we face today. The well-being of thousands of families, many from Brooklyn, lays in your hands. Our very livelihood depends on your decision. On behalf of my members, these families, I must therefore urge the subcommittee to recommend a vote in favor of the Industry Cities re-zoning law with no further delay. Thank you very much.

COMMITTEE COUNSEL: Edward Perez and Gary LaBarbara who were earlier indicated on this panel, if you are available to testify later, we well--

CHAIRPERSON MOYA: So, I have one quick question. Oh. Which is going to briefly pause for one second.

COMMITTEE COUNSEL: Please stand by. The meeting will stand at ease for a moment. Please admit the witness labeled Santos Rodriguez and we understand that that is actually the witness Gary LaBarbara.

CHAIRPERSON MOYA: Okay. Counsel, are we ready?

SANTOS RODRIGUEZ: Thank you very much for the opportunity to speak today.

CHAIRPERSON MOYA: One second, Santos.

SANTOS RODRIGUEZ: Okay.

CHAIRPERSON MOYA: Okay. You may begin. Sorry.

SANTOS RODRIGUEZ: Okay. Thank you very much for the opportunity, Council member. My name and Santos Rodriguez and I am testifying today on being have of Gary LaBarbara, president of the

Building and Construction Trades Council of Greater New York and vicinity. I'm here to testify in support of the Industry City rezoning. The Building and Construction Trades Council is an organization of local building construction trades unions that are affiliated with 15 international unions in North America building trades union. Our local union affiliates represent approximately 100,000 union construction workers. The building trades' mission is to raise the standard of living for all workers to advocate for safe work conditions and collectively advance working conditions for our affiliate members, as well as the workers in New York City. New York City is a unique and its ability to adapt and move forward into the future. Industry City has been a long time industrial and manufacturing hub for the Brooklyn waterfront. Rezoning Industry City sends a message to New York City that New York City remains and invested in progress. Now is the right time for this message to be sent. Rezoning Industry City would allow-- Excuse me. Allow for those certain of more than 20,000 jobs. Many of those jobs would provide wages and benefits that would support middle-class lifestyles for workers and their families.

With over 1 million workers out of work, now is the right time to take action and lead to job creation. Rezoning the industry-- Industry City could be much more welcome ghosts to the city's economy. Rezoning of Industry City provides an opportunity to inject 1 billion dollars in private investment that is in New York City and to create 100 million dollars a year in tax revenue. With the city of New York very much struggling with economic impact of the COVID-19 pandemic, now is the right time to take advantage of opportunities to--

SERGEANT-AT-ARMS: Time expired.

SANTOS RODRIGUEZ: promote investment and generate revenue New York City. Thank you very much. We submitted our testimony.

CHAIRPERSON MOYA: Thank you. Thank you, Santos, for your testimony today. Arthur, do we have anyone else?

COMMITTEE COUNSEL: Edward Perez was scheduled to be on this panel. Edward Perez, if you are attempting to log in, we will reach you later in this hearing. That was the final speaker for this panel.

CHAIRPERSON MOYA: Great. Just two quick questions. Is David Cohen still on?

COMMITTEE COUNSEL: I see David Cohen.

CHAIRPERSON MOYA: Great. So, David, just a quick question. We heard today about the jobs projected at Industry City are not long-term and they are low wage. What are the wage standards and how long does the average 32 BJ member stay in a position, maintain their benefits from your union and kind of what are the conversations that have been happening on this project to secure those jobs? If you can just talk to us a little bit about that.

DAVID COHEN: Well, the path to the-- to answer the question is that the path to the kind of commercial standard jobs that I discussed in my testimony is the rezoning. So to get-- and I'm happy to speak to it. To get to the jobs which we consider good, middle class jobs that pay 27.95 an hour with 13 dollars and 70 cents towards benefits which include full family healthcare, access to the training fund, and many other benefits, as well, that is sort of what the cleaners and part of the commercial business districts make. In order to get to that standard, we need this rezoning so that the



various investments happen in Industry City and that the-- you know, the project owners can bring those workers to that standard. I mean, as I mentioned before, obviously, the challenges of COVID are hitting the commercial business sector hard. We know that only 10 percent of office workers have gone back. We know that there's still 6000 32 BJ members who are laid off in this universe and we fight for them every day and we'll keep fighting for more jobs at that standard and the benefit. So that's like-- And just to answer your question, long-term, I mean, our members work until they retire. I mean, if they can. So 20-- 30 years people stay in 32 BJ union cleaners. Yeah. And as I mentioned, especially in the commercial and residential section, which is our strongest and largest sector, we also represent 15,000 security officers and airport workers, but those folks will work for over 20 years in those jobs.

CHAIRPERSON MOYA: Thank you, David. I appreciate you answering the question. I just want one more question. I just wanted to ask Santos one quick question. Can you explain how, even if the construction jobs are temporary, how does the union--

how can the union provide long-term entry to good paying jobs through the apprenticeships?

SANTOS RODRIGUEZ: So, thank you very much for the question, Council member Moya. So this is really near to my heart, right? Look, I was born and raised in Williamsburg, Brooklyn. I came in through a program called Construction Skills 22 years ago. And just to show you just a little bit of my career within itself within the industry, when we say temporary job, we're only as good as our last jobs because these jobs get completed, right? The object of construction or the purpose of construction or project is to have an end date and we move on to the next job. But in 22 years, I've only been out of work for two weeks that I wanted to go to work and that was a slow time. Right? Within my industry where I couldn't get work for that two week period. But when you think about 22 years in an industry and only being out of work for two weeks, being able to provide for my kids, being able to provide for my family, my wife, and being a part of this economic growth, there's really a true pathway to the middle class when you come in through [inaudible 03:59: 24] industry. So we can all do our part. The more union

jobs that we can create within New York City, Council member, the more growth we can have in entering more kids-- and I say kids, but the young youth and even older people who are looking for a career change within the industry, right? We work with four different organizations. We work with construction skills, right? The everyday [inaudible 03:59:49] for construction skills. We work with Helmets to Hard Hat that works with veterans who are coming back home from serving our country and bringing them into the unions construction industry. We work with nontraditional employment for women, helping women get into the industry. We work with Pathways to Apprenticeship that are helping inner city people come into the industry and to think of one of the industries that really looks for economic justice within justice involved people is the building trades. We do not look at your prior history. A person gets a second shot, sometimes a third shot, and their last shots, right, when they come into the industry, but they're able to work and provide for their family with healthcare and benefits and retire with a pension, annuity, and dignity. Right? So I

think these things all come together with projects like such and future projects that are built union.

CHAIRPERSON MOYA: Thank you for that, Santos. I appreciate it. I'm going to now turn it over to Council member Menchaca who has a question, as well.

COUNCIL MEMBER MENCHACA: Thank you, Chair. And I want to say thank you to the panel. To Ruben and David and Martin and Santos. Our work together has been pretty amazing and strong and I look forward to more of that in the future. Bringing it down to the Sunset Park and Industry City, let me start with David over at 32 BJ. When did 32 BJ start organizing workers and Industry City?

DAVID COHEN: So, let me think. In my role, I don't do the worker organizing, but I want to say-- I remember around the time because it was like a year-- would it be like a year and a half ago.

COUNCIL MEMBER MENCHACA: And--

DAVID COHEN: Maybe even two years ago. It was like right-- You might remember.

COUNCIL MEMBER MENCHACA: Yeah. It was last summer.

DAVID COHEN: I think a little before, right? Like because it had-- It might've been right like April 2019.

COUNCIL MEMBER MENCHACA: That's right. And there was a vote, correct? For all of the workers that came together and said we want to move into contract with 32 BJ.

DAVID COHEN: Yeah. So, again, I don't do the internal union elections. I do other elections, but the workers organized and there was a vote.

COUNCIL MEMBER MENCHACA: Can you give us a quick update on where you are with the workers right now in terms of organizing them then where they are in the process?

DAVID COHEN: Yeah. So, again, not my day today, but I have been briefed on it for the moment and I know we are talking to you and other interested Council members about it in more detail tomorrow. There are two groups of workers there. From my understanding, there is the in-house employees and then there are currently contracted workers doing cleaning with the responsible union signatory, Collins Building Services. Actually, Industry City, in the past year or so, has replaced nonunion

signatory with that signatory. So that's sort of the one group, Collins Building Services. And then the other group are the direct employees who, you know, I've had a meeting with you and those workers at Dunkin Donuts in the district sometime when it was cold. Maybe last November.

COUNCIL MEMBER MENCHACA: Yeah. It was winter.

DAVID COHEN: And the conversations have kept going. I mean, as I mentioned in my testimony and conversations that I've had with our vice president who oversees that division, like during the COVID pandemic, some of the sort of organizing and worker outreach has sort of been triaged as so many members are suffering and facing other consequences. But it's my understand that, after kind of a recent call with that vice president, that the workers are kind of-- the in-house workers are moving forward with like a productive-- what will hopefully be a productive round of bargaining to create good jobs. And I also know that whenever we started representing those workers, which was a year ago, right? So organizing, election, they all got the healthcare. The same healthcare that I have, the 32 BJ plan,

which is of substantial cost to employers, and I know they all continue to have their healthcare and it's something that we would continue to fight for.

COUNCIL MEMBER MENCHACA: Thank you for that. And there's deep appreciation for the work that 32 BJ does across and I know that Industry City has a big opportunity to bring in union workers. Many of these workers have been working for 15 years at 15 dollars an hour. There's clearly an opportunity here. Do you need the rezoning to get to the final piece? I understand there's a contract that has been presented. Do you need the rezoning tempering union jobs to Industry City technically? You might be on mute.

DAVID COHEN: Yeah. So they unmuted me.

COUNCIL MEMBER MENCHACA: Okay.

DAVID COHEN: So, I can't speak to that as not someone who leads like the bargaining of our legal analysis of what leg is necessary for our contract. I think, as I was clear in my testimony, that the path towards the next round of good building service jobs, once there is the redevelopment, the good construction jobs that Santos spoke to, and new buildings, that we're hoping that all the jobs will

be raised up to the commercial standard where, you know, in the outer boroughs, you don't see it that much. We have a little bit in Metro Tech, maybe a few now at Barclays, which was mentioned in a previous testimony. But to really build good job growth throughout the city, we need it in the outer boroughs. So, I'm happy to confirm back with the lawyers who do the bargaining and the vice presidents who make that decision and I will get back to you about that tomorrow, Carlos. I think, for us to raise all the jobs up to the standard, we mean the rezoning.

COUNCIL MEMBER MENCHACA: Okay. So, this is going to be a really important thing and it would be good for us to talk through because I don't believe we need the rezoning to get union jobs at Industry City as you are just really outlining that the workers wanted a day, the vote happened, you are at the end of this process with a contract in your negotiations all without a rezoning. And this is for the whole panel. 400 million out of the building in and promised renovation and expansion and investment, almost half of it has already been injected into Industry City which any that we have been moving this



forward without union representation and union jobs. And I think that's a critical component to how I'm thinking about labor and how labor can be here right now without a rezoning. And maybe I can talk to-- we can kind of bring in Santos-- and send my best to Gary, by the way. We've been on the ground working with Chair Moya and Jumaane Williams, Public Advocate, on construction safety. Construction safety is an issue even here in Sunset Part at Industry City and I hope you stay long enough to hear some of the workers talk about those issues. But my question to the building trades is we only have another six million. They've already spend 400 million without labor. What can we do right now to protect workers at Industry City without a rezoning? And then maybe I can put a more specific question. I heard that there are conversations and I think we're going to have conversations this week about a PLA citywide that-- or companies like Industry City who are landlords can agree to. Could they agree to it without a rezoning and the investment that they're planning to make after already making almost half of the investment that they are telling us they are going to make? And if you look at the jobs, they've

already created 8000 jobs. They're only going to give us another 7000. And then there's a whole bunch of other outside kind of in the orbit of Industry City that will be created. So the 20,000 jobs quickly becomes just 7000 jobs. How can we work with you tempering union jobs without a rezoning? And is the PLA the way?

SANTOS RODRIGUEZ: I'm sorry. I was trying to heal myself. I wasn't being allowed to speak.

COUNCIL MEMBER MENCHACA: That's been happening.

SANTOS RODRIGUEZ: I'm sorry. Look, I can only speak to what we know as of right now and I knew that Industry City, Andrew Kimball, and Gary La Barbara have been speaking frequently about Industry Saving and how do we get there with more union jobs and construction jobs for our members and new membership, right? Our affiliates have to do-- are doing their due diligence, as well. You know, our members are from the community. I have said this to you in person. And, by the way, I thank you very much. With all the work that we've done on construction safety, which is really important and.

And, you know, that is always near and dear to our hearts, specifically, because we want to make sure that everyone gets home safely, right? With all their limbs and--

COUNCIL MEMBER MENCHACA: [inaudible  
04:09:37]

SANTOS RODRIGUEZ: All. I said all. Right.  
All.

COUNCIL MEMBER MENCHACA: Yeah.  
Exactly.

SANTOS RODRIGUEZ: Yeah. Yeah. So, for us to raise the bar across the board, it's monumental. Right? Through local 186. Now, when it comes to ensuring union construction jobs on a private development, is the answer a Project Labor Agreement? Yeah. We have several Project Labor Agreements. Right? We had a lot of intent at the moment with Industry City. What comes out of that is still to be discussed in between the two principles. So, I can't speak to what comes out of that at the moment, but the hopes are and I think the reality is that we will likely be on the job moving-- hopefully moving forward, right? We'll see what comes out of everything in the rezoning. For us, the rezoning is

important. I know you asked David, but for us rezoning is important because we rebuild and we construct. That's how we keep, you know, economic development going in the city, especially in lieu of COVID. We know that construction jobs have come to a halt. We know that MTA is hurting. We know that LaGuardia-- LaGuardia. We know that the port authority is hurting. These are all construction jobs that might be paused, might be delayed, might not have been. So these rezonings are very important to our membership and to our folks that live in our communities.

COUNCIL MEMBER MENCHACA: Yeah.

Awesome. So, you know, I think we are aligned on everything. The question here is the rezoning and I just want to say that I want to hear more about the PLA citywide. I want to figure out how to bring both accountability and growth and mesh them so that we are moving-- because you are representing workers. I'm representing Sunset Park constituency and I think this could really be an interesting and new way of bringing the accountability to the growth that is coming into our neighbor's. And this is a question for all the unions. Not just stack Industry City,

but if you look at what is happening with the Teamsters over a Sims across the street. The real question is how do we bring more protections to workers when this economy is unstable. When I asked Andrew Kimball earlier today when he was going to expect construction, he said, I can't tell you that. No one can tell you that. May be two. Maybe five. May be something down the line, but he is already spend 400 million in demolition and reconstruction without unions. These are the players that need to be held accountable and accountability and growth have to come together in times of COVID. You heard that from the Congress member and all the elected officials that are going to be speaking today. And so, let's work together to make that happen.

SANTOS RODRIGUEZ: And thank you for your time.

COUNCIL MEMBER MENCHACA: Thank you.

CHAIRPERSON MOYA: Thank you, Council member Menchaca. Thank you very much to our panel for coming here and testifying here today. We appreciate it. I just want to acknowledge Chair Salamanca. Chair, thank you so much for joining us. The Chair will take over for just a brief couple of

minutes. I appreciate it very much. I'm going to excuse myself. I hand it over to you, Chair, and to our counsel. Thank you.

CHAIRPERSON SALAMANCA: Thank you, Chair Moya. So, just a few back-- I'm just coming in briefly as an acting chair of the subcommittee for Chair Moya and just some ground rules again. Members of the public will be given two minutes to speak. Please do not begin until the Sergeant-at-arms has stated-- has started the clock. I will remind my colleagues that we will hear from the full panel and then take member questions afterwards. And so, counsel, please call in the next panel.

COMMITTEE COUNSEL: Chair Salamanca, the next witness panel will include Cesar Zuniga, Edline Jaquet on behalf of State Senator Zellnor Myrie, John Fontillas, Marcela Mitaynes, and Jabari Brisport. The panel after that will consist of Randy Peers, Tom Gresh, Regina Meyer, Jessica Walker, and Catherine Wilde, for those speakers information.

CHAIRPERSON SALAMANCA: Thank you. They may begin.

COMMITTEE COUNSEL: The first speaker is Cesar Zuniga.

SERGEANT-AT-ARMS: Time begins now.

CHAIRPERSON SALAMANCA: Cesar, you may begin.

CESAR ZUNIGA: Great. Can you hear me?

CHAIRPERSON SALAMANCA: Yes. We can hear you.

CESAR ZUNIGA: Okay. Great. So, my name is Cesar Zuniga and I chair community board seven. CB seven's land use chair submitted for the record our report that summarizes our process, vote, and, most importantly, the over 80 recommendations we made on this application. And I urge you to read that document. Since 2009, our community has been on the record about what we value and aspire to in our community, specifically our 197A plan recognized the value of manufacturing and industrial businesses on the waterfront. In 2018, I initiated a comprehensive review process for this application, well in anticipation of certification. We held 35 workshops, speak out meetings in three different languages and efforts to educate on waterfront issues over 22 months. Thousands of Sunset Park residents participated and their input is documented in our report. Read that report. Some of the flaws in the

application and its current form include housing. The most critical issue in our district is the lack of affordable housing and displacement of long-term residence due to explosive rent increases. This application does nothing to address this issue. The displacement of one of our last true manufacturing zones in the city, businesses in this sector have historically provided good paying jobs for local residents, many with only a high school education and families to support. Traffic. Unmitigated development will increase traffic overall and, specifically, truck traffic. COVID-19 has laid bare the many structural inequalities that have long faced our community from [inaudible 04:16:22] in our education system and access to healthcare to lack of affordable housing and living wage jobs. But now it seems clear that the voices of communities of color don't matter in decision making around the transformation of their own communities. We took it in good faith that our efforts were important, our community's many voices would be respected, and that we had a say in our district's future, but here we are today with nearly the entire ULRP process behind us and with the Council about to weigh in--



SERGEANT-AT-ARMS: Time is expired.

CESAR ZUNIGA: one of our recommendations has been considered. Stop the blatant disrespect and disregard of our community.

CHAIRPERSON SALAMANCA: Thank you. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Edline Jacquet on the half of State Senator Zellnor Myrie.

SERGEANT-AT-ARMS: Time begins now.

EDLINE JACQUET: Thank you. I'm appearing on behalf of Senator Myrie because he is sick and not able to attend himself. My name is Zellnor Myrie and I have the honor of representing the 20th senatorial district, including Sunset Park. I speak to you today in opposition to the Industry City rezoning proposal. In March 2019, I, along with colleagues in government who represented in Sunset Park wrote to the city planning commission to share our concerns about this large private rezoning application that would further exacerbate real estate pressures, displacement, rising rent, and forever shift the nature of the waterfront away from manufacturing to commercial tourism and the service

economy. This would counter our efforts to restore Brooklyn's industrial position and would supercharge the displacement and gentrification that is undermining Sunset Park's affordability and blue-collar job base. Since that time, the Council member representing Sunset Park, Carlos Menchaca, backed by a coalition of residents and community groups, has undertaken a robust and comprehensive approach to reviewing the proposal and building consensus for equitable standards of development at Industry City. The standards include a more limited scope for the rezoning, additional investment in neighborhoods needs like housing, workforce development, and climate resilience and, most notably, a legally binding community benefits agreement that would address workforce industrial waterfront and other community concerns. This CBA is critical. As you know, a real community-based engagement and development is not what ULRP was designed to effectuate. More ever, Industry City does not need a rezoning to bring jobs. In 2013, Industry Cities said they could only bring 5000 jobs with private investment alone. Today, they are touting over 8000 jobs without rezoning. With 1 million square feet of

properties still undeveloped, they can bring thousands more jobs without public accommodation. In normal times, coalitions of residents and community groups are at a distinct power advantage -- disadvantage when attempting to negotiate terms with the major developer backed by billionaire global investors. When the pandemic strike, the ability of the communities to obtain legal counsel and commence negotiations with the developer went from limited to--

SERGEANT-AT-ARMS: Time is expired.

EDLINE JACQUET: to nonexistent. Thank you so much. I will submit my testimony, my full testimony, to the committee.

CHAIRPERSON SALAMANCA: Thank you. And please send my regards to the Senator.

EDLINE JACQUET: Thank you so much.

COMMITTEE COUNSEL: Chair, the next speaker will be John Fontillas. I will take this moment to just remind all participants that, until the Chair recognizes you, your microphone will be on muted and, for everyone, the unmuting process will take a slight delay.

CHAIRPERSON SALAMANCA: All right. Thank you, counsel. The next panelist may begin.

JOHN FONTILLAS: Hi. Can you hear me?

SERGEANT-AT-ARMS: Time begins now.

COMMITTEE COUNSEL: Yes.

CHAIRPERSON SALAMANCA: Yes.

JOHN FONTILLAS: All right. My name is John Fontillas and I chair the land use committee of Brooklyn Community Board seven. In 2009, our 197 A plan recognized the value of manufacturing and industrial businesses on Sunset Parks waterfront. In 2018, we began a comprehensive review process for this application emphasizing the importance of these industries to the neighborhood. Sunset Park residents participated and their impact is documented in our report that I have issued as part of our testimony. Of the four land-use actions before you, the board voted no on the special permit and the 40th Street demapping. Transforming Industry City into another waterfront retail mall and office complex will displace one of the last true manufacturing zones in the city whose business is provided good paying jobs for local residents, many with only a high school education and families to support. We

have already seen displacement of businesses and residents due to rising rents. Formula big-box retail at Industry City will displace local, family-owned businesses, and hotels that started out as national brands are now homeless shelters or worse, centers for human trafficking. Increased traffic to retail and office uses will endanger children who use these streets to school. These changes threaten sunset Parks character as a proud, hard-working family oriented live work community, especially for immigrants and people of color. Since COVID-19, the Council may want the silver bullet plan that promises jobs and growth, but this plan will further the risks of housing in security, unemployment, lack of childcare and educational opportunity that community members are facing right now. The special permit actions do not address these core neighborhood issues. We urge the Council to revise the special permit to an agreement with community towards partnership and benefits can be forged. I yield my time.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Marcella Mitaynes.

SERGEANT-AT-ARMS: Time begins.

MARCELA MITAYNES: Hi. My name is Marcel Mitaynes. Sorry. I'm just having difficulty here. Sunset Park is a diverse neighborhood. It is one of the last real New York City communities. I moved to Sunset Park in 1978 when I was five years old, part of an immigrant family who migrated from Peru to New York for a better life. But Sunset Park is very different in the late 70s than it is today. My family and I moved here because it's affordable. At the time, it's not particularly desirable. We, along with our neighbors, set roots here, we attended the local schools, patronized the local stores, attended the local places of worship, and helped make Sunset Park a vibrant, flourishing community. To claim there will be no impact on residential housing stock because there is no housing being built is just false. Though rezoning has the potential to wipe out the current population as we know it. We are already seeing unfairly the act of residential and commercial tenants. Displacement pressures have risen since 2013 when Industry City took ownership. Their draft EIS claimed there would be no primary or secondary displacement and they were not building affordable

housing. After they conducted this study, the developer has finally acknowledged that there are approximately 26 families that will be directly impacted as they are currently in the area where they want to build one of the hotels. Industry City went on furthered a claim that, because the 26 families are less than one percent of the population, that they are insignificant. This proposal is flawed because it lacks a comprehensive look at how this rezoning will impact the neighborhood. There is more detail my public testimony, but we are here as residents to say that we spoke in and we have tried to have a conversation with Andrew Kimball. The problem is is in order to have a discussion, a real honest discussion about mitigating the negative impacts, they first have to admit that there are negative impacts into the community. And we are not in favor of the community benefits agreement. That ship has sailed. We are now saying that we do not need--

SERGEANT-AT-ARMS: Time is expired.

MARCELA MITAYNES: this rezonings. I am an incoming elected official. I am not yielding my time.

CHAIRPERSON SALAMANCA: All right. Thank you very much for your statement.

MARCELA MITAYNES: This is not--

COMMITTEE COUNSEL: Those are the speakers present and available for this panel. However, at this time, I would ask Jabari Brisport, if you are available, please raise your hand. If Jabari Brisport is unavailable or not present at this time, we can attempt to pick them up later. Then I reminded everyone that they can email testimony to the [landusetestimony@council.NYC.gov](mailto:landusetestimony@council.NYC.gov).

CHAIRPERSON SALAMANCA: All right. Thank you very much for your statements. I will hand it off to Council member Menchaca for your questions. Council member?

COUNCIL MEMBER MENCHACA: Hi. Can you hear me?

CHAIRPERSON SALAMANCA: Yes.

COUNCIL MEMBER MENCHACA: Awesome. Thank you and thank you, Chair. Good to see you and thank you for being here for this early important hearing. And my first question to the community board. And you've heard from three members of the community board talk about the process that they



took. Much of that process yielded male oral investment in the community. Could you will speak about how hard it is been to get any commitment from the mayor about the long-term impacts to the development in general for housing and how you feel about that relationship with the mayor's office as the community board spoken? And this also includes incoming Assembly member Marcela Mitaynes.

CESAR ZUNIGA: Sure. It's been beyond frustrating and it's been a real slap in the face because of, you know, the mayor and an administration that came man with very lofty goals around affordable housing and their cookie cutter approach has been an utter disaster and specifically with this application. You know, he didn't even-- his office didn't even make an important enough to respond directly to a letter that we wrote him in collaboration with your office. And so, it is the height of slapping a community in the face and sending them a message that he is too busy, you've got other priorities. And, again, it's super ironic given the promises that he made as an incoming mayor.

COUNCIL MEMBER MENCHACA: Thank you.  
And for that you are urging the Council to do what?

CESAR ZUNIGA: Yeah. So, yeah. Let me be clear about that, right? Because I urge the Council to vote no on the application because of its current form and because of the fact that here we are down the line without a single, you know, suggestion or recommendation being incorporated into this application. And there have been opportunities along the process to make that happen and here we are. You guys are about to vote for this without a single recommendation that we took so much time to come up with and here we are.

COUNCIL MEMBER MENCHACA: Marcela?

MARCELA MITAYNES: Got it. They unmuted me. Thank you.

COUNCIL MEMBER MENCHACA: Thank you.

MARCEL MITAYNES: As somebody who had their own displacement pressures and turned that into a new job, and I have been doing that since, it's important to understand that we are already under pressure. There is already the displacement pressure that is being felt. There is currently a building on 23rd Street. Three buildings. The owner passed away five years ago and the children have been collecting the rent in cash and have not been paying the

property taxes. They are waiting for somebody to come in and purchase up those buildings and those tenants are vulnerable. There's another building on 42nd Street who hasn't had any cooking gas since February, during all the pandemic. This isn't an accident. This is coincidence. This is a rippling effect of the existence of Industry City already in our community. We are not expecting them to go away. They are here, but we don't see a need for them to expand. We are under tremendous pressure providing advocacy and organizing is something that our funding has been hit hardly because of this pandemic and so, we don't have enough resources.

COUNCIL MEMBER MENCHACA: Thank you, Marcela. I want to say thank you to Edline, as well, from being here in representing State Senator Zellnor Myrie and I want to, maybe, ask the land-use chair to talk a little bit about the intricate nature of the final result of the community board process and the confidence that you might have in any of those things coming to fruition and do we even have time to really go through all those pieces that were outlined by the community board? And is that fair and accountable and transparent?

JOHN FONTILLAS: Thank you, Council member Menchaca. I would just say that two years ago-- three years ago in Industry City put forth their scoping document, we on the community board had to respond and under Chair Zuniga's leadership, we developed a significant plan that focused and made primary community participation as part of the process of review. And this was very long before the ULRP process even began. Before we even got a sense of what the actual application was going to be. I would just say--

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON SALAMANCA: I will allow him to finish his statement, please.

JOHN FONTILLAS: Great. I would just say we have the document that we put together that we are submitting as part of our testimony is supported by hundreds of people who came out in all our town halls, public meetings. We had seven standing community board committees review parts of the application. They each came up with a significant number of issues and thoughts on the plan. We have close to 70 specific issues that we would like the plan to address that the applicant would address. In

addition to that, 40 specific recommendations for city and city agencies to address. We believe it is a very comprehensive view by neighborhood experts who really know this neighborhood and its needs. And I would hope that that Council does take a very close view of what these thousands of Sunset Park residents have provided you as data to review.

COUNCIL MEMBER MENCHACA: Thank you to this panel. A representative panel and a unanimous no for this application. Back to you, Chair.

CHAIRPERSON SALAMANCA: Thank you, Council member Menchaca. Are there any other Council members that wish to ask any questions that are on this panel? All right. Seeing none, counsel, may you call up the next panel, please?

COMMITTEE COUNSEL: Chair Salamanca, the next panel will include Randy Peers, Tom Gresh, Regina Meyer, Jessica Walker, and Catherine Wilde. The panel after that will include Eric Goldstein, Lew Daly, Peter Iwanowicz, and Shay O'Reilly. The first speaker on this panel will be Randy Peers.

CHAIRPERSON SALAMANCA: Mr. Peers, you may begin.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON SALAMANCA: You're muted, Mr. Peers.

RANDY PEERS: Oh. There we go. Great. Randy Peers, Brooklyn Chamber of Commerce. One of the largest business associations in New York State and a champion for small business throughout the entire borough. For us, this application is without jobs and opportunity, not just for Sunset Park for client and New York City as a whole. But my insides at Industry City go well beyond my current role as chamber president. As the former chairman of Sunset Park's community board seven and past CEO of New York City's largest workforce organization headquartered in Sunset Park, I have devoted my professional life to empowering members of our community. From this unique vantage point, I want to use my time to address two very important points that are often overlooked in this rezoning debate. First, the Industry City rezoning plan is consistent and furthers the goals of Community Board Seven's 197 A waterfront development plan, adopted over a decade ago. Number one, convert vacant or underutilized property into job intensive industrial uses and create affordable rental space. Check. Number two,

explore the possibility of developing a vocational training center on the waterfront, potentially through a partnership with an academic institution. This can only be done with the zoning change. Number three, develop transportation and urban design solutions to improve conditions for both pedestrians and cyclists and facilitate waterfront access. All of their infrastructure improvements to date has been with those interests in mind. And number four, preserve manufacturing and discourage residential development. Through very clear mandates, Industry City had consistently adhered to by agreeing to community requests for manufacturing set asides and by agreeing to remove hotels from the plan. Second, job creation will, in fact, benefit Sunset Park, including its youth. Opponents of this plan are being disingenuous by suggesting that the residents of Sunset Park, including its youth, won't or can't benefit from the jobs created at Industry City. The use of Sunset Park are some of the brightest, most tech savvy young adults in New York City. Saying they can't benefit from the jobs in the creative economy is just plain wrong and, frankly, sells these youth short. The nature manufacturing has changed an

old industrial jobs have moved on. Fat Industry City companies still create things from food products--

SERGEANT-AT-ARMS: Time expired.

RANDY PEERS: to digital arts. You have my written testimony. We support this rezoning enthusiastically. Thank you.

CHAIRPERSON SALAMANCA: Thank you. Next panelists?

COMMITTEE COUNSEL: The next speaker is Tom Grech.

CHAIRPERSON SALAMANCA: Mr. Grech--

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON SALAMANCA: You may begin.

TOM GRECH: Good afternoon, Chair Moya, and distinguished members of the committee. My name is Tom Grech. I am the president and CEO of the Queens Chamber of Commerce. It is truly my pleasure to join you today to speak in support of the Industry City rezoning. You may be asking yourself why is a guy from Queens, the Queens Chamber president testifying in favor of a project in Brooklyn? I felt it was very important to speak today because I believe that the rezoning of Industry City is truly a game changer that can help kick start our regional



economy and have an impact that extends far beyond Sunset Park. The last several months, as we all know, have taken a tremendous toll on our economy. Over 20 percent unemployment, a level not seen since the Great Depression. Thanks to our front-line workers and heroes and the leadership of our elected officials, the curve has been flattened in New York is finally winning the battle against COVID-19. But our small businesses are in a world of hurt. Now, it's time to get all New Yorkers back to work. The rezoning of Industry City will create and retain more than 20,000 jobs, spur 1 billion dollars in private investment, and generate 100 million dollars in annual tax revenue. This pandemic highlighted the need to have manufacturing space in New York City. Nationwide, America has experienced a shortage of both PPE for hospital workers and ventilators for the most critical COVID-19 cases. As companies rethink supply chains, as we are in Queens, having a manufacturing space like Industry City will be a tremendous asset to the entire city. Additionally, we need to ensure that our economic recovery reaches neighborhoods in all five boroughs, not just in traditional business districts. Since the

reactivation of Industry City started, more than 400 million dollars of private money has been spent to procure goods and services from area businesses. 35 percent of Industry City's workforce lives in nearby neighborhoods. At a time when nearly one in five New Yorkers are out of work and hours city faces a multibillion dollar deficit, when small businesses are struggling every single day to survive, we cannot afford to say no to a project that creates jobs, generates--

SERGEANT-AT-ARMS: Time expired.

TOM GRECH: tax revenue. I urge you to support the Industry City rezoning. Thank you very much.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Regina Myer.

CHAIRPERSON SALAMANCA: Ms. Myer, you may begin.

SERGEANT-AT-ARMS: Starting time.

REGINA MYER: Thank you. Good afternoon. My name is Regina Myer and I am president of the Downtown Brooklyn Partnership, the organization that manages the three business improvement districts in

downtown Brooklyn. Previously, he led the Brooklyn Department of City Planning and the development of Brooklyn Bridge Park. It's a privilege to testify on behalf of Industry City's zoning proposal. I have dedicated my career to Brooklyn's revitalization and it is never needed your support more than it does right now. I remember well that decades of decline and disinvestment in Industry City that mirrored the borough's collapse of traditional manufacturing and I have watched in amazement and admiration of the revitalization that has taken place on the massive campus over the last six years. In my view, we should be doing everything we can as a city to support this transformation and seek to replicate it elsewhere. A recent study by the Center for Urban Future highlighted the incredible growth of the economy in Brooklyn. Startup businesses are being created at a faster pace in Brooklyn than any other borough and, if Brooklyn was its own city, faster than any other city in the country except for San Francisco. The report also shows that these businesses are employing a far more diverse workforce in Brooklyn than in most other cities. The study also recommended the following strategies that are

key to the continued growth of the economy in Brooklyn, all of which would be facilitated by Industry Cities rezoning. First, we must continue to create affordable space for small business. Industry City has grown from 190 businesses to over 550 in just six years. The rezoning can facilitate doubling that number 2/1000 businesses. Second, we must focus additional workforce development initiatives at the local level, and bedded in growing commercial campuses. Andrew Campbell and his team have achieved immense success with this model at the Navy Yard and repeated this with Innovation Lab at Industry city. We must grow these initiatives. Third, colleges and universities--

SERGEANT-AT-ARMS: Time expired.

REGINA MYER: directly connect with businesses and the innovation economy. Thank you so much. I support this rezoning and I thank you for the time.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, those are the available speakers for this panel. At this time, to those waiting and listening, I would ask back, if your name is Jessica Walker or Catherine Wilde,

please raise your hand. Jessica Walker and Catherine Wilde, if you are listening, please raise your hand.

CHAIRPERSON SALAMANCA: All right. In that time, I will hand it over to Council Member Menchaca for questions.

COUNCIL MEMBER MENCHACA: Thank you, Chair. And I want to say thank you to all of you. We know each other and all the work that we're doing, mine is Tom who is in Queens. All the work we're doing together in Brooklyn. I just have one question and that is accountability. You are all touting the transformation and the work in the jobs. I'm glad I didn't hear 20,000 jobs because I think we clarified that. We're talking about 7000 new jobs, but how are we going to hold this whole thing accountable? And that is my only question to this panel. Whomever is inspired to speak on that, I would like to hear from you.

RANDY PEERS: Inspired. That's an interesting concept, Council member, but thank you for posing it. I mean, I think a community benefits agreement was the hope for almost everybody in the community and it's not even clear to me exactly how it fell apart. And maybe you can shed some light on

that because there was a group that was working towards a CBA. A group that you selected the members of. A group that you preempted with your coming out against the project before they were able to even report out in terms of what the recommendations were to be. And now it is my understanding that, if that group is still meeting-- and, once again, I'm not privy to any of that, but if they are still meeting, there are people in the group who are not even working towards a community benefits agreement, but, rather, are simply there so that they can reaffirm your opposition to the project. So, I mean, I would love to see a community benefits agreement that was truly a community benefits agreement that we all could work together on. Really truly all of us, including the issue of displacement because I think that is something we all agree on and we look forward to working on that with whomever really does want to step up and work on it.

REGINA MYER: And I would echo this. In projects that I've worked on throughout the borough, it's the long-standing commitment on a CBA that all people bring to the table and that is something that the City Council and Jamestown should be together--

Excuse me. Industry City should be together on. And those are the kinds of things that can be calm and bedded in meetings within the community board or some other group. Coming, as somebody who is not an expert like Randy is on the machinations of board seven, I won't be so presumptuous, but, really, there is the space here to devise a process after a CBA where everybody is accountable. And I'll admit it. It is work. It is tedious work at times. It's a lot of meetings. Now we know we can do it remotely, but it's that kind of commitment that could give you the assurance that, month by month commitments are being made and that issues arise. I mean, issues that we have heard even in this hearing today. Those are the kind of things that need erring constantly to make sure we get this right

TOM GRECH: Council member, may I respond, as well?

COUNCIL MEMBER MENCHACA: Absolutely.

TOM GRECH: So, I think I'm an honorary Brooklynite. I married a woman from Greenpoint, so I hope that counts. But, in all seriousness, you know, I just think were at about the halfway mark of this pandemic. I don't think we have seen the worst yet

of the ongoing job crisis. Lots of us are focused on things like restaurants. There is 6000 restaurants in Queens County. We expect have to never open again, so we're going to see a lot worse losses, I believe over the course of the next 6 to 9 months unless things drastically change for lots of reasons and lots of areas, but the job functions, whether it is 7000, 20,000, I think the advent of something like this is a pebble in the pond. The ripple effects are going to be huge, like many other projects out there and I do think that it will spur lots of other investments in other areas, not only in Brooklyn, but hopefully in places like Queens and the other boroughs, as well.

COUNCIL MEMBER MENCHACA:     Awesome.

Thank you to this panel.

CHAIRPERSON SALAMANCA: All right. Thank you. Are there any other Council members that are on the panel that wish to ask questions? All right. Seeing none, counsel, can you please call up the next panel?

COMMITTEE COUNSEL:     Chair, the next panel will include Eric Goldstein, Lou Daly, Peter Iwanowicz, and Shea O'Reilly. The following panel



will include Pat Whelan, Jacqueline Capriles, Eric Aleman, Chris Taylor, and Shalini Norman. Excuse me, Chair. If Jessica Walker and Catherine Wilde, we asked them to raise their hands. That concludes this panel. Eric Goldstein will be the next speaker.

CHAIRPERSON SALAMANCA: All right. So we're calling Mr. Eric Goldstein, correct, counsel?

COMMITTEE COUNSEL: Yes.

CHAIRPERSON SALAMANCA: All right. Mr. Goldstein, you may begin.

SERGEANT-AT-ARMS: Time.

ERIC GOLDSTEIN: Good afternoon, Mr. Chairman. I am Eric Goldstein, New York City environment director at the Natural Resources To sense Council. I am going to summarize my testimony and identified three issues of concern from our review of the final environmental impact statement. First, as the projects planned for significant new office space construction makes sense in a post-COVID-19 world, where demand for work place office space is likely to be significantly reduced for years. The project and envisions hundreds of thousands of square feet of new office space, but these changed circumstances are significant and the

bottom is dropping out of the New York office market. Changed circumstances are significant enough to warrant an update to the environmental analysis prior to Council action on the proposed rezoning and the Council needs to ask itself does this plan makes sense in today's world? A second concern involves the dangers from the projects nefarious location along the Brooklyn waterfront. In an era of climate change when new construction is expected to last 80 or even 100 years, city officials should look very skeptically at major new proposed construction and flood zones. But the final environmental impact statement fails to spell out detailed measures to ensure that all necessary steps will be taken to minimize flooding and storm surge impacts on the project site and in the surrounding community. Finally, the proposal is inconsistent with the various government resiliency and coastal planning goals and objectives. Mayor de Blasio's One NYC 2050 plan commits the city to refine and strengthen climate resiliency design guidelines to propose updates to the cities building code and to advance citywide zoning amendments to its advanced resiliency protection for all New Yorkers. The Speakers

Securing our Future climate change plan, which we really like, holds for the development that the five borough resiliency plan, but these enhancements haven't yet been implemented yet. If advancing one of New York's largest waterfront development projects in years without the benefit of such needed reforms is unwise. We spell out these and other concerns and our written statements and I thank you for your attention.

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, the next witness is Lew Daly.

CHAIRPERSON SALAMANCA: All right. Mr. Dailey, you may begin.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON SALAMANCA: Mr. Daly?

LEW DALY: Yes. Hi.

CHAIRPERSON SALAMANCA: All right. You may begin.

LEW DALY: I was having trouble getting unmuted. Sorry. Thank you to Council members for this opportunity to comment on Industry City's rezoning application. I am Lew Daly. I'm the policy

analyst with Demos, a public policy think tank focusing on racial and economic justice and based here in New York City. The application in question should be denied. I will focus on the central questions of jobs and climate change in my remarks. First, to my knowledge, as we have heard today, Industry City's projection of supporting 15,000 or 20,000 jobs or maybe only 7000 new jobs has not been fully explained or subject to public scrutiny or peer review and should be viewed with great skepticism. Among other questions, is this projection job ceiling assuming an overinflated occupancy rate by employers even by pre-COVID standards, let alone post-COVID standards? And how much of this employment will be comprised of permanent good paying full-time jobs for local residents? Almost certainly, the answer is, a small fraction. Overpromising on jobs numbers and underperforming on job quality for local residents is a hallmark of this kind of commercial development in many cities. The rezoning will further lock Sunset Park into a pattern of retail and office jobs, replacing industrial jobs. An average wages for local residents will fall as a retail employment expands on the expense of manufacturing. Moreover,

local small businesses will be put in harmful competition with new vendors catering to the more affluent consumption of transplanted innovation economy workers. Creating jobs to supply our communities with climate solutions are the future of our economy and the future of Sunset Park, but this is, most, an afterthought in the Industry City proposal. Sunset Park is poised to be, major regional hub of the clean energy transition with sufficient public investment, as will be necessary to achieve the mandates of state and--

SERGEANT-AT-ARMS: Time expired.

LEW DALY: municipal climate loss. I will submit the rest of my testimony by email. Thank you for your time.

CHAIRPERSON SALAMANCA: Thank you. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Peter Iwanowicz.

CHAIRPERSON SALAMANCA: Mr. Iwanowicz, you may begin.

PETER IWANOWICZ: Good afternoon. Thank you very much. Last year, New York State and acted the Climate and Leadership Community Protection Act.

The New York Times actually called this law one of the world's most ambitious climate plans and I've got to be honest. I represent environmental advocates in New York who are Albany based and I've been working on environmental policy and all many for nearly 30 years and I have to say that it was really breathtaking to see the legislature and the governor he calls and, indeed, follow the lead of communities that are on the front lines of the climate crisis. The climate law that they adopted was written by those on the front lines for the front lines. The law shifts the entire economy. All of it. All buildings, all vehicles, all homes. Everything will be powered by 100 percent clean renewables in less than 30 years. It is, indeed, a bold response to the climate crisis and our economic crisis and it requires deep and sustained engagement with communities, especially those that are on the front lines of the climate crisis, black and brown communities. The people who live, work, and play in these communities bear the brunt of climate impacts. We all know that. There is no denying it. The state law also goes actually further than New York City Climatic Mobilization Act in several key ways. Along

with the pollution reduction goals I stated above, the law requires that all state government decisions be screened to ensure that projects are consistent with meeting the pollution reduction mandates to the law. That is why you saw the recent rejection of the pipeline by New York State. The law also requires that all government decisions to not burden disadvantaged communities. And, finally, the law requires new projects to be reviewed for climate impact risks and resiliency. And it's not just the site, but in the adjoining community these impacts have to be taken into account. So, we think the EIS needs to be improved to look at those, as well. To finish up, the GRID plan, like our new climate law, is the community led plan which is consistent with the state climate law. It's the plan that makes sense for the community, the city, the state, and, indeed, the world and I ask the New York City Council 10 to as your colleagues in--

SERGEANT-AT-ARMS: Time expired.

PETER IWANOWICZ: the state capital did.  
Follow the lead of the community. Thank you.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Shay O'Reilly.

CHAIRPERSON SALAMANCA: O'Reilly, you may begin.

SHAY O'REILLY: Thank you very much.

SERGEANT-AT-ARMS: Starting time.

SHAY O'REILLY: Good afternoon, Council. My name is Shay O'Reilly and I am a senior organizing representative for the Sierra Club. I am proud to be here in solidarity with the people of Sunset Park. The Sierra Club has organized for years to support our state's clean energy goals. We were a major supporter of offshore wind long before our state's first commitment and we continue to advocate alongside our community partners for strong community benefits and labor standards as these projects move forward. New York City has been vocal in acknowledging that our climate is changing due to human activity. We know that our power plants, automobiles, and boilers are leading to destabilizing our planet's weather patterns. In this pressing crisis, I am calling upon the City Council to reject Industry City's rezoning application. There is a model of development based on luxury real estate with



the general notion that, as property values rise, the city's coffers swell. This model of development has failed. It has resulted in the displacement of our city's people, the conversion of neighborhoods into corporate monoculture, and a particular fiscal vulnerability to natural disasters like COVID-19. As the crisis of climate change worsens, this model will only fail more wretchedly. The yawning gap between rich and poor in gentrified neighborhoods tears the social fabric that allows people to weather disasters. It leads to individual lifeboat politics instead of the mustering of shared resources. This failed model also decimates our ability to maintain the industrial facilities that can build the technologies we need for our energy transition. Sunset Parks working waterfront is a crucial resource for our city and state and, perhaps, even our region. UPROSE's green, resilient, industrial district rightly identifies that the state and cities climate goals necessitate an expansion of the state's industrial sector and it lays out a roadmap from sunset Parks own residence, those most hard hit by COVID and most in danger of displacement, to put their neighborhood resources to work. Critical here

is the ability to expand offshore wind jobs beyond simply the operations of maintenance jobs mentioned by Industry City to allow for local supply chain manufacturing as the industry comes to fruition. There is no more time for failed development that creates new playgrounds for the rich and low-level service jobs for everyone else. We are on the cusp--

SERGEANT-AT-ARMS: Time expired.

SHAY O'REILLY: economy. Thank you.

CHAIRPERSON SALAMANCA: Thank you.

COMMITTEE COUNSEL: Chair, that is the last speaker for this panel.

CHAIRPERSON SALAMANCA: Okay. Council member Menchaca, do you have any questions?

COUNCIL MEMBER MENCHACA: No questions from me. Thank you.

CHAIRPERSON SALAMANCA: Awesome. So, I guess, Council, you can bring in the next panel and I will be handing this off to the Chair of the subcommittee, Council member Moya.

CHAIRPERSON MOYA: Thank you. Thank you, Chair Salamanca. Thank you for stepping in. I really appreciate it. Thank you so much. Just a quick announcement. We're going to take a brief

break for five minutes and then we will be back.

Thank you everyone for your patience.

COMMITTEE COUNSEL: The meeting will now stand at ease.

SERGEANT-AT-ARMS: All right. Good afternoon, ladies and gentlemen. We are ready to reconvene the zoning meeting. Thank you.

COMMITTEE COUNSEL: Chair Moya, the next panel will be Pat Whelan, Jacqueline Capriles, Eric Aleman, Chris Taylor, Shalini Norman, and Catherine Wilde. In the panel after that will be Ben Margolis, Liliana McKenna, Julio Pena the third, and Cynthia Felix. The first speaker on this panel will be Pat Whelan.

SERGEANT-AT-ARMS: Time begins now.

PAT WHELAN: Thank you, Chair Moya. I am completely dumbfounded that during this time of historic economic crisis, we're still debating the merits of the Industry City rezoning. Any and all debates should be over now. We are losing jobs and the businesses that provide them faster than anything I've witnessed in my life. During this very long extended process, I have watched small groups that supposedly represent our community try to hijack this

process. I am disgusted how outright lies and personal attacks replaced healthy collaboration and common sense. I am dismayed with those who have privately supported this huge opportunity for our community but publicly lacked the courage to stand up. I am most disgusted with the narrative that our residents are only able to work last century factory jobs. I run one of those factories and have for over 30 years. I am a long-term part of this industrial waterfront, a hell of a lot longer than some of the others that you will hear today. Our local leaders have had decades to activate this waterfront and this property. Decades of lost opportunity. We absolutely cannot let a narrative of fear and local politics harm our cities come back and our children's future. Eric Adams stood up to this narrative. City planning Saul right through the posturing and now it is the city Council's time to have the wisdom and courage to stand up. Not for me. Not for my team who is relying on this project, not even for Industry City. Stand up for the opportunities for our youth. Stand up for the many who cannot speak today. There is an outlined path to get this done. The city Council must take this plan and make it the beginning

of our comeback, not just a Sunset Park comeback, but a resounding New York City come back. We need a vote of confidence for the future of New York City at a time we desperately need help. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker will be Jacqueline Capriles.

CHAIRPERSON MOYA: Thank you.

SERGEANT-AT-ARMS: Time begins.

JACQUELINE CAPRILES: Hello. Hi. I grew up in Sunset Park and I have seen the transformation of our neighborhood and the evolution of what Industry City is today. Growing up, we considered Third Avenue a bad neighborhood. The buildings were dilapidated, we saw rats and rodents run up and down those alleys launcher organics and prostitutes hung out there. Today, Industry City is a far cry from what we had. Not only did they clean up the buildings, but they cleaned up the neighborhood. The changes they made were impactful. They came in with a vision of innovation, job creation, and overall economic development. The Innovation Lab provides job training, including immigration classes for community and paid internships to our high school students. They created local events for the

community and gave us a positive place to gather. The investment that Industry City has made in Sunset Park is evident and what they have already done and continued to do. They have done this all without public funding. The rents are indeed going up, but so are property taxes, utilities, and health insurance. This is a citywide problem, not just in Sunset Park, so why are we blaming Industry City for this? I live and work in Sunset Park and I see opportunities being created every day. I want the Counsel to know that this is not only about business, but it is about our children's future. I want our children to thrive here, as well. I want a sustainable future for them through the growth of this neighborhood and this is why I support the Industry City rezoning. Thank you.

COMMITTEE COUNSEL: Chair, and the next speaker will be Eric Aleman.

SERGEANT-AT-ARMS: Time begins.

ERIC ALEMAN: Hi, everybody. My name is Eric Aleman. Born, raised in Sunset Park, Brooklyn, New York. I've been having my business for nine years now, three years here at Industry City. Growing up, opportunity and career paying job seemed

to just be found in Manhattan skyline. We would have to take long train rides just to look for a job. Now, Industry City offers a new option for career work just walking distance. Industry City has invested so much of its own money to fixing the street. In this barbershop or a mat now, growing up, it was chained up then it acted as a backdrop to prostitution, crack being sold just feet away from where my shop is now. I see families shopping. I see families coming in here on days off just to take a stroll. I see people in the neighborhood working, despite the lack of efforts being made by our leadership that is [inaudible 05:20:55] the opportunity with the necessity of the job. I hear our leadership talking about how they can hold Industry City accountable and that the leaders they have been investing private money in has seen actual change that we can put our finger on, they're saying that that is not enough. But I would question, how could we hold them accountable? This was in their hands for so many decades and they did absolutely nothing. No career jobs. They have absolutely nothing to offer. We have people holding signs right in front of me of the people opposing [inaudible

05:21:28] but they exited our youth to hold signs, but they can't bring them here to get jobs. They're getting paid for it, and they are taking advantage. You can hear them now. They're taking advantage of young artists-- I'm sorry?

CHAIRPERSON MOYA: Sergeant-at-arms, we have some background noise. Is there someone trying to come in now?

ERIC ALEMAN: That's UPROSE trying to make noise. They're trying to make noise. They are right in front of my shop right now. They don't want me to talk because they exploit our youth. They don't want the jobs to reach their and they don't want me to speak. See, this is opportunity. This is the best opportunity we have. Our leaders don't have anything to offer but fear, but anger. Industry City has been offering jobs in, but with the rezoning, this can just multiply what it already does. Local entrepreneurs, we are royalty in the neighborhood. Local entrepreneurs that open up new businesses, our youth coming back with college degrees to get jobs and avoid being exploited by these opposing people that they are guilty of the very thing they claim to be against. They are taking advantage of our youth.



A tiny percentage of people are trying to dictate and keep away the opportunity that can best lift up our people. We need these jobs both for the rezoning and we need as much of further as is being made--

SERGEANT-AT-ARMS: Time is expired.

ERIC ALEMAN: and support Industry City. Councilman, you must support Industry City to create jobs. Thank you guys.

CHAIRPERSON MOYA: Thank you, Eric.

COMMITTEE COUNSEL: Chair the next speaker will be Shalini Norman, if Shalini Norman is available.

SERGEANT-AT-ARMS: Time begins.

SHALINI NORMAN: Hi. I'm Shalini and I'm coming to you from my small business at Industry City Taza Market. I came here six years ago and I saw the place and I never imagined that in a year and a half, I would be here owning this business. Without Industry City, I would not be able to have had the opportunity to showcase the food that I grew up eating and the culture that I have. The two things that Industry City asked us to do when we came here was, one, to hire local, which we did. We hired this amazing girl who wanted to be a graphic designer. In

the support that she got from this community here, from helping to apply to the college, which classes to take, was amends. Not only that, her boyfriend also took coding classes at Innovation Lab. Anyone walking through Industry City can tell you and see that I am surrounded by small businesses. I am one of them. We would not be here today pre-pandemic or even post pandemic without the support that we have received from Industry City. To say that they want large business is only is a false statement. The amount of small businesses and the makers and the innovators that I see every day coming to eat, to be a part of this community, I was amends and it only grows. We need this to be able to grow our business, to hire more people, to offer the opportunities to the local communities. We wouldn't be able to do that if Industry City was not here. It's just the community that has been billed is amazing to see--

SERGEANT-AT-ARMS: Time expired.

SHALINI NORMAN: people come together.

COMMITTEE COUNSEL: Chair, the next speaker will be Katheryn Wylde.

CHAIRPERSON MOYA: Thank you.

SERGEANT-AT-ARMS: Time begins.

KATHERYN WYLDE: Thank you. Can you hear me?

CHAIRPERSON MOYA: We can hear you.

KATHERYN WYLDE: Can you see me?

CHAIRPERSON MOYA: We can't see you, but you can begin.

KATHERYN WYLDE: Cannot? Okay. Now, so I'm a 50 year resident of Southwest Brooklyn, much of that time spent living and working in Sunset Park, now in Bay Ridge. Have had the personal understanding of the tremendous benefit that Industry City has brought to the redevelopment of the sites around the Brooklyn waterfront and the benefits to the community. I believe that the rezoning in the planned expansion of the project is essential to continuing the positive impact that this has had on our local community. There are no alternate proposals, climate or otherwise, to the rezoning that are realistic, that can happen in the near term, and that can advance the kind of positive agenda for jobs and small business that Industry City provides. This is not a choice between two visions for the Sunset Park waterfront. It's a choice between something and nothing. Opposition to the project before the

pandemic was driven by fear of gentrification and displacement. Certainly house was opposition to many projects throughout the city is people felt that their concerns, the community concerns, were not being addressed. And I will say appropriately felt that. Certainly, we all recognize the primary threat to Sunset Park today, post-COVID and with what we face in terms of the economic consequences of the pandemic, we are no longer threatened by gentrification, the rather big threat is unemployment, poverty, lack of access to quality education, deteriorating city services. People without jobs or without viable businesses cannot pay the rent, cannot pay their mortgages, cannot care for their families. That's the danger that faces us today. That's the solution that Industry City will help provide to Sunset Park and the surrounding area. The needs of our communities have changed dramatically in the past--

SERGEANT-AT-ARMS: Time expired.

KATHRYN WYLDE: seven month and the developers of Industry City are prepared to adjust their plans to reflect those needs, jobs, business opportunity, and grown.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Those are the witnesses, Chair, available for this panel. However, at this time, I would ask that if Chris Taylor is available and listening and able to raise your hand, please do so. Chris Taylor. And, Chair, Council member Menchaca has his hand raised for a question.

CHAIRPERSON MOYA: Council member Menchaca?

COUNCIL MEMBER MENCHACA: Thank you, Chair. And then you to all the businesses. I know we've been in many rooms talking about this application and your incredible work in the community to bring jobs to the neighborhood. I want to ask about the Industry City application itself and the rezoning, which is the topic of this panel and this decision at the city Council. What are specific proposed uses out of that application that will benefit your business? And if I can get one or two to kind of talk a little bit more about that, I have a couple more questions to the businesses directly. Either Pat or Jacqueline?

JACQUELINE CAPRILES: Well, I can start by saying that it will help my business because I am an electrical contractor and we do want to work with

Industry City in the development of Sunset Park. So, it would help us in being able to do that is important. Also want to be able to contribute to the vocational schools because not everybody can go to college. I know that because here in this neighborhood, most of the people that live here are trades people. And so, I am looking for electricians to work with, but I need them to be, you know, trained the proper way. And so, not everybody can jump into doing that type of work. So, it would help my business this way.

COUNCIL MEMBER MENCHACA: Okay. And, Pat, before you go, the kind of follow-up is would you be okay in signing a lease with Industry City, they're the landlord, that would require you to do local hiring at a certain rate that would be somehow negotiated with the community about the rates of local hiring? I know this is eating up my clock, but--

PAT WHELAN: Sorry. Am I on or is Jacqueline on?

COUNCIL MEMBER MENCHACA: So that was a follow up with Jacqueline.

PAT WHELAN: Okay.

JACQUELINE CAPRILES: I was trying to unmute. They allowed me to do that now. I'm so sorry. Yeah. We would find something because we have to do that now in the city. We do prevailing wage work and we are required to pay prevailing wage to our electricians. And that is specific to what we have to pay and these are jobs that significantly higher and pay. So the city is what mandates what we have to pay and then we sign up for that. We actually pay the employees that rate. So we would do that. We do that anyway.

COUNCIL MEMBER MENCHACA: Awesome. And, Pat, you want to talk a little bit about the rezoning and how it would help your business?

PAT WHELAN: Absolutely.

COUNCIL MEMBER MENCHACA: And then if you would be able to engage in a lease that really kept you accountable hiring?

PAT WHELAN: Yeah. We addressed this at one of the community board meetings and I said that you don't really need something in a lease to encourage local hiring. It's been part of my policy for 30+ years. I want people from the community. You know I want people from the community.

COUNCIL MEMBER MENCHACA: I know that.

PAT WHELAN: The part of me wanting to get involved here-- and I said this in my testimony. It's not about me. It's about the future for my kids in the future for the people in Sunset Park and offering them opportunities that weren't available to me 40-- 50 years ago. And, frankly--

COUNCIL MEMBER MENCHACA: And just so I--

PAT WHELAN: Go ahead.

COUNCIL MEMBER MENCHACA: Just so I can get to the bit of the what you bring to this conversation, you expressed often in our conversations about the conflicts between pedestrian cyclists and trucks that are critical to your specific business and industrial businesses and, as an owner of a legacy food manufacturing company, Sahadi's [sp?], like what are you-- how are you thinking about all this as Industry City starts activate kind of a very kind of retail component?

PAT WHELAN: Frankly-- and I think you know this-- I was very hesitant when they took over and I talked to Andrew right in the beginning because I was very concerned, as an industrial business in



Sunset Park, not being able to operate. And very quickly I changed my tune as they expanded and I realize that, for me to continue to operate and run giant tractor-trailers in and out of New York City to ship to the rest of the country, I was not going to be able to do that for much longer. The opportunity Industry City presented to me was to get into the retail and expand the retail part of our business with enough breadth and depth to use the factory and the people who work in the factory to support front and retail. It became our path and our solution which is why I am so on board with this. And it's so critical to me that Industry Cities exceeds because, you know, we are a 100-year-old family business in New York City. 100+.

COUNCIL MEMBER MENCHACA: Yeah.

PAT WHELAN: Store number two opened a year ago in Industry City.

SERGEANT-AT-ARMS: Time expired.

PAT WHELAN: Sorry, Carlos.

COUNCIL MEMBER MENCHACA: That's okay.

I think if I could just take back a couple of those seconds and ask somebody on the panel to talk about accountability. This is the question I have across-

the-board. The proposal is one thing, but holding Industry City accountable is incredibly important to the community and the three pillars that I put out, you know, how are we going to hold Industry City accountable when there is no CBA and there's no mayoral commitments to the entire package to mitigate those issues that we all see.

PAT WHELAN: If you want me to talk, I would say I think we owe it both to the neighborhood and the Industry City to come up with a CBA as quickly as we can. I think that Andrew wants to see that. I think that anybody that lives in New York City wants to see that. It has to be realistic. There has to be an economic benefit to Industry City ticket community benefits and, if we don't get that on the plate quickly, I think that, you know, it's going to cause a hindrance to this. I think it's important. As far as mayoral input, I don't think the city Council can force that and I don't think Industry City can force that. You know? I do believe, as Randy said, we should address somehow mitigating gentrification. And one of the ways we can do that, I think, is part of a CBA, if we can't get mail import. Sorry. Input. It's going to be

difficult, but I think that that can certainly get broached.

CHAIRPERSON MOYA: Okay.

COUNCIL MEMBER MENCHACA: Thank you.

PAT WHELAN: Thank you.

SERGEANT-AT-ARMS: Chair, I see no more members with questions at this time for this panel.

CHAIRPERSON MOYA: Great. Thank you to the panelists. Thank you for coming here and waiting so patiently and giving your testimony here today.

Thank you so much. Counsel, if you could please call the next panel. Thank you.

COMMITTEE COUNSEL: The next panel will include New York State Senator Velmanette Montgomery. The panel after that will include Ben Margolis, Lilliana Paula McKenna, Julio Pena the third, David Estrada, and Cynthia Felix. The next speaker is New York State Senator Velmanette Montgomery.

SENATOR MONTGOMERY: Am I and muted?  
Can you hear me?

CHAIRPERSON MOYA: We can hear you,  
Senator.

SENATOR MONTGOMERY: Okay. Thank you.  
Good afternoon and thank you, Chair Moya, and members

of the subcommittee. I am State Senator Velmanette Montgomery and I represent Senate District 25 where Sunset Park and the Industry City site is located. Today, I make myself present as a full supporter of Industry City's rezoning proposal. For more than 50 years, Industry City has remained a heavy manufacturing zoning site which has limited the extent to which it serves the community and utilizes its waterfront. We have seen many changes come to Brooklyn and it is time to extend these changes to this part of our working waterfront. As many of you may know, I have been a strong advocate for the thoughtful and responsible redevelopment of Brooklyn's working waterfront. Industry City's rezoning proposal is the right project, in my estimation, to elevate both the waterfront and our community. Industry City's commitment to the community is unquestionable. They took part in more community engagements than any other developer I have ever met and there have been many of these developers. And they crafted their proposal to directly reflect community Board seven's 197 A waterfront plan. As of today, Industry City has served and continues to serve hundreds of local

jobseekers through their Innovation Lab which is an integrated employment and business development center to provide local jobseekers to career training and job placement. They have provided space that has allowed new small business to serve our community. They have removed the hotel and reduced the amount of retail space from their original rezoning plan as was requested by myself, by the community, and, I believe, by the city Council member. They have actively pushed for green jobs and sustainability in Sunset Park. They have partnered with the Redhook Container Terminal, NYSERTA and New York City Economic Development Corporation in redeveloping the South Brooklyn Marine Terminal in order to serve as a port to service the offshore wind industry which NYSERTA will be creating. NYSERTA is an authority committed to bringing offshore clean, green, and renewable energy to the state of New York. Thanks to Industry City's role in the adjacent South Brooklyn Marine Terminal, hundreds of high quality green jobs in the offshore wind and maritime industry are coming to this part of Brooklyn. Industry City is committed to creating educational and professional pathways to maritime and steam careers for young people in our

borough and in our city. They have forged partnerships with academic institutions, including New York City College of Technology and potentially-- which I'm very excited about-- Kingsborough Community College in their commitment to establish a public technical school and an adult education center once the rezoning takes place. Several years ago, I initiated a number of important community conversations around the future of the working waterfront and we hosted a series of extremely productive workshops and working group meetings to discuss our goals and interests for developing the waterfront. What we heard over and over was that we needed waterfront development that was reflective of the community's interest that was inclusive, that was sustainable, and could support the growth of green jobs that projected long time job creating spaces from being calming luxury housing and condos and/or hotels and that whatever was built had mechanisms for ensuring local residents could benefit from many new jobs created. I believe this rezoning plan meets these requirements vis-à-vis our community and it is important to mention that, not only does this plan restore job creation to the Sunset Park waterfront,

but it does so with hundreds of millions in private investment and no public subsidies. Today, if you listen to the plans of vis-à-vis Mr. Kimball who, by the way, I have worked with closely during his years at the Brooklyn Navy Yard and who fulfilled every commitment he made in revitalizing that waterfront site. You can see exactly why I have chosen to offer my full support. In this case and after a career spent for fighting for our working waterfront, I do believe in my heart that this is what's best for Sunset Park at this time. It is the best thing for Brooklyn. And it is the best possible use for this important space for the city of New York. Therefore, I urge you to join me in support of this proposal and thank you for allowing me to express my sentiments and my belief and my understanding of what this means to the people-- and especially the future generations in the county of Kings in the city of New York. Thank you.

CHAIRPERSON MOYA: Thank you, Senator.  
Thank you for your testimony today.

COMMITTEE COUNSEL: I see no more members or questions for the panel at this time.

CHAIRPERSON MOYA: Thank you, again, Senator. We are now going to move into our next panel. Counsel, if you can please call up the next panel.

COMMITTEE COUNSEL: Well, the next panel will include Ben Margolis, Lilliana Paula McKenna, Julio Pena the third, David Estrada, and Cynthia Felix. They will be followed by Jonathan Bowles, Michael Stabatis, David Carabello Beloso, and Jessica Ortiz. The next speaker on this panel will be Ben Margolis.

SERGEANT-AT-ARMS: Time begins now.

CHAIRPERSON MOYA: Ben, you may begin.

BEN MARGOLIS: Good afternoon. I am Ben Margolis, Executive Director of SBIDC, a nonprofit supporting industrial businesses and their workforce in the Southwest Brooklyn IBZ and from our workforce center at the Brooklyn Army Terminal. We've been based in Sunset Park for 42 years. We are also a proud member of the Sunset Park Community Coalition that believes the Industry City application, as approved by the City Planning Commission and without modifications would not ensure necessary protections or address Sunset Park's



fundamental challenges. For example, challenges facing Sunset Parks manufacturing community. The pandemic has shown a great need for more local manufacturing and its value to the city's resiliency. The quality of industrial jobs is well established yet current zoning and policy offer zero protections for manufacturers in Sunset Park's IBZ including the hundreds still operating at Industry City. So the Council must fight to ensure that at least a third of the IC's campus is used for a wide range of manufacturing uses. An irreducible minimum, a real commitment that would guarantee more opportunity for residents. Nearly 1 million square feet of retail would severely impact operations of industrial employers and set an irreversible precedent for the city's other IBZ's. So a total retail limit established based on community board seven recommendations. Our coalition recommends 350,000 square feet. In 2018, the city Council voted to curtail hotels in [inaudible 05:45:18] zones, so following current city policy, you should ensure that hotel development would not be permissible at IC. The current application passed with no modifications is our worst-case scenario yet any modifications that

would mean little unless they come in tandem with substantial community investments and are most severely burdened challenge. Without each, the city Council should request that Industry City withdraw their application. Thanks so much.

COMMITTEE COUNSEL: The next speaker is Lilliana Polo-McKenna.

SERGEANT-AT-ARMS: Time--

LILIANA POLO-MCKENNA: Good afternoon, all. My name is Liliana Polo-McKenna, chief executive officer of Opportunities for a Better Tomorrow. OBT, founded in 1993 in Sunset Park, offers education and workforce programming for youth ages 17 to 24 and adults who are disconnected from education and employment. OBT is also a member of the Sunset Park Community Coalition. Thank you to the members of the Council of the opportunity to speak today. Along with the community board, the borough president, and Council members Menchaca's recommendations, our coalition feels strongly that the Industry City needs to follow through on public commitments to modify their application. Such modifications include, among others, scaling down the proposed retail square footage to align with CB

seven's recommendations and an enforceable 30 percent of space dedicated to manufacturing uses. These and other modifications work in tandem to support a platform of investments to address a variety of issues. Long-standing needs that are only grown through the pandemic. As a workforce development leader, I am crystal-clear on the need for jobs, a concern I know that we all share, as people navigate historic unemployment and many face eviction or food insecurity. As the lead partner at the Innovation Lab, I have seen the possibilities and also the challenges in connecting local residents to opportunities at Industry City. The potential for scale is real, but Industry City is not an employer. And scale without binding commitments to local hiring, permanent training facilities, and creating a range of jobs is sort cited. Being retail and establishing a third-party enforcement mechanism are critical to that. Many of us, myself included, know that access to jobs on this very waterfront has been an important first step for Sunset Park families and we need to ensure that that is true well into the future. As a coalition, we believe that the approval of Industry City's application as is represents a

worst-case scenario. The zoning modifications outlined are the absolute minimum and serve as a foundation for investment. If equity is a central value in this process and in the city's economic recovery, they outlined zoning modifications and further community investments must be nonnegotiable's as the Council considers it to vote. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Julio Pena the third.

SERGEANT-AT-ARMS: Time begins.

CHAIRPERSON MOYA: Julio, you may begin.

JULIO PENA: Good afternoon. My name is Julio Pena the third or chair for Neighbors Helping Neighbors and board member for Fifth Avenue Committee, both members of the Sunset Park community coalition. Thank you to the Council for the opportunity to speak today. I'm here to share the concerns that I and the Sunset Park community coalition have about the Industry City rezoning application as is and the modifications and investments necessary should the Council allowed this application to move forward. NHN is a 30-year-old HUD-certified housing counseling agency whose mission is to empower low and moderate income residents to

maintain and secure quality housing and build financial assets. NHN is on the front lines of preventing displacement in Sunset Park, organizing and advocating to help prevent eviction and displacement. In fact, as a 42-year-old nonprofit community development Corporation whose mission is to advance economic and social justice. In fact, it currently has 134 units of deeply and permanently affordable housing and construction in Sunset Park. The first new affordable housing community in more than 15 years. Along with the community board, the borough president and Council member Menchaca, the coalition feels strongly that Industry City needs to follow through on public commitment to modify the application and address the significant precedent and impacts their initially proposed actions would create in an IBZ in the broader Sunset Park community which has long been a working class immigrant community. Such modifications must include, for example, scaling down on proposed retail square footage and uses to 350,000 square feet, eliminating the hotel special permit in the application, and establishing an irreducible and highly enforceable one third amount of square feet on their campus for manufacturing

uses. In addition to the modifications to the application, it is important that the Council and the city do more to protect long time for a working-class Sunset Park residents from displacement by extending a certificate of no harassment program to Sunset Park and invest in affordable housing preservation and development. As NYU Furman Center outlined in the 2016 focus [inaudible 05:49:58] report, Sunset Park is a gentrifying community with rising rents, rising population, and an increasing white population. It ranks fourth in New York City for overcrowding in housing among all community boards citywide.

SERGEANT-AT-ARMS: Time expired.

JULIO PENA: There has been a lot of focus-- thank you for your time.

COMMITTEE COUNSEL: Thank you. Chair, the next speaker is David Estrada.

SERGEANT-AT-ARMS: Starts.

CHAIRPERSON MOYA: David, you may begin.

DAVID ESTRADA: Thank you. Hello. My name is David Estrada and I am speaking today to urge you to oppose the application in its current form and, without contradiction, I am also urging you to consider how a highly modified application might

proceed but only if it is in lockstep with city commitments to Sunset Park and ironclad enforceable community benefits. The model that we haven't seen before. It is possible, but there are many cautionary tales in Brooklyn of failed CPAs and we are very aware of that. I'm speaking today in my capacity as Executive Director of the Sunset Park Business Improvement District. That is representing small businesses, residents, building owners on, you know, the heart of and set Park on Fifth Avenue between 38th and 64th. We are suffering. Small businesses need help. I think that a path of engagement and constructive work together is the way for our community to get ahead. I also am part of this Sunset Park community benefit coalition and we formed because we knew that these land-use items can be either diminish or increase a very serious problem facing Sunset Park. Displacement, gentrification, housing and food security, climatic, resilience, just transitions, access to education and jobs. Those needs are real. The question is can we set a new example for this city about how to do this together. There was a private application. I do think it's appropriate to look at on the scale of a neighborhood

application even if ULRP and seeker and environmental impact processes are all hopelessly dysfunctional and extremely unfair to local communities. For this application and from my perception, the answer has never been yes or no. No leaving to a continued as of right development is unacceptable because it allows unlimited degradation of manufacturing uses for office and storage and stuff. A simple yes is a nonstarter without the other components that were laid out by Council member--

SERGEANT-AT-ARMS: Time is expired.

DAVID ESTRADA: Menchaca at the onset. So I hired you to read community board sevens analysis and the borough president and I support working together. Thank you

CHAIRPERSON MOYA: Thank you, David.

COMMITTEE COUNSEL: Chair Moya, those are the visible witnesses for this panel. At this time, I would ask if Cynthia Felix is listening and can hear me, Cynthia Felix, please raise your hand so that we may identify you if you are here.

CHAIRPERSON MOYA: Cynthia?



COMMITTEE COUNSEL: And with that,  
Chair, Council member Menchaca has his hand raised  
for a question.

CYNTHIA FELIX: Hi. They just unmuted  
me.

CHAIRPERSON MOYA: Okay.

COMMITTEE COUNSEL: The next speaker is  
Cynthia Felix.

CYNTHIA FELIX: Thank you. Hi. My name  
is Cynthia Felix and I am a lifelong resident of  
Sunset Park and a member of the Sunset Park Community  
Coali--

CHAIRPERSON MOYA: Cynthia? We might of  
lost Cynthia how or she just--

CYNTHIA FELIX: I was just muted. I  
just got unmuted.

CHAIRPERSON MOYA: Okay. Hold on one  
second, Cynthia. Hold on.

CYNTHIA FELIX: Okay.

CHAIRPERSON MOYA: Sergeant-at-arms, if we  
can just start all over again? Reset the clock,  
again. Cynthia?

CYNTHIA FELIX: Yes. I'm here.

CHAIRPERSON MOYA: Okay. You may begin.

CYNTHIA FELIX: Thank you. My name is Cynthia Felix and I am a lifelong resident of Sunset Park and member of the Sunset Park Community Coalition. Thank you for the opportunity to speak today. I am here to share the concerns that I and the Sunset Park Community Coalition have about Industry City rezoning application as is and the modifications necessary as the Council consider this application. I have lived in Sunset Park my entire life. I have seen the good, the bad, and the ugly. The good and my great neighbors are what keeps me here. The bad and the ugly inspire me to do all I can to make my community better. My parents immigrated to the Sunset Park in the 1950s from the Dominican Republic and my mother worked tirelessly as a seamstress at a factory on Second Avenue, so I know firsthand the struggles that immigrants have and I am grateful that every struggle made my family stronger. To me, my Sunset Park is like my family. Every struggle has made us stronger as a community. Today, we are struggling with the Industry City rezoning application is approved by the city planning commission as the current application does not ensure necessary protections and does not address Sunset

Park fundamental challenges. Our community does need a development that has economic growth, but it also must improve the lives of our residents, many who are immigrants like my parents and are struggling to make a better life for themselves and their families, as well as those who have low education attainment who are underemployed, or work a low-wage job. Industry City must follow through and the public commitments to modify the application and address the impacts they initially proposed actions would have, not only in the IBZ, but the broader Sunset Park community. Some of these modifications include scaling down the proposed retail to the community board's recommendations of 350,000 square feet and illuminating the hotel's special permit and establish seeing and irreducible minimum of one third of the campus from manufacturing and industrial uses. These modifications must work into and to support a platform of investments in the community that include investing in education, training, and hiring the local workforce with quality jobs, especially those with various commitments-- with barriers to employment. I care deeply about the impact this rezoning may have, without these modifications, the

city Council should request Industry City withdraw the application or vote against it should it come to a vote. If equity is a central value in this process and in the city's economic recovery.

SERGEANT-AT-ARMS: Time is expired.

CYNTHIA FELIX: Thank you for your time.

CHAIRPERSON MOYA: Thank you, Cynthia.

COMMITTEE COUNSEL: Chair Moya, Council member Menchaca has his hand raised for a question on this panel.

CHAIRPERSON MOYA: Okay. We'll turn it over to Council member Menchaca for questions.

COUNCIL MEMBER MENCHACA: Thank you. Thank you, Chair and Cynthia and Julio and David and Ben and Liliana and Jesse and others in this team. Thank you. I can't thank you enough. I don't have enough time on the clock to say thank you for the work that you have done to this point and for your testimony today. So much of what you have testified really is rooted in your work, and your organization, and your commitment to Sunset Park. And I guess my first question is part of today's conversation with Andrew Kimball really industry upon the three different components of the framework and your work

was one of them. I asked about communication between Industry City and all of you and there is an opportunity for you to talk a little better about any communication that you have had with Industry City. I think members in the Council would be appreciative of that. What is been your communication with Industry City thus far? And maybe one of you can take on.

BEN MARGOLIS: Good afternoon, Council member. We as a coalition have made contact with Industry City, but there've been no negotiations on any CBA items or terms.

COUNCIL MEMBER MENCHACA: Legal representation. Do you have legal representation supporting her work in any way?

BEN MARGOLIS: For guidance, we have had and still have access to pro bono counsel. For potential negotiations we are exploring, but don't have current representation.

COUNCIL MEMBER MENCHACA: Do you have any concerns about signing a CBA at this point in the timeline that would create and ironclad strong CBA that the community would feel proud of in the efforts

for transparency and holistic cross-sectional development of such a CBA?

BEN MARGOLIS: I'd like to let other folks also answer, but, you know, from our experience as a coalition and having been on other neighborhood coalitions, you know, we believe it takes months to negotiate a legally binding agreement of this magnitude. That said, this is been a completely atypical process and it still seems to be moving forward, so we have to believe in enforceable agreement could be achieved. It is technically possible, but we are concerned about the timeline.

COUNCIL MEMBER MENCHACA: And I'll give everybody else an opportunity to answer that before I move on to some other questions.

DAVID ESTRADA: This is David. I share that concern. Our eyes are wide open. The hour is late. The stakes are high. The risks are real. The chances of success are a narrow lane. But I think we owe it to our business community, our residents, and the people of Sunset Part to try. Just walking away from this just doesn't seem right. Not in this moment and I'm speaking to the current sense right now. We've got to keep working, but we have to work

in ways that we are uncomfortable with. Then I am okay with that. But we have to go into that discomfort to arrive at a solution that is workable.

COUNCIL MEMBER MENCHACA: And maybe someone else can talk a little bit about the timing. I knew that we were in conversations with Industry City about timing and you as a coalition wanting more time. Industry City-- if you can just confirm this that Industry City really rejected more time to your point that you need more ample time to really build out what you want to build out as a coalition.

BEN MARGOLIS: Can we unmute Liliana and other members?

COUNCIL MEMBER MENCHACA: I guess I'm asking for more time. Do you need more time and could the application gave you the time you need so that you can actually build something that you are proud of?

BEN MARGOLIS: We're going to be together as a coalition beyond this process. What brought us together are the neighborhoods most fundamental challenges and its most vulnerable populations. So, you know, as a coalition, we are not here just for this process. We are here beyond

because those problems aren't going away, especially in a time when the city is 9 billion dollars in debt. So, this process is still going in the worst-case in our minds is still possible, so we will continue to work.

LILIANA POLO-MCKENNA: Hi. Sorry. I just got unmuted.

COUNCIL MEMBER MENCHACA: Yes.

LILIANA POLO-MCKENNA: I think, under ideal circumstances, this application would have been filed with the modifications and the focus over the past number of months would've been solely on investments to make in the community. I think, as a coalition, what has become pretty apparent in the past few weeks is ensuring that we really avoid what, as you've heard described--

SERGEANT-AT-ARMS: Time expired.

LILIANA POLO-MCKENNA: as a worst-case scenario which is this application moving forward without any modifications, knowing that even the modifications alone are insufficient. What more time be helpful? Of course. I think that's undeniable.

COUNCIL MEMBER MENCHACA: And I think that is just import into the nature of where we are



right now. And, Chair, have a couple more questions if I could. Just a couple--

CHAIRPERSON MOYA: Carlos, we have a long list of people here. We're going to go into the late hours. We want to give people the opportunity to really come and testify. We don't want to lose folks as the day gets on. So we're going to move this alone--

COUNCIL MEMBER MENCHACA: I wanted to just say thank you to coalition and for your incredible work. Thank you.

CHAIRPERSON MOYA: Thank you. Counsel, any other questions for this panel?

COMMITTEE COUNSEL: Chair, I see no members further questions for this panel.

CHAIRPERSON MOYA: Great. Thank you so much for your time and giving your testimony here today. I really appreciate it. Counsel, if you can please call the next panel?

COMMITTEE COUNSEL: Chair Moya, the next panel will include Jonathan Bowles, Michael Stomatis, David Carabeloso, and Jessica Ortiz. That panel will be followed by Juan Camilo Orsorio, Ronald

Shiffman, Ava Hanhardt, and Devuani Guha. The next speaker on this panel will be Jonathan Bowles.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Jonathan, you may begin.

JONATHAN BOWLES: Hi. I'm Jonathan Bowles, executive director for the Center for an Urban Future, a think tank focused on creating a more inclusive economy in New York. I support the proposed rezoning because I strongly believe that Industry City is crucial to producing though well-paying, accessible jobs of the future. The first report authored at the center away back in 1999 argued that New York needed to do a lot more to preserve and grow industrial jobs. I was convinced that New York could stem the losses in the manufacturing sector, which had long been a ticket to the middle part. Manufacturing jobs are still vital middle-class jobs. There just aren't enough of them left to be the primary focus [inaudible 06:04:00].  
What's that?

CHAIRPERSON MOYA: You can proceed.

JONATHAN BOWELS: There just aren't enough of them left to be the primary focus of our efforts to lift New Yorkers out of poverty. Since that

report I authored, the city lost two thirds of its manufacturing jobs. Even during the last five years before the pandemic, manufacturing jobs in the city declined by 10,000. Even as all other private-sector jobs in the city increased by 450,000. We now need other strategies to move low income New Yorkers into good jobs. One should be to nurture the well-paying jobs that are already growing rapidly in New York while dramatically increasing efforts to make those industries more inclusive. Where good jobs have been growing is largely been in the innovation economy, particularly in the attack and creative industries, exactly the kinds of jobs that have been created a Industry City. These jobs will continue to drive job growth. Indeed, during the pandemic, both the tech and creative industries have held up better than nearly every other part of the economy. Other cities are laying out the red carpet to poach these good jobs from New York. We need to keep them here and lay the groundwork for additional growth now more than ever. We can help by supporting this rezoning. We must also do a lot more to expand access to the innovation--

SERGEANT-AT-ARMS: Time is expired.

JONATHAN BOWLES: Industry City has been one of the leaders in doing this. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker with by Michael Stamatis.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Michael, you may begin.  
Michael?

MICHAEL STAMATIS: Hi, there. I was still muted. Good afternoon, everyone. My name is Michael Stamatis, the president of the Redhook Container Terminal and the South Brooklyn Marine Terminal. I am here today to offer testimony and full support of Industry City's rezoning application. Industry City and Redhook Terminal began discussions and 2015 with the idea of working jointly to reactivate and bring the long dormant South Brooklyn Marine Terminal back to life. This unique facility in Sunset Park bordered on two sides by Industry City was once a vibrant economic engine and working waterfront facility until its closure in the late 1980s. We put on the cover of our 2016 RFP response to the New York City Economic Development Corp. our vision for the primary use of the site. A state of the art port to serve the emerging offshore wind industry with the

potential to bring hundreds of new green jobs to Sunset Park. This undertaking required a strong commitment of a working waterfront and industrial maritime industry here in Brooklyn and substantial resources to bring the vision of a fully activated SBMT to fruition. With Industry City, we found the perfect partner. ADCs selected us as the RFP winners and we now we have a long-term lease with redevelopment. With a commitment of 9000 megawatts of offshore wind from New York State and two contracts awarded to developers Equinor and Orsted to build the first 1500 megawatts of clean offshore wind farm power to power over 1 million homes by 2024, SBMT is now positioned to build the largest offshore wind staging and assembly and operations and maintenance port facility in the United States. I cannot understate the fact that none of this would be happening or possible at SBMT were it not for the level of support and commitment Industry City and its principles have shown to me as their partner in this new joint venture and our shared vision for the future. As a marine terminal operator--

SERGEANT-AT-ARMS: Time is expired.

MICHAEL STAMATIS: in New York City, it is not often that I can say of property developers shares the same vision of how a waterfront property such as SBMT should be used. With Industry City's proven track record with the first class transformation of Industry City property over the last five years, we will also attract a brand new industry cluster to offshore wind developers, suppliers, vendors, and manufactures and others to Sunset Park creating further green jobs and economic benefits to the local community, city, and state.

SERGEANT-AT-ARMS: Time is expired.

MICHAEL STAMATIS: Thank you.

CHAIRPERSON MOYA: Thank you, Michael.

COMMITTEE COUNSEL: Chair, the next speaker is David Caraballoso.

CHAIRPERSON MOYA: David?

SERGEANT-AT-ARMS: Time begins.

CHAIRPERSON MOYA: You may begin, David.

DAVID CARABALLOSO: Chair Moya, honorable members of the subcommittee, my name is David Caraballoso, president of High Rise, Concrete, Carpenters Local 212. We are the men and women who build the New York City skyline. We are the newest

of the nine locals that make up the New York City District Council of Carpenters, having been founded in 2016. We're also be most locally based and racially diverse of the carpenters locals. Of our approximate 1000 members, 77 percent live within the five boroughs and 65 percent, like myself, are people of color. More importantly and relative to the rezoning or the question of rezoning, over 20 percent of local 212 members are Brooklynites and it is on their behalf that I must speak. As a Latino currently living and raised on the edge of Harlem, I understand the struggles of our inner cities and outer boroughs. I know the day to day struggles faced by my members as I live it with them. I must therefore urge the New York City Council to render a vote in favor of rezoning. It's important that you understand that construction workers are dependent upon development as a means of putting food on the table. Thus far, the administrators of Industry City showed that they are responsible neighbors. They're forthcoming with information and express a sincere willingness to work with the community. On behalf of my membership, I thank you for the opportunity to

speak on their behalf in favor of rezoning that cast Industry City. Thank you.

CHAIRPERSON MOYA: Thank you, David.

COMMITTEE COUNSEL: Chair, the next speaker is Jessica Ortiz.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Jessica? Good to see you. You may begin.

JESSICA ORTIZ: Hello. I am Jessica Ortiz. I work with 32 BJ. I am speaking on behalf of one of our members wasn't able to stay. He had to go to work and he works at Industry City. I am. My name is Humberto Rodriguez. I work as a cleaner at Industry City for three years. I am also a member of 32 BJ and a lifelong resident of Sunset Park. I support the proposed rezoning for Industry City and I will tell you why. The past six months have been extremely difficult for essential workers like me and my coworkers. We continue to do our jobs through the COVID pandemic. The work we need to keeps Industry City sanitary and safe. My colleagues and I have been organizing to improve our wages and benefits. In the midst of the pandemic, we were able to secure high quality healthcare benefits that guarantee we



can see the doctor and get the care we need. But for us to improve our jobs for the long term, we need the condition this rezoning will enable, especially now. All around New York City, commercial projects like Industry City are struggling. Every day we read about empty buildings, businesses shutting down, and tenants packing up and going elsewhere. So, I want to see a new investment act Industry City. More resources coming to Industry City would mean more resources to improve conditions to benefit working families like mine and new investment would also create new jobs that are desperately needed in our community. The rezoning is a way to make this happen. You have a chance to vote yes on a project that creates opportunities we need at Industry City. I urge you to support it. Thank you.

CHAIRPERSON MOYA: Thank you, Jessica.

COMMITTEE COUNSEL: Chair, there are no further speakers on this panel.

CHAIRPERSON MOYA: Great. I just got a quick question. David, if I could, just one quick question. Good to see you, David.

DAVID CARABALLOSO: Good to see you, too.

CHAIRPERSON MOYA: You know talked a little bit about how the local has changed in its diversity. Can you just talk a little bit about what it means to be a union member and how that is kind of changed the lives of many in the local areas throughout the city?

DAVID CARABALLOSO: Absolutely. So, I've been fortunate enough to be involved with direct organizing events where we reach out and do a community and bring in members that are working in our craft, but not in the union and to see a guy being able to provide health insurance for his family and how it affects over his well-being, his attitude, his outlook on life to see someone progress into becoming a homeowner versus a renter. It's not only extremely stimulating for me, but, I mean, for the person, just to see the change and how they thrive and the vibrance that you see in their faces, I mean, really, it's unexplainable and a beautiful thing to say. So, that's my answer to your question.

CHAIRPERSON MOYA: I appreciate that, David. Thank you.

DAVID CARABALLOSO: Happy to answer.

CHAIRPERSON MOYA: Thank you. Counsel, either any members that have questions for this panel?

COMMITTEE COUNSEL: Chair, I see not members with hands for questions at this time for the panel.

CHAIRPERSON MOYA: Great. The panelists for coming and giving their testimony today. We thank you very much for your time. And, counsel, if you could please call the next panel?

COMMITTEE COUNSEL: The next panel will be Eva Hanhardt, Devyani Guha, Juan Camilo Orsorio, and Ronald Schiffman. They will be followed by a panel who will appear with the assistance of a Mandarin interpreter. That panel will include Ma Ja Lee, Ma Kiddie Lee, Ma Yen Lin, Ma Gong Dong Chen, Ma Jenine Cao. And at this time, we will go to the incoming panel. The first speaker, Chair Moya, is Eva Hanhardt.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Eva, you may begin. You may begin--

EVA HANHARDT: Yes. Thank you. Okay. I'm Eva Hanhardt and am an urban planner at City

Planning. I worked on the first comprehensive waterfront plan responsible for the working waterfront. New York City and its economy have been changed by COVID, yet the Industry City application remains essentially unchanged. Although required by SECRA to be timely, the FEIS is not based on current existing conditions. To accurately forecast future conditions and analyze impacts, the FEIS must be updated considering COVID in the no action and with action scenarios, adding UPROSE's green, resilient industrial district as an alternative. Before COVID, the Industry City with its focus on hotels, retail, office, and entertainment was inappropriate for Sunset Park. Today there are projections of the timely increase to 15,000 jobs are also unrealistic as these sectors have been decimated and the market future is unknown. In contrast, as an industrial business zone and significant maritime and industrial area, and Sunset Park is ideally suited to take advantage of the commitments of the city's claim that Mobilization Act and the states Climate Leadership and Community Protection Act. With preservation of industrial land, buildings, and businesses of the projected 190,000 jobs, potentially 26 files and

could be located in Sunset Park and go to city residents. These jobs in energy efficiency, clean energy production, and environmental management are open to those with a high school education or less and can pay 60 to 70,000 dollars. Having hollowed out its production capacity and ignore the vulnerabilities of its population, New York was unprepared for the COVID crisis. In approving Industry Cities application, the city risks being unprepared again. Instead, the city must commit to the economic development--

SERGEANT-AT-ARMS: Time expired.

EVA HANHARDT: grid that will actually provide well-paying jobs that address real new humans and opportunities and prepares New York City and region for today's and future crises, including climate change. Thank you very much. I hired to do not approve this proposal.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Devyani Guha.

CHAIRPERSON MOYA: Devyani?

DEVYANI GUHA: Hello. As an urban planner, I urge you to look at Industry City's job

projections carefully, separating reality from hype. The DEIS states that the rezoning will lead to a total of 15,000 jobs. Of those, 8000 already existed pre-pandemic. As the rezoning is supposed to yield an additional 7000 jobs, not 20,000 as cited in the media. Projected off-site jobs are pure speculation. We don't know much about the 7000 jobs. Are they new or relocated? Do they meet the community's real needs? Do they provide good livelihoods? And can Industry City actually create these jobs given the current conditions in the food and accommodation, arts and entertainment, and technology sectors that underpin their job projections? We need to know that, having lost 70 percent and 65 percent of the pre-pandemic jobs, respectively, the accommodation sector and the arts and entertainment sector are struggling. The office market is not expected to recover until 2022. 25 percent of employers intend to reduce their office footprint. 50 percent of companies expect to reduce their office occupancy by a quarter. In Brooklyn, new office developments are only about 15 to 25 percent leased. Another 6 million square feet of new office space will hit Brooklyn by 2024, likely creating a glut of

office space is. Tech startups that are often located in Brooklyn have lost 10 to 20 percent of their employees and their revenues are expected to go down by 50 percent for a while. Sunset Park's whale building is in financial trouble due to lack of creative tenants. Given these dire market conditions, Industry City's job projections are a product of magical thinking. In contrast, recent legislations will create green jobs and building retrofits and clean energy production that are well paid and match Sunset Park needs. The Council should demand accountability from Industry City.

SERGEANT-AT-ARMS: Time is expired.

DEVYANI GUHA: Hard questions and put the community's real needs at the heart of its decision by voting no. Thank you.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Juan Camilo Osorio.

SERGEANT-AT-ARMS: Time is ready.

JUAN CAMILO OSORIO: Hello. My name is Juan Camilo Osorio. I'm an assistant professor in urban planning at Pratt Institute, but I am testifying as myself. As documented in our

[inaudible 06:20:27] in the district plan, the proposed rezoning is inconsistent with [inaudible 06:20:33] planning for maritime and industrial business and it's based on outdated pre-COVID data that ignores the impacts on the community and the realistic market. In addition, there are two important inconsistency with waterfront city policies and regulation established in Vision 2020, the comprehensive waterfront plan and the waterfront revitalization program or WRP approved by the city Council in 2013. One, the proposal does not promote water dependent industrial uses. It does the opposite, focusing on expanding high-end retail and commercial wall required to demonstrate support to the maritime and industrial development, given its location and these significant and maritime industrial [inaudible 06:21:06]. It hinders the city's blueprint for the South Brooklyn Marine Terminal, limiting industrial job expansion and ignores Vision 2020's requirement to market Marine transport to reduce truck traffic. Number two, it doesn't use the latest climate change projections published by the New York Panel on Climate Change required by WRP. It doesn't include any of the



[inaudible 06:21:25] strategies to [inaudible 06:21:26] for chemical dispersion. Where Sunset Park could be leading the nation in turning adaptation needs into resilient green jobs. Regarding Council member's Moya's question on the need for green jobs, according to a 2019 NYSERTA report, nearly 159,000 people worked on clean energy in 2018 statewide. More than biotech. Were projected to nearly 171,004 2019, 8.9 increase since 2016, stronger than the state's overall growth at 3.4. But without planning the state's climate change-- and we haven't been implementing yet the states climate change legislation which will seek these somewhere else. So instead of displacing industry, the applicant should expand the independent industrial infrastructure to produce the supplies for building retrofits and renewable energy like offshore wind, but we need to plan for this to happen to seeking justice and equity. Instead, you heard the applicant refer to Philadelphia as a model of success which peer-reviewed research uses to define gentrification.

SERGEANT-AT-ARMS: Time is expired.

JUAN CAMILO OSORIO: I urge the Council to reject the rezoning as it compromises the future--

CHAIRPERSON MOYA: Thank you.

JUAN CAMILO OSORIO: of the waterfront.

CHAIRPERSON MOYA: Thank you. Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Ronald Shiffman.

SERGEANT-AT-ARMS: Clock is ready.

RONALD SHIFFMAN: Thank you. My name is Ron Shiffman. I am a city planner and sat on this New York City Planning Commission for six years in the 1990s. In 1999, like Jonathan Bowles, I was an advocate for manufacturing in New York and helped found the New York City Industrial Retention Network. Much has been said by my colleagues and by other speakers and I, for one, will submit my written testimony, but I want to touch on a number of issues before we go too far. One is I hear the pain of my brothers and sisters in the unions. I hear in the pain of the small business people who want to stay alive, but the fact of the matter is that this proposed rezoning will not create any jobs in the near or first future. It will be towards the end of the decade that it will have any impact and, therefore, I think it is important not to do something that may have an adverse impact on them.

One of the issues of the norm is concerned to me is taking a manufacturing zone that we have and, without understanding all the implications of it, begin to rezone it for other uses. When you take an N3 zone and rezone it, you'll never be able to re-create it in the future when we might find the need for it. The locational issues here-- this is of enormous impact. This area is at a regional crossroads. If we abandon this deep-water port, we won't be able to provide the kind of rebuilding and region infrastructure using locally manufactured and stored materials, rather than importing material labor machinery from neighboring states, increasing the economic and environmental cost of it. We won't be able to develop ideas for transferring-- taking our trucks and putting them on real and connecting the cross Brooklyn rail so why it might be a tunnel in the future. The impact on enjoining communities--

SERGEANT-AT-ARMS: Time is expired.

RONALD SHIFFMAN: fending off industry will be of enormous impact. And, finally-- I just want to say one last thing. The way to the stem displacement is by stemming hemorrhaging of housing through preservation action and not by things that

will stimulate an enormous displacement of people from this community. Not only displacement of jobs, but displacement of both culture and housing.

COMMITTEE COUNSEL: Chair Moya, that was the last witness on this panel.

CHAIRPERSON MOYA: Gray. Just a quick question for anyone on the panel. You know, throughout the day, we've heard various testimony today that discusses job numbers from the state and the city goals for resiliency and green jobs versus the proposals and EIS estimates. Can anyone of you on the panel just clarify why we trust job goals and projections of one and not the other? All or anyone of you take that. Yep. Go ahead, Eva.

EVA HANHARDT: Yeah. Am I muted?

CHAIRPERSON MOYA: No. We can hear you.

EVA HANHARDT: I'm unmuted. Okay.

Well, first of all, both the city, CMA, and the state CLCPA are acts that have created commitments. The city will be, in fact, committed. It has committed itself by 2050 to reduce its carbon footprint dealing with the retrofits of vast numbers of the buildings, not just in Sunset Park, but in all of New York City. That worked to meet those commitments will generate

up to 190,000 jobs statewide. Of that, we did a conservative estimate of how many you would go if there were space in Sunset Park. The fact is and if New York City does not allocate any appropriate space, those jobs will go to New Jersey or upstate, perhaps, or Long Island. They will not go to city residents. These are commitments that have been made into acts that have been adopted and that have put money behind them.

RONALD SHIFFMAN: Chair Moya, a different approach to the same question. And that is that we are at the intersection now of an economic crisis that is being perpetrated by the COVID crisis, a reckoning with our racial injustices throughout this country, and, in order to address both those issues in the future, we are going to have to invest money into this region. There is no way that we will come out of this deep economic crisis as deep as the depression was in the 30s without some form of new deal. And if New York City wants to once again be in the leadership, we should put together the kinds of plans and strategies so that when a new administration comes to Washington, we are able to marshal those resources and begin to revitalize our

economy and a strong and meaningful way, not in no way that is just tangential that may occur because they-- we are creating space for it. We need to invest in it. The city needs to invest in it and is, God forbid, we don't have a new administration in Washington, then the city and the state are going to have to find ways of creating this kind of new deal for New York. And a new deal that won't have the racist background that the old new deal did. One that is fair and predicated of putting people to work to rebuild good jobs and to address the really important issue of climate change. People were talking about their children and their grandchildren. Unless we address climate change, they may live there, but they won't be able to survive there. So, I think it is really important that we begin to think big and not just take these what really are forms of mental--

CHAIRPERSON MOYA: [interposing] I hear that. I hear that. I just want to go back to like what Eva was talking about. I mean, the jobs that you were talking about right there, there's no job safety or wage requirements for those jobs. The retrofitting of construction, there are no

guarantees. You know, I'm just-- this is why we had some issues with this before. So, that's why I'm asking, you know, where we getting these numbers, you know, versus the other ones that are being put out there? That was where I was going with that. And then-- Yeah. I'm sorry [inaudible 06:30:08].

JUAN CAMILO OSORIO: No. Thank you for your question. And to build on what my colleague said, you know, I just wanted to reiterate that we're comparing a survey that was done by the developer by day the that have been projected by the state, referencing state legislation and developed by NYSERTA. State authority is, put numbers to leave you with three strong facts about why we think that these jobs are a reality. Required to meet the goals of the COCPA, were going to require 9000 megawatts of offshore green by 2045. We're going to require 6000 megawatts of distributed solar by 2025 and 3000 megawatts of energy storage by 2030. So, the question is if we don't secure the infrastructure and low workforce development to attract these jobs here, they are going to go somewhere else. So, these are clear facts that are coming from peer projections that are being certified by the state agency as

compared to the data that has been gathered by the developer to support their proposal.

DEVYANI GUHA: I would like to add that the jobs, though wages that use said are not guaranteed, sure. They're not guaranteed, but we are looking at reports by Brookings and by a few other think tanks who have looked at average wages for workers without college degrees. You know, high school degrees. So, we have some basis for it. What we hear from Mr. Kimball, there are no details. There are absolutely no details for these jobs which is why I said it's like magical thinking.

CHAIRPERSON MOYA: So, let's go with that because, additionally, the estimated 60,000 to 70,000 a year's salary jobs for those who don't have a high school degree. One of those jobs and where do those numbers come from? What are the guarantees for those salaries?

EVA HANHARDT: I can answer those. The numbers on those particulars come from two sources. One is the Perry study that underwrote the creation of the state's CLCPA act and so that was the study that was done for the state about the potential of these green jobs and that helped determine their



commitment to doing them. And we can send you the charts from that report. It's their table number two which says from 60 to 70,000 dollars depending on what they are doing. The Brookings report talks about 60,000 dollars plus in different kinds of jobs. Now, I'll tell you what kinds of jobs, but not exclusively. Brookings has a report from April 18th, 2019 that indicates that up to 320 occupations will be involved in green jobs, but in this particular instance, let's talk about energy efficiency, retrofits. Many of the things that will have to be done to the buildings in New York City anywhere from the metering to the insulation to the Windows to the solar panels or other applications for energy efficiency. The clean energy production we've talked already about extensively, which is the wind and solar, but there are also other elements in terms of other types of energy production that are clean energy, not fossil fuel, nor are they natural gas. And the environmental management is around green infrastructure, around recycling. Interestingly enough, sentences there. Remanufacture of recycle materials that are shipped somewhere to be remanufactured, but can happen-- and it is already

happening at one business level in Sunset Park. So, again, I can send you an exhaustive list, but it is the, in fact, construction industry which is doing well in Sunset Park which is poised to grow to do this work in terms--

CHAIRPERSON MOYA: In the retrofit that you're talking about, is without labor requirements.

EVA HANHARDT: So the answer---

CHAIRPERSON MOYA: I get it. The--

EVA HANHARDT: This is the prevailing wage in the industry. This is what the reports have indicated in doing the inventories and the surveys. So, yes. Probably. As you would be adopting this more innovative economic model, a commitment to that would have to be made.

RONALD SHIFFMAN: We would hope that the unions that are all sitting around the table will help organize the label to ensure that those wages are there. Will never have a new middle class unless we have a strong union movement, but it has to have the wherewithal to undertake those jobs and implement them. We're talking about rebuilding the Kiwanis expressway which borders Industry City. Where the trucks and the machinery going to come to rebuild

that? There is a possibility of revitalizing the rail line that runs through Bay Ridge and to Maspeth and into Long Island that serves Long Island and upstate New York and connects the mainland United States to New England. We can take trucks off the road and put them on rails if Congressman Nadler's proposal to eventually build that tunnel takes place. If we do this, we never will have those opportunities. We will forgo those opportunities. I'm suggesting that what we do is we stop. We withdraw this application and we'd take the next 6 to 9 months without, in any way, jeopardizing the job, to plan this property and to take a look at what the impact will be on the entire waterfront. To do it absent that look is just pure idiocy.

CHAIRPERSON MOYA: Thank you. Thank you very much. I appreciate your answers. I want to recognize that we have Council member Levin and, I believe, he has a question for this panel.

COUNCIL MEMBER LEVIN: Yes. Thank you, Chair. And apologize to my colleagues and to all the speakers prior. I was chairing the hearing all day today and so could not really participate in this hearing, but I will watch the six hours of video that

I missed. I'm not sure who said it because it was right when I joined, but something about that the EIS needed to be updated to be in accordance with the waterfront management plan. I don't know who said that and sorry my daughter is here. I'm just curious if you could tease that out a little bit more from a legal perspective. Is that something that this proposal is running afoul of or would that-- I mean, it was in the process. In the ULRP process prior to COVID. Are they required to update their EIS like while the project is in ULRP? I don't know what the legal parameters of that is.

JUAN CAMILO OSORIO: Do you want to start and I can talk about the--

EVA HANHARDT: Let me just start because I'm going to discuss-- I called for the update on existing conditions across the board, not just on WRP, but to integrate consideration of COVID. And it is based on the SECRA manual chapter two section B 300 which basically says that you need to be-- that existing conditions that are the baseline for your analysis of impact and for your projections have to be timely. And then you can go back to amending it. There is a whole provision in SECRA.

And I think the city Council is done this in the past where amendments and updates have to take place when the timeliness-- and they explained that when unusual circumstances or a longer extension of time from when the first application started, happened. And if COVID is not an unusual circumstance that has changed existing conditions, I don't know what is.

RONALD SHIFFMAN: Also, it was highlighted in the response to the FEIS that there wasn't enough analysis of sea-level rise and climate change. And while sea-level rise and climate change are different than COVID, it did say that they had to go back and look at those factors. If anything, COVID is, you know, much more-- as a present say version of the kind of catastrophe that we will face if we don't address climate change. It's an intensification of what that will bring about. So, it was asked for before and ignored and I think now, plus whatever wishes pointed out, it's a necessity to go back and evaluate.

JUAN CAMILO OSORIO: I want to talk about two other specific violations that the proposal is aiding in terms of the waterfront revitalization program. Which, again, this is the city's regulatory

framework to evaluate proposals in the waterfront. This was approved by the city Council in 2013 and I'm going to talk about two things. One is that because the proposal is in an inside significant maritime and industrial area, the applicant has to demonstrate how it is supporting industrial and maritime use is and it is doing the opposite. And it's actually focusing on high-end retail and commercial without any real substantive information demonstrating how are they complying with this requirement. And on the climate change point-- and by the way, this is on policy two and 2.1. You can see in the WRP. You can find the requirements for support of maritime and industrial uses and, in terms of policies six with relates to climate change, the WRP requires the use of the latest climate change projections from the New York panel on climate change. The New York panel on climate change released to the report in March 2029 team with the latest projections, yet the proposal uses 2017 data. Therefore, the allowances that they do about the climate change impacts is using outdated information on climate change. And, in addition to this, in terms of the inventory of hazardous substances which is also a requirement of the WRP

that the proposal uses 2017 data which is beyond the six month threshold allowed by the regulation.

CHAIRPERSON MOYA: Thank you. Counsel, do we have any other questions for the panelists?

COMMITTEE COUNSEL: Chair Moya, I see that Council member Levin has his hand raised again for a question.

COUNCIL MEMBER LEVIN: Sorry. I was remuted. Sorry. Ron, you had said something about that there was certain things requested. I'm sorry. I've got my little kids here. Sorry. Ron, you have the certain things were asked for. By whom? Who had asked for that? That the city planning commission or--

RONALD SHIFFMAN: Yeah. It was in response to the city planning commission release of the FEIS.

COUNCIL MEMBER LEVIN: You said that--

RONALD SHIFFMAN: It's attached to my testimony. It's available also on the record. I only addressed, I think, item 23.

COUNCIL MEMBER LEVIN: But I'm sorry. Who is the entity that requested that information or that update?

RONALD SHIFFMAN: The city planning commission.

COUNCIL MEMBER LEVIN: Oh. City planning commission. Okay. And that wasn't provided?

RONALD SHIFFMAN: Yeah.

COUNCIL MEMBER LEVIN: By the applicant. Okay. All right. Thank you very much to this panel. Thank you.

CHAIRPERSON MOYA: Thank you, Council member. Council, do we have any other questions from any of the Council members?

COMMITTEE COUNSEL: Chair Moya, see no hands for members with questions at this time for the panel.

CHAIRPERSON MOYA: Great. Thank you very much. I really appreciate you taking the time to come here and testify. Counsel, if you can please call up the next panel.

COMMITTEE COUNSEL: Chair Moya, the next panel to testify will appear with the assistance of a Mandarin interpreter. And to clarify, the next panel will include Jack Lee, Kiddie Lee, Yin Lin, Gong Jon Chen, and Jim Ing Cao. We do have a Mandarin interpreter standing by. Mr. Ni, thank you.



Before we go into these panelists, Mr. Ni, if you would, please, would ask you to make a general announcement to the benefit of those listening and, if anyone else who have not just called needs the assistance of a Mandarin interpreter, to please ask them to use the Zoom function and raise their hand known we will work with them to bring them into this panel all we have you.

INTERPRETER: I may begin? So translate that?

COMMITTEE COUNSEL: Yeah.

INTERPRETER: [speaking foreign language]

COMMITTEE COUNSEL: Thank you. We will now ask our interpreter, Mr. Ni, to please inform the witness panel as a group that they will have a total of four minutes and 15 seconds each for the testimony, including the translation and that you will assist them as they go along in their statement so that they can make pauses where appropriate. Four minutes and 15 seconds plans.

INTERPRETER: [speaking foreign language]

COMMITTEE COUNSEL: Thank you. And, lastly, Mr. Ni, just ask you as we have been doing, I want each speaker in turn. The Chair will recognize

them to begin and we will just ask you to communicate to them that they may please begin. And, with that, the first witness, Chair Moya, is Jack Lee.

INTERPRETER: [Speaks Mandarin]

CHAIRPERSON MOYA: Jack, whenever you're ready, you may begin.

INTERPRETER: [Speaks Mandarin]

SERGEANT-AT-ARMS: Starting time.

INTERPRETER: [Speaks Mandarin]

CHAIRPERSON MOYA: Jack lee? Do we have Jack Lee?

INTERPRETER: [Speaks Mandarin]

CHAIRPERSON MOYA: Do we have Jack Lee?

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: Mr. Ni, I will move on. Is Kiddie Lee available?

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: And, Mr. Ni, I will rely on you, but if there is no Kiddie Lee at this time available, the next witness is Yin Lin.

SERGEANT-AT-ARMS: Starting time.

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: Okay. Thank you, Mr. Ni, for bearing with me here. Once again, as it

appears, we don't have any of those witnesses so far.  
The next speaker on this panel will be Gong Don Chen.

INTERPRETER: [Speaks Mandarin]

SERGEANT-AT-ARMS: Starting time.

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: I want to make sure  
to ask everybody before we go, but not hearing anyone  
yet. The final name on this panel, Mr. Ni, that I  
have is Janine Cao.

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: Okay. Mr. Ni, if  
you would not mind, please just making that  
announcement will more time to anyone who may be  
listening and who may need the assistance of a  
Mandarin interpreter to anyone who is listening,  
would you ask them to please raise their hand using  
the Zoom button now.

INTERPRETER: [Speaks Mandarin]

COMMITTEE COUNSEL: Chair Moya, standby  
for one moment. Excuse me, Chair. We will stand at  
ease momentarily. We just confirm that--

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Okay. Chair Moya,  
Mr. Ni. We have a witness named Albert Wiltshire who

has indicated he has a need for a Mandarin interpreter. The next speaker Albert Wiltshire.

ALBERT WILTSHIRE: I didn't say I needed a Mandarin interpreter. I speak English.

CHAIRPERSON MOYA: Okay. Albert, hold on one second.

COMMITTEE COUNSEL: Excuse me, Mr. Wiltshire. We will come back to you. So, it seems that we have no witnesses at this time who are in need of the Mandarin interpreter. We will give everyone a chance and the public at the end too, once again, raise their hand if they need to testify. But, that will be it for this panel. Mr. Ni, thank you. And with that, Chair Moya, the next panel will include George James, E. Barron, Lionel Trunce, and Adam Friedman. The next speaker--

SERGEANT-AT-ARMS: Starting time.

COMMITTEE COUNSEL: The next speaker once he is in and confirmed will be George James.

CHAIRPERSON MOYA: Great. Thank you.

COMMITTEE COUNSEL: Chair, we are still bringing in the next panel. Excuse me. Please stand by.

CHAIRPERSON MOYA: Yep. Thank you.

COMMITTEE COUNSEL: The next panel, if these individuals are here, and we will confirm. The next panel George James, Yves Barron, Lionel Trunce, and Adam Friedman. [inaudible 06:54:35]. Thank you, Chair. We're still working out the panel. We have George James on this panel, so we will, meanwhile, work to bring in the rest of the panel if they are available. The next speaker George James.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: George?

GEORGE JAMES: My name is George James. I am an urban planner. And community board seven engaged my firm to help in the review of the Industry City ULRP application. I'm here today only representing myself. I neither favor, nor do I oppose the application. I am just here to offer information. The CB seven review of this application was exceptional. I've really never seen anything quite like it. There were extraordinary efforts to communicate extremely technical details to both members and to the larger public. It was the first major rezoning in this area since 2009 and the board leadership, membership, and the public all took it very seriously. And so did the council member who

had staff in public meetings and who heard the comments and the discussion that occurred throughout. Now, this application is complicated and the zoning proposal had raised questions. For instance, the application is to create a new special zoning district, but, if you read the zoning text, it's actually pretty thin. There isn't much there. And that's because a lot of the detail for the proposal is not in the zoning text. It's in the special permit. Why is that? Why is so much of this proposal and this special permit rather than the zoning text? The application will also allow for development rights to float between different zoning lots on different blocks which is a very unusual. Why are we considering such an extraordinary measure for this site here? I think you'd have to answer-- I think you would have to know the answer to these and dozens of other questions before you can make an informed decision on this application. I encourage Council members to educate themselves. Read the record. Talk to the community board. Neighbors in Sunset Park who kept showing up to every meeting. The borough president in your colleague, the local

council member who was as active during this process  
as--

SERGEANT-AT-ARMS: Time expired.

GEORGE JAMES: any counsel can be.

Thank you.

CHAIRPERSON MOYA: Thank you, George.

COMMITTEE COUNSEL: Chair, we're still  
working out the remainder of this panel. Please  
stand by.

CHAIRPERSON MOYA: Standing by.

COMMITTEE COUNSEL: Chair Moya, there  
are no additional witnesses on this panel. I will  
defer to you for questions.

CHAIRPERSON MOYA: Okay. Do we have any  
Council members who have any questions? No?

COMMITTEE COUNSEL: I see no questions  
for the panel.

CHAIRPERSON MOYA: Thank you, George.  
Counsel, if you can please call in the next panel.

COMMITTEE COUNSEL: The next panel, we  
will go back to a panel with the assistance of a  
Mandarin interpreter. The next panel will include  
Jack Lee. And, Mr. Ni, I'll ask you again just for  
the benefit of the witness to communicate the four-

minute and 15 second time limit and then we will announce the witness, the Chair will recognize, and you will communicate that they may begin. Is it Jack Lee as the next witness?

CHAIRPERSON MOYA: Jack Lee?

COMMITTEE COUNSEL: We need Mr. Ni to be unmuted for this testimony.

JAY LI: Hello?

SERGEANT-AT-ARMS: Starting time.

JAY LI: Oh, I needs a translator.  
Mandarin. Mandarin.

CHAIRPERSON MOYA: Hold on one second,  
Jack.

JAY LI: Thank you for meeting me.  
[speaking Mandarin] Can I start now?

COMMITTEE COUNSEL: Mr. Ni, if you would just confirm that our witnesses genetically?

INTERPRETER: [speaks Mandarin]

JAY LI: [speaks Mandarin]

INTERPRETER: Yes.

COMMITTEE COUNSEL: Thank you. Chair Moya, the witness, Jay Li.

CHAIRPERSON MOYA: You may begin.

JAY LI: [speaks Mandarin]



INTERPRETER: Yes. I just wanted to mention that I think the problem is pretty clear. Around 10 years ago, before Industrial City arrived, around Third Avenue, it's a very dirty condition. A lot of criminals, drug users. So, just a very dirty neighborhood overall.

JAY LI: [speaks Mandarin]

INTERPRETER: Yes. And next, when Industrial City arrived, the place became very nice. The neighborhood was friendly. People could play, could live there. In regards the rise of rent issue, that's not just this localized issue. That's an entire New York City. The rent overall rises.

JAY LI: [speaks Mandarin]

INTERPRETER: Regarding the loans or the rent for these businesses, it's usually located around second Avenue and Third Avenue, but, to me, there is no problem regarding this. Some people just want to oppose because they just want to oppose.

JAY LI: [speaks Mandarin]

INTERPRETER: Right. And one thing about our next generations, too, and what will they think about this after they look on 20 or 30 years? Do they want to see a place that never changed? That's

never been developed? That is going against these blue-collar jobs? We have to think about them, too. The next generation.

JAY LI: [speaks Mandarin]

INTERPRETER: Right. And just think about the situation at Sunset Park. If there is no developments, then, you know, the situation is horrible. You know, there's many thieves. You know, people will just use the bathroom on the streets. People was still bicycles. So, we can't have a situation where there is no change. If not, things will just get worse and worse around Sunset Park.

JAY LI: [speaks Mandarin]

INTERPRETER: Right. So, please unopposed just for the sake of opposing. Those who live on Fifth Avenue, eighth Avenue, you know, there's no effect because it's such a remote area.

JAY LI: [speaks Mandarin]

INTERPRETER: And I look forward--

SERGEANT-AT-ARMS: Time expired.

INTERPRETER: I look forward to the development, especially towards like ice-skating. They put a new ice-skating rink there, so I could go

with my kids and play there. So, I look forward to this place being developed.

JAY LI: [speaks Mandarin]

INTERPRETER: Thank you.

CHAIRPERSON MOYA: Counsel, do we have any questions?

COMMITTEE COUNSEL: Chair Moya, I say no questions for the panel at this time.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next panel called will include James Smith, Claire Lin, Kristin Fernandez, Manuel Arbileda, Nancy Glassman, Angie Suarez, Jocelyn Sutillo, Mellissa Marshall.

[background comments]

COMMITTEE COUNSEL: As we bring in this panel and confirm who is here, I will announce the speakers. Once again, this panel James Smith, Claire Lin, Kristin Fernandez, Manuel Arboleda, Nancy Glassman, Angie Suarez, Jocelyn Sutillo, and Alyssa Marshall. The first speaker will be Mellissa Marshall. So, the first speaker will be Mellissa Marshall.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: You may begin.

ANGIE SUAREZ: Am I up?

CHAIRPERSON MOYA: You're up, Angie.

COMMITTEE COUNSEL: The next speaker--

CHAIRPERSON MOYA: Oh, wait. Angie.

COMMITTEE COUNSEL: The speaker that we are waiting on is Mellissa Marshall. Is Melissa Marshall here?

MELLISSA MARSHALL: Hello? Yes. Can you hear me now?

CHAIRPERSON MOYA: We hear you now. Mellissa, can you hear us? Mellissa, you've got to unmute yourself.

MELLISSA MARSHALL: I did. I just pressed the thing that said unmute. But, I [inaudible 07:08:53] but I guess you can hear me.

CHAIRPERSON MOYA: We can hear you now. Yeah.

MELLISSA MARSHALL: Okay. Cool. All right. Good afternoon, Chair Moya and members of the community. My name is Mellissa Marshall. I'm [inaudible 07:09:11] member and a longtime resident of South Brooklyn near Industry City. I was thinking this afternoon on the half of the union in support of rezoning in Industry City and especially about the

good buildings service jobs it stands to bring to the Sunset Park community. [Inaudible 07:09:33] because of this good standing, I am paid a living wage that is allowing me to continue to live in the city I love. I also have access to full family healthcare, retirement, and training paid by my employer. All covered by the prevailing wage. As an essential worker, I know that simply creating jobs is not enough. Jobs that gives workers the kinds of protections I have are in short supply when we need more of them in my community. And our city, especially now. Industry City has made it a formal commitment that the many new buildings to provide services jobs and rezoning will be a prevailing wage just like mine which is an investment [inaudible 07:10:26] Sunset Park would need in the future. It will also give someone like me a chance to have a buildings service job that [inaudible 07:10:39] our community. Having a prevailing wage buildings service job has changed my life. The impact would be [inaudible 07:10:50] due to the cost of living always rising. I urge you to vote yes in creating good jobs in Sunset Park by approving this rezoning. Thank you.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair Moya, the next witness is Angie Suarez.

CHAIRPERSON MOYA: Angie?

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Angie, if you can hear us, you can unmute yourself and you may begin.

ANGIE SUAREZ: Okay. I'm on?

CHAIRPERSON MOYA: You're on.

ANGIE SUAREZ: Oh, it's been a long wait for my name to be called, but thank you and I'm here as a longtime resident where I grew up in Sunset Park. I am speaking on may have of what I feel it is going to bring big revenue to revitalize third Avenue in Sunset Park. Before I start, I want all of you to take note that, in order to revitalize Sunset Park, it needs to depend on private companies. With everything that is going on after the pandemic, we cannot depend on government. Government right now is dealing with a major economic crisis, the government, but all of us. So, with that being said, I am in favor of Industry City rezoning. I am disappointed to say that I've not seen a huge revitalization involved in my neighborhood. There is been a lot of

ongoing parts of revitalization, but not much leading to transformation. What I've just seen is that things Industry City took over of the decrepit Bush Terminal, I've seen enormous amounts of improvement a third Avenue. What third Avenue stood for was a city, dark, dirty place. And with the revitalization of what Industry City has become, and it definitely has an improvement to my community. So I really would like to say that Sunset Park needs growth. There is a lot of talk of political empty words that I've been hearing for years caught up in bureaucracy, but there has been no growth in Sunset Park. And one of the things that I hear more and more that there is a misunderstanding that Industry City is causing displacement to the community, how so? How is Industry City causing displacement to the community? So, I need to--

SERGEANT-AT-ARMS: Time.

ANGIE SUAREZ: I'm routing for the rezoning of Industry City because Sunset Park needs to be revitalized. Especially the waterfront. Thank you.

CHAIRPERSON MOYA: Thank you, Angie.

COMMITTEE COUNSEL: Chair, the next speaker is James Smith.

SERGEANT-AT-ARMS: Clock is ready.

JAMES SMITH: Can everyone hear me?

CHAIRPERSON MOYA: Yep.

JAMES SMITH: Good evening, everyone.

Thank you for taking the time to listen to my statement on the Industry City rezoning. My name is James Smith and over 35 years ago I was born and Lutheran Medical Center located in Sunset Park, the neighborhood in which this rezoning will take place. Growing up in Brooklyn, I know what the area looked like 20 to 30 years ago and it was not good. Crime, drugs, poverty abound was the picture of the area throughout the 80s and 90s. As a result, it makes me very happy to see all the positive developments going on in Industry City and the possibility for more by Industry City committing to use union labor. Just a little background on me: at the age of 17, I found myself homeless. My mom was a drug addict and she abandoned me and we were living in Redhook in public housing over on Columbia Street. I slept on subway trains, I stayed in a shelter, and, eventually, I worked my way out of poverty and into prosperity. A



secret to my success was the carpenters union. They gave me an opportunity for a better life and I took advantage of that. Now, over 17 years after being homeless, I am a proud father, husband, and, importantly, homeowner. I am proud that I own the land my family lives on and now I have something to leave my son. I have broken the cycle of poverty and now myself and my family can be a positive contribution to our community. In addition to homeownership, the carpenters union has allowed me to represent my membership as a delegate to the largest carpentry union local in the USA and Canada, local 157. Hundreds, if not thousands of my union carpenter constituents live in Sunset Park, Redhook, Bay Ridge, and the surrounding neighborhoods in Brooklyn and would love an opportunity to work in their own communities. Lastly, what excites me most about this possible development is there might be someone out there just like I was many years ago. Someone down on their luck and in need of an opportunity might just find it at Industry City with a good union job. That has the potential to change that person's life forever. Please do not say no to be opportunity for better. I humbly ask this

subcommittee to approve this rezoning so we can bring back some--

SERGEANT-AT-ARMS: Time is expired.

JAMES SMITH: much needed union jobs to Brooklyn and give opportunities for people to better themselves. Thank you.

CHAIRPERSON MOYA: Thank you, James.

COMMITTEE COUNSEL: For anyone listening to the testimony at this moment, if your name is Claire Lin, Kristin Fernandez, Manuel Arboleda, Nancy Glassman, or Jocelyn Sutillo, please raise your hand now. Claire Lin, Kristin Fernandez, Manuel Arboleda, Nancy Glassman, Jocelyn Sutillo, if you can hear me, please raise your hand now. Chair Moya, the speakers that we have heard from or available witnesses on this panel, we will wait to hear back about the others.

CHAIRPERSON MOYA: Okay. But I just want to say one thing, James. That's a very inspiring story and I think it is truly what are the stories we like to hear about people overcome adversity and especially through our union brothers and sisters really paved the way for the middle class. My hats off to you and my congratulations on your success.

JAMES SMITH: Thank you very much.

CHAIRPERSON MOYA: Counsel?

COMMITTEE COUNSEL: Chair Moya, excuse me. Please stand by. Kristen Fernandez will be the next speaker on this panel. Kristen Fernandez.

SERGEANT-AT-ARMS: Clock is ready.

KRISTIN FERNANDEZ: Hi, all. My name is Kristen Fernandez, a lifelong Sunset Parker and, for the last 16 years, an employee of Sahadi Fine Foods, a factory on the Sunset Park waterfront. Sahadi's also has retail locations on Atlantic Avenue and in Industry City. I fully support the proposed Industry City rezoning. When I moved back to Sunset Park after college, I wanted a walk to work job. A job that would allow me to live, work, and play in the community I call home and I found that at Sahadi's. when I started at Sahadi's in early 2004, my work was metered by the daylight and I was always sure to leave before the sun down. Because of the efforts of Industry City and the attention it has paid to our community, what was once a dark, desolate, and underutilized area is now full of life. Industry City in its proposed rezoning will bring thousands of jobs of all kinds to our community. At

a time when unemployment numbers continue to skyrocket, isn't this what is important? Industry City will not only bring jobs to our community, but they will be jobs for our community. Walk to work jobs for our neighbors that will turn into careers. Industry City is the partner that Sunset Park so desperately needs, providing not only jobs, but community, diversity, and culture at a time when we need it more than ever. Thank you.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Jocelyn Suitel. Jocelyn Suitel.

SERGEANT-AT-ARMS: Time starts.

CHAIRPERSON MOYA: Jocelyn? Do we have Jocelyn?

JOCELYN SURIEL: Hi. Hello? Hi. My name is Jocelyn Suriel. I live in Sunset Park for 35 years and we do want to stop Industry City in the rezoning. So, we have our Sunset Park here. So  
[inaudible 07:20:20]

CHAIRPERSON MOYA: All right. Thank you, Jocelyn.

JOCELYN SURIEL: Okay. Hello? So, we did a protest this five months and we're going to keep on fighting. No rezoning. No petition.

CHAIRPERSON MOYA: Thank you, Jocelyn. Thank you. Move on to the next panelist. Thank you.

COMMITTEE COUNSEL: Chair Moya, we have no additional speakers on this panel.

CHAIRPERSON MOYA: Great. Do we have any councilmembers who have any questions for the panel?

COMMITTEE COUNSEL: Chair, I see no members with questions for the panel at this time.

CHAIRPERSON MOYA: Seeing none, let's move on to the next panel.

COMMITTEE COUNSEL: The next panel will include Antoinette Martinez, Tarry Hum, Darius Gordon, and Rob Solano. As they are brought in, I will announce them. The next speaker for this panel Tarry Hum.

TARRY HUM: Hello?

CHAIRPERSON MOYA: Tarry?

TARRY HUM: Am I--

CHAIRPERSON MOYA: Yep. You're on.

TARRY HUM: Okay. Very good. Hi. Thank you. Thank you very much for this opportunity to testify. Oh, you know what? Oh, sorry. Right. Thank you very much for the opportunity to testify today on Industry City's rezoning application. It is somewhat surreal to take time from my work as a faculty member and department chair at the City University of New York College whose students are working class New Yorkers, many of them essential workers, to comment on a special district application for four by a consortium of the world's largest transnational real estate investors and developers. My name is Tarry Hum and my family moved to Sunset Park in 1974. My dad continues to live in our family home. This rezoning application is personal to me because both my parents labored in New York City's industrial sectors and these jobs enabled them to raise four kids and purchase a modest row house in a working class neighborhood. While my parents' lives are not easy, we had a home in Sunset Park and a New York City public education and access to public institutions such as libraries and museums. And that is what launched our socioeconomic mobility. Industry Cities says no one wants to work in the

manufacturing jobs of the 1950s and 1960s. Rather, Industry City claims the rezoning will catalyze an innovation economy based on, as Mr. Kimball described earlier, an eclectic ecosystem comprised of makers in sectors such as media and information, technology, and cultural production. Since Sunset Park continues to be made up of people like my parents, limited English-speaking, hard-working immigrants, my question to the Industry City is where are the maker jobs that will enable working-class New Yorkers to raise a family and purchase a home in neighborhoods such as Sunset Park? Industry City's special--

SERGEANT-AT-ARMS: Time is expired.

TARRY HUM: innovations district and rezoning application-- Is that it?

CHAIRPERSON MOYA: Yep. Thank you.

TARRY HUM: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker on this panel will be Rob Solano.

SERGEANT-AT-ARMS: Time begins.

CHAIRPERSON MOYA: Rob?

ROB SOLANO: Yes. Thank you. My name is Rob Solano. I am the executive director and cofounder of Churches United for Fair Housing. At

St. Michael's in Sunset Park, we have thousands of members that are mostly undocumented and are looking for good paying jobs. A lot of them do not work in Sunset Park now and there is no real clarity if they will have jobs in Sunset Park. I am a person who used to work in labor. I come from the electrical union and it brought me tremendous success. The realities of labor is not necessarily that it's a good job. It's a good job further the member, doesn't mean that the project is a good job. For example, labor has 421 A. It also has the Williamsburg Green Point Rezoning. There are many different types of projects that have come out that have joint labor missions. It doesn't exactly mean that it's good for the neighborhood. In Bridgewood alone, there is a project right now that the apartments for affordable is 3500. They have 32 BJ members. Carpenter union and electrical union members. There are times when labor does align itself for the greater good for jobs, but doesn't necessarily mean the project is better for the neighborhood. And finally end with this. There have been many, many testimonies about crimes in Sunset Park and Williamsburg in these neighborhoods. It



wasn't real estate or developers that improved those neighborhoods. Those people like my mother, Abuelitas, that took care of the neighborhoods and brought it back to health. And that is when the developers returned. When we made it better. My mother right now is struggling with COVID on a ventilator. She was the one with many of our people that took care of our neighborhood and made it better. Let's never forget that it was our people that improved it and then the developers started to come back and started to build progress in our neighborhood. Thank you for your time.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair, the next speaker is Antoinette Martinez.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Antoinette? Do we have Antoinette?

ANTOINETTE MARTINEZ: Hi, everyone. Hi, everyone. My name is Antoinette Martinez. I'm a lifelong resident of Sunset Park. I serve on the land use committee on CB seven here on local community board and I would like to speak directly to Francisco Moya, Stephen Levin. I have lived in

Sunset Park my whole entire life. This is where my grandparents were able to purchase their first home and I know that you have the ability to make a strong stand or a here with the Sunset Park community. We are here. We're very passionate. We spent hours reviewing this application and we know that it is not for this community. We have done the grunt work. I have sat through community board meetings until 2 o'clock in the morning. You know, we have done our homework. We have really put our heart and soul and looking through this and to this application is not for this community and we need for you both in particular test stand with us to say no to Industry City's rezoning application. We saw what happened in Williamsburg. We do not need a crystal ball to have any sort of-- we don't need a crystal ball to predict the future here. We know what is going to happen. We know the gentrification, the displacement that will happen to this community and we need for you to stand with us and to say no. Sunset Park.

CHAIRPERSON MOYA: Thank you very much.

Let's go to the next panelist.

COMMITTEE COUNSEL: If the witness

Darius Gordon can hear me, Darius Gordon, if you can

raise your hand if you can hear me if you are present in this meeting?

SERGEANT-AT-ARMS: Clock is ready.

COMMITTEE COUNSEL: Chair Moya, it appears that that is the full component for this panel and I see that Council member Menchaca has his hand raised for a question.

CHAIRPERSON MOYA: Council member?

COUNCIL MEMBER MENCHACA: Yes. Thank you, Chair. And I want to say thank you tell Robin Antoinette and Jocelyn speaking on behalf of Sunset Park residents. I have a question for Tarry who has done extensive research as an academic, but also someone who is from Sunset Park. Tarry, if you are still on, can you speak to the speculation and is currently impacting industrial businesses and really kind of speak to, even without a rezoning, speculation has already had impact. And if you have data that can support that, would be a great time to talk about it.

TARRY HUM: Thank you, Carlos, this opportunity to talk about some of the research that I've done. I think, in particular, one piece that was published in Metro Politics looked at the real

estate speculative increases in property values and sales that occurred after Industry City made an announcement about the 1 billion dollar investment and seeking a special innovation district rezoning. In that article, I also had the opportunity to talk with small business owners, some who owned their property, and because of all of the hype around the Industry City is special innovation economy and all the hype around the kind of hip and happening place that it was going to become, they couldn't resist selling their property because of the inflated offers that they were getting for their property. So, definitely, looking at the kind of real estate activity that happened after Jamestown properties assumed part ownership and hired Andrew Kimball to promote this innovation economy, the kind of real estate activity, you know, increased greatly. And there is data for that. I don't have it off the top of my head, but it is in one of my published pieces in Metro Politics.

COUNCIL MEMBER MENCHACA: And can you talk a little bit about what the actual changes-- So he said that there's real estate activity. What does that mean?

TARRY HUM: Well, that means that real estate activity, there are a lot of investors who are, you know, purchasing warehouses, who are purchasing industrial properties and, you know, at high cost and then converting them into different uses that command, you know, higher commercial real estate rents. An example is a factory building that is across the street. I think it was 341 39th Street. Across the street from Industry City that was sold a couple of times. And that is a former speculative activity where profits are made just based on the potential for its future use and the building became Sunset yards which is a-- which was renovated to become a Wii work office space. It was a garment factory and there were active, you know, garment tenants that employed, you know, hundreds of workers that were in that building that were viable businesses and they were displaced. They were evicted because of the sale of the factory building.

COUNCIL MEMBER MENCHACA: Tarry, are there any ways to grow good jobs in Sunset Park from your perspective and your analysis?

TARRY HUM: I mean, absolutely. I mean, I think that we heard from a panel of Pratt urban

planners and academics. You know, we heard from Elizabeth Yeampierre and other leaders around a green economy and around the just transition. I think that they are absolutely right that what makes sense in an industrial-- one of the remaining large industrial areas of New York City that there is an opportunity to produce some good high-paying manufacturing jobs in a green economy. You just need to make those investments to do that.

COUNCIL MEMBER MENCHACA: Thank you. Thank you so much. You my time back to the Chair.

CHAIRPERSON MOYA: Thank you, Council member men chalk up. Counsel, and any other members that have questions for the panel?

COMMITTEE COUNSEL: Chair, I see no other member with questions at this time for the panel.

CHAIRPERSON MOYA: Great. Thank you very much to the panelists. Thank you for taking the time out today and joining us. We appreciate your testimony. Thank you. Counsel, I'm just going to ask for a quick pause.

COMMITTEE COUNSEL: Chair, the meeting will stand at ease.

CHAIRPERSON MOYA: Counsel, whenever you are ready, we can begin. We need to unmute you. We need to unmute you, Arthur.

COMMITTEE COUNSEL: Thank you.

CHAIRPERSON MOYA: Yep.

COMMITTEE COUNSEL: The next panel will be Ana Diaz, Kenny Guan, George Cardona, Karen Rolnick. Now, as we bring those witnesses in, I will take a moment to repeat a few technical reminders. For anyone who has registered for this meeting and who yet requires translation services, we remind you to please tune in to one of the live stream channel options on the Council website in order to keep track of where we are in the meeting and to have some notice of the timing of your own testimony. Second reminder, for those waiting to testify, we want to please remind you to be sure that you are using the name-- to make sure that the name that you use to access this zoom meeting is the same name that was used during your registration process. The third reminder is that, for anyone who wishes to submit written testimony instead of appearing before the subcommittee, you may email the testimony to [landusetestimony@Council.NYC.GOV](mailto:landusetestimony@Council.NYC.GOV). And my final

technical reminder, once again, to all participants, is that there is a slight delay in the process of unmuting and to please be sure that your microphone is on when you are recognized to speak. And I will also announce at this time that the panel after this panel will appear with the assistance of a Spanish interpreter. For the benefit of those panelists, that will include Willie Diaz, Danny Gonzales, Oscar Gomez, Solano Rosado, Jose Collado, and Pablo Felipe Tapia. And with that, our current sitting panel should be ready. The first speaker will be George Cardona.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: George? George, can you hear us? Do we have George? Jorge Cardona?  
[speaking Spanish]

COMMITTEE COUNSEL: I do see Mr. Cardona. He is with us and we are just waiting for him to be unmuted.

GEORGE CARDONA: Hello.

CHAIRPERSON MOYA: Yep. We can hear you.

SERGEANT-AT-ARMS: We can hear you. You can begin.



GEORGE CARDONA: Okay. So, really quickly. A lot of the stuff that is being said, there valiant points on both sides, but we keep going in circles. We keep talking about the same stuff for months and months and months and nothing ever happens. You know, I have a small business here in Sunset Park and Industry CD is a nice destination place to go and I've actually gotten business from small businesses there where I to their tax returns and so forth and it helps. The other thing is that I'm a little offended when people from Sunset Park want to make people from Sunset Park sound like losers. There's a lot of smart, educated people here that can work in Industry City and move forward. And just like with any job, there are people that are going to go forward and there are people that are going to fall behind. Just like when I started in business, entry level, I made minimum wage and I worked my way up and a lot of people did. A lot of people fell behind. It's up to the individual as to how hungry they are and they can do things. So, when people say, oh, pity, pity, poor people in Sunset Park, they are not equipped to do things, they can do things. My mom met six years old went and got her

college degree and got her masters. You know, she didn't set back. And then, there's a lot of people that come to this country from South America, Peru, Nicaragua, El Salvador. They follow the American dream and open up their own businesses and are successful. Then there are others that wine and don't do anything for themselves. And, you know, I do feel bad, but I'm not going to feel sorry for somebody to send go forward. Again, I think Industry City has a lot of potential for small businesses in the area. I've seen it. It's a nice destination place to go to and it's good. I think it is good for the community and to go forward. Are there going to be people that fall behind? Absolutely. Just like when you play baseball. There's a first-place team, there is a last-place team. It depends on what you want to do with yourself. You know, so, here some people act like whiners from Sunset Park, shame on you. There is a lot of potential. There's a lot of smart people here. Is a lot of people that have come from other countries that never knew English, learn the language, and have moved forward and owned properties and have gone forward. Then, sad to say, there are a small percentage that don't--

SERGEANT-AT-ARMS: Time is expired.

GEORGE CARDONA: do anything for themselves and they want us to feel sorry. I don't feel sorry for them. That's my point and I like to move forward. And I think there's a lot of smart people on both sides that I have respect for and I think that's important because--

CHAIRPERSON MOYA: Thank you.

GEORGE CARDONA: there's smart people on both sides.

SERGEANT-AT-ARMS: Time is expired.

GEORGE CARDONA: You can't have everything all one sided.

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON MOYA: Thank you very much, George. Thank you for your testimony.

GEORGE CARDONA: Okay.

COMMITTEE COUNSEL: The next witness is Karen Rolnick.

CHAIRPERSON MOYA: Karen?

SERGEANT-AT-ARMS: Clock's ready.

KAREN ROLNICK: Can you hear me?

CHAIRPERSON MOYA: You may begin, Karen.

KAREN ROLNICK: Until Industry City opened, the businesses in my area, Greenwood Heights, which is right next to Industry City, were mostly car washes, auto parts store, and an occasional bodega. The seven blocks of Industry City had been abandoned and decrepit for decades. I and many of my neighbors support Industry City. It has been a huge improvement to our neighborhood providing good jobs and a lovely place for people to gather. Having said that, there are a few things that are of great concern to me about this variance, especially traffic. Our neighborhood is extremely congested already. There been several cycling and pedestrian deaths on Third Avenue recently. In addition to Industry City, there are several schools in the area and a popular park, causing many pedestrians to cross Third Avenue. And there are several projected as of right projects in the area that will further exasperate traffic. According to the Environmental Impact Statement, Industry City will increase traffic across all uses, however, the increase with destination retail is astronomical and food store is not far behind. For these reasons, I strongly request the destination big-box retail or large

grocery stores not be allowed. Also, I believe that light manufacturing is better for our community than heavy manufacturing and I strongly support academic uses. So far as displacement, that is a citywide scorch that we all as a city need to address.

Industry City did not cause the problem and it can't cure it and I don't think it should be held responsible for it. So, thank you for hearing me. We are all exhausted. Thank you for hearing me.

CHAIRPERSON MOYA: Thank you, Karen. Thank you for your patience. We appreciate you hanging in there and giving your testimony today. Thank you.

COMMITTEE COUNSEL: Will the remainder of this panel, Ana Diaz, Kenny Guan, if you can hear me, we ask that you please use the zoon function to raise your hand at this time. The next witness will be Ana Diaz.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Ana? Ana? Are you there?

UNIDENTIFIED: Hi. Hi.

CHAIRPERSON MOYA: Do we have Ana Diaz?

ANA DIAZ: Yes. Can you hear me or see you?

CHAIRPERSON MOYA: Yep. We can't see you, but we can hear you.

ANA DIAZ: Okay. Let me start my video.

CHAIRPERSON MOYA: Sure.

ANA DIAZ: Okay. Great. Terrific. All right. Good afternoon. Good afternoon. My name is Ana Diaz. I am the owner of Diaz electric. I have lived in Sunset Park for over 20 years and, as a longtime resident and now as a business owner furry ears, I have seen the community thrive with a healthy economy. Diaz Electric is a minority owned women business. It's also known as an MWBE firm. We are in support of the rezoning for Industry City. The rezoning would allow MWBE companies to continue to stay open and expand their businesses. A reconstruction of this area would allow for us to continue to hire from within the community. We would be able to train more local residents for a career, not just a job. There are approximately 2.2 million small businesses in the New York City area and approximately up small percentage are black and brown owned. During the pandemic, 41 percent of the MWBE companies have closed nationwide as opposed to the 17 percent of the non-black or brown companies. We must

keep in mind Industry City has been a presents to the community. They have worked with local MWBE contractors such as Diaz Electric and NW Electric Supply, [inaudible 07:48:49] Construction, and many other companies there which, just to name a few. Industry City has continually demonstrated support to companies from either awarding projects or allowing them to use resources that they needed for administrative business growth. The city comptroller's office, Scott Stringer, has reported that 85 percent of the MWBE firms in New York City will not survive--

SERGEANT-AT-ARMS: Time is expired.

ANA DIAZ: within the next six months.

I urge, not out of fear, but out of preplanning, pass the rezoning to the community. Pass the rezoning so the community has worked to look forward to. With work, there is growth. With work, there is hope. With proper planning, there is success. In Industry City has a proven track record.

CHAIRPERSON MOYA: Thank you, Ana. Thank you so much.

ANA DIAZ: Thank you. Also met the rest of it, but thank you very much for hearing me.

CHAIRPERSON MOYA: Thank you. Thank you for your testimony.

COMMITTEE COUNSEL: Chair, the next witness on this panel will be Kenny Guan.

SERGEANT-AT-ARMS: Time begins.

KENNY GUAN: Hi. You hear me?

CHAIRPERSON MOYA: We can hear you, Kenny.

KENNY GUAN: Hey, how are you to the Chair? How are you everybody?

CHAIRPERSON MOYA: Good. Thank you.

KENNY GUAN: Good afternoon. Good evening. Yeah. My name is Kenny Guan. I support the Industrial City rezoning. And I've been living in Sunset Park for 32 years and I am a small business owner and I am also a member of community Board seven for 12 years. And I raise my two kids in Sunset Park and we love Sunset Park and also Eighth Avenue, Chinatown, Brooklyn are a lot of small businesses. They love this kind of idea and plan for improvement to create jobs. And yeah. Because right now our city, our country, our community, we need job creations. During the COVID-19 pandemic, I damaged a lot of jobs and small business. So, I believe that this will create a lot of jobs and is helping the



communities. And now, during the pandemic and affecting small business owner and also a big company, everybody has been like slowing down all the business, but right now, with this kind of idea to the private owned invest money, to-- like over 400 million, this kind of investment is huge. It's a big deal. So, I believe that this kind of deal, we should not turn it down. We've got to think about how to support this kind of private owned investment. Also, seven years ago when Industrial City, then coming in Sunset Park, this past seven years, they've built a lot of good things in the community and also the buildings, it's all good stuff and we have seen that and--

SERGEANT-AT-ARMS: Time is expired.

KENNY GUAN: Thank you.

CHAIRPERSON MOYA: Thank you, Kenny. Thank you for your testimony.

COMMITTEE COUNSEL: Chair Moya, there are no further witnesses on this panel.

CHAIRPERSON MOYA: Great. Any questions from the Council members?

COMMITTEE COUNSEL: And at this time, I see no questions for the panel.

CHAIRPERSON MOYA: Okay. I want to thank the panelists for coming on. Thank you again for your patience. We really appreciate it and thank you for joining us today. Counsel, if you can please call the next panel.

COMMITTEE COUNSEL: The next panel will be expected to testify with the assistance of a Spanish interpreter. We do have a Spanish interpreter standing by to assist with the panel. The witnesses will include Willie Baez, Danny Gonzales, Oscar Gomez, Solano Rosado, José Collado, and Pablo Felipe Tapia. Before we go through these witnesses in turn, when the interpreter is available, we would ask the interpreter if you would please make a general announcement for the benefit of all those listening that if anyone else needs the assistance of the Spanish interpreter, please ask them to use the zoom raise hand function and raise the and now. We would like to have our Spanish interpreter-- before we go through the witnesses, we would like to have our Spanish interpreter may, again, general announcement to anyone else who is listening that, if they too need the assistance of a Spanish

interpreter, we ask that they please raise their hand using the zoom function at this time.

INTERPRETER: Do you hear me? I'm interpreter. Yes. But I can't start the video because I need your approval. Yeah.

COMMITTEE COUNSEL: Okay. Yeah. We will have someone handle--

INTERPRETER: Yes. Could you do it again, please? Okay.

COMMITTEE COUNSEL: And now, I would ask you to just make a quick general announcement to anyone listening who needs the assistance of a Spanish interpreter to use the zoom raise hand function now and we will work to include them if there is anyone else, while we have you.

INTERPRETER: [speaking Spanish]

COMMITTEE COUNSEL: Thank you. We will now ask you to make a general announcement to this witness panel that you will be interpreting for them as they go along through their statement and that they will have a total time limit of four minutes and 15 seconds.

INTERPRETER: [speaking Spanish]

COMMITTEE COUNSEL: Thank you. And as before, I will announce the names of each witness and then the Chair will recognize that witness and then we would ask you to communicate to that witness that they may begin. The first speaker is Willie Baez.

CHAIRPERSON MOYA: Willie?

SERGEANT-AT-ARMS: Clock ready.

CHAIRPERSON MOYA: Willie, before anything, you've got to unmute, Willie. Willie? Willie, [speaking Spanish].

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: My name is William Baez

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: My name is William Baez and I live in the area of Bay Ridge.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: I was living for 22 years in the area of Sunset Park.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: I'm a member of the union 32 BJ.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: Okay. Okay. Okay. Right now, the work conditions at [inaudible 07:58:07]

where I work, because of the pandemic, we are not very sure--

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: We work in freight elevators.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: and we run the risk of being infected with the COVID because when people come to make the deliveries, they refused to use a mask.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: I've been working for 32 years for the [inaudible 07:59:04] company.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: My salary job is 19.77 per hour.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: I think what the salary I'm making now is not enough for a living and to sustain my family.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: We want to fight for a new kind of contract which is a fair contract with more benefits for us.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And we want them--

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And we want that union, BJ 32, good contract, better contract, as they promised.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: They promised us to get a better contract.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And so far, we have not resolved that.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And we don't agree with the rezoning because--

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: will, the rezoning will affect the community in Sunset Park, working and poor people.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And on the new employments that they would like to create or that they say they will create will not be favorable for us, Hispanics.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: And it will be a very bad impact for the fennec community in Sunset Park.

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: It will be--

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: There will be owners of stores that will benefit from this, but--

WILLIE BAEZ: [speaking Spanish]

INTERPRETER: from and then where would be asked? The Hispanic community?

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON MOYA: Gracias, Willie.

COMMITTEE COUNSEL: The next speaker will be Danny Gonzalez. Danny Gonzalez.

CHAIRPERSON MOYA: Danny?

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Danny, are you ready?

DANNY GONZALEZ: Ready.

CHAIRPERSON MOYA: Go ahead, Danny.

DANNY GONZALEZ: Okay.

CHAIRPERSON MOYA: [speaking Spanish]

DANNY GONZALEZ: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish] Hold on, Danny. Sergeant, can we just set the clock back? Yep. Thank you so much. [speaking Spanish]

DANNY GONZALEZ: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: My name is Danny Gonzalez. I live in the area of Sunset Park for about 11 years.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: I work in an employee of Industry City.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: For about nine years.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: March 16th, 2020.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: At that date, Industry City informed us in a meeting that we would be out of work until June.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And they sent us a letter explaining that.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: In the nine years I work for them, I was never absent. I was meeting every time, every minute in the company.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And this is--

DANNY GONZALEZ: [speaking Spanish]



INTERPRETER: And this is a company that says that will bring good jobs for the community in Sunset Park.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And because-- And me, work for nine years law related to the company, I was laid out March 16th because of the pandemic.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And how me, who works loyally for the company for nine years, I'm going to believe what they say now? I was laid off.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And in their website, they have a page or they're asking for people to work for them and me and another 10 set of workers--

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And me and the other 10 workers, we belong to the BJ 32.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And we work--

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And we were fired by the company.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: How the community in Sunset Park would believe Industry City, if they lie to us? Me and my 10 fellow workers?

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: And in these nine years, is making 15 dollars an hour.

DANNY GONZALEZ: [speaking Spanish]

INTERPRETER: we, the people of Sunset Park, we expect, we hope that Industry City will take us back.

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON MOYA: Gracias, Danny.

COMMITTEE COUNSEL: Chair, the next speaker is Oscar Gomez. Oscar Gomez.

CHAIRPERSON MOYA: [speaking Spanish]  
Oscar?

OSCAR GOMEZ: Okay. My name is Oscar Gomez and I'm only getting paid 15 dollars an hour and I need to know why because I know people that work last time then me and they make more money than me. And I'm going almost-- you could say 20 years. And I don't think that's right. And the pay that they promised us, they said, but they didn't do anything.

So, that's my condition. I would like to know why and what can be done. That's what I think.

CHAIRPERSON MOYA: Thank you, Oscar. Thank you for your testimony.

OSCAR GOMEZ: You're welcome.

COMMITTEE COUNSEL: The next speaker for this panel will be José Collado. Jose Collado.

CHAIRPERSON MOYA: Jose? Whenever you're ready, José.

SERGEANT-AT-ARMS: Go ahead.

CHAIRPERSON MOYA: You can start, José.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: My name is Jose Collado.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: I live in Sunset Park,  
Brooklyn.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: For 17 years now.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: I work for Cirrus industries.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: I've been working in the company for 15 years now.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: and now I am making 15 dollars they hour because the government says that we should be paid 15 dollars an hour.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: For fighting to see if we can get a better contract--

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: because here in Sunset Park, the cost of life is high.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: Then it is man a year now that the union has been offered a contract, but it still doesn't have a contract.

JOSÉ COLLADO: [speaking Spanish]

INTERPRETER: That's all what I have to say.

CHAIRPERSON MOYA: [speaking Spanish]

COMMITTEE COUNSEL: The next speaker will be Rodrigo Camarena. Rodrigo Camarena.

CHAIRPERSON MOYA: Rodrigo?

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

RODRIGO CAMARENA: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: [speaking Spanish] My name is Rodrigo Camarena. I live in Sunset Park. I am here to oppose the rezoning.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: This neighborhood is a working class neighborhood.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: Immigrants.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: And families that have been displaced by the city and by the pandemic.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: The proposal of service industry will displace the families that are here and suffering because of the pandemic.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: It's unfair that, in this moment, when the community is suffering so much, they tried to accelerate this process of rezoning.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: And it's unfair that Council members that don't live in Sunset Park that they know

nothing about what is going on in the area make proposals.

RODRIGO CAMARENA: [speaking Spanish]

INTERPRETER: I joined my neighbors and on the community and propose a in the rezoning because this rezoning is recessed in income is against the grain of everything.

RODRIGO CAMARENA: [speaking Spanish] Stop Industry City, stop Sunset Park, stop racist rezonings. [speaking Spanish]

COMMITTEE COUNSEL: Chair, the next speaker will be Solano Rosado.

CHAIRPERSON MOYA: Thank you.

SERGEANT-AT-ARMS: [speaking Spanish]

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: Good afternoon.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: I represent my friend, Solano. My name is Julio Vallalares [sp?].

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: In my case, I represent people been working for Industrial City for 15 and 16 years.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: I never, in all the time I've working for them, at Industrial City was able to give us their conditions to work.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: And we think that we deserve a better salary.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: We never had it.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: If the city has not obtained the basis for 15-- the minimum for 15 dollars an hour, me and my workers would just be making 12 dollars the hour.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: This has motivated us and was a big incentive to belong to the union BJ 32.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: Because we wanted them to help us to get, not only a better salary, but also better conditions of working. A good health plan.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: What is strange is that they are being cheating us.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: Because both--

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: Because both parties, Cirrus companies and the union, BJ 32, has been [inaudible - 8:18:22] the contract.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: And then we were told that they don't have the economic conditions to provide that--

SERGEANT-AT-ARMS: Time is expired.

SOLANO ROSADO: [speaking Spanish]

INTERPRETER: Because for that reason, I think the rezoning is not such a big thing. It's only [inaudible 08:19:09]

CHAIRPERSON MOYA: [speaking Spanish]

COMMITTEE COUNSEL: The next speaker on this panel, Chair Moya, is Pablo Felipe Tapia.

CHAIRPERSON MOYA: Pablo?

SERGEANT-AT-ARMS: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

PABLO FELIPE TAPIA: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

PABLO FELIPE TAPIA: [speaking Spanish]



INTERPRETER: My name is Pablo Fel--

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: My name is Pablo Felipe

Tapia. I live in Sunset Park and I've been working for Industry City for 19 years.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Okay. Okay. Whoa. What we earn is ridiculous. I cannot make ends and I have to work extra hours and work a lot to be able to go with my family on weekends.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: We want to have a better salary.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Okay. Okay. Okay. We made the mistake of change unions. We left a good union and we went to union BJ 32 and we don't see anything from them.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: For us--

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: For us, the new situation of the rezoning is not acceptable because of all the

promises that they made and for nothing. They don't fulfill their promises.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: I--

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: I'm not making guilty of the company itself, but maybe it is some executives that represent us that they don't know how to express themselves.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Our salaries very low and, thanks to the city, they increased the basic hour to 15 dollars and we were able to do something, but still it's insufficient.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: And we would like a union that works well with the company because, in our situation now, we don't have a contract and we don't have any benefits.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: So, therefore, I'm very thankful to you to allow us to be heard because we need help.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: I am against the rezoning.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Because--

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Because they have not come to benefit the poor people, the working people.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: And only they will benefit those who already have money.

PABLO FELIPE TAPIA: [speaking Spanish]

INTERPRETER: Thank you very much. Good afternoon.

CHAIRPERSON MOYA: [speaking Spanish]

COMMITTEE COUNSEL: Chair, the next speaker on this panel is Jorge Muniz Reyes.

CHAIRPERSON MOYA: Jorge? You're muted.

JORGE MUNIZ: Hello. Can you hear me?

CHAIRPERSON MOYA: I can hear you, Jorge.

JORGE MUNIZ: [speaking Spanish]

CHAIRPERSON MOYA: [speaking Spanish]

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: My name is Jorge Muniz. I'm a Mexican born in Brooklyn.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And I have a very simple message for you.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: We want you to make a job.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER:

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And for you to allow the people to go on the coast, people like my parents who work with their hands.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: It's an area with all the recycling for the city. Metals, glass, everything, is done in this area for the city of New York.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And--

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And it's an obligation for a big city Council to put rules and for all the work that is done on the coast.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: But instead of that, you talking about a very small plan.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And at the core of this project is the wealth and the benefit of a very small number of very wealthy companies.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And--

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And we wondered if the Council would make a public plan for us in order for us to work with their hands instead of giving all the plans for these wealthy companies.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And, as we heard today, we have a lot of workers that have been fired, laid out during this pandemic in their suffering.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: even though workers for the US Postal Service are being fired.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: So, if the federal government cannot negotiate these kind of things, how are we who are simply immigrants, can we deal with it?

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: So, our message is very simple message. We have repeated it for thousand

times, a lot of times. It's very simple. Vote no to Industry City.

JORGE MUNIZ: [speaking Spanish]

INTERPRETER: And we want to not private deals. We want public jobs for everybody here.

JORGE MUNIZ: [speaking Spanish]

CHAIRPERSON MOYA: Thank you. Thank you. Can you mute the-- There we go.

COMMITTEE COUNSEL: Chair Moya, the next speaker on this panel will be Jorge Lima Rodriguez.

CHAIRPERSON MOYA: Jorge? Jorge?

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: My name is Jorge. I live in Sunset Park. I was raised in this neighborhood in my family is raised here too.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: work in a law firm that gives free counsel and advice to the immigrants. The immigrants that also live and work here.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: I'm here just to say to you to vote no to the rezoning in favor of Cirrus industries.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: Cirrus industry says that its plan is good for the community.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: But we don't believe it. We don't believe them.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: Cirrus industry says that the rezoning will create 20,000 new jobs, but that's a lie. That's not true. We know that it will only create 7000 new jobs.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: And also we know that new jobs that Cirrus industry will create from the rezoning will be only in the service area. So, yeah.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: But we need specific jobs for the working people that are immigrants.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: And Cirrus industry's plan also confirms that rents will go up and that we will displace all the working people who live here.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: The pandemic, the COVID-19 pandemic, have been terrible for our community. A lot of people lost their jobs and aren't-- yeah.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: And we don't understand why we're talking about a plan whose effects will be much worse.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: We don't want that people from outside our community to come to our community and tell us what to do.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: You have to follow what our advice because we are inside the community and take our plan for the waterfront.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: I support the plan for climate changing.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: We ask you to vote no. You have to listen to our voices.

JORGE LIMA RODRIGUEZ: [speaking Spanish]

INTERPRETER: And we ask you to prepare our neighborhood for a future that we like and want.



JORGE LIMA RODRIGUEZ: Sunset Park.

CHAIRPERSON MOYA: Thank you very much.

COMMITTEE COUNSEL: Chair Moya, that concludes the panelists that we have for this panel.

CHAIRPERSON MOYA: Great. Thank you. Do we have any members? I know that Council member Menchaca has some questions.

COMMITTEE COUNSEL: Council member Menchaca is the only one I see with question.

CHAIRPERSON MOYA: Great. Council member Menchaca?

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: Okay, Willie. Okay. I asked if they had confidence in Industry City that they were going to do right by the workers. They said no. They said, really, as they were going

to do it, they would bring the right wages and, Chair, and all the councilmembers that are listening, these are the workers that I've been connected to. 32 BJ and I have been working with them to really bring representation. They're asking for that now. They don't like what they've seen so far in the contract. [Speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: So, I asked about a contract and whether or not they were presented with a contract. It sounds like there was a contract that they don't like. Because of time, we can go back and talk a little bit about that contract later. We're going to be meeting with 32 BJ. Willie [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish] So, I'm trying to find out who can talk about the demolition and the conditions. This is something that the Council has been working on for a long time to make sure workers are safe and we're hearing now that workers-- the demolition crews that Industry City was talking about, because they've only hired 80 people in their whole staff, this is part of their staff, have been put into really terrible conditions without protections. [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

SERGEANT-AT-ARMS: Time is expired.

COUNCIL MEMBER MENCHACA: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

COUNCIL MEMBER MENCHACA: [speaking Spanish] He said that he didn't even have masks. They had to fight for even masks. So, I would like to ask the committee to do more work on even understanding that after the hearing just so we can bring in our full testimony. [Speaking Spanish]

WILLIE BAEZ: [speaking Spanish]

CHAIRPERSON MOYA: Thank you, Council member. Counsel, any other questions?

COMMITTEE COUNSEL: Yes. Chair Moya, we have one additional witness for this panel. The next speaker will be Maria Roca.

CHAIRPERSON MOYA: Maria?

MARIA ROCA: Can you hear me now?

CHAIRPERSON MOYA: We can hear you.

MARIA ROCA: Can you see me?

CHAIRPERSON MOYA: We can see you.

MARIA ROCA: I am Maria Roca in Sunset Park since 1964 and, as founder of Friends of Sunset Park since 1995, I oppose the following observations/questions. None of the intentions

advanced by Industry city on jobs, none, have been verifiable. None. As the numbers about jobs lost, where are the numbers? Not only what if they created, but what has been lost as a result of economic displacement? Next, the hotels. Promise to and requested to be removed from the proposal repeatedly from community board meetings in any form, way, and shape that you can remember. They are still on the proposal. It's unbelievable. The willingness to ignore the community. Not only the community, but officials of the city of New York. The Council person, the borough president. What does it tell you about that today on the 11.5 hour, we are still discussing Johnson hotels in this proposal? What does that tell you? It should tell you, you mean name the Council, who are the next forms to vote, that Industry City cannot be trusted to provide evidence and don't follow up on their promises. Chest is on the line in, if we have nothing left in this world, it's trust. Most of you are going to be leaving the Counsel in your vote, the consequences, the results of your vote are going to fall on someone else's shoulders. So, please go home and think and

think hard. Trust is the issue here. Right here, right now. What you vote tonight--

SERGEANT-AT-ARMS: Time is expired.

MARIA ROCA: will follow you in all of your political careers. People will not forget. Fool me once, shame on you.

CHAIRPERSON MOYA: Thank you, Maria.

MARIA ROCA: Fool me twice--

CHAIRPERSON MOYA: Thank you for your testimony today. I really appreciate it. Just a point of clarification. Earlier on, they were very clear when we asked to the developer about the hotel and it was clear that they are not doing the hotel. So, I just want to make sure that we-- you might've missed that during the earlier part of the testimony, but just want to point that out for clarification. Thank you, Maria. Counsel, any other questions from the committee members?

COMMITTEE COUNSEL: I see no further questions from members for this panel and we have no further witnesses for this panel.

CHAIRPERSON MOYA: Great. Thank you. If you can call the next panel.

COMMITTEE COUNSEL: The next panel will be Elena Schwolsky, Rob Santos, John Santore, Leslie Kagan. They will be followed in the next panel by Terrell Haas, Jennifer Dundas, Justin Pacone, Joe Landolina, and Jack Keum. The first witness on this panel will be Rob Santos.

CHAIRPERSON MOYA: Rob, whenever you're ready.

SERGEANT-AT-ARMS: Starting time.

ROB SANTOS: Hello. Can everyone hear me?

CHAIRPERSON MOYA: Yep. We can hear you, Rob. Whenever you're ready.

ROB SANTOS: All right. Thank you. One question is where is the racial impact study? Has that been done in this? Every elected official cover in sunset Park opposes this rezoning. Carlos Menchaca, US Congresswoman Nydia Velasquez, incoming state Assembly member Marcela Mitaynes, and incoming state Senator Jabari Brisport. Why are the wishes of the community and me officials that were elected to represent them being ignored? This rezoning proposal results from a profound failure of New York City's industrial policy. Because the city has ignored the needs of industrial areas, allowing no industrial

uses and divesting in critical infrastructure, the doors been left wide open for private property owners to flip industrial properties for profit. Look at Chelsea market as an example. Our industrial areas are not encouraged for industrial uses, which is why we see consistent conversion into the office of vent, food, and beverage uses, like at IC. Using of as of right development, yes, Industry City's current rezoning allows unlimited office and small-scale retail. But these have limited impact on job growth. Office demand is at an all-time low. Retail only goes so far. The proposed rezoning supercharges this threat and enable a high-end destination retail mall on Sunset Park waterfront. This is not possible today and will foreclose on all the possible option for our waterfront in the future. This rezoning is a threat to working class communities in Sunset Park and across New York City. If approved, it will send a clear message citywide that New York City government values the profits of developers more than the needs and wishes and plans of the community. Council members, ask yourselves what if this was your district and your constituents and other elected officials who were being ignored? This is not



Brooklyn Navy Yard which was mostly publicly owned. Industry City has plenty of access to capital and space remaining to develop without a rezoning. Their development efforts would be slower, but not stopped. Industry City does not need a rezoning to lease more space to businesses or, as they claim--

SERGEANT-AT-ARMS: Time expired.

ROB SANTOS: to create jobs. Thank you for your time.

CHAIRPERSON MOYA: Thank you, Rob. Thank you for your testimony today.

COMMITTEE COUNSEL: Chair, the next speaker is John Santore.

CHAIRPERSON MOYA: John, whenever you're ready.

JOHN SANTORE: Okay.

SERGEANT-AT-ARMS: Starting time.

JOHN SANTORE: Can you hear me now?

CHAIRPERSON MOYA: We can hear you, John.

JOHN SANTORE: Thank you, sir. Chair Moya, just out of curiosity, did anybody so far today talk about Industry City's proposal to Amazon in 2017 for their second headquarters? Amazon's second headquarters?

CHAIRPERSON MOYA: No. But I did ask the question of what they would with the-- if they were just doing their as-of-right, what would be able to go in there. That was the series of questions which I asked.

JOHN SANTORE: Okay.

CHAIRPERSON MOYA: But you may begin.

JOHN SANTORE: Just briefly I bring it up because in September of 2017, Industry City responded to EDC's RFP for Amazon's second headquarters and specifically in their proposal, they offered Amazon 4 million square feet of commercial office space. And that proposal was predicated on a rezoning. So, it is very clear. Mr. Kimball signed the cover letter. I emailed it to your office in a memo that I sent you so that you have a copy of the proposal. The Amazon proposal has never been justified or explained by Mr. Kimball or anyone Industry City. It directly contradicts everything that Industry Cities says that it wants to do in the future post-rezoning. And it's the existence of documents like that that led to a tremendous lack of trust on behalf of the community and a belief that Industry City would try to maximize revenue and that

this rezoning was really about maximizing revenue. Even though whatever they had said they had been doing man intended to do, they were really going to maximize revenue. That led to an attempted CBA negotiation. That could lead to the city Council now attempting to negotiate with Industry City. My overall thought is that the more public involvement these negotiations involve, you're really getting to what they should be which is the public should help define what the waterfront becomes. This shouldn't be a situation where the conversation begins and ends with the economic and fiscal profit margins of the giant developer which, by the way, the people who own Industry City have never actually--

SERGEANT-AT-ARMS: Time expired.

JOHN SANTORE: So, I ask the Council to support public control in this rezoning fight. Not something that begins with Industry City itself.

CHAIRPERSON MOYA: Thank you, John. Thank you for your testimony today. Thank you.

COMMITTEE COUNSEL: At this time, I would ask to those listening if Elena Schwolsky and Leslie Kagan-- if either Elena Schwolsky or Leslie Kagan can hear me, to please raise your hand so you

may be brought into the hearing. One moment while we confirm the witness.

ELENA SCHWOLSKY: Can you hear me? This is Elena.

COMMITTEE COUNSEL: Elena Schwolsky.  
Thank you.

CHAIRPERSON MOYA: Okay, Elena. Whenever you're ready.

ELENA SCHWOLSKY: Oh, I've been waiting--

SERGEANT-AT-ARMS: Starting time.

ELENA SCHWOLSKY: a long time. I'm ready.

CHAIRPERSON MOYA: Thank you for your patience, Elena.

ELENA SCHWOLSKY: My name is Elena Schwolsky. I'm a longtime resident and homeowner in Sunset Park. I am here today to support my community and strongly urge that the city Council respect our boys and those that we have elected to represent us and vote against the Industry City rezoning proposal. I'd like to use my time to say a few words about the community benefits agreement process which seems to have been seized upon belatedly by Andrew Campbell as a possible way to seal this deal. We need to pay attention to experience. Previous community benefit

agreement efforts at Atlantic Yards, West Harlem, and Yankee Stadium have not delivered on promised benefits and have proved impossible to monitor and enforce. And, in fact, you can Google this because that's how I found it. The New York Bar Association produced a 50 page report that noted the following points as flaws in this process in New York City. There are no safeguards in place other than those the groups impose upon themselves. There is no mechanism for ensuring that those who claim to speak for the community actually do so. There is no guaranteed forum through which the community can express its abuse about the substance of the CBA or the wisdom of entering into a CBA, and there are no formal means by which the community can hold ghost is accountable for the success or failure of the CBA. So, when we talk about a CBA as somehow being the saving factor in this process, it is important to remember that there is no way to legally enforce the CBA except by taking the developer to court. And given that Industry City developers are billionaires with unlimited resources at their disposal in Sunset Park is a working class community struggling to stay alive, we can only imagine--

SERGEANT-AT-ARMS: Time expired.

ELENA SCHWOLSKY: Thank you for your time.

CHAIRPERSON MOYA: Thank you, Elena.

Thank you.

COMMITTEE COUNSEL: Chair Moya, it appears that we do not have Leslie Kagan who would've been the last speaker on this panel, thus, that concludes this panel.

CHAIRPERSON MOYA: Thank you. Do we have any Council members who have any questions for this panel?

COMMITTEE COUNSEL: I see no members with question for the panel at this time.

CHAIRPERSON MOYA: Okay. Thank you very much to the panelists who came here to testify. Now will you will move on to the next panel.

COMMITTEE COUNSEL: The next panel will include Daryl Hall, Jennifer Dundas, Justin Pascone, Joe Mandolina, and Jack Keum, K E U M. That panel will be followed by Margaret Murphy, Jackie painter, Joseph Lara, and David Fibert. The first speaker on this panel, Jennifer Dundas.

JENNIFER DUNDAS: Hi. Thank you very much.

CHAIRPERSON MOYA: Hi. How are you?

JENNIFER DUNDAS: Can you hear me?

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: We can hear you.

JENNIFER DUNDAS: Thank you. Hi. My name is Jennifer Dundas. I'm testifying because I want the community to know how IC has benefited my small business and, in turn, has benefited my employees. I founded Blue Marble Ice Cream in 2007. In 2010, we launched our wholesale division. We were in need of a production space and oh warehouse. We moved to Industry City in the fall of 2011, prior to the Jamestown partnership. In fact, we were the first post redevelopment tenants on the ground floor of building two 136 Street, now known as the food hall. At the time, it was a massive vacant warehouse surrounded by decade structures and no amenities and site, which suited me just fine. We needed no-frills. I have learned a great deal in my last 13 years in business. I have seen many, many, many small food businesses like mine fail. We need several things to survive. Proximity to our customer base, access to reliable labor, a network of service vendors to help fix things when they break, a space

to work out of, loading docks, and manageable rents. If we don't have these things, we cannot exist. IC is the only remaining place in New York City that provides these necessities to small businesses like myself. I started the business in response to irresponsible sourcing practices that dominated the ice cream industry. Artificial ingredients, low wages for farmworkers, sugarcane burning that made low income communities sick, corn syrup responsible for degrading agriculture and increasing serious illnesses across the world, cocoa and fruit sourced from companies with exploitative labor practices, to name a few. A product as ubiquitous as ice cream can stop its support of cheap, unethical, and destructive sourcing that hurts low income communities across the globe. Brooklyn was the place that made this possible for my company. I surely believe we could not have sustained our business in New York City if not for our residents at Industry City. We are considered light manufacturers. We are a small business. We are good for the economy. Since 2011, we have employed over 250 people. The kinds of jobs we create and light manufacturing--

SERGEANT-AT-ARMS: Time expired.



JENNIFER DUNDAS: and as specialty retail cannot be replicated by machine or placed by AI. Our workers make a living wage, making between 25 and 30 dollars an hour. We have numerous supplemental educational opportunities for employees and a track of upward mobility. The other two people running the company with me began as hourly employees nine years ago--

CHAIRPERSON MOYA: Thank you. Thank you, Jennifer. We appreciate it very much. You can still submit your testimony. Thank you.

COMMITTEE COUNSEL: Chair, I will now ask if any of the remaining witnesses in this panel can hear me, to please raise their hands. That includes Darrell Halls, Justin Pascone, Joe Landolina, Jack Keum, K E U M. Darrell Halls, Justin Pascone, Joe Landolina, Jack Keum. If you can hear me, please raise your hand at this time and I see that Council member Menchaca has his hand raised for a question for this panel.

SERGEANT-AT-ARMS: Starting time.

COUNCIL MEMBER MENCHACA: Thank you. Jennifer, thank for your testimony and I would like to read the rest of it. I'm really kind of curious

about the proposal and really thinking about how you feel about large-scale retail and whether or not that is helpful for your business, particularly because of friends going up as a business and whether or not your rent has increased over time at Industry cut city.

JENNIFER DUNDAS: Hi. Can you see and hear me?

COUNCIL MEMBER MENCHACA: I can hear you, so just keep going.

JENNIFER DUNDAS: Okay. Thank you. My rent is reasonable at Industry City. My rent has been reasonable Industry City. A lot of different leases over the years in Brooklyn and, by far, Industry City has been the most reasonable landlord that I've worked with. You know, I don't know the motive for that, but that is my experience and I have to testify to that. One of my biggest--

COUNCIL MEMBER MENCHACA: How long was your--

JENNIFER DUNDAS: One of my biggest problems in my other locations has always been rents that are too high and I have not had that problem Industry City.

COUNCIL MEMBER MENCHACA: How long is your lease?

JENNIFER DUNDAS: Well, when I started, it was seven years that I've worked cooperatively with them to extend it several times. And, at this time, I believe I have another-- oh, gosh. I want to say run another eight years and I started there in 2011. So, it's a pretty long-term commitment on both sides.

COUNCIL MEMBER MENCHACA: Okay. Great. Thank you for that. And really, the kind of first part about the kind of large retail big-box retail and whether or not that would be conducive to your business at Industry City? How do you feel about that?

JENNIFER DUNDAS: I think the bottom line is I don't know, but what I can say intuitively as a small business owner is that the more population that is they are visiting, the more exposure all the small businesses are getting in, you know, would I be thrilled if a Häagen-Dazs or a Ben & Jerry's superstore opened to compete with me right next door? Of course I would not. But if there are more people that are brought there for shopping, you know, Costco, I know, is helpful, that that actually brings

more population there and helps support the small business like mine.

COUNCIL MEMBER MENCHACA: And, finally, Jennifer, we've heard from a lot of businesses in the neighborhood on Industry City campus that the pedestrian oriented investments that Industry City talked a lot about in their testimony have been difficult for the manufacturing operations. Have you found that are experienced that at all?

JENNIFER DUNDAS: In fact, it's a great question. I sit on both sides of that because I need the pedestrian, but I also need to have the streets cleared. When I started on 36th Street, you know, it was still the wild West out there and I was dismayed and not excited to see that, okay, is going to maybe lose my exclusive loading dock. I had a free for all. Whenever trucks came for my products, to deliver my ingredients, to pick up my production, like it was great. But I was actually proved wrong. The way that it was designed was very functional for us. And I did not find it disruptive to the flow of my business and, in fact, I had to share the loading dock, which I thought was going to be a problem, is not. Management was very supportive. I have now

located to another building which is on 33rd street, but I still have my retail spot in the food hall. Unfortunately, due to COVID, it's been closed for a while but I'm now on 33rd which is less developed than 36th street.

COUNCIL MEMBER MENCHACA: Okay. Thank you so much for you time and--

JENNIFER DUNDAS: Thank you.

COUNCIL MEMBER MENCHACA: I yield back my time to the Chair.

CHAIRPERSON MOYA: Thank you, Council member.

COMMITTEE COUNSEL: Chair, we have an additional witness for this panel. The next speaker will be Jack Keum.

CHAIRPERSON MOYA: Jack, whenever you're ready.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: You may begin. Hold on, Jack. We can't hear you. If we can check Jack's audio.

JACK KEUM: Hi. Can you hear me now?

CHAIRPERSON MOYA: Yep. Now we got it. Yep. Jack, you may begin now. We can hear you.

JACK KEUM: I'm sorry. I cannot hear anything. Just give me one second, please. Hello. Can you hear me now?

CHAIRPERSON MOYA: We can hear, Jack.

JACK KEUM: Okay. All right. Thank you so much.

CHAIRPERSON MOYA: Yep.

JACK KEUM: Good evening. My name is Jack Keum. I am a Sunset Park resident and live right up the street from Industry City. My company, I MAKE A [sp?], we are a commercial 3-D printing company and we have been a tenant here at Industry City for three years and I am here to offer my strong support for Industry City rezoning. Chose Industry City because we saw the great investment providing opportunity for a small business like ours and, even after three years as a tenant, I am still amazed how Industry City is constantly finding new ways to help small businesses like ours grow. Here is a very good example. During the early stages of the pandemic, we actually pivoted our business to manufacture PPE for donation the local hospitals and when we reached out to Industry City with our plan, we were overwhelmed by Industry City's respond. Industry City has

provided us with the extra space that we needed, created a platform other tenants to join our effort, and even connected us to local hospitals, namely Amhurst Hospital, Brooklyn Hospital Center, and NYU [inaudible 09:05:22] in Sunset Park. And thanks to our collaborative effort, we have donated over 5000 of this 3-D printed PPE to keep our first responders safe. The current changes by rezoning will only strengthen the existing business and help I MAKE A grow. More businesses at Industry City means more business for I MAKE A. Members of city Council, please support this project that is so critical to the community, the city, and the future of small business like mine. Thank you.

CHAIRPERSON MOYA: Thank you, Jack.

COMMITTEE COUNSEL: Chair Moya, I see no further witnesses that were called for this panel.

CHAIRPERSON MOYA: Do we have any questions from any of the Council members?

COMMITTEE COUNSEL: At this time, I see no members who have questions for this panel.

CHAIRPERSON MOYA: Great. Let's call it the next panel, please.

COMMITTEE COUNSEL: The next panel will include Margaret Murphy, Jacqui Painter, Joseph Lara, and David Vibert. They will be followed in the subsequent panel by William Carabono, Andrew Hunt, Giovanni Taveres, and Scott Kearns. For incoming panel, the first speaker will be Jacqui Painter.

SERGEANT-AT-ARMS: Starting time.

JACQUI PAINTER: Hey. Can you hear me?

CHAIRPERSON MOYA: We can hear you.

JACQUI PAINTER: Hi. Hi, everyone. I'm Jacqui Painter. I'm an organizer and a climate active is here in Redhook Brooklyn. Lifelong resident. As everyone may know, it's the neighborhood from Sunset Park. It's just down the river bed and. In Redhook is unrecognizable from when we were raised owned with a little store that you might know named IKEA that drew people from all over the city into our small neighborhood. We know what it's like for developers to come in and profit off of disaster capitalism, which is why this is. Eight years ago, after Sandy hit, developers took the opportunity to buy cheap property as our communities suffered from the worst flood we have ever seen. Hundreds of residents or displaced, including my own



mother, who tried to move back a year after Sandy and couldn't because the rent was too high. This is the exact same story that's about to happen to Sunset Park. Rents are going to skyrocket and people will be displaced. I'm a little confused why people are saying no one is being displaced. People are being displaced and there is about to be a lot more of it. I do not understand how many examples we need to see if those throughout the city to finally get it right and of finally believe it. To all of our representatives, of this city that is listening, it's time to put people first. As we heard today, there is no proof of these so-called 20,000-- 7000 jobs that'll displace current Sunset Park industrial workers. When are you going to have the strength to stand up to the landlords and developers and stop them from actually taking advantage of communities of color, working people, and immigrants? Until the land-use committee who is listening, please, please listen to the residents of Sunset Park. Let them leave the conversation. Listen to the people. That's all I had to say.

CHAIRPERSON MOYA: Thank you for your testimony.

COMMITTEE COUNSEL: The next speaker is David Vibert.

CHAIRPERSON MOYA: David, whenever you are ready.

SERGEANT-AT-ARMS: Starting time.

DAVID VIBERT: So, yeah. The thing wouldn't let me unmute. So, hi. Good evening, Chairman Moya, other city Council persons. Things for the time. My name is David. I'm a long time Sunset Park resident and local small business owner. I am here to speak against the Industry City expansion. I live with my partner and her family who have been in Sunset Park for the past 40 years. It's people in family like hers, not landlords and developers, that improved to the neighborhood and made it a great place to live by building communities and small businesses here. This proposed rezoning is an existential threat to the working-class communities of Sunset Park and all across New York City. It ignores alternative plans on all community input. If approved, it will confirm the message that what the city values is the profits of developers, not the needs of working-class communities. This is the largest private rezoning application in New York

City history. It was 1 million square feet. Every other rezoning of this size, scale, and importance has gone through a public review process with input from neighborhood residents and New Yorkers. This IC process has been entirely developer driven and prioritizes the private interests of the property owner and developer over the interests of the Sunset Park, Brooklyn, and New York City communities. For good reason, we are seeing immense community opposition to this proposal. The Protect Sunset Park Coalition has collected over 4000 resident signatures in opposition to this rezoning. Every elected official covering the Sunset Park area opposes the rezoning. Council member Carlos Menchaca, US Congresswoman Nydia Velazquez, incoming state assembly member Marcela Mitaynes, incoming State Sen. Jabari Brisport, State Senator Zellnor Myrie, and Public Advocate Jumaani Williams. And you have heard not only the communities opposition tonight, but that of environmental academics and urban planners opposed to this rezoning realized too well the detrimental effect this impact-- expansion will have on the neighborhood. The people testifying tonight, many of them business owners, in favor of Industry City's

expansion have financial interests in that expansion or they're here, paid for their time. Those of us opposing it, we are volunteers and we have been sitting on a 10 hour live zoom call because this is our live and this is our neighborhood. Industry City's well-paid PR firms are hammering on job creation as a reason for the Council to vote against our community and for Industry Setting, but Industry City--

SERGEANT-AT-ARMS: Time expired.

DAVID VIBERT: does not create jobs.

Please listen to our community.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next speaker will be Joseph Lara.

JOSEPH LARA: Can you hear me?

SERGEANT-AT-ARMS: Starting time.

JOSEPH LARA: Hello?

CHAIRPERSON MOYA: We can hear you. Can you hear us?

JOSEPH LARA: Okay. Awesome.

CHAIRPERSON MOYA: Yep.

JOSEPH LARA: My name is Joseph Lara. I'm a native New Yorker. I grew up here with an

immigrant single mother. For over 20 years, my mother and I have moved over 20 times. So, I know the harm of gentrification and displacement very intimately. I am currently a resident in a community health worker in Sunset Park and I've been helping are predominantly undocumented immigrant community gain access to basic social services. Sunset Park has been neglected for decades, making it one of the few affordable places for undocumented immigrants to live in New York City. In this pandemic, the community has been devastated with no shortages of fears. I was still miss appearances. Families are going hungry. COVID still wrecking maze families and many are worried of losing their homes. By supporting Industry City, this Council is condemning these families to the same miseries and the trauma of my upbringing here in New York. I know the cost and toll of real [inaudible 09:12:50] and I know the phases of the very people this proposal will displace. I know jobs are important, but we can't rely on vague promises that we know our underserved immigrant community can't access. This isn't an and or argument. Displacement of jobs. This community also need jobs and we can't abandon our waterfront

luxury development because we know how predatory real estate is and how it will displace immigrant neighbors like it displaced me. So, as this Council, will you commit to a racial impact study to see what this proposal would mean for Sunset Park? We pledge to protect the vulnerable immigrant working class of Sunset Park to the public waterfront plan as required by the New York City charter instead of abandoning it, our waterfront, to private interests? And I hope, Council members, remember who you are supposed to be representing. I healed my time.

CHAIRPERSON MOYA: Thank you for your testimony. Counsel, who is our next panelist?

COMMITTEE COUNSEL: For the last name that was called for this panel, I will ask that Margaret Murphy, if you can hear me, to please raise your hand. We will give you a few seconds to do that. Margaret Murphy, we are asking you to raise your hand in order to be brought into this panel. Okay. It appears that this panel is complete.

CHAIRPERSON MOYA: Okay. Any Council members have questions for this panel?

COMMITTEE COUNSEL: Chair, I see no Council members with questions for the panel at this time.

CHAIRPERSON MOYA: Okay. Thank you very much to our panelist, thank you for your patience and thank you for your testimony today. Counsel, let's call it the next panel.

COMMITTEE COUNSEL: The next panel will include William Caravano, Andrew Hunt, Giovanni Traveres, Scott Kearns, and Manuel Arboleda. If any of those individuals whose names I just called can hear me, we ask that you please raise your hand at this time and we will allow a few seconds for you to do so. William Caravano, Andrew Hunt, Giovanni Traveres, Scott Kearns, and Manuel Arboleda. Okay. Chair Moya, it appears that we have none of those persons present at this time.

CHAIRPERSON MOYA: Okay. We will move to the next panel.

COMMITTEE COUNSEL: Chair, please stand by while we determine the next panel.

CHAIRPERSON MOYA: Okay. Standing by.

COMMITTEE COUNSEL: Chair Moya, we do have Manuel Arboleda who has call for the just

released panel. Manuel Arboleda will be the next speaker.

CHAIRPERSON MOYA: Thank you. Manuel.

MANUEL ARBOLEDA: Hello. This is Manuel Arboleda.

CHAIRPERSON MOYA: Yes. Whenever you are ready.

MANUEL ARBOLEDA: Yes. I am ready.

CHAIRPERSON MOYA: Okay. You may begin.

MANUEL ARBOLEDA: Yes. Good evening. My name is Manuel Arboleda. I'm a property manager for Industrial City. I have been there with the company for 42 years. In 1978, as well as Sunset Park resident for the same time and whatever I can say to you that I'm very proud to live in the Sunset Park area as well as I am working for industrial city. The conditions in everything that we have, that is fantastic. We've got a lot of progress. We went through so many different problems. You know, catastrophes. We were hit with Sandy, but we are coming up from that. If the city approves the rezoning, we're going to be in a better shape. Since 2015, Sunset Park was tremendous [inaudible 09:18:18] a lot of empty buildings. Now we are proud that we



work in Sunset Park, as well as Industry City. The buildings are very progress. Right now, with the pandemic, we really need this rezoning. You know, the economy is terrible, so if the city approves the rezoning, we're going to be in better shape. So, I approve this situation with the rezoning. Again, my name is Manuel Arboleda Senior. I am with the company of Sunset Park since 1978.

CHAIRPERSON MOYA: Thank you, Manuel. Thank you very much for your testimony today.

MANUEL ARBOLEDA: Thank you so much for the time that you are giving to me. Good night.

CHAIRPERSON MOYA: Thank you. Have a great night.

MANUEL ARBOLEDA: Okay. Good. Thank you. Bye.

CHAIRPERSON MOYA: Counsel, any questions for this panel?

COMMITTEE COUNSEL: Chair, I see no members with questions for the panel.

CHAIRPERSON MOYA: Great. We'll move to the next panel.

COMMITTEE COUNSEL: The next panel will include Victoria Sernos, Jimmy Atilas, Whitney Hugh,

and Katherine Walsh. We'll give a moment for those individuals to be brought in. The first speaker will be Katherine Walsh.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Katherine, can you hear us? Katherine?

COMMITTEE COUNSEL: I think we need to wait a moment for her to be brought in.

KATHERINE WALSH: Hi. Thank you. This is Katherine Walsh. Can you hear me?

CHAIRPERSON MOYA: We can hear you, Katherine. Great. Thank you. Can I get started?

CHAIRPERSON MOYA: Yes. Whenever you're ready.

KATHERINE WALSH: Okay. Great. Thanks. So, my name is Katherine Walsh. I am born and raised here in Sunset Park and I'm also the Chair of the Brooklyn Democratic Party's Assembly District Committee for the 51st District in which the rezoning sits. My testimony today just reflects a letter that was signed by more than 40 fellow Brooklyn Democrats were just elected into account the committee in our district. These are representatives who live, work, send their kids to school in the district and have

been long time residents, as well. So I am just providing an abridged version of that letter for this testimony. Today we ask you to respect the work invoice of Council member Carlos Menchaca and community Board seven and, most of all, the thousands of Sunset Park community members to vote no on Industry City's current rezoning proposal. As residents of New York City, we are painfully aware of the economic difficulties we find ourselves saying due to the COVID pandemic. That pain is our pain, but this is not a reason to move forward with the plan which has clearly failed to win the support of the Sunset Park residents and the officials who studied it most closely in the community members. Community Board seven spent years analyzing the Industry City proposal. More than 4000 Sunset Park residents signed a petition to reject the rezoning, and our Council member Carlos Menchaca has officially also announced his opposition to the proposal. All of these recommendations, the opinions, the findings, the years of work and thousands of hours of time were ignored by the City Planning Commissions. As you know, for years, members of the Council have deferred to one another on land-use matters, believing that

local members are most responsive to the needs of their constituents and best able to judge the merits of projects within their districts. Member deference create accountability at the ballot box where it belongs. Now, to ignore the voices of so many Sunset Park residents did everything they can to make their opinions known is the kind of antidemocratic action that we, as Brooklyn Democratic Party, representatives cannot support. We ask you to vote no--

CHAIRPERSON MOYA: Thank you.

KATHERINE WALSH: on the Industry City rezoning. Thank you.

CHAIRPERSON MOYA: Thank you, Katherine.

COMMITTEE COUNSEL: At this time, I will ask whether the following individuals can hear me to raise their hand of be recognizing in the hearing. Victoria Sernos, Jimmy Atilas, and Whitney Hu. If you just heard me calling her name, please raise your hand. The next speaker will be Whitney Hu.

SERGEANT-AT-ARMS: Time begins.

CHAIRPERSON MOYA: Whitney? Hi, Whitney.  
Can you hear us?

WHITNEY HU: I can hear you.

CHAIRPERSON MOYA: Great. Whenever you're ready, you can begin.

WHITNEY HU: Great. Hi. My name is Whitney Hu. I live on fourth and 20th that I've been a part of the community for close to a decade. I think, after a long night, you guys have probably heard most of the statements and facts and all the reasoning for why you should strike down the Industry City rezoning, but I would also just really love to urge the city Council that at this moment we should not be trying to push through massive rezonings that are going to reshape neighborhoods. Our communities right now are focused on survival mode. One in four New Yorkers can't pay rent. 2.2 million have food scarcity. In trying to bring together a community to also fight a rezoning process through his tone deaf and it's cruel. We should be focused on making sure that our communities have enough to survive on and to stay within our neighborhood. The city Council should be focused on fighting the impending eviction that we are going to be seeing with the crisis, considering a lot are unable to even pay rent at the moment. There should be a moratorium on all

rezonings moving forward. We know that the ULRP process is greatly broken and that we are forcing communities to have to negotiate on top. Just a reminder, Industry City-- by Blackstone. The same Blackstone that is also the cause of the US housing crisis as stated by the United Nations in the same Blackstone that is also one of the causes for the Amazon fires. If what is happening on the West Coast is terrifying, imagine that sort of energy coming to the Industry City. Coming to Sunset Parks waterfront. We are a working class neighborhood and we need to stay one in our communities shouldn't have to negotiate with developers and real estate money in order to get investments. Black indigenous and migrant communities are fighting for survival in New York City and it is up to the Council to actually--

SERGEANT-AT-ARMS: Time is expired.

WHITNEY HU: make [inaudible 09:26:18] to invest in people and not property? Thank you so much.

CHAIRPERSON MOYA: Thank you, Whitney.

COMMITTEE COUNSEL: Chair, those are the two witnesses who were available for this panel.

CHAIRPERSON MOYA: Do we have any Council members who have questions for this panel?

COMMITTEE COUNSEL: At this time, I see no members with questions for this panel.

CHAIRPERSON MOYA: Great. Let's proceed and call up the next panel.

COMMITTEE COUNSEL: The next panel will include Nancy Calvarino, Laura Tirnervia, Albert Whiltshire, Elizabeth Rojas, and Carlos Raldires. The panel following that is expecting to include Priscilla Grimm, Rebecca Lorrie, and Eric Fretz. The first speaker on this panel will be Laura Churnervia.

CHAIRPERSON MOYA: Laura? Do we have you? Do we have Laura?

COMMITTEE COUNSEL: I see Laura. It's just a matter of having her-

CHAIRPERSON MOYA: Okay. Thank you, Arthur. Do we have Laura?

COMMITTEE COUNSEL: There appears to be a technical issue with Laura Tirnervia. If any other names that were called on this panel, if you can hear me and this is your name, we will ask you to please raise your hand as we deal with Ms. Tirnervia's audio. Nancy Calvarino, Albert Wiltshire, Elizabeth

Rojas, and Carlos Raldires. If you just heard me mention your name, please use the zoom raise hand function to raise your hand this time. As we continue to deal with Laura Tirnervia's audio issue, we will move ahead and include the next panel.

Priscilla Grimm, Rebecca Lorrie, Eric Fretz.

Bringing in the next panel. Priscilla Grimm, Rebecca Lorrie, and Eric Fretz. And the first speaker of this panel will be Eric Fretz.

ERIC FRETZ: Oh, okay. Hi.

CHAIRPERSON MOYA: Eric?

ERIC FRETZ: I live on 41st on Sunset Park, a community with long ties to the waterfront where people walk to work historically. I was horrified when I read through the proposal and the plans from Industry City. That waterfront area is zoned M-3 industrial for a reason and it is supported an ethnically mixed a working class community for the longest time. Right now, we have a unique, you know, large maritime area for the industry of the future as seen is the 197 A, and the grant proposals, and in [inaudible 09:31:06] looking to build the wind turbines at the South Brooklyn Marine Terminal that is been mentioned. And we could bring in 500 million



dollars and, you know, essential, permanent jobs. With this kind of proposal, it would put a wall in front of that, keep it from expanding. And in the Industry City proposal, it says that heavier M uses would be restricted from locating in proximity to the hotels and the lighter uses. The private commercial pressures would decimate the badly needed manufacturing in the city. The present M-3 zoning is what we need. But even if changes were needed to be made, they should be made with the interest of the community and mind and they should be made as part of larger plans for the entire New York City waterfront. Not carving some kind of private, you know, luxury island out of it. The luxury tourist hotels, sure, they bring in more profit for the developers, but the wages are half that you get in manufacturing and they raise rents in an area already burdened. And it is that kind of displacement that is key here, but a lot of other people have mentioned it. Sunset Park already has too many hotels and, now, look, the luxury hotels in Manhattan, you know, they said almost empty. The offices, this fits 20 percent occupancy and new ones in Brooklyn, they want more retail now with retail shedding jobs throughout the

city. The promises they made were nonsense in the first place and now they are just laughable about jobs. Some of the small business--

CHAIRPERSON MOYA: Thank you, Eric. Thank you for your testimony. Counsel, can we call up the next panel us, please?

COMMITTEE COUNSEL: If Priscilla Grimm and Rebecca Lorrie can hear me calling your name at this time, we ask you to please raise your hand using the zoom raise hand function. Priscilla Grimm and Rebecca Lorrie. Okay. As we wait for those two, that concludes this panel and, at this moment, I see no members with questions for this panel.

CHAIRPERSON MOYA: Thank you, Counsel. Let's call it the next panel.

COMMITTEE COUNSEL: The next panel will include Jennifer Wertz, Zackary Jasie, Honwar Coder, and Robert Mason. They will be followed in the next panel by Margaret Gregory, David Win, Elizabeth Norman, and Lynn Cohen Kohler. I'll just make another reminder that when you see the unmute request, that you accept it if you see it and I will, again, make the reminder that the unmuting process

can lead to some delay. The first speaker on this panel will be Jennifer Wertz.

SERGEANT-AT-ARMS: Clock is ready.

CHAIRPERSON MOYA: Jennifer? Jennifer? Do we have Jennifer?

COMMITTEE COUNSEL: I can Jennifer Wertz in our list, however, we appear to be having a similar audio issue with Jennifer Wertz. If your name is Zackary Jasie, Honwar Coder, and Robert Mason, we ask you to please use the zoom raise hand function to please raise your hand at this time. We will allow a moment for you to do so. And while we continue to deal with these audio issues, we'll recall the following panel. Margaret Gregory, David Win, Elizabeth Norman, and Lynn Cohen Kohler. And I will also include William Carabano. The first speaker will be William Carabano.

CHAIRPERSON MOYA: William?

WILLIAM CARABANO: Hey. Can you hear me okay?

CHAIRPERSON MOYA: Yep. We can hear you.

WILLIAM CARABANO: I apologize for the background noise. I'm in my brother's restaurant and I got skipped over earlier.

CHAIRPERSON MOYA: Okay. Hold on. Let's start the clock time--

WILLIAM CARABANO: [speaking Spanish] Okay.

CHAIRPERSON MOYA: How are you, William? Thank you.

WILLIAM CARABANO: I'm sorry.

CHAIRPERSON MOYA: That's okay. You can start whenever you're ready.

WILLIAM CARABANO: Yeah. I'll get started. So, important Sunset Park, raised there. I only lived outside of Sunset Park for 10 years and I have been back in Sunset Park for 15 and I watched the neighborhood change a lot since I was a kid. I remember my friends sister, walked her home ones to the park itself and it was about 1 o'clock in the morning. This was like 16 years ago they said, do you remember back when we were younger, we would've been robbed and stabbed walking through this park. And now I am safely walking you this park because the neighborhood is changing little by little. And then, years later, the Barclay Center opened and I watch the neighborhood move from Park slope, building after building, block after block, and everything started changing. And now, stores are coming in, places were

cleaned up and then Industry City came and I was super excited about it and I still am. And I live right off the corner. And I watch so many people say so many things about Industry City and I am sorry to be so Frank, but, somehow magically Industry City disappeared tomorrow, the progression of what happened starting with Barclay Center would not-- it wouldn't seize. The same thing would happen and whether-- it's just a natural progression of how New York has been going. My father came here from Columbia when he was 17 years old with methane and he made his way, he built his way living in Sunset and he did what he had to do in very rough conditions. The conditions are a lot better if these days. There is a lot more opportunity for people and I firmly believe that Industry City is going to bring a lot more opportunity. I have friends who are businesses in there that I've watched them grow from block to block and then make their way there and it is taken them to other levels. So, again, even if it wasn't there tomorrow, I personally know some of the opposition and some other families are homeowners and they benefited from the fact that their home prices are now 2 to 3 times the value that they paid for it.

And the fact that I feel safe walking through Sunset Park, which used to be named Gun set Park when I was younger-- because I am 45 years old. I just think that some of the things will continue to benefit. I'm looking forward--

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON MOYA: William, thank you so much for your testimony.

COMMITTEE COUNSEL: The next speaker, we are going to go back and try to hear from Jennifer Wertz. Jennifer Wertz.

CHAIRPERSON MOYA: Jennifer--

JENNIFER WERTZ: Hi, there. Thank you very much.

CHAIRPERSON MOYA: That's okay.

JENNIFER WERTZ: Before that I was putting my kids to bed. Hi. I just wanted to take a minute. I'm a resident of the neighborhood for over a decade. There is a lot of people on my block. I live on 28th Street, that has been on the block for decades and I really want to speak for and against it, but I really feel like there is a compromise here and we need to listen to the people and I just feel like the people in the businesses together can work together

to make this a better area. I know people are worried about being displaced, but I will tell you my neighbor next door, he had to move out because his landlord raised his rent and the reason they raise to the rent is not because of the rezoning. They raise the rent because the city hasn't done improvements that they need to do to keep the rents down. The city is increased the property taxes of by next-door neighbor by over three times in the past decade. So, that's, you know, 300 percent increase and then they can't fix the sewer at the end of the block, so, when it rains really hard for hurricane Irene and Sandy, there's been issues with the landlords having to pay thousands of dollars to rebuild their first floors. So, if we could take some of this revenue that would be coming in-- excuse me-- from Industry City, we could use it to fix problems that have been going on for decades. They have been talking about fixing the sewers long before COVID, long before Sandy, and long before Irene. It really needs to get fixed. There's other issues with safety that have not been fixed before the rezoning that really need to happen. There's so many children around here that don't really want to live next to another homeless shelter

or a prison likely have it Industry City already. We need businesses there that the community needs that we can work from and we also need the elected officials to realize that--

CHAIRPERSON MOYA: Jennifer, thank you. Sorry. We've run out of time, but we really appreciate your testimony and you can always submit that to us, as well. Thank you. Let's move on to our next panelist.

COMMITTEE COUNSEL: Going back to another name from the prior panel, Zachary Jasie will be the next speaker. Zachary Jasie.

ZACHARY JASIE: Hello. Can you hear me?

COMMITTEE COUNSEL: We can hear you.

CHAIRPERSON MOYA: We can hear you.

ZACHARY JASIE: Hi. My name is Zachary Jasie. I'm a 20 year resident of Sunset Park. I'm a member of [inaudible 09:41:55] local 52, the film and television industry and I am work with the community. I am speaking today as a private citizen testifying today in favor of a yes vote of Industry City. Since my time in the neighborhood, we've been working towards creating a sustainable working waterfront in Sunset Park. A waterfront that would provide jobs,



activities, access, and no residential housing. Industry City's rezoning plan gives us the opportunity to accomplish all of these things. This is what a working waterfront looks like, something this community has sought for decades. We have an asphalt plant, distribution centers, always transfer station, the country's largest recycling plant, film studios, and a campus devoted to creating an energizing, providing sustainable green jobs, education, and retail improving everyone's lives in Sunset Park, Brooklyn and in New York City. One of the arguments being used against rezoning is that the ULRP process does not work. This is true in the city needs to work to improve this process, however, this is the process--

CHAIRPERSON MOYA: Zachary, thank you so much. We run out of time. We appreciate your testimony.

COMMITTEE COUNSEL: The next speaker will be Elizabeth Norman. Elizabeth Norman.

ELIZABETH NORMAN: Thank you. Can you hear me?

CHAIRPERSON MOYA: We can hear you, Elizabeth. Whenever you're ready.

ELIZABETH NORMAN: Thanks. Thanks. I have been a resident, homeowner, and landlord in Sunset Park for 15 years. I have actively sought to fight against displacement during that time and I'm asking you to vote now out of respect for our elected officials and the residents who have spoken. As a homeowner, I don't want to see people to get displaced or seeing the rents co-op or see property taxes go up, incentivizing people to charge more. As Elena said, the CBA is not binding and, if Industry City hasn't been willing to work with the community during this whole process, what is to make us think that they will now? It would be a real shame to lose the industrial waterfront to luxury malls and hotels, something that New York City has plenty of when we don't have enough industrial jobs or spaces for them. And if another event happens again on the waterfront like Sandy, large chain stores will not be open or there for the residents. Mom-and-pop shops who will be displaced will be. A friend of mine who lives on the lower East side said that after Sandy, nothing was open in terms of the big box stores and it was hard for her to find food because so many bodegas have been displaced. So, this plan doesn't account

for climate change and, if you think about a neighborhood like Williamsburg, it would be very expensive to convert that back to an industrial working waterfront. So, I think we should not lose one of the last ones that we have left. Thank you.

CHAIRPERSON MOYA: Thank you, Elizabeth.

COMMITTEE COUNSEL: I'll make one last call to Margaret Gregory, David Win, and Lynn Cohen Kohler. I'm asking if you can hear me. If you hear your name, please raise your hand using the raise hand function. Margaret Gregory, David Win, Lynn Cohen Kohler. Okay. That will do it for these panels. We've just heard from a collection of individuals from the prior two panels.

CHAIRPERSON MOYA: Thank you. Any council members who have questions for the panel?

COMMITTEE COUNSEL: I see no members with questions at this time.

CHAIRPERSON MOYA: Okay. Let's call up-- thank you very much for your testimony and let's call up the next panel.

COMMITTEE COUNSEL: The next panel will include Gina Pignatellu, Marco Diaz Gonzalez, and Clinton Miller. They will be followed by Jose

Pincon, Felicia Davita, Jeremy Kaplan, and Alexa Aviles. For this panel, calling Gina Pignatellu, Marcos Dias Gonzalez, excuse me, and Clinton Miller. If you just heard me say your name, please raise your hand. Gina, Marcos Diaz Gonzalez, or Clinton Miller.

CHAIRPERSON MOYA: Do we have Marcos?

COMMITTEE COUNSEL: It appears we do have Marcos.

MARCOS DIAZ GONZALEZ: Yes. I am here.

CHAIRPERSON MOYA: Okay, Marcos. We can hear you, so whenever you're ready, you may begin.

MARCOS DIAZ GONZALEZ: Thank you, Chair. Thank you, Council members. My name is Marcos Diaz Gonzalez. My company, ACOM [inaudible 09:47:06] I opened a 60 person office industry City three years ago. Many of our employees were attracted to the Industry City and the possibility to have a design office close to [inaudible 09:47:11] manufacturers and other companies. Our office includes designers and engineers working on resiliency, water, and green environmental projects. We also use our Industry City location to partner with a small MWBE firms, some of which you've heard before like Diaz X track. For instance, we also run MWBE partnership workshops

on behalf of some of our clients such as New York City DEP, using our industry City office. Three years ago, we also partnered with Sunset Park high school for the [inaudible 09:47:45] mentor program of which I am the vice chair for engineering. The mentor program is the city's largest teen program focused on architecture, construction, and engineering. Every year, we mentor about 20 high school students from Sunset Park. They come to our office at Industry City and we have hired seven of them for paid summer internships and also as interns with the role to get them interested in green engineering jobs and, hopefully, they work for us and, hopefully, they work at Industry City and in Sunset Park. Finally, we have partnered with Industry City and Redhook Container Terminals to transform SBMT into an offshore wind that will create hundreds of green jobs and have a manufacturing, Irene engineering, and research and development in green offshore energy jobs. I strongly recommend that the City Council approves this rezoning. It will support the creation of a critical mass of jobs, including green jobs that will diversify the economy in Sunset Park and in Brooklyn. We talk often about

resiliency, but you need economic resiliency in order to have resiliency. I would like to have-- you know, to think of the future in which Sunset Park--

SERGEANT-AT-ARMS: Time is expired.

COMMITTEE COUNSEL: That concludes our current panel, Chair Moya. I currently do not see any members with hands raised for questions.

CHAIRPERSON MOYA: All right. Thank you to the panel on let's move on and let's proceed to the next panel.

COMMITTEE COUNSEL: The next panel will include José-- This panel will be Alexa Aviles. Do we have Alexa Aviles with audio?

CHAIRPERSON MOYA: Alexa?

ALEXA AVILES: Yes.

CHAIRPERSON MOYA: Okay. Alexa, whenever you're ready, you can begin.

ALEXA AVILES: Great. Can you hear me?

CHAIRPERSON MOYA: We can hear you.

ALEXA AVILES: Fantastic. So, thank you so much for the opportunity to testify. It's been a long day of 10 hours. Thank you for your patience. My name is Alexa Aviles. I am a Brooklyn native, longtime resident of Sunset Park and a member

of community boards seven. I've vehemently opposed the Industry City rezoning application and I ask you to reject to the application and stop this ineffective and broken process that is being used to railroad our community. I implore each of you to listen to the actual lived experiences of the Sunset Park residents who bear the brunt of the daily impacts of this complex. Sunset Park has been hard-hit by COVID. We've had devastating job loss, rampant food insecurity, severe trauma and mental health needs, ICE raids, and a looming housing crisis. We are deeply suffering. Do you know who is not suffering? Industry City's owners who are reaping the benefits of high profits and a very lucrative market, purchasing even more property on the waterfront during-- from the federal government during this pandemic and spending millions of dollars on PR firms and lobbyists who paddle unsubstantiated claims and false promises. You know who could've benefited from those million-dollar investments? Our community. If Industry City listens so well, why has this application not changed? Where are all the things that we have asked for? Not found anywhere in this application. Kimball said they have made

historic commitments to manufacturing. That is not reflected in the applications usage allocations. It's a meager amount. The community board noticed significant failures in the application, but no one, not one, has been addressed by Industry City. Industry City is quick to want to negotiate some kind of community benefits, but was unwilling to change the application prior. Why? Because they know that a community benefits agreement is not enforceable. These changes should have been made in the application in a proper procedure. Mr. Kimball's testimony was filled with contradictions and no--

CHAIRPERSON MOYA: Alexa? Alexa, the two minutes have expired. We thank you very much for your testimony. We appreciate it. Thank you. You can always submit your testimony to us, as well. But thank you for your testimony and thank you for your patience.

COMMITTEE COUNSEL: The next speaker will be Jeremy Kaplan.

CHAIRPERSON MOYA: Jeremy? Hi, Jeremy. You've got to unmute yourself.

JEREMY KAPLAN: Is it working now?

CHAIRPERSON MOYA: Yep. Thank you.



JEREMY KAPLAN: All right. Councilman Francisco well, it's good to see you. I want to speak specifically to Rafael Salamanca and Stephen Levin, actually, about racial impacts because the fact is you are cosponsoring a bill about racial impacts on rezoning and right now, Industry City's rezoning is clear example of racial displacement of our Sunset Park community. A predominantly working class in the grand community and there is been very little to zero implications about racial displacement and there is these lies from Andrew Kimball and Industry City about this not being a housing when, essentially, already, Industry City has negatively impacted the working class and predominantly manufacturing communities of color. We have a lot of manufacturing on this waterfront. Small manufacturing that has already been priced out because Industry City has rents that are five to 10 times as much as the current manufacturing. And I think we need to be very smart about how we're developing and we're asking for a comprehensive waterfront. The community has never been saying we are just no because we have no ideas. We have really bold and beautiful ideas and we want you to listen to

us. We have been here for 10 hours and I'm disappointed to see that a lot of Council members are not even on right now listening to us. And now the community is finally able to speak and council members are on. So, I appreciate, Francisco Moya, that you are on and I want you to listen to La Lucha Dora. I want you to listen to the rest of our Council members. I want you to listen to Jabari Brisport, Marcela Mitaynes. I want you to listen to 5000 people and say no to this rezoning. Say yes to climate jobs. Say yes to our bold proposals that we have like the grid, like the 197 A plan that Andrew Kimball has said he's been using it, which has nothing to do with it. His proposal has nothing to do with it and we say no to this Industry City rezoning. And we say Sunset Park [speaking Spanish].

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next speaker will be Felicia DeVita.

CHAIRPERSON MOYA: Hi, Felicia.

FELICIA DEVITA: Hi. Thank you for taking my beach here. I'm a resident of 28th Street between third and Fourth Avenue and, although we are considered a mixed use of block, we have 14 multi-use

homes and our children would like to play on our block and read their books. The reason why this is an issue for us is we are all for change, however, we can't go forward with rezoning until we address the issues that Industry City has already brought to our community. Since the increase in truck traffic to Industry City and Liberty View, our small block has become a throughway for illegal 53 foot trailers traveling at high speeds to make the light, often taking off our mirrors. They often make a pit stop at Kentucky fried chicken, their food that they purchased, and throw the contents down on our street. Our block has become an illegal truck route for them to be able to turn down towards Third Avenue. I'm telling you today that these trucks traveling down at high speeds are a tragedy waiting to happen. I've spoken to many agencies about this problem. You can't continue to build and promise that you are adding to our community when we are suffering what you are building. Our taxes continue to increase and our quality of life continues to decline. A designated truck route needs to be designated before you start building more factories. It needs to be enforced. The other concern is our sewer system

that's over taxed. Our entire block of homeowners own sump pumps and install the check valves. Even with the safety measures in place, July, I have a rain backed up our sewers and the pressure of water was too much. We lost our entire kitchen and living room area from this disaster. Before you start building hotels on every corner and continue to build, we need to address that outdated sewer system that is in our neighborhood. The last concern is these spaces for homeless shelters next to our schools. What does that say for the future of this up-and-coming area? The highway that you used to use for trailers near Industry City has pushed them down to our corner and are underneath our street on 28th Street has become a mess while you continue to rebuild underneath the highway by Industry City. It makes it dangerous for us to cross Third Avenue to even go and visit Industry City. My husband's family has owned this house since it was built in 1910 and we won't be the generation that finally leaves. All the stores have closed--

SERGEANT-AT-ARMS: Time is expired.

COMMITTEE COUNSEL: At this time, I will ask and give Jose Pincon another few seconds to

raise his hand using the zoom raise hand function. Jose Pincon. And with that, Chair Moya, that concludes this panel and, at the moment, I see no members with questions for this panel.

CHAIRPERSON MOYA: Thank. Thank you to the panelists and let's proceed to the next panel, please.

COMMITTEE COUNSEL: For the next panel, I'm going to ask now for a show of hands among those listening. For anyone who requires interpretation services as part of the testimony, we ask that you please raise your hand at this time. The next immediate panel will be Marie Miller, Doug Steiner, Alondra Vargas Soto, and Peter J. McGuire. As we begin to bring those individuals in, I will again ask those waiting to testify to need translation services or the assistance of an interpreter for your testimony, we ask that you please raise your hand now. And I will now ask whether Marie Miller, Doug Steiner, Alondra Vargas Soto, or Peter J. McGuire, if you can hear my voice, please raise your hand now. It appears that we have no one on that panel. We're going to go to the next panel, Chair Moya which will include Joshua Molinite, David Rojas, Christopher

Bajana, and Naomi Schiller. However, before we bring in that panel, excuse me, capturing why you. We're going to try to get Laura Tinervia who has been waiting patiently and been experiencing some audio issues. Laura Tinervia.

SERGEANT-AT-ARMS: Starting time. Okay. You've got to unmute yourself.

LAURA TINERVIA: Hello?

CHAIRPERSON MOYA: Yep. There you go, Laura.

LAURA TINERVIA: Hi. Just give me one moment. I'm so sorry. I'm just pulling up my notes.

CHAIRPERSON MOYA: That's okay.

LAURA TINERVIA: Okay. Thank you.

CHAIRPERSON MOYA: All right. And you may begin.

LAURA TINERVIA: Hi. My name is Laura Tinervia and my family and I own and run a business in Industry City. We are on things Qatar manufacturing company and we have been there since 1990. I have personally worked there for over 11 years now and have seen it go from a very sketchy place that I was very nervous to be in to a flourishing campus that I am proud of and now enjoy

with my family, friends, and coworkers. I'm here to offer my strong support for Industry City's rezoning. Let me tell you something about what it was like go for Andrew in the current ownership began the current revitalization. When we arrived as a tenant in 1919, filth and crime was everywhere. Unfortunately, I will never forget the smell of the halls as I walked up to her floor. There was even a specific day that my dad wanted to bring my little brother to work and had to shield him from seeing someone bleeding out in the staircase. It was a good day when the elevator worked in the power didn't go out. It was very hard to work under those conditions and was even worse to invite our customers and to them. Especially as a high-end company. All of that changed when the new ownership arrived in 2013. They've grown the campus, and invested in new power infrastructure, sidewalks, loading docks and amenities that make it a place that we now want to come to and are very proud to call home. I often see people traveling out of Brooklyn to work and enjoy free time and including my own friends and I don't understand why anyone would not want to keep that close to home. I am in favor of

Industry City's request for rezoning and I hope that you approve it. Thank you.

CHAIRPERSON MOYA: Thank you. Thank you, Laura. Thank you for your testimony today. Counsel, let's call it the next panel is, please.

COMMITTEE COUNSEL: the next panel I will recall. Joshua Molinite, David Rojas, Christopher Bajana, and Naomi Schiller. If you just heard me say your name, please do raise your hand now. Joshua Molinite, David Rojas, Christopher Bajana, Naomi Schiller. Chair Moya, we have an individual from a prior panel that we had called. The next speaker will now be Alondra Vargas Soto.

CHAIRPERSON MOYA: Alondra?

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Hi, Alondra. Can you hear us?

ALONDRA VARGAS SOTO: Yes.

CHAIRPERSON MOYA: Great. Whenever you're ready you can begin.

ALONDRA VARGAS SOTO: Hi. My name's Alondra. I live on 147th Street in Sunset Park. So I just wanted to give a very personal account of what I think about this rezoning. I think that the



Counsel should go no to this rezoning, no conditions, for a few reasons. One, my father works in the auto industry, which is very prominent in the industrial sector of Sunset Park within those exact avenues of what Industry City is thinking of rezoning and those businesses will not be able to pay rent once again three zoned and once that area has different building requirements. Also, just commenting off what the prior person spoke about in terms of why they were in favor of the rezoning, I just feel like that is not a just way to look in our neighborhood. Like, yes, we have had a bunch of crime in our neighborhood, but Sunset Park is full of working class people who come here to make a better life for themselves and are all these like violent people who are out here doing like most of things and Industry City is not our Savior in that way. Also, CBAs are not for Sunset Park. They are legally binding and so this whole talk of we can make them legally binding and let's take this off the table and come back with a CBA. I haven't seen any rezoning that has successfully done that or any hard evidence to show that that is what Sunset Park needs. And, in general, there is been very little evidence about how COVID will be looked at in terms of jobs,

in terms of our community. And many of those jobs are not for us. Even me with a college degree does not want to work there because, for me, it symbolizes that I'll be helping displace my community and that's just something I'm not about. And so on the Council members who want to vote yes, I strongly urge you to vote now, especially if you are a person of color because we are--

SERGEANT-AT-ARMS: Time expired.

ALONDRA VARGAS SOTO: really struggling right now and we do not need this rezoning. Thank you for your time.

COMMITTEE COUNSEL: Chair Moya, before we call the next panel up, I'll just note that I'm not seeing hands for members for this panelist. The next panel will be Sabrina Franza, David Crofton, Michael Anderson, Steve Lang, and Carlos Raldirés. If I have just said your name, please raise your hand now using the zoom raise hand function. Sabrina Franza, David Crofton, Michael Anderson, Steve Lang, Carlos Raldirés. Okay. Moving on to the next panel of names. The next panel will include Shana Castillo, Madeline Borrelli, Rachel Meyer, and

Vanessa Fill. The first speaker on this panel will be Madeline Borrelli.

MADELINE BORRELLI: Good afternoon. My name is Madeline.

SERGEANT-AT-ARMS: Starting time.

MADELINE BORRELLI: My name is Madeline. I am a parent and an educator and a longtime resident of Sunset Park. I chose to speak today because I am vehemently against the proposed rezoning of Industry City by Jamestown Corporation. This rezoning effort is violent and it will displace many of the local businesses and community members that allow our neighborhood to thrive. The Sunset Park community demands that the City Council vote no to protect our neighborhood and save it from the capitalist vultures that want to see our waterfront further privatized and inaccessible to working-class people. It upsets me that the city continues to prioritize billionaires over local communities. [Inaudible 10:08:32] businesses are too expensive for many residents have access and it has already failed to provide meaningful employment for people in the area, despite what the owners would like you to believe.

COMMITTEE COUNSEL: Chair Moya, I'm  
sorry.

MADELINE BORRELLI: Can I continue?

COMMITTEE COUNSEL: I'm sorry. Will  
come back to you. We do need the standard ease for a  
moment for to deal with a technical issue.

CHAIRPERSON MOYA: Hang tight. We will be  
right back. Thank you.

COMMITTEE COUNSEL: You may continue.  
Sorry.

CHAIRPERSON MOYA: Madeline?

COMMITTEE COUNSEL: Sorry, Ms.  
Borrelli.

MADELINE BORRELLI: Thank you.

CHAIRPERSON MOYA: Yep. Sorry. Go ahead.

MADELINE BORELLI: Am I good to go?

CHAIRPERSON MOYA: Yep. You're good to go.

MADELINE BORRELLI: Okay. Thank you.

So, this Industry City contains businesses that are  
too expensive for many residents tax status. This  
rezoning is going to cause rents to rise, forcing  
generations of families out of the community that  
they helped build. The Sunset Park community should  
decide the future of our Brooklyn waterfront. We

don't need luxury retail or expensive hotels. We need protected and expanded affordable housing for families. We need public recreational spaces and parks for our kids. We need well-paying union and trade jobs for working-class folks and we need sustainable manufacturing practices and climate informed planning decisions. Industry City's owners keep mentioning New York City's crisis, but fails to recognize that runaway development, gentrification, and racist rezoning are a crisis in our neighborhood that they contribute to. They need to stop hiding behind innovation when what they really seek is profits no matter how the community is harmed. So, I asked why do we keep yielding structures to the rich? Where were they when the pandemic was ravaging our communities? How about, instead, we ask them to pay their fair share of taxes instead of letting them decide the future of communities that will never be a part of. I want to speak directly to the city Council members for a second. Council, I am calling on you to listen to the people, not the wealthy corporations, but the folks who will decide your future political careers. You have the opportunity to deliver--

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON MOYA: Thank you, Madeline.

COMMITTEE COUNSEL: The next speaker  
will be Vanessa Thill.

SERGEANT-AT-ARMS: Starting.

VANESSA THILL: Hi. Can you hear me?

CHAIRPERSON MOYA: We can hear you,  
Vanessa.

VANESSA THILL: Hi. Great. So, I'm  
here. I'm just representing a community of artists  
who I don't think have really spoken on this topic so  
far. Industry City used to be an affordable place  
where working artists would have studios and I worked  
for a nonprofit that was based in Industry City and  
they were some of the most predatory landlords in the  
way that they squeezed. They tried to squeeze as  
much of value added the tenants there. And, at this  
point, there are very few working artists left one of  
the things I hate most about Industry City is the way  
that they have branded themselves as a creative hub.  
What is a creative hub when they have displaced all  
of the people that actually make the culture what it  
is? And on top of that, I mean, who are the vendors?  
I want to know how many of those vendors and there

are people of color and immigrant owned businesses. To me, they are blatantly racist in the way that they operate and they are absolutely not to be trusted. So, they have already so much space and I would like to question why they need to have more. And I am speaking directly to my councilman, Mr. Levin. I appreciate your thought on this. Really think hard because this is Williamsburg all over again. Make the right choice here. Listen to the people. Thank you.

CHAIRPERSON MOYA: Thank you. Let's move on to the next panelists.

COMMITTEE COUNSEL: At this time, last Shana Castillo. Shana Castillo or Rachel Meyer, if you can hear my voice saying your name, please raise your hand now using the zoom raise hand function. Okay. Chair Moya, that concludes this panel and, at this time, I see no members with questions for the panel.

CHAIRPERSON MOYA: Okay. Thank you. Let's move onto the next panel.

COMMITTEE COUNSEL: The next panel is being arranged and I will announce it shortly.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next panel will include Adam Kwapich, Irene Tong, Lita Hakoda, and Patrick Robbins. The next speaker, the first speaker on this panel, will be Irene Tong.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Are we ready? Adam?

COMMITTEE COUNSEL: The first speaker is Irene Tong.

CHAIRPERSON MOYA: Oh, I'm sorry.

COMMITTEE COUNSEL: We're just waiting for her microphone to be unmuted. While we deal with Irene Tong, the next speaker will be Lita Hakoda.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Lita? Do we have Lita?

COMMITTEE COUNSEL: I see Lita Hakoda. We will come back to her. We're going to go to the next speaker, Patrick Robbins.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Patrick?

PATRICK ROBBINS: Hi, everyone. Can you hear me?

CHAIRPERSON MOYA: We can hear you. You can begin.



PATRICK ROBBINS: Great. My name is Patrick Robbins. I am born and raised in Brooklyn. I am also on the organizing committee of the New York City DSA eco-socialist working group. We oppose the Industry City rezoning for several reasons. As many have mentioned, this will displace longtime residents. Currently, Sunset Park is a hub of manufacturing in New York City and, as of 2014, had the highest concentration of manufacturing jobs of any neighborhood in the city. We know that this will worsen gentrification. Our own lived experience in New York has shown that the social code should determine how prepared it is for climate disaster. Right now, we are in hurricane season. It is unconscionable to be advancing this at this moment. And I'm going to go, you know, just to speak to what people have said before, we have heard from the renters from Industry City. We have heard from their workers. Pretty much everything we have heard today has shown that these developers cannot be trusted and they cannot be trusted to do the right thing. And handing them a nonbinding community benefit agreement, I mean, that's insulting. And we oppose this. We support the UPROSE proposal for the GRID,

the green resilient industrial district. This would create workforce training for renewable energy jobs, reduce carbon emissions, and ensure people who already live in Sunset Park benefit from development where they live. Thank you very much. I yield my time.

COMMITTEE COUNSEL: The next speaker will be Adam Kwapich.

CHAIRPERSON MOYA: Adam? Adam, you've got to unmute yourself?

ADAM KWAPICH: May I begin?

CHAIRPERSON MOYA: You can start. Yep.

ADAM KWAPICH: Thank you. My name is Adam Kwapich. First, I will discuss someone who spoke earlier. I have been a neighbor of Maria Roca for 19 years. She is a great community leader. I trust her judgment on matters pertaining to the Sunset Park. Also, I am proud of how Sunset Park helps the homeless. I am not afraid of the homeless. Most of the supporting rezoning wealthy. I am a lower class citizen. My last paycheck was less than 250 dollars. I strongly oppose the Industry City rezoning. Thank you.

CHAIRPERSON MOYA: Thank you, Adam.

COMMITTEE COUNSEL: We will now try to go back to Irene Tong. Irene Tong.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Irene? Do we have Irene?

COMMITTEE COUNSEL: I can see Irene's name on our list. It appears we're having some sort of issue. Going to try to take Lita Hakoda. Lita Hakoda, if you can please raise your hand. It appears that we may have lost one of these panelists. That will conclude this panel. Irene Tong, we will try to come back to you. Chair Moya, that concludes this panel. I see no member questions at this time.

CHAIRPERSON MOYA: Thank you. Let's proceed to the next panel.

COMMITTEE COUNSEL: We are going to try to take a couple of individuals and then, Chair Moya, we're going to have to pause at a 30 for a moment.

CHAIRPERSON MOYA: Okay.

COMMITTEE COUNSEL: Is Darrin Goldner available? Darrin Goldner. Okay. I see Darrin Goldner who will be the next witness.

SERGEANT-AT-ARMS: Starting time.

DARREN GOLDNER: my name is Darren Goldner. I'm an organizer with the eco-socialist working group of the New York City chapter of Democratic Socialists of America. We are unequivocally opposed to the proposed rezoning for Industry City and in favor of climate justice like UPROSE's GRID plan. Like many of today's speakers, I was born and raised near Industry City. In fact, my first union job was with 32 BJ within walking distance of Industry City. I work nights and weekends cleaning middle school 88, so did my two brothers. This was on this work that helped us support our family. As a former 32 BJ member, I want to express that we are the exception, not the rule. For most, these cleaning jobs are not springboards for greater opportunities in life and not a great way to survive. I am appalled that the 32 BJ bosses would sell out the community and their own union members for short-term gains. It is so counter to the interest of our working neighborhood and the labor movement that must be emphasized. Luxury retail is and what this community needs and can come close to the higher-paying green industrial jobs that could be generated in this space. Industrial roles

are the highest paying jobs in this neighborhood and green industry represents skill and growth opportunities in our community for decades to come. This is in fantasy. New York's already passed Climate Leadership and Community Protection Act will create 150,000 green jobs and the Green New Deal will add even more. That the 32 BJ leaders would sacrifice those better long-term jobs is beyond disappointing. It's a direct betrayal of their duty and the trust placed in them. Next, the Industry City plan does nothing to address the existential crisis affecting our community. Coastal resiliency and displacement. Industry City sits on a valuable and rare stretch of our coast. It's an opportunity to rebuild our coast in a way that protects our neighborhood that are a growing floods risks that are the new reality. The IC plan has no attempt at coastal resiliency. In fact, Andrew Kimball just testified they intend to let the neighborhood flood. This is unacceptable. Our community cannot be endangered just so these investors can maximize their profits. As Industry City has brought in luxury shopping and high class tenants, Sunset Park has seen very few local job opportunities. At the same time,

residents are finding new competition for housing and quickly--

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON MOYA: Thank you. Thank you, Darren, for your testimony.

DARREN GOLDNER: Thank you.

COMMITTEE COUNSEL: That concludes that panel, Chair Moya. I see no members with questions at this time.

CHAIRPERSON MOYA: Great.

COMMITTEE COUNSEL: The next panel includes Aidee Canongo, Cynthia Vandenbosch, Frankie Correa, and Paul Demuro. The first speaker of the panel will be Aidee Canongo.

AIDEE CANONGO: Awesome. Can you guys hear me?

SERGEANT-AT-ARMS: Starting time.

AIDEE CANONGO: Okay.

CHAIRPERSON MOYA: Aidee, we can hear you.

AIDEE CANONGO: [inaudible 10:24:20].

It's only been 12 hours, but it is great to be here. My name is Aidee Canongo. I am a lifelong resident of Sunset Park. I live in Sunset Park and I would like to see no, Andrew Kimball, Richie Torres,

Donovan Richards. I am not looking forward to the Industry City expansion. I am not looking forward to the displacement that is inevitable to our entire working class migrant community of color. Let me make something clear. Sunset Park is not a community leader feels sorry for. We are not a community that is pushing to get anybody sorrow. Our 36 Sunset Park area has never been the wild West. It is a community of migrants, which is different. The rezoning does not reflect the interests of Sunset Park community. It reflects the interest of developers, billionaires, and dirty politicians that are backed by real estate. I want to let you all know present that we are watching. The people of Sunset Park are watching. When you speak or post anything in relationship to the crimes against humanity happening at the ICE detention centers against our migrant women, I want you to know that we are watching and that you must protect the working class migrant children, migrant women, migrant families that live among you when you have sworn to protect. I am not asking pity for any of the residents of Sunset Park. On the contrary, I am asking you to acknowledge the success that we have had with the community, predominantly migrant

community, working of color that, despite all factors against us, Sunset Park is a mecca for commerce, for culture, and for life. [speaking Spanish] And if I can translate that. How many more evictions? How many more ICE raids, how many more police violence? Enough is enough. No. I say no to Industry City because I stand with the migrant working class community of Sunset Park. Thank you very much.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next speaker will be Cynthia VandenBosch.

CHAIRPERSON MOYA: Cynthia?

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Whatever you are ready.

CYNTHIA VANDENBOSCH: Respected members of the New York City Council, my name is Cindy VandenBosch. I am a small business owner and I live and work in the district. I am also the secretary of Brooklyn community board seven. Today, I am speaking on my own behalf after thoughtfully participating in a year's long process on both the community board and through speaking with my neighbors. This private application covers 16 blocks in one neighborhood in Sunset Park. This is a neighborhood that is



maintained a strong industrial waterfront and workforce for generations. I am concerned about the scope and scale of this proposal in its current form and the impact the rezoning will have on displacing manufacturing and retail businesses on the industrial waterfront and displacing some people who have lived in Sunset Park for decades. The fundamental issue here is that the applicant is legally bound to make decisions that maximize shareholder value. They are accountable to private investors, not the public. The motives and mechanisms for accountability are fundamentally different from city-owned nonprofit manage industrial sites like the Brooklyn Navy Yard. Which is why we don't see industrial retention at the heart of this application and, instead what we see is carefully crafted language about an innovation economy concept that includes luxury hotels and 900,000 square feet of unrestricted retail space which is the equivalent of six Costco's worth of retail within a matter of blocks. The fact that these conflicting uses are still in the application makes it clear to me that manufacturing businesses will be pushed out or priced out and that IC's innovation economy model will, in fact, play out as

an inequitable economy for the longtime businesses and residents of Sunset Park, something we have seen happen in others cities where innovation districts have widened racial and economic disparities. We have learned from COVID that industrial retention matters in this city and we can create models and Industry City can be on board as long as it remains one of the largest industrial complexes on the Brooklyn waterfront.

SERGEANT-AT-ARMS: Time.

COMMITTEE COUNSEL: The next speaker will be Frankie Correa.

CHAIRPERSON MOYA: Frankie?

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: Frankie?

FRANKIE CORREA: Yes. Can you hear me?

CHAIRPERSON MOYA: We can hear you now, Frankie.

FRANKIE CORREA: Okay. Great. Hi. My name is Frankie Correa. I have been in Sunset Park for almost 40 years. Thank you for this short opportunity this week even as a community member. This platform doesn't feel like we are in a position of power. I say that because Industry City has a lot

of money, influence, and power and when you have money, you never let a good crisis go to waste. Many of our neighbors and throughout the country are temporarily out of work that, yet, the stock market is never been higher. So, Industry City has used their leverage and purchased more property as well as outside influences, newspapers, clergy's, tenants, and elected officials who need real estate sugar daddy dollars. All these supporters have been used to recite Industry City's rhetoric of 20,000 jobs, 100 million dollars in revenues, and they seek this opportunity to land grab wall people are hurting. Today, they have posed as both the victims who are trying to grow their businesses, as well as also the saviors of this community when, in fact, they have Pentagon sized properties of 17 buildings, almost 6 million square feet, yet, they want more. They say that they are bringing 100 million dollars in revenues in taxes. Our property taxes have tripled in the last seven years, so who's paying for this revenue? We know that, as they invested 1 billion dollars like they say, they will be writing off those revenues for years to come. Industry City has not worked with the community, but in Trump-like fashion,

they have been divisive. They have used to the unpopularity of our council member who has taken a couple of Apollo night treatment, but it stood behind the will of the people which is what we elected him to do. Not to kiss the reins of leadership or the so close stewards--

SERGEANT-AT-ARMS: Time expired.

COMMITTEE COUNSEL: The next speak will be Paul Demuro.

CHAIRPERSON MOYA: Paul?

PAUL DEMURO: Hi. Thank you. I'm Paul Demuro. I'm a middle school art teacher who has lived and worked in Sunset Park for the past nine years. I stand with my neighbors, over 4000 of whom have signed a petition against this rezoning, as you all well know at this point. And as well as all of our local elected officials and community groups and nonprofits who have spent countless hours working with community members saying no to this rezoning while envisioning a different path for our waterfront. It seems to me, obvious that IC's main goal is to maximize profits as landlords. In this plan is essential to that. Industry City's end goal isn't to create a coding camp utopia for our

neighborhood, but I am not here to say what Industry City should be under the current zoning restrictions. The owners of this complex took a speculative gamble when they purchased it with those restrictions in place. That gamble is not the burden of the residents of this neighborhood. Of course it is Industry City's right to seek that this zoning be changed, but that is not a process to be determined without the feedback of the current residents. In those current residents have spoken and said no emphatically to this proposal, rightly skeptical of and easily overturns CBA. I joined them in this rejection. I want to talk about innovation which has become a singular slogan for Industry City, yet, when we talk about innovation, that is the introduction of something new in the kind of advancement we need in this city and, more broadly this country, Industry City's plan is anything but innovative. In fact, it relies on a very traditional and stagnated mode of growth, namely charging expensive rents to chain stores, luxury hotels which I believe are still in the written proposal despite what was said today, private universities, novelty boutiques, while keeping the option open to sell the entire complex in

just a few years' time. Industry City's model is to raise rents as high as possible for its international investors, and making the property desirable for a flip. It has become second nature for politicians to--

SERGEANT-AT-ARMS: Time expired.

PAUL DEMURO: Thank you. I'll submit my testimony.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: Chair Moya, that concludes this panel.

CHAIRPERSON MOYA: Okay. Any questions? Nope?

COMMITTEE COUNSEL: I do not see any members for questions for this panel.

CHAIRPERSON MOYA: Let's call it the next panel.

COMMITTEE COUNSEL: The next panel will include Eve Mitchell, Gloria Novella, and Paul Stein. The first speaker will be Eve Mitchell.

SERGEANT-AT-ARMS: Start--

EVE MITCHELL: Hi. My name is Eve and I-- can you hear me?

CHAIRPERSON MOYA: We can hear you.

EVE MITCHELL: Great. I'm with the Sunset Park Popular Assembly and I just wanted to call out today how alienating and disempowering this whole process has been. This whole meeting has been stacked with Industry City's supporters at the very beginning and you have waited until now to hear from community members who overwhelmingly need to not support this rezoning. We have heard from many different people in the community that disagree with this. We have heard some interesting stories. Menchaca, for example, forgot to mention that the community has to press him for months and months to vote against this. So we know that everybody who is actually not listening anymore-- these Council members are not listening, but everybody on the Council have their pockets lined with money from real estate capital. We know real estate capital runs the city and the politicians are just their playthings. The community has fought back for many months and forced Menchaca to vote no on this and this is a call to people not on the panel. This is a call to everyday people who are sick of this bullshit, sick of these processes that force us out of our neighborhoods, that force us out of the process and

we're building power front the ground up. So if you are interested in connecting in grassroots organizing that doesn't fall prey to these politicians and their bullshit, please--

CHAIRPERSON MOYA: Thank you very much.

Thank you for your testimony.

COMMITTEE COUNSEL: The next speaker will be Gloria Novoa.

SERGEANT-AT-ARMS: Starting time.

GLORIA NOVOA: Good afternoon, City Council. Do you hear me?

CHAIRPERSON MOYA: We can hear you, Gloria.

GLORIA NOVOA: Hi. I've been in Sunset Park 50 years. We tried our best to be we are. We have always been a working class immigrant, but powerful kind of community. This is a community that has been built on the same land that they now own, which is Busch Terminal. Everybody that came here was very clear. I can work and I can live in I can own and they are not supplying that kind of energy, that kind of gravitas, which is in their hands. When you buy a property as large as theirs, you are also buying the reality that you must be better because you are sure as heck bigger. And anybody that comes



on your blog, you expect certain things. You expect them to do, if they have a lawn, to claim their lawn because everybody else cuts their lawn. And to be a part of the community. They have chosen time and time again not to be that neighbor, as big as they are. They have made decisions that have never been a part of what Sunset Park is at its core which is a neighbor to neighbor neighborhood. I can't believe that, with all the kinds of lies he is told-- let us not forget that Andrew Kimball promise that he was going to write a different letter when he put in his paperwork and he did not. He sent the same paperwork which he had told our Councilman Carlos Menchaca he was going to change. He did not. If I can't trust you to do the simplest thing, which everyone will know you did it, how can I expect you to be anything but a bad neighbor and a bad person? Now, you bought, fine. You live with what you bought. Don't ask me to do any favors. Don't ask me to say yes to you because--

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next speaker will be Paul Stein.

SERGEANT-AT-ARMS: Starting time.

CHAIRPERSON MOYA: All right, Paul.

PAUL STEIN: Good evening.

CHAIRPERSON MOYA: Good evening, Paul.

PAUL STEIN: I'm here because I wanted to personally appeal to the members of the city Council to honor the wishes of the majority of the Sunset Park community and oppose this rezoning. For two reasons. One, anti-upscale purposes, any upscale uses that are allowed to be carried out by Industry City means that that plan will not be available for manufacturing and, most importantly, for a green industrial district, which you've heard about earlier. And second of all, the rezoning would accelerate the displacement through gentrification and the effect of gentrification is racist, regardless of what you think about the motivation, the effect is definitely racist. And something to think about in terms of some facts having to do with the gentrification, the vast majority of the residents of Sunset Park are people of color. Two thirds of those residents are renters and two thirds of rental units in Sunset Park are not rent-controlled, rent-stabilized, rent regulated in any

way. And that means when the largest real estate companies in the city and the state, for example Douglas [inaudible 10:39:38] and in the country, actually, they advertise proximity to Industry City because they know that the new upscale workers at Industry City, not Sunset Park residents, the vast, vast majority of them, want to live, as Andrew Kimball said, the walk to work-- it's a walk to work property. So please vote no and end this acceleration of gentrification. Thank you.

CHAIRPERSON MOYA: Thank you. Thank you, Paul.

COMMITTEE COUNSEL: Chair Moya, that concludes this panel. I see no members with questions for this panel at this time.

CHAIRPERSON MOYA: Seeing none, and a members have any questions?

COMMITTEE COUNSEL: I see no members with questions at this time, Chair Moya.

CHAIRPERSON MOYA: Thank you. Let's move on to the next panel.

COMMITTEE COUNSEL: The next panel will include Brian Garrita, Lita Hakoda, Jess Kulig, Helen

Filion Onserut, and Corrine Candelaria. The first speaker on this panel will be Brian Garita.

CHAIRPERSON MOYA: Brian?

BRIAN GARITA: Hi. Yeah. Can you give me a like one minute? Sorry. I am just preparing my notes.

CHAIRPERSON MOYA: Brian, we are on a clock. You have to--

BRIAN GARITA: All right. If I'm on a clock, then--

CHAIRPERSON MOYA: We're on a clock. Are you ready?

BRIAN GARITA: Yeah. I'm ready now.

CHAIRPERSON MOYA: Great.

BRIAN GARITA: All right. So, my name is Brian Garita and I vehemently oppose this rezoning on the grounds that we are not here for your macroeconomics. We know that these developers are not humanitarians. That, you know, they talk about all this macroeconomics stuff, but the reality is that 55 percent of the sunset Park neighborhood is rent burdened. They spend more than 30 percent of their money on rent. About nine percent live in overcrowded households and we know how much that has

affected them, you know, during this epidemic. Along with that, you know, with these ICE raids, you know, along with COVID, this rezoning is really going to treat my community for the worse. And a lot of our people are going to be displaced. We have to cancel rent. There's so much to do. And we're over here talking about a rezoning that's going to bring boutique hotels that aren't going to do anything to our community. And, you know, so again, I vehemently oppose this on so many levels. And just let the community decide what they want to do with their land, honestly. I think, you know, Donovan Richards, Robert Cornegy, these are all foolish men who don't have anything to do with our community. Let them rezone their own neighborhood. Why are they advocating for a rezoning--

CHAIRPERSON MOYA: Okay. We're not going to--

BRIAN GARITA: Leave us alone.

CHAIRPERSON MOYA: We're not going into insulting other Council members right now.

BRIAN GARITA: I'm not. I'm not.

CHAIRPERSON MOYA: Please finish your--

BRIAN GARITA: I just want to point out--

CHAIRPERSON MOYA: Please finish your testimony, but let's keep it--

BRIAN GARITA: I just want to point out--

CHAIRPERSON MOYA: Let's keep it to the actual hearing itself. Okay?

BRIAN GARITA: Thank you. I'm sorry about that. I didn't mean to go-- digress. I just meant--

CHAIRPERSON MOYA: That's okay.

BRIAN GARITA: that our Council member has already spoken for our community. Those Council members should just speak for their own and, you know, stop trying to sell hours of piecemeal. And that is what is going to happen. Our community is going to change little by little. We already have report survey supposedly trying to come into our community. We don't want those kind of businesses here. We want our culture and our vibrancy to change our community and our economic development. Please, please. We do not need private developers. The filth and grime that those people mentioned before is

my community and those people talk from a perch of privilege. Those people have nothing to do with our community and they do not live there every day--

SERGEANT-AT-ARMS: Time is expired.

CHAIRPERSON MOYA: Thank you, Brian. Thank you.

COMMITTEE COUNSEL: The next speaker is Carinn Candelaria.

CARINN CANDELARIA: Hello.

CHAIRPERSON MOYA: Hey, Carinn.

CARINN CANDELARIA: I'm doing well, thanks. How are you? Is my time on?

CHAIRPERSON MOYA: Yeah. Whenever you're ready.

CARINN CANDELARIA: Okay. Hi. My name is Carinn Candelaria. I'm a resident of Sunset Park and small business owner here as a licensed New York City tour guide which is just to say that I have spent a lot of time sharing and interpreting, sometimes celebrating the history of our neighborhood and this Canarsie monopoly land that we occupy. And I want to say that, from my interactions with international visitors and conversations I have had with other community members, I can tell you that

this type of development is outdated and embarrassing. In my tours, I like to talk about the history of Busch Terminal and how, during World War II, is served not only the community, but the world. And there is an opportunity right now for Industry City to serve the world again, not their business hotels or toxic classrooms, but through a green waterfront. For the past month I've been here in northern California looking after family and the air outside has been unhealthy to hazardous for 22 days. So, I urge you to please take advantage of New York City's last waterfront opportunity to invest in sustainable energy, carbon neutral infrastructure, and environmental amenities to impact and inspire and impress the rest of the world. Then, selfishly, I'd like to end my tour with the skyline that doesn't get obstructed by literal pillars of racist rezonings, profit being put over people, and the selling of Sunset Park. Thank you for your time.

COMMITTEE COUNSEL: The next speaker is Helen [inaudible 10:45:50]

CHAIRPERSON MOYA: Helen? Aruthur, should we move on to the next person?



COMMITTEE COUNSEL: We'll try to take Jess Kulig as the next speaker. Jess Kulig.

JESS KULIG: Hi. My name is Jess. I live in Sunset Park actually right down the street from Industry City. It's a great behind me sitting in my bedroom. So, the first thing I want to say is I am completely opposed to this rezoning, but before that, just this whole ULRP process is a sham. We all know it is meant to work in the favor of developers, make us feel like we have a voice. We know this as a community which is why we've been working for years outside of the process to show the strong opposition to the rezoning to Carlos, but, lo and behold, when Carlos finally says no, the goalpost is moved. Now, suddenly, the decision of the local Council member is in the one that matters. You know, all the Council gets to decide now. So, it's just shows how messed up and per formative this whole process is. The second thing is that, as other people have said earlier, all rezonings, including the current one are inherently racist. Tim Stein, who is an urban planner at CUNY grad Center wrote a book explaining that the purpose of rezonings is always to raise property values and that spreads across the whole

neighborhood. Increased property values means higher rents which means displacement. My have already seen building owners marketing their properties at higher prices, like Paul said earlier. Explicitly stating that Industry City is about to be rezoned in his down the street and all the talk of 8000 shitty jobs really doesn't mean a thing when people are priced out of the neighborhood. And when I say shitty jobs, I'm talking about the ones at Lilac Chocolates, which is an Industry City business the hired union investors to stop workplace organizing. I'm also talking about the Industry City employees who retaliated against earlier this year for raising concerns about COVID cases. After much of the city was already shutting down. So, are they saying a good job this one that you are supposed to die for? I also don't hear any mention from Industry City of the fact that they are evicting the post office, which is, basically, the one thing that people in Sunset Park down at Industry City and that facility is made up of union workers, as well. And now we're going to have to go more than a mile--

SERGEANT-AT-ARMS: Time expired.

CHAIRPERSON MOYA: Thank you for your testimony.

COMMITTEE COUNSEL: The next speaker will be Lita Hakoda.

LITA HAKODA: Hi. My name is Lita. I'm a member of Sunset Park tenants Union and the Sunset Park Popular Assembly and I just want to say that I am really, really extremely opposed to the rezoning proposal, as well as the current state of the Industry Say the buildings. Those luxury nice-looking things are not for me and not for people in the neighborhood and COVID pandemic has been asking us for fundamental changes in the way we live and think and work and cooperate with each other and our group is building on some amazing movement to support each other and this rezoning it is going to really ruin that. And we are really coming up with new strategies that deals with, you know, this capitalist relationship and dynamics and we are grouping together, building together to overturn that. And we heard already from some of the workers said how low they are paid are. Their wages are. And those people, along with the community members who have been opposing, you know, this rezoning for years, we

really need to listen to them. They are talking reality and whoever is in favor of rezoning, in favor of Industry City is talking fantasy. We have learned history and we have seen what is going on in the neighborhood, like Williamsburg. I was displaced from Williamsburg and the older rezoning is really raised us, some people are pointed out. And in this process today, you know--

SERGEANT-AT-ARMS: Time is expired.

LITA HAKODA: Okay.

CHAIRPERSON MOYA: Thank you, Lita. Thank you so much.

COMMITTEE COUNSEL: The next speaker will be Helen Filion Onserut.

HELEN FILION ONSERUT: Thank you. I have lived in Sunset Park for the last 34 years and I consider this neighborhood to be the best I have ever lived in. The reason it is such a great neighborhood is because it is a good community where people care about each other and about making sure that people can stay and it remains a strong community. There are so many of those kinds of communities left in the city. I am now a homeowner and I love the tenants who live in my house. I would hate for them to have

to move because my taxes are going up and I need to raise their rent. I would hate for my working-class neighbors to be displaced and have to leave because real estate developers and the lawmakers that go to them are trying to rezone over 1 million square feet of Industry City without community agreement and support. We know this will hike up rents and cause more displacement in Sunset Park. Our Council member Carlos Menchaca took a long time to say no to this private rezoning plan because he wanted to try to work with Industry City developers for the benefit of the community. It is only when he realized that the developers weren't acting in good faith that he made the decision. It is very upsetting for those of us who have been invested and working on behalf of Sunset Park to realize that the decision made by the Council member we elected and we trust is not being backed by the rest of the Council, and particularly by Speaker. The Sunset Park waterfront, New York City's largest maritime manufacturing area and body is not only New York's industrial past, but also the neighborhood's history as a community of recently arrived immigrants and working-class families.

Industry City envisions transforming the historic waterfront--

SERGEANT-AT-ARMS: Time is expired.

HELEN FILION ONSERT: Thank you.

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next speaker on this panel will be Rachel Meyer.

RACHEL MEYER: Hi. Can you hear me?

CHAIRPERSON MOYA: We can hear you.

Whenever you're ready.

RACHEL MEYER: Okay. Great. Thank you. My name is Rachel Meyer. I am a homeowner in Sunset Park. I have only been in the neighborhood for about five years, but I am opposed to the proposed rezoning and would urge the Counsel to vote against it. I want to echo and amplify what my neighbors have been saying. That there is real fear and real concern about rising rents in the neighborhood and that it would displays so many of our neighbors through gentrification and was really, you know, we fear to destroy the fabric of the community and the diversity of the community and just totally change the face of Sunset Park and why so many of us love to live there and raise our families

there. This issue has been studied in such detail and there are no guarantees that the jobs will be before Sunset Park. There is no way to keep that accountable and we can't just take Andrew Kimball's word for it that is going to support the neighborhood and invest in the people who live there. This is a totally arbitrary deadline and there is no reason to rush this process. There is no reason it needs to be decided on right now in the middle of COVID and without community support. And so I think the process needs to slow down and really look at the issues that the community is raising and I hope that the Council will vote no because those conditions haven't been met. Thank you.

CHAIRPERSON MOYA: Thank you. Let's call the next panelist, please.

COMMITTEE COUNSEL: Chair Moya, that concludes the speakers for this panel. I see no members with questions at this time for this panel.

CHAIRPERSON MOYA: Okay. Let's call it the next panel.

COMMITTEE COUNSEL: The next panel will include Shana Castillo. Phone caller with a number ending in the digits 8802. Elise Schuck.

Grace Bothwell. Sorry, Chair. An individual named Jeffers. An individual identified as Patricia W. Jorge Muniz. Karen Guzman and Jane Lee. The first witness on this panel will be Shanna Castillo.

SHANNA CASTILLO: Good evening. Can you hear me?

COMMITTEE COUNSEL: We can hear you.

SHANNA CASTILLO: Great. Thank you for your time this evening and for providing us with the opportunity to testify. My name is Shanna Castillo. I'm a long time Sunset Park renter and local public school parent and I am urging the city Council to vote no on Industry City proposed rezoning. As a local school parent, I have spoken with many parents and many school teachers who know that Industry City is wrong for our community. They know this when contacting Industry City to try to work together in partnership to provide real learning opportunities for Sunset Park students. They know this when they take their students there on tours and they look around and see that there is very little that their students and their parents will be able to afford. And parents know that is also when they walk into that space, it is so very distinct and an undesirable



wave from the character of the Sunset Park community. This is not a place that is being built for the local community. At a time during COVID, this is really our time to get a reality check. This is really our time to focus on the racial injustices that have been with us for decades. The Mayor talks about this in his press conferences, yet saying yes to an Industry City rezoning will just be the type of business deals and real estate deals that also happened under Bloomberg and see the devastation that that has caused to those local communities. I understand earlier the city Council does not want us to name call councilmembers, but councilmembers are certainly being disrespectful when they are coming from outside of our community and demanding that we embrace a deal that is only going to further displays those that are most in harm's way. It is not the right time for an Industry City rezoning. They will not go anywhere. They are here. They can continue to prove that they can be good community members--

CHAIRPERSON MOYA: Thank you. Thank you for your testimony. Let panelist, please.

COMMITTEE COUNSEL: The next speaker will be an unidentified caller with a phone number

ending in four digits 8802. We're calling the witness with the phone number with the digits ending in 8802. We will come back to the caller. The next witness will be Elise Schuck.

CHAIRPERSON MOYA: Elise? Elise, are you ready?

COMMITTEE COUNSEL: We will come back for Elise.

CHAIRPERSON MOYA: Elise, you will have to unmute yourself.

ELISE SCHUCK: Hello?

CHAIRPERSON MOYA: Yep.

ELISE SCHUCK: Can you hear us?

CHAIRPERSON MOYA: You can go.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: My name is Blanca Carabajo. Thank you for the opportunity to listen to the community.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: I have lived in the community for 25 years.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: I used to have a business here at bus terminal at Industry City that was known as bus terminal for 10 years.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: In order to create Industry City, they had to get rid of that business is that they displaced.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: Those business is provided jobs to the communities. To mothers and families. Now, those 300 businesses have been displaced. Where are they now now that Industry City is here?

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: They're lying. Industry City had to displace us and the businesses they brought in came with their own employees.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: The rents are going up and tenants can't afford the rent. I have lost a lot of friends. They have been displaced from this community.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: Industry City does not offer jobs to the community. That is wrong.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: Industry City is displacing families, communities.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: Please, we need you to support the people. We the people do not support the rezoning.

BLANCA CARABAJO: [speaking foreign language]

ELISE SCHUCK: Remember, we have families that came to help lift up this country.

BLANCA CARABAJO: [speaking foreign language]

COMMITTEE COUNSEL: The next witness  
with be Grace Bothwell.

GRACE BOTHWELL: Hello. Can you hear me?

CHAIRPERSON MOYA: We can hear you, Grace.

GRACE BOTHWELL: Hello. My name is Grace Bothwell. I am a resident of Sunset Park and before my worksite shut down due to COVID-19, I was a low income worker in the neighborhood. I stand with my neighbors and strongly oppose the Industry City rezoning. The rezoning plan will displays longtime residents and vulnerable migrant communities in order to create additional luxury retail that no resident wants or needs. This isn't baseless speculation. We have seen this play out in countless neighborhoods like Williamsburg, Chelsea, and downtown Brooklyn. This plan will dramatically accelerate gentrification in a neighborhood that is predominantly populated by people of color. This rezoning plan is racist. No qualifiers. Industry City is not built for the community, but only serves to make the rich richer and make the poor suffer. This plan does not reflect the interests of residents and is catered exclusively to rich developers who only care about shareholders and their bottom line. Sunset Park has the largest

working-class industrial waterfront in Brooklyn.

This space could be immediately put to use to create planet friendly jobs like manufacturing windmills and shoring up the waterfront. We are staring down the barrel of multiple crises. COVID-19, gentrification and displacement, and climate change. It is an absolute travesty that this plan is being considered at all. There is no reason why we need to be voting on this today. City councilmembers, you need to do the right thing and vote no on this rezoning. The people over profit for once. I held my time.

COMMITTEE COUNSEL: The next speaker will be Jane Li.

JANE LI: Hi. Thank you for the opportunity to testify today. My name is Jane Lee. I am a resident of Sunset Park and I am also a housing attorney. And in my capacity as a housing attorney, I have had the opportunity, unfortunately, to represent tenants and tendon associations in Sunset Park who had been facing the pressures of gentrification and displacement and large landlords coming into the community to put profits over people. Industry City is a similar type of organization, but just on a huge, massive scale. The profits from

Industry City are going to be coming and flowing into the community. While there are small businesses that work and rent space in the development or campus, so to speak, the profits are going outside to investors. Sunset Park is a working-class community with lots of immigrants and people of color and, frankly, one of the only affordable places left to live in South Brooklyn and if residents and tenants and families are being pushed out, there is no other place for them to go. So, for those reasons, I oppose the rezoning plan. And I think there is a false choice being presented between having good labor jobs and having to push this rezoning forward. And Sunset Park shouldn't be bearing the brunt of a failed economic development on many fronts and, especially, a lot of people are anxious about the economy in the times of COVID, but this is a real, lasting impact that is going to take place in this neighborhood and we shouldn't be so shortsighted about what's happening and who we're inviting to do additional business here. Industry City does enough business in the community at this point that they do not need to expand--

CHAIRPERSON MOYA: Thank you.

COMMITTEE COUNSEL: The next witness will be the individual identified as Jeffers. J E F F E R S.

CHAIRPERSON MOYA: Jeffers? Going once, going twice. Okay. Let's move on to the next one.

COMMITTEE COUNSEL: We will try to go back to unidentified caller with the phone number ending in 8802. Can we have the phone call or with the number ending in 8802?

CHAIRPERSON MOYA: Caller?

UNIDENTIFIED: Hello? Hello?

SERGEANT-AT-ARMS: We hear you.

CHAIRPERSON MOYA: Just state your name and then you can start your testimony.

[Background comments]

CHAIRPERSON MOYA: Okay. We're going to meet you now. Let's move on to the next panelist.

COMMITTEE COUNSEL: At this time, I will ask if Patricia W., Jorge Muniz, or Karen Guzman, if you are hearing me say her name right now, please raise your hand in the zoom window. Patricia W., Jorge Muniz, Karen Guzman. Okay. We appear to have lost those witnesses or they appear to have exited the meeting. At this time I would ask if



there is anyone in the public still waiting to testify, to please use the zoom raise and function so that you can be identified. We're going to admit phone call or witness identified as user\_seven.

CORBIN LEDLINE: Hello? Can you hear me?

CHAIRPERSON MOYA: We can hear you.

CORBIN LEDLINE: Okay. What's up?

First, I just want to say something to the folks listening who are from Sunset Park or other parts of the city. Don't for a minute get fooled into thinking that this process-- hello?

CHAIRPERSON MOYA: Yep. If you could state your name for the record.

CORBIN LEDLINE: My name is Corbin Ledline.

CHAIRPERSON MOYA: Okay.

CORBIN LEDLINE: Yeah. As I was saying, don't let any of us get fooled into thinking this process is democratic, right? We have been fighting for years to stop this in spite of all the resources Industry City and most sellout business unions do on this. We got our community board does say no. We got Carlos Menchaca to say no, so are we even having this conversation right now? We don't want to have

our voices heard by a bunch of politicians who can go and make a decision for us. We don't want to just be heard by you. We want the decision-making power over what happens in our neighborhood which is why we need to be continuing to build with other communities for a moratorium on all rezonings until it is replaced with a new process and ULRP is abolished so we can have decision-making from the ground up and power over land use. Right? I am from Redhook. I live in Sunset Park now because I could no longer afford to live there and it is not a mystery that the rezonings of played a huge role in accelerating gentrification and displacement in Redhook. If you know Redhook and you go back to what's called the front, the area by the waterfront, right? You know there is been in ethnic cleansing back there. The folks that remain, though working-class people of color that remain, although rezonings have brought our precarious low-wage service jobs in the folks who managed to stay around, they tell me they feel like aliens in their own neighborhood, right? And that is what is going to happen to Sunset Park. And I don't know if you heard Andrew Kimball talking about his solution for gentrification which, essentially, was to warehouse

for people nearby so they can make it to work easily. Nowhere did he mention any concerns about displacement, about the effect gentrification has on the social fabric of communities that he is destroying. He doesn't give a fuck about the people of Sunset Park.

CHAIRPERSON MOYA: All right. I appreciate it. There's not going to be any profanity in these hearings. Thank you. Let's move on to the next panelist, please.

COMMITTEE COUNSEL: The next panelist will be the unidentified witness labeled user\_six.

CHAIRPERSON MOYA: If you're going to testify, you can say your piece. If you are going to use profanity, we're going to cut you off. It's that simple.

COMMITTEE COUNSEL: We will now hear from witness user\_six.

CHAIRPERSON MOYA: Okay. Going once, going twice. Let's move on.

COMMITTEE COUNSEL: Emmett Mendoza, if you wish to testify in this subcommittee hearing, please use the zoom function to raise your hand now. We will now hear from Emmitt. Emmitt Mendoza.

EMMITT MENDOZA: Hey, guys. Can you hear me? Hello?

CHAIRPERSON MOYA: Yep.

EMMITT MENDOZA: Hi. This is Emmitt Mendoza from Sunset Park. As you can see, I am in the middle of Industry City here with my friends. The reason why we are in the middle of Industry City is because we are trying to stop this rezoning from moving forward. There are many obvious reasons of why this rezoning needs to stop. For one, it is a private rezoning which means that the interests to the community are not first. The interests of prospectors or developers were going to, basically, create this rezoning only to create profits for themselves, for all their investors, for the people who are funding Jamestown like block walk. As you all know, these corporations are not in here for opportunity. They're in your for the investors to create profit. At the end of the day, the 20,000 jobs that they promised are not real. Jamestown is a landlord. They are not job creators. As you heard, they hired at least around 80 people. These 20,000 jobs that they promised are not going to be through them. It's going to be through the people or the

organizations that are going higher. Secondly, as you know, rezoning in the past has displaced communities a lot. Williamsburg, Fourth Avenue, the park Slope rezonings, the [inaudible 11:14:49] rezoning. Each and every one of these rezonings has dramatically impacted the communities that have long lived there. The same thing can happen here in Sunset Park and I'm hoping night you, Francisco Moya, will vote no, but I'm also hoping in this time that we have a moratorium and I hope that you will [inaudible 11:15:06] if this rezoning does go through, it will displace thousands of people and I'm hoping that you also push for a rezoning moratorium for any upcoming rezonings. Thank you.

CHAIRPERSON MOYA: Thank you. Let's move on to the next panel.

COMMITTEE COUNSEL: capital the participant identified as Shlomo Rothchild, if you wish to testify in this subcommittee hearing and have not already done so, please raise your hand. Shlomo Rothchild, if you wish to testify in this subcommittee, please use the zoom raise and function.

CHAIRPERSON MOYA: Okay. Let's move on in the next one, Arthur.

COMMITTEE COUNSEL: Colleen Peabody Diaz, if you wish to testify in this subcommittee, please use the zoom raise hand function. I see the next witness will be Colleen Peabody Diaz. While we attempt to get Colleen Peabody Diaz in, is Shlomo Rothchild ready?

CHAIRPERSON MOYA: Okay. Must move on.

COMMITTEE COUNSEL: Participant identified as Alyssa, one name only, if you wish to testify in this subcommittee, please use the zoom raise hand function if you have not already done so in this hearing. Chair Moya, I see no additional hands of people who have not already testifying.

CHAIRPERSON MOYA: Great. Okay. So are there any additional members of the public who wish to testify on Industry City?

COMMITTEE COUNSEL: Chair, this time, I see no other members of the public who have not already done so who wish to testify on this item.

CHAIRPERSON MOYA: Thank you. Okay. There being no other members of the public at which to testify on public hearing LU number 674 through 677 for Industry City, the hearing is now closed. This concludes today's business. All of today's

applications are laid over and I remind you that if you have written testimony on these items, you may submit it to the land use-- you may submit it to landuse[testimony@Council.NYC.gov](mailto:testimony@Council.NYC.gov). Please indicate the LU number and/or the project name in the subject heading.

COMMITTEE COUNSEL: Excuse me, Chair Moya.

CHAIRPERSON MOYA: Yep.

COMMITTEE COUNSEL: I see that Council member Menchaca has his hand raised to be recognized.

CHAIRPERSON MOYA: Council member? Are you just going to give a closing statement? Okay. I'll get back to you in a second.

COUNCIL MEMBER MENCHACA: You got it.

CHAIRPERSON MOYA: Okay. Yep. Just give me two seconds I'll go back to you. But, look, folks, it's been a long day and I think there is just a lot of information that we have received and I want to thank all of the participants, everyone who stayed on for hours. We've now gone on for 11 hours and 31 minutes. It is an important issue, whether you are for or against it. We appreciate your time and your patience, but I also have to give a big thank you to

the staff, our Sergeant-at-arms, all of you who have really That is hearing going and moving. We thank you so much for what you've been able to do to have this be a seamless zoom meeting today and made it so accessible to the public. We appreciate all the great work that you have done and how you've hung in there with us for these 11 hours. Thinking all of you for what you have done. And I also have to thank the incredible staff that we have in our land-use department. My copilot in this, Arthur, thank you. You've been incredible. You've really driven this thing home and I know that I couldn't have done this without you. But the staff, Chelsea, Amy, Rosa, John, Sam, Andrew, Brian, Katie, Caitlin, Malika, Julie, Sandy, Michael, and, of course, Raju, man, I've spent endless hours trying to get this hearing together and doing all the great work that all of you have done. It's been incredible and to Megan Tatio who is on my staff, as well. I want to thank her, as well. And, again, the staff. This has been a long hearing, but I want to thank you for everything that you have done. I'm going to turn it over to Council member Menchaca who I think also wants to say a couple of thanks yours to all of you.



COUNCIL MEMBER MENCHACA: Yes. In the first thank you is to you, Chair. You have managed to build something that was, I think, historic in a lot of ways. All the thank yous that you gave freely built out something that I think is going to be a model for future hearings as we move forward. I want to say thank you for all the interpreters, as well, who have been on this call interpreting for folks on the different zoom calls. I think it is the first time that the Council is on that before and I really think it is telling of the commitment that you, Chair, and the Council has made and demonstrated to bring their immigrant communities into this process. I will also say thank you to Cory Johnson, our Speaker, and Jason Goldman who really created that expectation from the very beginning. I also want to say thank you to Arthur. Thank you. I don't know how you did what you did. I hope you ate. I don't even think I saw you like eat, so I hope you ate something. If not, I hope you have something waiting for you. But I also just want to say thank you to all the members of the public who stayed so long in this. I think the last time I remember being on a public hearing like this was on budget and staying

for the whole thing, I feel the same way. I have zoom eyes right now. That hearing workers, hearing residents, hearing folks who are so supportive of Industry City, all of those members of the community are what made today possible and even have supported my final decision to say no and I'm hoping that, Chair, you can help me really amplify the voices that have come here today to all the rest of the subcommittee members and that is the work tomorrow. But thank you and [speaking Spanish]. Final, it's Mexican Independence Day and all this stuff on the hearing has forced me to do this and not think about Independence Day. So for all the [speaking Spanish] out there, let's celebrate wherever we are safely. Thank you.

CHAIRPERSON MOYA: Thank you. And I also want to say thank you to the Speaker Cory Johnson, Jason Goldman, and also to Chair Salamanca, for filling in. I appreciate what you have done. We really couldn't have done it without you. So, thank you all. This meeting is hereby adjourned.

[gravel]

C E R T I F I C A T E

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



Date September 30, 2020