

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

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Of the

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COMMITTEE ON FINANCE JOINTLY  
WITH THE SUBCOMMITTEE ON  
CAPITAL BUDGET

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March 24, 2021

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HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

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B E F O R E: Daniel Dromm,  
Chairperson of Committee on  
Finance

14

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Helen Rosenthal,  
Chairperson of Subcommittee on the  
Capital Budget

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COUNCIL MEMBERS:

19

Adrienne E. Adams  
Alicka Ampry-Samuel  
Diana Ayala  
Robert E. Cornegy, Jr.

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Laurie A. Cumbo  
Darma V. Diaz

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Vanessa L. Gibson  
Barry S. Grodenchik

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Karen Koslowitz  
Farah N. Louis

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Steven Matteo  
Francisco P. Moya

25

Keith Powers

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COUNCIL MEMBERS: (CONT.)

3

Helen K. Rosenthal  
James G. Van Bramer  
Stephen T. Levin  
Brad S. Lander

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A P P E A R A N C E S

Sherif Soliman  
Commissioner of the Department of Finance

Michael Hyman  
DOF's First Deputy Commissioner Michael Hyman

Joseph Fucito  
Sheriff

Jamie Torres-Springer

Rachel Laiserin  
Chief Financial Officer

Wayne Lambert  
Chief Diversity Industry Relations Officer

David Varoli  
General Counsel

Henry Garrido  
DC37

Ralph Palladino  
Local 1549 Clerical Administrative Employee

MJ Okma  
Human Services Council

Jessica Cinque  
Policy Analyst at FPWA

Nadine Duncan  
Comptroller at Sheltering Arms

Ravi Reddi  
Associate Director for Advocacy and Policy at the  
AAF

Magdalena Barbosa  
Managing Attorney at Catholic Migration Service

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A P P E A R A N C E S (CONT.)

Carlos Castell Croke  
Associate for New York City Programs at the New  
York League of Conservation Voters

Phoebe Flaherty  
Organizer at ALIGN

David Rysdahl  
On behalf of the Climate Justice Organization  
350NYC and the Broader Climate Coalition Climate  
Works for All

Deyanira Del Rio  
New Economy Project

Izoria Fields  
President of the East New York Community Land  
Trust

Debra Ack  
Recording Secretary of the East New York  
Community Land Trust

Athena Bernkopf  
Project Coordinator of the East Harlem El Barrio  
Community Land Trust

Kelly Grace Price  
Close Rosie's

Michele Cortese  
Executive Director of the Center for Family  
Representation

Maryanne Kaishian  
Senior Policy Council with Brooklyn Defender  
Services

Shane Correia  
Center for Court Innovation

Greg Mihailovich  
Community Advocacy Director for the American  
Heart Association

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A P P E A R A N C E S (CONT.)

Robin Vitale  
Vice President of Health for the American Heart  
Association

Ting Ting Fu  
Lead Organizer at UPROSE

Bill Bateson  
CIVITAS

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2 SERGEANT MARTINEZ: Okay Sergeants, if we can  
3 begin our recordings. PC recording is underway.

4 SERGEANT SADOWSKY: Recording to the cloud all  
5 set.

6 SERGEANT PEREZ: Backup is rolling.

7 SERGEANT MARTINEZ: Alright, Mr. Sadowsky.

8 SERGEANT SADOWSKY: Good morning and welcome to  
9 today's remote New York City Council Hearing of the  
10 Committee on Finance. At this time, would all  
11 Council Members and Council Staff please turn on  
12 their video.

13 To minimize disruption, please place electronic  
14 devices on vibrate or silent mode. If you wish to  
15 submit testimony, you may do so at

16 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Once again, that is  
17 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you Chair, we are  
18 ready to begin.

19 CHAIRPERSON DROMM: Thank you and good morning.  
20 For all attending today's final hearing on the Fiscal  
21 '22 Preliminary Budget. I am Council Member Daniel  
22 Dromm and I am the Chair of the Council's Committee  
23 on Finance. Today, we will hear from the Department  
24 of Finance and then we will be joined by the  
25 Subcommittee on Capital Budget, Chaired by Council

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1  
2 Member Rosenthal. And we will hear from the  
3 Department of Design and Construction and the public.

4 I am going to start by acknowledging my  
5 colleagues joining us. They are Majority Leader  
6 Matteo, Council Member Adams, Council Member Gibson,  
7 Council Member Louis, Council Member Ayala, Council  
8 Member Grodenchik, Council Member Ampry-Samuel. I am  
9 sure that others will be joining us later on over the  
10 course of today's hearings.

11 This time last year due to the COVID-19 pandemic,  
12 the Committee on Finance was forced to cancel its  
13 Preliminary Budget hearing with the Department of  
14 Finance and the Department of Design and  
15 Construction. It is hard to express how much has  
16 changed since last year and how much the COVID-19  
17 pandemic has upended our lives, routines and  
18 finances. I do believe that our ability to hold this  
19 hearing today is a testament to our collective  
20 perseverance in the wake of this crisis.

21 But let it also serve as a reminder of the work  
22 that remains to be done. As we look ahead to Fiscal  
23 2022, the road to recovering remains a long one. So,  
24 we must use every tool at our disposal to alleviate  
25 the contingent hardships experienced by New Yorkers.

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1  
2 We will first hear from the Department of  
3 Finance. The Department of Finance is tasked with  
4 the collection and management of city revenues as  
5 well as assessing the value of property in the city.  
6 Today, the Committee will examine the Departments  
7 \$321 million expense budget and its collection of  
8 \$934 million in miscellaneous revenue.

9 The Departments Fiscal 2022 Preliminary Expense  
10 Budget decreases by \$3.3 million compared to Fiscal  
11 2021. Primarily due to a decrease in contractual  
12 service spending. Despite this decrease in spending  
13 for its operations, the Department forecast that it  
14 will collect approximately \$94 million more in  
15 miscellaneous revenue in Fiscal '22 than it did in  
16 Fiscal 2021. Almost exclusively from increased  
17 collections on parking violation fines.

18 In addition to reviewing the Department of  
19 Finances proposed Fiscal 2022 Budget, the Committee  
20 will review the departments performance in providing  
21 services over the course of Fiscal 2021, which is  
22 measured in the Preliminary Mayor's Management  
23 Report. Throughout the hearing, specific attention  
24 will be paid to outreach related to DOF assistance  
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1  
2 programs, the Office of the Sheriff and budgetary new  
3 needs and headcount for the department.

4 We will now hear testimony from the Commissioner  
5 of the Department of Finance Sherif Soliman who is  
6 joined by DOF's First Deputy Commissioner Michael  
7 Hyman and Sheriff Fucito. Welcome Commissioner to  
8 your first hearing before this Committee in your new  
9 role. I look forward to working with you for the  
10 rest of the term and working with you closely on many  
11 issues.

12 But before we hear from you, I will turn it over  
13 to our Committee Counsel to go over some procedural  
14 items and to swear in the witnesses. Committee  
15 Counsel.

16 COMMITTEE COUNSEL: Thank you. My name is Noah  
17 Brick and I am Counsel to the New York City Council's  
18 Committee on Finance. Before we begin, I want to  
19 remind everyone that you will be on mute until you  
20 are recognized to speak. At which time, you will be  
21 unmuted by the Zoom host. If you should mute  
22 yourself after you have been unmuted, you will need  
23 to then be unmuted again by the host.

24 I will now administer the affirmation and you  
25 will be called on to so affirm at the end. Do you

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1  
2 affirm that your testimony will be truthful to the  
3 best of your knowledge, information and belief?  
4 Commissioner Soliman?

5 SHERIF SOLIMAN: I do.

6 COMMITTEE COUNSEL: First Deputy Commissioner  
7 Hyman? Do we have a sound issue?

8 MICHAEL HYMAN: I do.

9 COMMITTEE COUNSEL: Thank you and Sheriff Facito?

10 SHERIF SOLIMAN: Uh, so Sheriff Facito had a  
11 personal emergency this morning and he is not able to  
12 join us.

13 COMMITTEE COUNSEL: Okay, thank you.

14 Commissioner Soliman, you may begin when you are  
15 ready.

16 SHERIF SOLIMAN: Sure, thank you and good morning  
17 Chair Dromm and members of the Finance Committee and  
18 all members here with us today. My name is Sherif  
19 Soliman, I am the Commissioner of the New York City  
20 Department of Finance. Thank you for the opportunity  
21 to testify today on the Preliminary Budget for Fiscal  
22 Year 2022. I am joined by Michael Hyman, First Deputy  
23 Commissioner of the Department.

24 Let me start by expressing my appreciation for  
25 your partnership in advancing priority initiatives,

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1  
2 such as revamping the City's tax lien authority and  
3 enhancing the Property Tax and Interest Deferral  
4 payment program. Together, we have made the lien  
5 process fairer and offered additional opportunities  
6 for relief for taxpayers facing hardship.

7 And I would be remiss if I did not acknowledge  
8 Speaker Johnson and the team at Council Finance with  
9 whom we continue to work on the jointly appointed New  
10 York City Advisory Commission on Property Tax Reform.  
11 I look forward to working closely with you in my new  
12 capacity, as well as with members of the Committee I  
13 haven't met yet, in the weeks and months ahead.

14 By now you've heard testimony from several  
15 agencies that detailed the tumultuous year we've all  
16 experienced with a once-in-a-century pandemic that  
17 has wreaked havoc on all facets of our society. Yet  
18 as we look back over the past year and the many ways  
19 that COVID disrupted the traditional norms of  
20 government operations, we must also take stock of the  
21 heroics of the City workforce. Hundreds of DOF  
22 employees have remained at their posts from the  
23 beginning of the pandemic, providing continuity of  
24 service to New Yorkers in their hours of need.  
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2 Our business center teams have continued to  
3 report to work throughout the pandemic, serving the  
4 public with compassion and with professionalism. Our  
5 facilities team has been working almost non-stop for  
6 the past year to make our offices and business  
7 centers safe for both customers and staff.

8 And, as the public has come to know well, our  
9 Sheriff's Office has played an outsized role in the  
10 City's pandemic response, with deputies going above  
11 and beyond the call of duty, often at great personal  
12 risk, to keep our city safe. They have taken on many  
13 new responsibilities and have done an outstanding  
14 job. Department of Finance staff have stepped up in  
15 the face of unprecedented challenges and I wanted to  
16 take this opportunity to commend them publicly.

17 Looking forward, as the agency responsible for  
18 collecting the revenue on which City services depend,  
19 the Department of Finance will play an important role  
20 in New York City's recovery. While we acknowledge  
21 that we face a tough road ahead, we are optimistic  
22 for a full recovery for the benefit of all New  
23 Yorkers. Our optimism is rooted in a number of  
24 positive signs that portend improvements in the  
25

1  
2 City's fiscal position, our economy and our public  
3 health.

4 First and foremost, we are deeply grateful for  
5 the proceeds from the Biden Administration's American  
6 Rescue Plan, which will provide the proverbial shot  
7 in the arm our government needs to deliver for New  
8 Yorkers.

9 Second, some of the tax revenues on which we  
10 depend have remained relatively stable, notably among  
11 them the City's personal income and business taxes.

12 Third, the City has recovered nearly one-third of  
13 the jobs lost since the height of the pandemic and is  
14 expected to regain more as COVID restrictions are  
15 lifted.

16 And finally, the massive vaccination effort  
17 underway is reaching more people, instilling  
18 confidence among the public on the vaccine's efficacy  
19 and providing the public foundation upon which our  
20 recovery will be built. While we are encouraged  
21 about what these developments may mean for recovery,  
22 challenges remain from this unprecedented public  
23 health and fiscal crisis. The City's real estate  
24 market still faces headwinds, with residential sales  
25 and rental prices showing weakness in some areas and

1  
2 there remains uncertainty on the demand for  
3 commercial office space.

4 Sales tax, hotel tax and property transfer tax  
5 revenues remain down sharply and the severe hit the  
6 tourism industry has taken will take some time to  
7 heal. To aid small businesses in their recovery,  
8 Mayor de Blasio proposed the New York City Small  
9 Business Recovery Tax Credit, a \$50 million rental  
10 assistance program for up to 17,000 small businesses  
11 with gross revenue below \$1 million in the arts,  
12 entertainment, recreation, food services and  
13 accommodation sectors. The tax credit is equal to 6  
14 percent of calendar year 2021 rent, up to a maximum  
15 of \$10,000. We look forward to the proposal becoming  
16 law.

17 Turning now to property taxes and the decline in  
18 market values in the tentative roll for Fiscal Year  
19 2022, that was released on January 15, 2021. As you  
20 know, we are required to value properties based on  
21 their status and condition as of January 5<sup>th</sup> of each  
22 year. The date referred to as the "taxable status  
23 date." Our valuation methods rely on inputs like  
24 sales data, income and expense data and construction  
25 activity. But the timing and unique nature of the

1  
2 market disruption created by the pandemic presented  
3 major challenges in the valuation process.

4 Historically, historically, historical trends  
5 became unusable in 2019 income and expense data did  
6 not reflect current market conditions. To account  
7 for the pandemic's impact, it was necessary for our  
8 evaluation team to factor in macroeconomic data for  
9 2020. Such as the unemployment rate, wage  
10 information and industry data on office vacancy and  
11 absorption rates. And then developed a trend factor  
12 that would be used in the valuation process.

13 As a result, the tentative assessment roll for  
14 Fiscal '22 shows the total market value of New York  
15 City properties at about \$1.3 trillion, a decrease of  
16 5.2 percent from the previous year.

17 Correspondingly, citywide assessed values fell by 3.9  
18 percent, to \$260 billion. The declines were  
19 primarily driven by market value decreases in Class 4  
20 as hotels, retailers and office buildings experienced  
21 the effects of the sharp decline in tourism, an  
22 acceleration of pre-COVID trends toward e-commerce  
23 and the dramatic increase in telework leading to  
24 empty office buildings, among other things.  
25

1  
2 By contrast, one to three family homes in Class  
3 1, saw a flat market value increase of 0.8 percent.  
4 Single-family homes saw a 2.9 percent increase, which  
5 is potentially indicative of increased market demand  
6 due to consumer preferences for properties in less  
7 densely populated areas of the City.

8 Although overall Class 1 market values remained  
9 flat, assessed values increased by 5.2 percent due to  
10 a state law provision that caps assessed value  
11 growth. The caps are well known for protecting  
12 homeowners when market values increase but when  
13 market value growth is low or negative, a catch up  
14 effect causes assessed values to increase.

15 To address this, Mayor de Blasio has proposed a  
16 \$300 rebate for New Yorkers who own and live in  
17 properties with a market value of less than \$500,000.  
18 This rebate would essentially cover the tax increase  
19 that these homeowners would otherwise experience this  
20 year. We look forward to working with you and our  
21 state partners to enact the rebate.

22 While the Administration has proposed this rebate  
23 to help property owners affected by the pandemic, we  
24 know that significant reforms to the property tax  
25 system are needed. The Advisory Commission on

1  
2 Property Tax Reform issued the most significant  
3 reform recommendations of the past 40 years and we  
4 look forward to the Commission's final report to be  
5 issued later this year.

6 The Department of Finance will be fully involved  
7 in this process and we look forward to working with  
8 you and hearing from the public as we press on with  
9 long due reform. We equally look forward to  
10 participating alongside you in a separate effort to  
11 explore further improvements to the tax lien program.

12 Again, we thank you for your partnership in the  
13 recent enactment of a fairer tax lien process and  
14 trust that the task force authorized by this new law  
15 will propose recommendations outlining additional  
16 ways to continue to improve the process.

17 As our agency participates in these important  
18 reform efforts, we remain laser focused on the  
19 ongoing work of ensuring quality service delivery to  
20 all New Yorkers. To that end, a number of new  
21 programs and services were instituted over the past  
22 year to make it easier and safer, for members of the  
23 public to conduct their business with the Department  
24 of Finance.

1  
2 We have launched the New York City Tenant Access  
3 Portal for Rent Freeze Program participants, making  
4 it possible for participants to access and update  
5 important information. In addition, New Yorkers can  
6 now apply for Rent Freeze benefits online via the  
7 portal and those enrolled in the program will soon be  
8 able to renew their benefits online.

9 We have introduced PayPal and Venmo as options  
10 for paying parking tickets and plan to make them  
11 available for other types of transactions in the near  
12 future. We introduced a pay-by-phone option for  
13 property taxes to give customers another payment  
14 option during the pandemic. In less than six months,  
15 we processed more than \$5 million in property tax  
16 payments by phone. We rolled out, one quarter  
17 earlier than expected the property tax payment  
18 receipt that you and your colleagues passed.

19 We debuted an appointment scheduling feature  
20 allowing customers who cannot complete their  
21 transactions online to visit our business centers  
22 safely, in accordance with social distancing  
23 guidelines. And we improved our business tax e-  
24 Services website to make it easier for our businesses  
25 to navigate the business tax filing, refund and

1  
2 payment processes. We are also developing a number  
3 of new user-friendly features, including a series of  
4 property tax benefit outreach videos, a new chatbot  
5 tool, that will be rolled out initially for parking  
6 and an additional story map presentation for income  
7 and expense information for income producing  
8 properties at the neighborhood level.

9       And finally, we retooled our operations in some  
10 areas to adapt to priority needs. We continue to  
11 vigorously pursue deed fraud, a crime that victimizes  
12 too many vulnerable New Yorkers each year. Our Land  
13 Records Division has introduced optical character  
14 recognition, a powerful tool for identifying  
15 potential cases of deed fraud through better  
16 indexing, enhanced searches and improved data  
17 extraction and discovery.

18       We are also working with the State Legislature on  
19 passing stronger deed fraud legislation, which would  
20 increase the penalties associated with forgery, the  
21 filing of false instruments and fraudulent  
22 notarization practices.

23       In closing, I am extremely proud of the efforts  
24 made by the Department of Finance to serve the  
25 public during the pandemic. We know that many

1  
2 challenges and opportunities lie before us, we are  
3 ready to meet them. I look forward to the Council's  
4 continued partnership as we join with all City  
5 agencies in contributing to New York's recovery.

6 Thank you for the opportunity to testify today  
7 and I look forward to the day, hopefully soon, that  
8 we can be together again in person. I would be happy  
9 to answer any questions that you might have.

10 CHAIRPERSON DROMM: Thank you very Commissioner  
11 and welcome again to your first hearing as  
12 Commissioner. Before we begin with questioning, let  
13 me just say that we have also been joined by Majority  
14 Leader Laurie Cumbo, Council Member Powers, Council  
15 Member Moya, Council Member Koslowitz, Council Member  
16 Diaz, Council Member Rosenthal, Council Member Levin  
17 and I believe that is Council Member Darma Diaz who  
18 is here with us.

19 Okay, uhm, let me start by asking a few questions  
20 regarding some of the new budget needs. The Fiscal  
21 '22 Preliminary plan contains new needs totaling \$4.2  
22 million in Fiscal 2021 and \$500,000 in Fiscal 2022.  
23 This includes \$2.8 million for post-production  
24 support of the business tax system, \$963,000 for  
25 post-production support of the property tax system.

1  
2 Could you provide us with an explanation of what  
3 post-production support for these two interfaces  
4 entails?

5 SHERIF SOLIMAN: Sure, sure, absolutely Chair.  
6 So, first, our business tax system uhm and property  
7 tax system, important systems that are responsible  
8 basically for the generation of \$40 billion in  
9 revenue.

10 So, significant systems that we need to make sure  
11 are uh, uh, you know maintained and uhm, kept uhm,  
12 coming along. Uhm, the new needs that we have uhm,  
13 refer to two things. Software maintenance, which is  
14 needed for the systems, which basically make sure  
15 that they are operating on the latest platforms.  
16 Uhm, and also make sure that they have the security  
17 features needed of course, which is critical in this  
18 you know, in this environment.

19 The second piece is operational support and that  
20 you know, essential means that any changes that we  
21 have to make to the systems. So, for example, when  
22 you look at changes that are made you know, through  
23 legislation, if it is the property tax receipt for  
24 example, if we are talking about the property tax  
25 rebate that the Mayor has proposed uhm, or if we are

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1  
2 talking about in the case of BTS, the Small Business  
3 Recovery Tax Credit, uh, those require changes to the  
4 system and that operational support is the other  
5 component of the new needs for those two systems.

6 CHAIRPERSON DROMM: So, what is the total funding  
7 amount and associated headcount for the business tax  
8 system and the property tax system?

9 SHERIF SOLIMAN: Sure, for the business tax  
10 system, it's about nine headcount at a cost of \$6.9  
11 million and for the PTS system, it is 35 headcount  
12 and total funding of \$8.2 million.

13 CHAIRPERSON DROMM: Okay, thank you. Uhm, the  
14 Department identifies \$500,000 for lead sale outreach  
15 in Fiscal '21 and Fiscal '22. However, in the most  
16 recent modification, this money was placed in HPD's  
17 budget, not DOF for the lead sale outreach  
18 initiative. Can you clarify that this money is no  
19 longer in the agencies budget and is actually with  
20 HPD now, as they are administering agency for this  
21 Council initiative.

22 SHERIF SOLIMAN: Sure, so uhm, that is correct  
23 Chair and you know per the agreement that we had with  
24 you and your colleagues on the lean sale  
25 reauthorization, uhm, there was an outreach component

1  
2 in there that specified that there would be funding  
3 specifically for outreach organizations to the tune  
4 of \$1 million over the two fiscal years.

5 So, uh, it will be uhm, uh, contracted through  
6 HPD uhm and we have been talking to HPD very closely.  
7 We are going to collaborate with them and share  
8 certainly the outreach efforts that the department  
9 has undertaken inhouse and we'll make sure that  
10 whatever outreach activities are there are closely  
11 coordinated.

12 I think in talking to HPD so far, we know that  
13 their scope of work is going to include a number of  
14 things. Aggressively promoting outreach events,  
15 promoting PT aid of course, which is a program that  
16 we are all proud of that allows people who are facing  
17 hardships to defer property tax payments.

18 Basically also to establish the metrics on how  
19 many people have been reached. How many people have  
20 entered payment plans, etc. So, we are excited to  
21 work with the department. To work with HPD and also  
22 with the outreach organizations that will actually be  
23 tasked with administering this outreach.

24 CHAIRPERSON DROMM: So, thank you for reminding  
25 me. Also, I want to just again, congratulate Council

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1  
2 Member Adrienne Adams for the fantastic work that you  
3 did not the lean sale issue. So, thank you to  
4 Council Member Adrienne Adams. And you mentioned how  
5 you are going to work. How specifically will that  
6 work between the two agencies?

7 SHERIF SOLIMAN: Well, I think that we will - we  
8 don't have any formal agreement that we will have  
9 between the agencies but HPD recognizes that DOF has  
10 experienced and doing the outreach that we have done  
11 during the past lean sale.

12 So, we will just be you know, essentially  
13 coordinating on making sure that that scope of work,  
14 that the advocacy organizations will prosecute. That  
15 those essentially will be supplemented by DOF  
16 outreach staff that we have out there now that  
17 participate also with you and your colleagues at  
18 outreach events that you host. Or in other virtual  
19 settings where we work with community-based  
20 organizations and other groups to make sure we are  
21 getting the word out, so.

22 CHAIRPERSON DROMM: So, what's your current  
23 outreach staffing level right now?

24 SHERIF SOLIMAN: Sure, so I think for the tax  
25 lien process we have a number of different units that

1  
2 help out in different ways, right? So, you have in  
3 our external affairs unit, we have uhm, uh, you know,  
4 the headcount is three individuals that we have there  
5 that are dedicated to it but we also have outreach  
6 staff in the exemptions unit because a major part as  
7 you know of providing relief uh, to home owners is to  
8 be able to sign them up for exemption programs,  
9 right. Senior citizen homeowner exemption, disabled  
10 homeowner exemption or others or in payment plans and  
11 so, you have uhm, staff from the exemptions unit of  
12 about eight people who are helping on this and you  
13 also have staff from the collections unit that really  
14 works to process those payment plans.

15 Uhm, so basically all in, we are looking at 16  
16 active employees that are participating in some form  
17 of action in the tax lean outreach process.

18 CHAIRPERSON DROMM: Okay, thank you and how much  
19 does the department spend each time it administers a  
20 lead sale?

21 SHERIF SOLIMAN: So, uhm, it's multiple  
22 components. Uhm, the total cost is roughly around  
23 \$2.3 million and that includes the PS and OTPS  
24 services. So, you know, it will include things like  
25 printing services for all the letters that are

1  
2 mailed. It will included an advertising budget but  
3 it also includes the actual cost of you know, the  
4 personal service costs for the 16 people that I had  
5 mentioned and then also the uh, uh, uh, the  
6 processing staff in our uhm, in our collections unit.  
7 It also includes that.

8 So, it's a total of \$2.3 million all in for all  
9 those costs.

10 CHAIRPERSON DROMM: Okay, let me also ask when do  
11 you think that you will schedule the next lean sale?

12 SHERIF SOLIMAN: So, as you know, there is a  
13 gubernatorial executive order that's in effect now  
14 that prohibits localities across the state from  
15 moving forward with lien sales. Uhm, I believe it  
16 expires uhm in a few days from now. So, we are  
17 going, you know we are going to be keeping a close  
18 eye on that to see if it is extended. Should the  
19 executive order be lifted, we intend to proceed with  
20 a lean sale this year pursuant to again, the revamp  
21 process that we were successful in working together  
22 on. And recognizing full well that there is also  
23 this significant reform effort to through this  
24 taskforce that will be empaneled a few days from now  
25 with of course, six appointees from the Council side,

1  
2 six appointees from the Administration side that will  
3 look at how we can further reform the process moving  
4 forward next year and beyond.

5 So, uhm, you know, we are keeping a close eye on  
6 the governors executive order an then we will see how  
7 we move forward. We will also move forward with all  
8 the hardship exemptions to make sure that people uhm,  
9 uhm, could sign up for those.

10 CHAIRPERSON DROMM: Commissioner, I was under the  
11 impression that that order was no longer in effect.

12 SHERIF SOLIMAN: Our understanding is that you  
13 know, is that it still is in effect but we will be  
14 able to just confirm that. Uhm again, it was up for  
15 you know, a few days from now but should we confirm  
16 that it is lifted, then our plan is to move forward.

17 CHAIRPERSON DROMM: And without - do you think it  
18 would be as early as the summer or fall that you  
19 would do that?

20 SHERIF SOLIMAN: Potentially, potentially yes.

21 CHAIRPERSON DROMM: Okay, alright, uhm, I know  
22 that the Sheriff has a personal issue and I wish him  
23 well. We really like the sheriff and we respect his  
24 work a lot and I was looking forward to asking a few  
25 questions. He is a great guy. But maybe you can

1  
2 help us with some question on that Mr. Commissioner  
3 as well.

4 So, due to the COVID-19 pandemic, the office of  
5 the Sheriff took on additional work to enforce public  
6 health regulations, which included enforcing state  
7 travel restrictions as well as venue and event  
8 closures.

9 So, did the Sheriff Deputies uhm, actually  
10 increase the headcount that they have or spend  
11 additional dollars? Can you just give us a little  
12 bit of an update on what that looked like uhm, during  
13 the pandemic?

14 SHERIF SOLIMAN: Sure, so I think as you noted,  
15 the Sheriff has taken on a number of new  
16 responsibilities. Uhm and so I think that there  
17 wasn't necessarily an increase in headcount to be  
18 able to do this. I think one of the key points that  
19 you know, in terms of the total context and picture  
20 here, is that a lot of the Sheriffs work is dependent  
21 on the courts functioning right.

22 So, we know during the pandemic court operations  
23 uhm, were suspended in many respects. So, as that  
24 work dialed down, the Sheriff was able to dial up the  
25 work that related to travel check points uhm and uhm,

1  
2 social distancing enforcement and going after sort of  
3 the legal parties and venues.

4       So, uhm, so just to give an example, on the  
5 travel checkpoints, uhm, the total staff dedicated  
6 there was about nine total, eight Deputy Sheriffs and  
7 a Supervisor. And so the PS cost would be around  
8 like \$400,000 and about \$15,000 for OTPS, for fuel  
9 cost and things like that.

10       Uhm and you know, the checkpoints, they were able  
11 to conduct about 265 of them throughout the various  
12 crossing across the city. Uhm, you know the Board  
13 Authority crossings mainly and then also bus stops  
14 etc. Uhm, they were able to stop over 10,000  
15 vehicles. Uhm and they were able to uhm, half of  
16 those vehicles were registered in New York, the other  
17 half were registered out of state. They were able to  
18 get you know, a little over 4,000 of the New York  
19 State travel forms that were completed as well.

20       Uhm, with respect to the uhm, venue enforcement,  
21 uhm, it has been highly publicized, so you see you  
22 know, certainly it's been a regular drum beat on the  
23 weekend where the Sheriff has stepped in and shutdown  
24 and the legal venue. Uhm and the number there is  
25 about 46 of those venues have been shutdown in total.

1  
2 And I just think it is just important to note that of  
3 the 46, you know, it's important not only for the  
4 pandemic that we are in here to ensure the social  
5 distancing, you know the mask wearing but a lot of  
6 what the Sheriff has found is other sort of  
7 violations. Fire code and building code violations  
8 and sort of these underground uhm, settings that the  
9 Sheriff - so the Sheriffs presence there in action is  
10 also not only a public health uhm, uhm, remediation  
11 tool but also to enforce these dangerous conditions  
12 as well.

13 CHAIRPERSON DROMM: Well, I hope they keep that  
14 drum beat going and you know, we had 350 folks in a  
15 club in Jackson Heights on the block where I live on  
16 78<sup>th</sup> Street and Roosevelt Avenue. So, it is amazing  
17 that people would actually you know go out and  
18 congregate like that and if any were wearing masks.  
19 So, we are appreciative of that.

20 SHERIF SOLIMAN: Absolutely, yeah.

21 CHAIRPERSON DROMM: Uhm, so are there any other  
22 ways in which the sheriff's office has altered its  
23 operations due to the COVID-19 pandemic?

24 SHERIF SOLIMAN: I think you know they are  
25 continuing to do what they do on a daily basis. They

1  
2 continue to serve orders of protection. They  
3 continue to do uhm - and make transports when  
4 requested by the courts. Uhm, so the additional  
5 response is that they have taken on pretty much make  
6 up the uhm - what the additional work that they are  
7 focused on. But their "bread and butter" work is  
8 still continuing.

9 You know albeit at a slower pace but we fully  
10 expect that when the courts get going again, that  
11 that volume will increase and you know, we will  
12 continue to keep that balance.

13 CHAIRPERSON DROMM: Can you tell me if the  
14 offices headcount is subject to the freeze and uhm,  
15 also what vacancies currently exist within that  
16 office?

17 SHERIF SOLIMAN: Sure, so uhm, the - so, we were  
18 able just now to secure approval to hire 16 deputy  
19 sheriff's, uhm which was significant and we want to  
20 be able to do that to shore up their ranks. The  
21 Deputy Sheriff title series is not subject to the  
22 three for one. I am sorry, is subject to the three  
23 for one policy. Uhm but we think that with the 16  
24 that have been uhm, that have been hired, we are uhm,  
25 you know, it takes a long time to get a Deputy

1  
2 Sheriff on board right? Because you have to go  
3 through all the training etc. but we are confident  
4 that we can make a big dent in the headcount.

5 The current headcount in the Sheriff's Office is  
6 uhm 227 as of February.

7 CHAIRPERSON DROMM: And the vacancies there?

8 SHERIF SOLIMAN: And vacancies we have about 35.

9 CHAIRPERSON DROMM: 35, okay. Thank you for  
10 that. Uh, let's talk a little bit now about savings  
11 programs. In the Fiscal '22 Preliminary Plan, the  
12 Department realizes approximately 1.2 million in  
13 savings as a result of its hiring and attrition  
14 management program.

15 This program reduces the Departments budgeted  
16 headcount by 59 positions which have spread across  
17 the Administration, 30 positions, operations 21  
18 positions, legal 4 positions and its parking  
19 violations bureau 4 positions in the program areas.

20 Can you provide us with the titles associated  
21 with this headcount reduction?

22 SHERIF SOLIMAN: Sure, so uhm, we actually are  
23 viewing this as an actual hiring delay, as opposed to  
24 a headcount reduction. So, you will see in Fiscal  
25 '22 that the headcount goes up to 2102. So, we

1  
2 haven't undertaken the exercise essentially to  
3 identify titles that would be covered under that  
4 reduction because we are treating it again as a  
5 hiring delay. I think you are muted sir.

6 CHAIRPERSON DROMM: Okay, as of the Fiscal '22  
7 Preliminary Plan, the Department of Finances vacancy  
8 rate stands at 8 percent and it is not expected to  
9 decrease until Fiscal 2022. So, what impact has this  
10 persistent vacancy had on DOF's ability to manage its  
11 portfolio? We asked this question of the previous  
12 Commissioners as well. So, we are trying to get a  
13 handle on this.

14 SHERIF SOLIMAN: Sure, I think that you know  
15 overall we have been able to uhm, meet our core  
16 mission. I do think that you know, you have in the  
17 case of the Sheriff for example, where we talk about  
18 the additional responsibilities. Taking on in the  
19 hours of the day that those responsibilities are  
20 taken on as well, uhm, so you can experience things  
21 like increased overtime and certain decreased  
22 productivity in other areas. But I think overall,  
23 uhm, you know, we are meeting the agencies core  
24 mission.

1  
2 CHAIRPERSON DROMM: So, can you provide us with  
3 how many new hires have come on board so far in  
4 Fiscal '21 and how many employees have left?

5 SHERIF SOLIMAN: Sure, so we have uhm, we have  
6 because of the hiring freeze essentially for the, for  
7 the you know first half of Fiscal '21 for the most  
8 part. We have only been able to on board a handful  
9 of new employees. When I say handful, less than  
10 five. Uhm but as I mentioned, uhm, you know, we  
11 recently received approval from OMB to hire several  
12 positions. I mentioned the Sheriff's will also be  
13 able to hire assessors. We have been able to hire  
14 auditors and certain other employees.

15 So, we are making progress on onboarding folks so  
16 we can you know - so we can address the vacancies and  
17 you know enhance our services.

18 CHAIRPERSON DROMM: Do you know how many  
19 assessors and auditors?

20 SHERIF SOLIMAN: Sure, the assessors were 16 as  
21 well. The auditors were uhm - the auditors primarily  
22 through promotions and then backfill, so we will be  
23 able to do the level two's, which is important in the  
24 audit work, given the complexity of those cases that  
25

1  
2 you know, that every Level 1 is going to graduate to  
3 Level 2 on time.

4 CHAIRPERSON DROMM: Okay, thank you again. Uh,  
5 let's talk a little bit about she and Dee he. Uhm,  
6 auto renewals. The Council recently passed a Local  
7 Law at the Mayor's request that implemented an auto  
8 renewal program for last years She and Dee recipients  
9 such that they would no longer be required to submit  
10 a renewal application to receive the benefits next  
11 year.

12 The law also allowed DOF to require renewal  
13 application in four specific instances where DOF had  
14 information to believe that the property was no  
15 longer eligible. DOF provided the Council with a  
16 list of approximately 800 properties out of the total  
17 of 55,000 beneficiaries that I believe might no  
18 longer be eligible for next year.

19 So, can you describe for us the outreach that you  
20 conducted to verify each of those 800 properties was  
21 in fact no longer eligible and did you individually  
22 contact each property on the list?

23 SHERIF SOLIMAN: Sure, so we have uhm, we have  
24 uhm several things that we have done to reach to  
25 those folks. And first, I do want to thank the

1  
2 Council for passing that legislation. I think that  
3 you know, we were all gratified with the uhm, state  
4 legislation uh, to do the one year renewal and then  
5 of course joining with the Council being able to move  
6 forward on that. But we also need to make sure that  
7 you know, those were entitled to the benefits of  
8 receiving them.

9       So, the small number as you mentioned of 800 out  
10 of the total were identified as possibly not eligible  
11 anymore and we have sent them post cards. We sent  
12 them letters, we done social media postings. We have  
13 also worked with the Council Finance team to also  
14 provide phone numbers to those individuals. We will  
15 be reaching out to them individually. We will be  
16 calling everyone. I believe 177 that responded and  
17 so, we are you know sorting out whether they are  
18 eligible or not, one way or the other we are going to  
19 resolve the issue. And we will be reaching out to  
20 the 550 or so to be able to uhm you know, have, have  
21 a final disposition on that.

22       CHAIRPERSON DROMM: So in the course of that  
23 outreach, did you find any body who was on the list  
24 erroneously who might have been eligible?

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SHERIF SOLIMAN: It's not necessarily a matter of whether or not they were erroneously on the list. I think the goal here would be that using different data sources for example, if there is a deed recorded on a property, maybe you know, then that gives us an idea that there was a transfer. Or whether or not we regularly get feeds of data about individuals who maybe deceased.

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Uhm, so we use that data and we use the data on deed transfers etc., to see if there is potentially someone who would no longer be eligible. In the case of a property transfer, you could still have a person nevertheless who would be eligible, right? So, it's just that kind of investigation. The main thing is, we want to make sure we reach out and have some action by them to proactively apply so we can sort it all out.

19

20

CHAIRPERSON DROMM: Okay and what resources do you allocate for She and Dee?

21

22

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25

SHERIF SOLIMAN: Sure, so this is another area where like the tax lien, you have a number of different units that work on it. Uhm and so we have I mean; the outreach efforts involve a lot of things

1  
2 like digital and print and personnel that are going  
3 out doing the virtual outreach session.

4 So, there is a few different units that actually  
5 do it and we can you know, pull the data to sort of  
6 prorate the time spent on this particular topic from  
7 the various other divisions to come up with you know,  
8 one total number.

9 CHAIRPERSON DROMM: Okay, thank you. Uhm, let's  
10 talk a little bit now about the stimulus act. Uh,  
11 the American Recovery Program, its restrictions on  
12 tax cuts.

13 So, the federal stimulus legislation includes  
14 \$350 billion in unrestricted funds to states  
15 territories and localities. A provision in that  
16 funding requires the repayment of those funds if  
17 states use them to directly or indirectly reduce  
18 taxes either through tax rate, either through rate  
19 reductions, tax cuts, credits or rebates.

20 In effect, it prevents the use of stimulus  
21 funding to pay for tax cuts. The Mayor recently  
22 announced several tax programs including a small  
23 business tax credit and a property tax rebate. And  
24 you mentioned the rebate a little bit in your  
25

1  
2 opening. I am going to have a couple of questions on  
3 that as well that maybe you can answer for us.

4 So, since the city would need state authorization  
5 for these programs, do you believe that the language  
6 in the stimulus package would put any of the city's  
7 stimulus funding at risk if the city implemented the  
8 Mayor's proposed tax reductions rebate etc.?

9 SHERIF SOLIMAN: So, uhm, as you know Chair the  
10 American Rescue Plan does have specific language on  
11 the use of these funds by states. Uhm, including the  
12 restriction on funds by the states to lower taxes.  
13 It is our believe that the limitation does not exist  
14 for the use of proceeds from the American Rescue Plan  
15 for cities. The language specifically can be found  
16 in the provisions applicable to the state but it is  
17 not found in provisions applicable to direct aid to  
18 localities.

19 So, therefore it is our position that it wouldn't  
20 be impacted. You know, the two proposals that the  
21 Mayor has proposed for small business and the rebate  
22 would not be impacted by that provision.

23 CHAIRPERSON DROMM: Okay, interesting thank you.  
24 And just on the rebate itself, small co-ops and  
25 condos are also governed by assessment caps. Just

1  
2 like a one to three family homes, which you know is  
3 the rational for the rebate. So, does that mean your  
4 proposed rebate would be available to these small co-  
5 op and condo properties?

6 SHERIF SOLIMAN: So, I think first, we recognize  
7 that there are small properties in Class 2, the so-  
8 called Class 2 A, B, C properties. Uhm, who are also  
9 subject to growth caps. Uhm, when you look at you  
10 know, a key criterion of the rebate is that someone  
11 must be a primary resident.

12 Uhm, when you look at that class, the primary  
13 residency is low. It's not nonexistent, there are  
14 some primary residents who live in those small  
15 buildings. Uhm, but it is relatively very small  
16 compared to the Class 1 properties that have much  
17 higher primary residency. So, the idea behind the  
18 rebate was really to help those primary residents  
19 uhm, who are facing that increase.

20 Uhm, you know, but you know obviously it's a  
21 state proposal that we need to push through in  
22 coordination with the Council. We want to be able to  
23 share with you exactly what we are proposing and then  
24 be able to have a joint effort to go to Albany to get  
25 it reacted.

1  
2       So, it will be part of the discussion as we move  
3 forward about you know potential expansion.

4       CHAIRPERSON DROMM: I look forward to that  
5 discussion because I, myself am a co-op owner as are  
6 many others and that's my primary residence. So, uh,  
7 you know let's make sure that we discuss that as we  
8 move forward. And I have another set of questions  
9 and then I am going to turn it over to my colleagues  
10 so they can ask questions as well.

11       This involves interest rates and delinquency.  
12 Currently, the delinquent property tax rates - I am  
13 sorry I am a little lost. Okay, the property tax  
14 rates are charged five percent. If the properties  
15 tax value is below \$250,000 and 18 percent if it is  
16 above that threshold.

17       The recent lien sale legislation included a  
18 provision to create a third interest rate to the  
19 median value of properties whose assessed value is  
20 between \$250,000 and \$450,000 and that's on the  
21 assessed value. This is a positive step that will  
22 make it easier to lower the late interest rate on  
23 those properties. However, even with only two late  
24 interest rates, property owners are often confused  
25 with what rate they are charged.

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The Council frequently hears myself included, from property owners complaining about the 18 percent rate, when they are actually only being charged 5 percent. DOF does publish these rates on its website but they are not listed on any tax bill or notice sent to the property owner. Moreover, DOF does not clarify if which of the definitions of assessed value is used to determine threshold. Actual transitional billable or taxable assessed value.

So, how will DOF ensure that property owners have the correct information on what the consequence of late payments are. They need to know upfront I think. If you don't do this, you are going to get an 18 percent you know interest rate on what you are going to owe and you have to pay your tax no matter what. Something along those lines Commissioner. That's what we are looking to -

SHERIF SOLIMAN: Absolutely. Yeah and so first you know, let me start first by again you know thanking the Council for that second tier if you will of interest rates for those properties between \$250,000 in assessed value and \$450,000. We think it you know; it was a good product. I think that uhm, we will update our web page to make sure that it

1  
2 includes the information and includes not only the  
3 rate structure, the new rate structure but also, it  
4 includes and clarifies that the definition of  
5 assessed value here is actual assess value and we  
6 will make sure that that is very clear.

7       So we agree, we always can be more transparent,  
8 more uhm - we can put information in more places so  
9 that people understand exactly what kind of  
10 consequences they may be if property taxes are not  
11 paid on time.

12       I think the other piece of it, I am sorry, so  
13 ahead.

14       CHAIRPERSON DROMM: No, I was going to say great  
15 because that's something I think all of us, all the  
16 Council Members get a question about it at every Town  
17 Hall that we do, you know?

18       SHERIF SOLIMAN: Sure, absolutely.

19       CHAIRPERSON DROMM: So, I think that would be  
20 very helpful for people to actually be able to see  
21 that on the bill.

22       Uhm, what are the penalty rates now?

23       SHERIF SOLIMAN: Sure, the penalty rates now are  
24 5 percent for assessed values of properties of  
25

1  
2 assessed values under \$250,000, 18 percent for over  
3 \$250,000 when the new year.

4 CHAIRPERSON DROMM: Yeah, okay and just to go  
5 back to the idea of the bill again. You also send  
6 out paper bills, am I right?

7 SHERIF SOLIMAN: Correct and so -

8 CHAIRPERSON DROMM: And that information will be  
9 put on the paper bills? The interest rate  
10 information?

11 SHERIF SOLIMAN: Yeah, so I think what we can do  
12 in the short-term because I know that this is an  
13 issue we want to address along with you. What we can  
14 do in the short-term is include some static content  
15 in those bills that then explain the consequences and  
16 then, uhm, uhm, direct people to the web page where  
17 this information is.

18 Uhm, we will explore. It does get a little  
19 complex if the notion is that we would try to put the  
20 exact rate that applies to the exact property on that  
21 particular bill, will require changes to the system.  
22 As we talked about earlier right, into the PTS system  
23 and it could get a little complicated. So, what I  
24 want to do is, we will look at it but at least in the  
25 short-term, we will be able to put something more

1  
2 visible if you will on the statement so then uh, they  
3 can refer to the web page with the information.

4 CHAIRPERSON DROMM: Okay and just there is  
5 something on the property tax delinquency rates.  
6 What is that rate right now, the current property  
7 tax delinquency rate?

8 SHERIF SOLIMAN: Well, the delinquency rate right  
9 now is tracking at about 3 percent.

10 CHAIRPERSON DROMM: And how does that compare to  
11 historic numbers.

12 SHERIF SOLIMAN: Sure, it compares around the  
13 same time to about 2 percent as where we were last  
14 year. Uhm, last year we ended up, we ended the  
15 fiscal year with a delinquency rate of 1.8 percent.

16 Uhm, as you know as the Fiscal Year progresses,  
17 the delinquency rate typically declines as well. So,  
18 we are at 3 percent right now. We were at 2 percent  
19 at the same time last year but we expect it to  
20 decline further.

21 CHAIRPERSON DROMM: And what is the delinquency  
22 rate for income producing properties? For example,  
23 apartments Class 4, commercial space, etc.?

24 SHERIF SOLIMAN: Sure, so uhm, so for Class 2 uhm  
25 for Class 2 properties, for large rentals, the

1  
2 delinquency rate is 2.3 percent versus 1.9 percent  
3 last year at this time. And as of March 20<sup>th</sup>, the  
4 delinquency rate for Class 4 is 3.2 percent versus  
5 1.8 percent at this time last year.

6 CHAIRPERSON DROMM: That's a lot higher.

7 SHERIF SOLIMAN: Yeah for Class 4.

8 CHAIRPERSON DROMM: Yeah. Okay and what are the  
9 late payment penalty rates on business taxes and how  
10 do they compare to the late payment rates for  
11 property taxes and to federal late payment interest  
12 rates?

13 SHERIF SOLIMAN: Sure, so in the business taxes,  
14 business tax late payment interest rates is 7.5  
15 percent. Uhm, for property taxes again it is 5  
16 percent for under \$250,000 in assessed value.

17 Again, the new tier of \$250,000 to \$450,000, the  
18 bank and commission has to meet this spring as they  
19 do every year. They will come up with whatever the  
20 exact rate is for that middle tier and then when that  
21 is done, anyone over \$450,000 in assessed value will  
22 be subject to the 18 percent.

23 And you know, I think it's important to put these  
24 numbers in context. I mean first and foremost, the  
25 interest rates on property tax don't exist to be a

1  
2 revenue raiser for the City. They exist so we could  
3 show voluntary compliance with those property tax  
4 payments, which of course as we all know, you know,  
5 on which city services depend.

6 So, uhm, when you look at how they compare  
7 against other uhm major US cities, I think you will  
8 find that they are comparable. Where you know the 18  
9 percent, Chicago has 18 percent, Los Angeles and San  
10 Francisco have 18 percent. The 5 percent for the  
11 lower value properties rank among the lowest in the  
12 nation.

13 So, uhm, uhm, but still, we understand that you  
14 know there are hardships that are being faced by  
15 property owners. At the same time, that property tax  
16 revenue is critical for the city to mount a full  
17 recovery for all, so.

18 CHAIRPERSON DROMM: Okay. Thank you  
19 Commissioner. I am going to turn it over now to  
20 Counsel who will call on others who have questions.  
21 I see we have been joined by my Co-Chair Council  
22 Member Rosenthal as well. So, good to see you and I  
23 think Council Member Van Bramer has also joined us.

24 So, Counsel, if I have missed anybody, let me  
25 know and would you call those who have questions?

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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1  
2 COMMITTEE COUNSEL: Thank you Chair Dromm. Uhm,  
3 I think you have identified all Council Members who  
4 have joined us in this hearing thus far.

5 If any Council Members have questions for the  
6 Administration, please use the Zoom raise hand  
7 function and you will be added to the queue. Council  
8 Members, please keep your questions to 5 minutes,  
9 including answers. Please wait for the Sergeant at  
10 Arms to tell you when your time begins. The Sergeant  
11 will then tell you when your time is up.

12 We will now hear from Council Member Rosenthal.

13 SERGEANT AT ARMS: Time starts now.

14 CHAIRPERSON ROSENTHAL: Thank you so much to the  
15 Committee Counsel. Thank you Chair Dromm for an  
16 awesome hearing as always and welcome Commissioner.

17 SHERIF SOLIMAN: Hi Council Member.

18 CHAIRPERSON ROSENTHAL: It is good to meet you  
19 and I really appreciate, I mean, I can already tell  
20 by your uhm, introduction, your statement and  
21 answering all these questions that uhm, you know this  
22 stuff like the back of your hand.

23 So, that is a great pleasure. I really  
24 appreciate all that.

25 SHERIF SOLIMAN: Thank you.

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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1  
2 CHAIRPERSON ROSENTHAL: Uhm, I have a few  
3 questions. One, I just have to sort of - I am a  
4 little obsessed with this question for all the  
5 agencies, so forgive me but you mentioned this new  
6 state law that would allow the \$300 rebate for single  
7 family homes. Uhm, so that would require - I am just  
8 describing. That would require it being passed by  
9 the State and signed into law by the Governor, right?  
10 And I guess the most important question is, so, do  
11 you have - do you happen to know if OMB put that  
12 expectation into the Preliminary Budget? In other  
13 words, if we were given the right to rebate this  
14 money, a good thing, I urge the governor to sign it  
15 and the state legislature to pass it.

16 Uhm, but uh, is that already, is that cost or  
17 loss of revenue already assumed in the budget?

18 SHERIF SOLIMAN: Yeah, so when the Mayor  
19 announced uhm, uhm, uh, in the January plan that he  
20 was going to propose this rebate, he identified the  
21 cost of \$88 million. And so, that amount will be,  
22 will be reflected. So, I think that uhm so first, it  
23 will be reflected, the mechanism to give the credit  
24 or the rebate is an actual credit right? So what we  
25 want to be able to do is for Fiscal Year '22 for the

1  
2 eligible properties to be able to credit the amount  
3 of money that someone owes on their particular  
4 property taxes, less than that.

5 Uhm, so then you know essentially it is also  
6 refundable, so if they owe nothing, then they will be  
7 able to get a refund of the amount that they owe.  
8 So, that is where it will be reflected in terms of  
9 the expected property tax revenue.

10 CHAIRPERSON ROSENTHAL: So, the amount is \$88,  
11 the estimated amount is \$88 million.

12 SHERIF SOLIMAN: \$88 million.

13 CHAIRPERSON ROSENTHAL: Yeah and so the Mayor  
14 issues sort of his - sorry for the noise. Uh, the  
15 Preliminary you know, the budget a couple times a  
16 year. He just issued the Preliminary. I am just  
17 asking; does it show a shortfall of \$88 million given  
18 that we want this law to pass? In other words, is  
19 revenue already projected to be down by \$88 million?  
20 Or would that show up in another budget like in the  
21 Executive Budget?

22 SHERIF SOLIMAN: Sure, so I will also turn it  
23 over to Michael Hyman you know, as well but I would  
24 say that -

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1  
2 CHAIRPERSON ROSENTHAL: That's okay, I think the  
3 answer is -

4 SHERIF SOLIMAN: It was reflected in the January  
5 plan.

6 CHAIRPERSON ROSENTHAL: Yeah, I would go back and  
7 double check that.

8 SHERIF SOLIMAN: Okay.

9 CHAIRPERSON ROSENTHAL: It's actually really  
10 important for the Council to know that. So, let's  
11 just do all, cross all our T's, dot all our I's. I  
12 have a sense it was not included in the Preliminary  
13 Budget, so it's a shortfall. In other words, a need  
14 that is not yet represented in the budget. But if  
15 you could just double check that and get back to me,  
16 that would be great.

17 SHERIF SOLIMAN Sure.

18 CHAIRPERSON ROSENTHAL: I would like to ask a few  
19 questions about the audits. Uhm, the Preliminary  
20 Mayor's Management Reports that in the first four  
21 months of Fiscal Year '21, the average turn around  
22 time for DOF audits increased to 446 days from 386  
23 days or a 15 percent increase from the Fiscal Year  
24 2020 four month reporting period.

25

1  
2 The average turnaround time for the non-field  
3 audits increased to 191 days in Fiscal Year 2021 from  
4 176 days in Fiscal 2020, which is an 8 percent  
5 increase.

6 Is the increase due to the loss of staff? The  
7 Attrition in terms of the headcount? In other words,  
8 so I am trying to understand why is this. Maybe I  
9 should just put that out to you.

10 SERGEANT AT ARMS: Time expired.

11 CHAIRPERSON ROSENTHAL: Why do you think this has  
12 happened?

13 SHERIF SOLIMAN: Sure, so -

14 CHAIRPERSON ROSENTHAL: Chair, may I continue a  
15 little bit longer? That's a yes, okay.

16 SHERIF SOLIMAN: Okay, so sure. So, a couple of  
17 things. So, I think the number one thing look, the  
18 beginning of the Fiscal Year, there were obviously  
19 uhm a lot of employees who were shifted to telework.  
20 Uhm, and I think some of the - and also the people  
21 who were being audited, the subject of the audits uh  
22 were not in their offices either.

23 So, our audit team really couldn't rely on  
24 getting the information that needed to be gotten, so  
25 that these audits could proceed. So, that was part

1  
2 of it. I think the other part of it was on our side  
3 to be able then to not only come to the office,  
4 retrieve the documents but also, to be able to  
5 transition to a telework model.

6 So, I think the beginning of the pandemic, the  
7 beginning of the Fiscal Year had those challenges  
8 based on the pandemic. Uhm and I think those were  
9 the main reasons. I think yes, there are some  
10 vacancies as well obviously. That does have an  
11 impact but the important point is that there is a  
12 forecast and it you know, audit revenue will come in.  
13 When audit revenue comes in and we expect that we  
14 will meet that forecast.

15 CHAIRPERSON ROSENTHAL: Does the forecast assume  
16 the uh, does the forecast assume the 446 days or the  
17 386 days? In other words, are you pushing stuff into  
18 the next Fiscal Year or how is that reflected?

19 SHERIF SOLIMAN: No, actually the forecast  
20 increased by \$250 million.

21 CHAIRPERSON ROSENTHAL: So, how is that possible  
22 if it is taking longer?

23 SHERIF SOLIMAN: Well, I think we have recovered  
24 and I think the beginning, the sort of stumbling out  
25 of the gate if you will in the beginning of the

1  
2 fiscal year because of people not in their offices  
3 and not being able to get that documentation, we have  
4 recovered. People are not accustomed to teleworking  
5 and we have audits in process and we feel that we are  
6 on target to meet the forecast.

7 CHAIRPERSON ROSENTHAL: Chair Dromm, my I  
8 continue just a little bit longer?

9 CHAIRPERSON DROMM: Yes, of course.

10 CHAIRPERSON ROSENTHAL: Thank you, I appreciate  
11 that. Uhm, okay, so I mean I would love for you to  
12 come back to the Committee with sort of some more  
13 details on that. It just seems uh, interesting to me  
14 that - I mean, I don't know the nature of the audit  
15 so you know them better than I do but it just seems  
16 interesting you have a less staff. It's taking  
17 longer to do these audits and yet your expecting more  
18 to come in the door.

19 Look, God Bless Ya, I mean I hope that happens  
20 for the sake of our city's expenditures. But you  
21 know, the consequence of not achieving those goals  
22 means cuts to agencies. And so, that's why it is  
23 pretty important to understand why you think it could  
24 get better when year to date it is taking longer and  
25 you have fewer staff.

1  
2 SHERIF SOLIMAN: Sure, we will be able to come  
3 back to you. I think the nature of the cash flow of  
4 the audits when they hit, you can't really pinpoint  
5 timing exactly on when they will hit but based on the  
6 activity and again, as I mentioned, based on the fact  
7 that our auditors are more accustomed now to  
8 teleworking and doing what they need to do, uhm, I  
9 think that is why we are confident that we will meet  
10 the forecast.

11 CHAIRPERSON ROSENTHAL: I mean, not to belabor  
12 the point. This is the last thing I will say. You  
13 know, given that they are more accustomed to doing  
14 that, I could see hitting a target but there must be  
15 something in there in the nature of those audits that  
16 you actually think you are going to hit a higher  
17 number. Uhm, so maybe it would be interesting to see  
18 what the audits are. Yeah, I mean, that's a pretty  
19 big jump in money.

20 You know last year, I still have a little PTSD  
21 because last year right, dollars came in much later  
22 or didn't come in and in the 11<sup>th</sup> hour cuts were made  
23 to the city's budget that actually hurt programs and  
24 people. And so, I really want to nail down why you  
25 think this estimate is true because if it is not

1  
2 true, you know, the people we fight for, the social  
3 service workers or sanitation workers or your own  
4 staff. Given that there is more attrition will be  
5 severely diminished. I mean, you know, a couple  
6 hundred - a million dollars here or there, pretty  
7 soon you are covering the cost of a COLA for a human  
8 service worker.

9       Okay, let me go on to New York City Marshals and  
10 the money judgments. So, New York State Assembly  
11 bill number A05858 would extend the authorization for  
12 the New York City Marshals to exercise some functions  
13 with respect to the execution of money judgements  
14 issued by the New York City Supreme and Family  
15 Courts. Uhm, citing a great need, especially for the  
16 enforcement of child support payments, the proposed  
17 legislation would extend this function of New York  
18 City Marshals to 2026. What is your opinion of this  
19 legislation?

20       SHERIF SOLIMAN: So, yeah, I mean they have had  
21 this - this legislation is an extender. They have  
22 this ability to go into Supreme Court uhm, to be able  
23 to enforce. It is important to note that the  
24 difference between what the Sheriff does and the  
25 Marshal does, the Marshal is essentially enforcing

1  
2 the money judgements. The Sheriff is an officer of  
3 the court, is servicing you know the owners, the  
4 warrants etc.

5 And so, we are open to it. You know, to the  
6 continuation. I think some of that work is  
7 important. The money judgements that the Marshals  
8 actually do and some of the work that they do is on  
9 our ECB debt as well. Uhm, so, it's something that  
10 you know, we are open to the legislature if they  
11 decide.

12 CHAIRPERSON ROSENTHAL: Okay, I have to say that  
13 my time has run out and the next agency is here. Uhm  
14 but being open to it is very different than a full  
15 throttled support. Uhm, so I think we should both  
16 sort of go back and think about you know, if we are  
17 talking about child support, whether or not that's  
18 something we are open to or something that is  
19 critically important given that 35 percent of  
20 families in New York City are headed by a single  
21 female head of household.

22 SHERIF SOLIMAN: 100 percent and I am not  
23 suggesting that we would not be supportive. I think  
24 in the past we have been supportive. Uhm, so I think  
25 that all I was simply saying is, there is a bill

1  
2 that's pending in the state legislature of the state  
3 legislature the decides that it wants to grant this  
4 additional authority and this extension to the  
5 Marshals then you know, we do not object. And I  
6 think the -

7 CHAIRPERSON ROSENTHAL: Sir, sir, the point is  
8 does the Administration push to get the bill passed  
9 or not. I understand, I mean maybe you are just  
10 saying I am a functionary in this but I guess I would  
11 hope that Department of Finance would have a point of  
12 view and then share that point of view with City Hall  
13 and let City Hall know the importance of this  
14 legislation to mothers with kids who get no family  
15 support, no child support. But maybe I have the  
16 wrong -

17 SHERIF SOLIMAN: No, it is something again that  
18 we do not object to and your point is well taken and  
19 we will - we absolutely concur that the Marshals work  
20 on this particular topic.

21 CHAIRPERSON ROSENTHAL: Okay.

22 SHERIF SOLIMAN: It is critical and we want it to  
23 continue.

24  
25

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1  
2 COUNCIL MEMBER ROSENTHAL: Great, thank you so  
3 much. Thank you Chair, thank you Commissioner,  
4 welcome aboard.

5 CHAIRPERSON DROMM: Okay, thank you very much Co-  
6 Chair Rosenthal. Actually, this will now conclude  
7 this portion of today's hearing. Thank you to the  
8 Department of Finance and to Commissioner for being  
9 here with us today.

10 Next, we are going to be joined by the  
11 Subcommittee on Capital Budget and Helen Rosenthal is  
12 already here and we will hear from the Department of  
13 Design and Construction. Uhm, so we are just going  
14 to switch over now and then we are going to start  
15 right away. Thank you again Commissioner.

16 SHERIF SOLIMAN: Thank you so much Chair. I  
17 appreciate it. Thank you.

18 COMMITTEE COUNSEL: Chair Dromm, would you like  
19 to invite uh, Chair Rosenthal to start with her  
20 opening for DDC?

21 CHAIRPERSON DROMM: Yes.

22 COMMITTEE COUNSEL: Yes, thank you.

23 CHAIRPERSON DROMM: I didn't know if you were -

24 CHAIRPERSON ROSENTHAL: No, I am good.  
25

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1  
2 CHAIRPERSON DROMM: In the interest of time, I am  
3 going to forego an opening statement and ask that  
4 Chair Rosenthal just go right into her opening  
5 statement.

6 CHAIRPERSON ROSENTHAL: Great, terrific.  
7 Counsel, you can let me know when I can begin.

8 COMMITTEE COUNSEL: You may begin after your  
9 statement; we will swear in DDC.

10 CHAIRPERSON ROSENTHAL: Perfect, thank you so  
11 much. So, good morning I am Council Member Helen  
12 Rosenthal Chair of the Subcommittee on the Capital  
13 Budget. I want to begin by thanking my Co-Chair  
14 Council Member Danny Dromm and the members of the  
15 Committee on Finance and the Subcommittee on Capital  
16 Budget for holding this virtual hearing today.

17 Today, we are going to discuss the Fiscal 2022  
18 Preliminary Budget of the Department of Design and  
19 Construction. So, I want to congratulate Jamie  
20 Torres-Springer on his field promotion to  
21 Commissioner and only because you know DDC inside and  
22 out, I am not sorry that you are being called to  
23 testify before the Council on your absolute first day  
24 as Commissioner. I know you are going to kill it.

25

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1 Starting off with the numbers. DDC's Fiscal 2022  
2 Preliminary Budget totals about \$150 million  
3 representing a \$19 million decrease when compared to  
4 the Fiscal '21 Adopted Budget of \$169 million. The  
5 agencies preliminary capital commitment plan for  
6 Fiscal Year '21-'25 totals roughly \$14 billion and is  
7 \$85 million more than the – oh sorry, let me just say  
8 that again. The Fiscal Year '21-'25 totals \$13.7  
9 billion and is \$84.8 million more than the \$13.6  
10 billion scheduled in the Adopted Capital Commitment  
11 Plan. There is a little bit of a disconnect there,  
12 so I will be curious to learn more.  
13

14 Like many agencies, DDC's work over the past year  
15 looking forward into next year has been deeply  
16 impacted by the COVID-19 pandemic. Beginning in the  
17 early days of the pandemic, most construction in the  
18 city was put on hold thereby disrupting the progress  
19 of the city's capital plan.

20 At that difficult time, DDC proved able to expand  
21 its focus and play critical role to combat the spread  
22 of the virus and immediately respond to the fall of  
23 the pandemic. The agency took advantage of emergency  
24 procurement authority and built field hospitals,  
25 community clinics and testing sites. And I would

1  
2 like to use this opportunity to thank Commissioner  
3 Grillo and the entire DDC team for their amazing work  
4 including the current Commissioner.

5 In January 2019, DDC released its strategic  
6 blueprint for construction excellence which outlined  
7 its plan to transform how city agencies manage  
8 capital construction projects from start to finish in  
9 order to deliver public buildings and infrastructure  
10 on time and on budget. DDC has already saved five  
11 months in the initiation process and three months in  
12 the procurement process timeline. The agency expects  
13 additional 36 months savings in the design and  
14 construction timeline for a typical project should  
15 the blueprint pass and be implemented.

16 With the state reopening, DDC will take the lead  
17 in restarting the city's capital process. The Mayor  
18 recently announced work on \$17 billion in capital  
19 projects is resuming this month. This is welcomed  
20 news but given the COVID-19 related backlog of  
21 projects, DDC's 262 headcount reduction for Fiscal  
22 Year '22 and DDC's need to address the challenge of  
23 implementing the new strategies as outlined in the  
24 strategic blueprint plan, uh, puts those goals in  
25 question. There is a lot for the agency to tackle.

1  
2 At today's hearing, we look forward to learning  
3 more about how the agency intends to deliver on the  
4 Mayor's proposed capital plan.

5 Before I conclude, I just want to thank the staff  
6 who helped prepare for this hearing, the Finance  
7 Division and the Subcommittee staff Nathan Toth,  
8 Deputy Director Chima Obichere, Unit Head Monika  
9 Bujak, Finance Analyst Rebecca Chasen, Senior Counsel  
10 Noah Brick, Assistant Counsel and of course my staff  
11 Matherie Shukla[SP?], Sarah Corian[SP?] and Cindy  
12 Cardinal. Thank you so much and I now turn it back  
13 to Chair Dromm.

14 CHAIRPERSON DROMM: Thank you Chair Rosenthal.  
15 We will now hear testimony from Commissioner Jamie  
16 Torres-Springer who is joined by – I am sorry a  
17 little technical problem here. Uhm who is joined by  
18 Chief Financial Officer Rachel Laiserin. I hope I  
19 said that right, I apologize. Chief Diversity  
20 Industry Relations Officer Wayne Lambert and General  
21 Counsel David Varoli.

22 Before we hear from DDC, I will turn it over to  
23 our Committee Counsel to go over some procedural  
24 items and to swear in the witnesses.

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2 COMMITTEE COUNSEL: Thank you. I will now  
3 administer the affirmation and you will be called on  
4 to so affirm at the end. Do you affirm that your  
5 testimony will be truthful to the best of your  
6 knowledge, information and belief? Commissioner  
7 Torres-Springer?

8 JAMIE TORRES-SPRINGER: Yes, I do.

9 COMMITTEE COUNSEL: Thank you. Ms. Laiserin?

10 RACHEL LAISERIN: I do.

11 COMMITTEE COUNSEL: Mr. Lambert?

12 WAYNE LAMBERT: Yes, I do.

13 COMMITTEE COUNSEL: And Mr. Varoli?

14 DAVID VAROLI: Yes, I do.

15 COMMITTEE COUNSEL: Great, thank you so much.

16 Uhm, you may begin when ready Commissioner Springer.

17 JAMIE TORRES-SPRINGER: Thank you very much and  
18 good morning Chairs Dromm, Rosenthal and members of  
19 the Committee. Pleasure to be here this morning and  
20 we appreciate your kind remarks. We are very pleased  
21 and honored to be asked to take on the leadership  
22 role at Design and Construction by the Mayor and uhm,  
23 you know, as we will talk about in the testimony, I  
24 think we are at a very critical time in how we  
25 deliver capital projects for the city and the city

1  
2 itself is at a critical time where how we deliver  
3 capital projects will have a very big impact on the  
4 recovery. And so, we have lots of things underway to  
5 try and aid in that delivery and that recovery and we  
6 are very pleased to have the opportunity to talk to  
7 you about them today.

8 I want to just mention that last time we had a  
9 budget hearing, I had a little technical trouble on  
10 this computer, so I have a second screen set up and  
11 if you stop hearing me, just please just wave and I  
12 will switch.

13 So, as you mentioned, I am Commissioner of DDC  
14 and I have our Chief Financial Officer, our Chief  
15 Diversity Officer and our General Counsel with me  
16 here. This past year has been a momentous one for  
17 DDC, as it has been for the City overall. Though  
18 many of our operations were disrupted by COVID-19, we  
19 are now in the final stages of reinstating all of our  
20 normal activities, including procurements for future  
21 projects, as well as our consultant design contracts.

22 This work will fully resume by the end of this  
23 month pursuant to the Mayor's recent order. I want  
24 to acknowledge the incredibly hard work of all the  
25 staff at DDC who managed the operations and programs

1  
2 throughout this crisis. They ensured continuity,  
3 stability and progress throughout our portfolio,  
4 against all odds. And of course, I want to recognize  
5 the leadership of my predecessor Lorraine Grillo, who  
6 provided incredible stability during the last year,  
7 and who is really responsible for championing our  
8 Strategic Blueprint, which is a lasting contribution  
9 to better capital project delivery in New York City.  
10 And I know that the members of the Council have much  
11 longer relationships with Commissioner Grillo than I  
12 did and are very pleased that she is acting as the  
13 lead for the city's recovery on behalf of the Mayor.  
14 So, we are all very excited about that. DDC was able  
15 to advance several large and critical programs even  
16 through the pandemic, and we continue to seek new  
17 ways to deliver projects more reliably and more  
18 efficiently.

19 Our experience building field hospitals, testing  
20 and vaccination sites and other COVID-related  
21 facilities under the pandemic's emergency  
22 construction and procurement rules has informed us  
23 greatly in this area, and I will share some of those  
24 insights with you later in my testimony. So, first,  
25 as this is a budget hearing, I will give an overview

1  
2 of our budget. As the City's primary capital  
3 construction manager, we builds on behalf of more  
4 than 20 City agencies and receives capital funding  
5 from a number of sources. The January Capital  
6 Commitment Plan contains almost \$2.8 billion in new  
7 planned commitments in Fiscal Year 2022 for DDC  
8 across our portfolio.

9 This includes \$1.5 billion for infrastructure  
10 projects and \$1.2 billion for our Public Buildings  
11 portfolio. The ten-year capital plan includes \$8.2  
12 billion for the Borough Based Jails program related  
13 to the closure of Rikers Island, as well as \$1.35  
14 billion for the East Side Coastal Resiliency project  
15 to protect Manhattan's East Side from East 25th  
16 Street down to Montgomery Street.

17 We expect the Fiscal '22 budget to grow in the  
18 next plan as funding for contract registrations  
19 delayed by the pandemic are pushed into the next year  
20 and we are happy to talk more about that during the  
21 hearing and your questions.

22 Our Fiscal '22 operating budget, as you mentioned  
23 Chair Rosenthal is \$150 million. This includes \$122  
24 million for Personnel Services and \$28 million for  
25 OTPS, Other Than Personnel Services. We have a

1  
2 budgeted headcount of 1,281. Our total operating  
3 budget is sourced with \$133 million in IFA funding,  
4 \$16 million in City tax levy funding, and \$500,000 in  
5 federal funding.

6 I want to spend a little time, given how critical  
7 it has been on our response to COVID. The COVID  
8 pandemic significantly affected our operations but  
9 also offered opportunities and insights into how we  
10 can improve the project delivery process.

11 In early March 2020, as COVID overtook the  
12 country and a statewide emergency was declared, DDC  
13 worked closely with our sponsor and oversight  
14 agencies to determine the best way to proceed in a  
15 manner that was safe, while managing our portfolio  
16 through the peak of the crisis. Infrastructure  
17 projects, affecting water, sewer and transportation  
18 systems, were deemed essential and continued without  
19 significant delay. However, within days of the  
20 declaration, most of our active Public Buildings  
21 portfolio, with the exception of a handful of  
22 projects essential to life safety, was paused.

23 Subsequently, consultant design work paused as  
24 much of the City locked down and the impacts of the  
25 crisis widened. Exceptions were made for critical

1  
2 programs such as East Side Coastal Resiliency, for  
3 projects with outside deadlines such as those under  
4 consent decrees or those that had time-limited  
5 federal or state funding that was at risk of  
6 expiring.

7 Last June, we began restarting our public  
8 buildings construction projects in consultation with  
9 OMB and our sponsor agencies. We have since returned  
10 all projects to construction. And as I stated  
11 earlier, we expect all other aspects of our portfolio  
12 to resume by the end of this month, March 31<sup>st</sup>.

13 I will spend a little bit of time talking about  
14 our work in the emergency responding to the pandemic,  
15 which we are very proud. Throughout the past year,  
16 DDC staff performed truly heroic work with New York  
17 City Emergency Management, Health + Hospitals, the  
18 Department of Health and Mental Hygiene and others to  
19 build and renovate the facilities the City has relied  
20 upon to manage the pandemic.

21 Next week, we will be sharing a report with you  
22 and your colleagues describing this work. Hot off  
23 the press here. It summarizes our work during the  
24 pandemic, during which, we designed and built two  
25 field hospitals totaling 1,100 patient beds.

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Designed and built 28 COVID testing sites. Designed and procured eight mobile testing trucks, which can be deployed quickly to COVID hotspots. We expanded and upgraded four New York City Health Department laboratories to enable PCR testing for COVID. We procured, designed and built three large COVID-19 Centers of Excellence for Health + Hospitals and Gotham Health, which are major new acute care facilities in Bushwick, Tremont and Elmhurst, designed to manage the long-term healthcare needs of New Yorkers recovering from COVID in neighborhoods where more healthcare facilities are very much needed.

We also supported the City's "GetCool" program last summer, which involved installation of almost 56,000 air conditioning units in the homes of low-income seniors. And now, we are now aggressively working to create a Citywide network of vaccination centers to increase our overall capacity and create convenient vaccination options in neighborhoods identified by the Mayor's Task Force on Racial Inclusion and equity as most in need of these facilities. DDC has now completed six large vaccination sites throughout the City with several

1  
2 more in the pipeline. We are working very hard in  
3 the field even as we speak as we prepare for the peak  
4 vaccination effort over the next few months.

5 This has been a remarkable effort by DDC staff  
6 and it has placed them on the front lines of the  
7 pandemic, with much of the risk and urgency  
8 experienced by other frontline personnel and we are  
9 very proud of this work. The fact that we were able  
10 to deliver hundreds of millions of dollars in  
11 construction in mere months shows how effectively we  
12 can work when we are not bound by the typical  
13 procurement, administrative and oversight regime  
14 within which we normally function.

15 To give you a few examples, that first field  
16 hospital we built in Queens, at the Billy Jean King  
17 Tennis Center, with 470 beds, went from construction  
18 start to accepting its first patient in 11 days.  
19 Laboratory upgrades took an average of just over 34  
20 days of construction. The 28 testing sites were  
21 built in an average of seven days each and a  
22 particular point of pride for us, MWBE performance  
23 for the highest value component of our COVID program,  
24 the Centers of Excellence, was extraordinary,  
25 reaching 46 percent. Our Center of Excellence

1  
2 projects were built in about 6 months each, rather  
3 than what probably would have been 6 years and came  
4 in at or below their forecasted budgets.

5 One reason for this was being able to use a  
6 streamlined procurement to award the lead  
7 construction contract quickly rather than in 9-12  
8 months and then that was a CM build approach to  
9 construction which I will talk about in a moment.

10 Our success is attributable to several factors.  
11 We were freed from the time-consuming system that  
12 requires City contracts to always be awarded to the  
13 lowest bidder who meets minimal qualification  
14 requirements. Because of that, we were able to use a  
15 value-based selection through a Request for Proposals  
16 process to award contracts to firms with a  
17 demonstrated track record of delivering quality  
18 projects on time and on budget.

19 Using this system, DDC was able to accelerate  
20 project schedules while still delivering projects  
21 within budget, with fewer delays and fewer mid-  
22 project change orders to slow down the process. We  
23 were also able to employ contracting and construction  
24 management methods that are not allowed by this low-  
25 bidder system and the PPB rules, including the

1  
2 Construction Manager-Build, we refer to that usually  
3 as CM-Build model of project delivery. With CM-  
4 Build, a construction management firm is selected  
5 through an RFP process and then manages the overall  
6 project and holds the underlying contracts for  
7 materials, labor and related services. CM-Build  
8 eliminates the sequential procurement processes of  
9 design-bid-build. It allows construction to begin  
10 earlier and much like Design-Build, it ensures  
11 critical collaboration between the designer and the  
12 builder, which is prevented by design-bid-build.  
13 That's the approach that we are normally required to  
14 work within.

15       These may be technical differences, but in fact,  
16 they make all the difference. Other changes that  
17 enabled us to work quickly and we believe can be  
18 streamlined in the future, were reduced public notice  
19 requirements, faster approvals from the Office of  
20 Management and Budget, the Mayor's Office of Contract  
21 Services and the Law Department and a shorter  
22 selection process. We can also save time on projects  
23 if the Comptroller's input is limited to just the  
24 items the office is empowered by the City Charter to  
25 review, which often is not the case now.

1  
2 Many of our infrastructure projects, which  
3 remained in construction throughout the pandemic,  
4 also saw remarkable progress and were able to be  
5 completed well ahead of schedule. We attribute this  
6 to decreased vehicle traffic, which allowed us to  
7 negotiate more favorable street permit requirements.  
8 It's fair to ask, why can't we do this all the time?  
9 Why do we have to wait for an emergency to deliver  
10 important projects efficiently?

11 The answer is we don't. Already, based on new  
12 State legislation at the end of 2019, DDC is  
13 implementing a Design-Build approach for a number of  
14 projects that will save time and money by integrating  
15 design and construction activities and avoiding  
16 separate procurements in many of the same ways I  
17 described above. But Design-Build is only one tool  
18 and not suitable for every construction situation. I  
19 encourage the Council to review our year-end report  
20 that I mentioned earlier, which highlights many of  
21 these improvements to project delivery.

22 The experience under emergency procurement rules  
23 truly brought us closer to the standards of  
24 performance we articulated in our Strategic  
25 Blueprint, while still retaining important safeguards

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2 of public funds. We would welcome discussions with  
3 the Council about how these rules could be applied  
4 long-term. The benefits could transform the current  
5 cumbersome and costly process of City capital  
6 delivery, a goal I know we all share and provide a  
7 greater return on investment for taxpayers.

8       Just an update on our two largest programs for  
9 you. The Borough-Based Jails and East Side Coastal  
10 Resiliency. They also continued through the  
11 pandemic. Earlier this month we issued Requests for  
12 Qualifications seeking qualified firms to form the  
13 Design-Build teams that will create the new jail  
14 facilities in the Bronx and Queens. We continue to  
15 monitor legal issues related to the program but we  
16 remain on track to deliver four new jails by August  
17 2027, despite a pause in the Jails program at the  
18 height of the pandemic.

19       I am pleased to report that construction began on  
20 East Side Coastal Resiliency in mid-November, at the  
21 northern end of the project. We have received bids  
22 for construction in the southern end of the project  
23 and we anticipate work to begin there in late Spring.

24       Uhm, on our M/WBE Program, our M/WBE program  
25 remains one of the City's best and we are very proud

1  
2 of it and committed to its growth and full  
3 utilization. We got to a utilization rate of 32  
4 percent for Fiscal Year 2020, which is \$257 million  
5 over a quarter billion dollars in spending and was up  
6 from 21 percent in Fiscal 2019.

7 In the last five years, our Office of Diversity &  
8 Industry Relations has engaged more than 7,500 M/WBEs  
9 through internal and external workshops and seminars  
10 that enhance technical and business capacity. Now we  
11 are building on that with a new Business Development  
12 Unit, which will be a pathway of entry into public  
13 sector work for M/WBEs, and a new mentoring program  
14 that we received legislative authorization for which  
15 will place emerging M/WBEs side-by-side in the field  
16 with experienced construction managers to guide them  
17 and provide real-world, on-the-job experience as  
18 prime contractors.

19 In implementing our new Design-Build programs, we  
20 have set M/WBE goals of 30 percent for both the  
21 design portion and the construction portion of our  
22 contracts to provide more opportunities for M/WBE  
23 design firms.

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1  
2 And I would note, as I said earlier, that our use  
3 of a value-based selection on all of our emergency  
4 work delivered very high M/WBE utilization rates.

5 In closing, I would again like to acknowledge the  
6 dedication of the DDC staff who delivered so many  
7 COVID-related facilities and continued to deliver  
8 essential infrastructure and facilities under very  
9 difficult circumstances. And I would reiterate that  
10 how that work was performed offers lessons we can and  
11 should build on together, as we continue to realize  
12 the vision of our Strategic Blueprint and transform  
13 capital project delivery for our City.

14 Thank you and we are happy to answer any  
15 questions you may have.

16 CHAIRPERSON DROMM: Thank you very much  
17 Commissioner Torres-Springer. I really appreciate  
18 you being here. Congratulations again to you on  
19 taking on this position. Well deserved and we look  
20 forward to working with you as I said.

21 You mentioned something in your testimony about  
22 the Comptroller and the requirements there. Can you  
23 just elaborate further on that for me?

24 JAMIE TORRES-SPRINGER: Thank you. Thanks Chair.  
25 Uhm and thank you for your kind words. Uhm, sure, I

1  
2 mean I would really want to place this in an overall  
3 context. I mean I think our central message here is  
4 over the course of many years and many decades, uhm,  
5 for very good reasons, uhm we have you know, severely  
6 constrained the public sectors ability to deliver  
7 capital projects. And you know those reasons go back  
8 to the last you know, the 19<sup>th</sup> Century in terms of  
9 promoting anti-corruption. And you know, we value -  
10 share those values. Those are really important  
11 values. I think everyone sort of would argue that or  
12 most people would agree that the pendulum has swung  
13 too much in the direction of that constraining and we  
14 talked about how some of those constraints really  
15 limit us from delivering you know in time.

16 One of those is certainly the Comptrollers  
17 review. Uhm for which in the Charter the Comptroller  
18 if charged with essentially making sure that we have  
19 appropriated enough money to register a contract and  
20 that we have gone through those anti-corruption  
21 vender background checks and you know, there are some  
22 cases where as a result of you know a significant  
23 amount of very intensive review undertaken by the  
24 Comptrollers office, we end up having to produce a  
25 lot more and spend a lot more time. And in fact

1  
2 often see rejections of our contracts for  
3 registration uhm despite you know in our view that  
4 they meet those two very narrow criteria that we  
5 described and then we have to go back and forth and  
6 it takes us a lot of time to get our contracts  
7 registered.

8       And when we are registering hundreds of contracts  
9 each Fiscal Year, both for design and construction,  
10 also often having to register change orders as well  
11 which I would love to talk about in this hearing that  
12 we have some things we want to do about that. You  
13 know, that really adds up. If you lose a couple of  
14 months every time you have to go register a contract,  
15 it really ends up costing us a lot of time and that's  
16 how we got to these numbers of you know taking uh you  
17 know, 90 months to deliver a capital project. And it  
18 is how we - you know reform to that is how we project  
19 that we will cut that number by what we are  
20 projecting to be three years on average.

21       CHAIRPERSON DROMM: Thank you and it is good to  
22 hear you tackle that issue. It is something that we  
23 have been looking at also in terms of the Council but  
24 thank you for bringing that up.

1  
2 Let me start off by also asking some questions on  
3 the \$17 billion in capital projects. On March 1<sup>st</sup>,  
4 the Mayor announced that the City will be restarting  
5 the \$17 billion in capital projects and on March 2<sup>nd</sup>,  
6 OMB testified before this Committee that many  
7 projects are scheduled to restart this month.

8 So, which agency's capital projects will be the  
9 most difficult to restart? Can you give us a little  
10 synopsis of what is going on with the \$17 billion?

11 JAMIE TORRES-SPRINGER: Certainly, yes Chair,  
12 thanks. So, \$17 billion was the announcement the  
13 Mayor made for the overall capital restart. We are  
14 very pleased that as of today, we have restart  
15 approval for over 85 percent of our projects and by  
16 the end of the month, we will be restarting the other  
17 15 percent. We will be at 100 percent.

18 To your point about which are more difficult to  
19 restart, I don't think it is sort of an agency to  
20 agency thing. There are design projects where I mean  
21 I am sure, you know everyone is aware, you know there  
22 are design firms that struggle to keep their staff  
23 you know throughout the pandemic and have to go and  
24 hire new staff, so it may take them a little time to  
25 remobilize.

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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2 All of our construction work is remobilized. So,  
3 we are not concerned about that uhm and we are just  
4 working our way through remobilizing for the design  
5 projects.

6 CHAIRPERSON DROMM: Which agencies then would you  
7 say were most impacted by the cessation of the  
8 capital projects?

9 JAMIE TORRES-SPRINGER: Uhm I think I would say  
10 it was really an impact across all agencies. Uh,  
11 Chair, you know for all their projects. I mentioned  
12 in my testimony, we are about 60 percent  
13 infrastructure, which is roads, sewers, uh  
14 watermains. So, that work kept on going because  
15 that's essential.

16 So, you know, those agencies, DOT and DEP uhm you  
17 know, sort of went on relatively normally. Also, we  
18 are able to design a lot of that work in house and  
19 that kept going.

20 Uhm, so it was really the agencies where we  
21 deliver public facilities for them. You know, our  
22 cultural facilities, our libraries, fire houses,  
23 police precincts, the borough-based jails program,  
24 that was where the major impact was felt. Both  
25 through the pause and construction and also through

1  
2 what will amount to a delay in those projects because  
3 design was on hold for a number of months.

4 CHAIRPERSON DROMM: I mean, you have heard this  
5 before I am sure and in terms of our discussions as  
6 well, uhm I am amazed where you have a project like a  
7 library that's fully funded yet the construction  
8 hasn't started and then of course it winds up costing  
9 millions of dollars more that needs to be added to  
10 the budget down the road in order to be able to  
11 complete that project.

12 So, you know, I know that Lorraine began a lot of  
13 this work and you followed up with a lot of it.  
14 Quite impressive in terms of what has been done over  
15 the last couple of years or a year and a half or so.  
16 So, I congratulate on that but uhm, you know, it  
17 still is somewhat frustrating, especially for me I  
18 find with the library projects.

19 JAMIE TORRES-SPRINGER: Thank you Chair and I  
20 know you have been a tireless advocate for you know,  
21 those library and cultural facilities in your  
22 district and across the city and we have had many  
23 conversations about projects, which we have  
24 appreciated.

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If I could speak to that for a second. One, that was one of the problems that we identified very early on in coming aboard at DDC, which is you know, there was an approach to doing it which was basically uhm, a project would be conceived. The funding would be identified and it would get sent over and then you know DDC would sometimes say, well, you know, this isn't enough money. Or uhm, this scope actually can't be built but we would get stuck because the project had been initiated.

So, a number of years ago, we created a unit called frontend planning and now, every project that comes over goes through about a 60 day review to identify if the budget is adequate. If the scope can be built and we basically don't start the project until the scope is very clearly defined. And we have also, and this has sometimes caused friction and been difficult, after we are finished with that, we say to all of our stakeholders including you know, members of the Council, also our sponsor agencies. That's it, we are not changing the scope unless we discover something that would prevent us from building the project.

1  
2 And we are working hard to enforce that, which is  
3 the way I think of avoiding those change orders,  
4 those additional costs. Clear definition up front of  
5 what the project is and no changes unless we  
6 absolutely can't avoid them during design and  
7 construction.

8 CHAIRPERSON DROMM: And Commissioner, I know from  
9 some of our discussions as well, the issue of  
10 accessibility is important also. So, hopefully that  
11 will be on the mind of everybody who is designing  
12 these projects that accessibility is a top concern.  
13 For the Council and to DDC as well.

14 JAMIE TORRES-SPRINGER: It's a deep commitment  
15 that we have, ADA and universal accessibility. Uhm,  
16 we have taken a number of measures recently. Uhm,  
17 including that we have a senior ADA official within  
18 our public buildings division, reports directly to  
19 the Deputy Commissioner for Public Buildings Tom  
20 Fully.

21 Uhm, I will say you know, even in - I have been  
22 very involved in building out our vaccination sites  
23 the last couple of months. Uhm, he is coming  
24 through, taking a look at the project, making sure  
25 that each project will meet you know, not just

1  
2 wherever we can, not just ADA standards but going  
3 beyond it to universal accessibility and we are very  
4 committed to that.

5 CHAIRPERSON DROMM: Great, thank you. That's  
6 really so important. Uh, so how many projects has  
7 DDC been able to restart this month?

8 JAMIE TORRES-SPRINGER: Uhm, the short answer is  
9 all of them. Uh, I am going to ask Rachel if she has  
10 a specific month to month number to add some color to  
11 that.

12 RACHEL LAISERIN: Yeah, we don't have a specific  
13 number, so we have gotten approval to restart all of  
14 our projects and as Jamie said, they were in various  
15 phases. And so, really you know, they are all  
16 approved to restart at this point. And it has been -  
17 it's been a gradual you know return because  
18 construction came back first on the public building  
19 side and then things that were in active design came  
20 next and then the next piece are the items that are  
21 in procurement or about to go into procurement.  
22 That's kind of like the last tranche that's moving  
23 forward.

24 CHAIRPERSON DROMM: Okay, thank you very much.  
25 Commissioner again, thank you for your emphasis on

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2 design build. Uh and as you know on December 31<sup>st</sup>  
3 '19, the Governor signed into law Chapter 749 of the  
4 Laws of 2019, which authorized several city agencies  
5 including DDC to use the design built method for  
6 projects over \$10 million that are subject to a  
7 project labor agreement.

8 Design build was also authorized for certain  
9 other projects over \$1.2 million including pedestrian  
10 ramps, libraries, security and infrastructure. Can  
11 you explain how DDC has been able to use the design  
12 build. I know you mentioned some of them generally  
13 in terms of your testimony but how have you been able  
14 to really use that over the last year?

15 JAMIE TORRES-SPRINGER: Thank you Chair. Yeah,  
16 really appreciate the opportunity to talk about  
17 design build. First, report and to go back and just  
18 recognize, there are many uhm heroes of that success.  
19 Parents of that success and I actually really want to  
20 acknowledge we have many unsung heroes within City  
21 agencies.

22 Our General Counsel David Varoli was a tireless  
23 advocate. Made many trips to Albany. He was really  
24 the brains behind the advocacy for design build which  
25

1  
2 is such a transformative change for the City and for  
3 the State.

4 So, I really want to acknowledge what David has  
5 accomplished with that.

6 And then in terms of implementation, uhm, we have  
7 been working very hard on this. We took advantage of  
8 the time during the pandemic to basically overhaul  
9 all of our systems. We had to create a whole series  
10 of new rules and standard operating procedures, draft  
11 new contracts, new RFQ's, RFP's uh, and work our way  
12 through a lot of very complex details on that.

13 Because this is really a brand new approach for the  
14 city.

15 As a result of that, we basically have I would  
16 call it sort of two general programs. One is the  
17 Borough-based Jails program for which we are very  
18 excited that a few weeks ago, we registered the first  
19 ever design build contract and work is not underway  
20 on the preliminary construction on the Queens site.  
21 It started this week under design build contract.  
22 So, it just went from registration to work in the  
23 field within a couple of weeks.

24 Uhm, the other stream is that we have uh  
25 identified basically a pilot program with nine

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projects across our portfolio. They include critical, community, recreation centers, operations and maintenance facilities for the Parks Department and infrastructure work in the streets of the city. Uhm, and those are in various stages of initiation and procurement. Many of them were in the market with RFQ's and RFP's seeking design build proponents for those projects. So, we expect those to advance very rapidly over the next few months.

CHAIRPERSON DROMM: That's great, thank you for that information. Uhm, what is the headcount devoted to implement design build and have you had to use staff to do design build that took staff away from other projects?

JAMIE TORRES-SPRINGER: Rachel, do you want to address that or do you want me to?

RACHEL LAISERIN: No, I can address that, sorry, I had to unmute. Uhm, yeah, thank you. So, uhm, you know the projects that we are doing using the design build method are projects that we would have undertaken anyway. They would have gone through a traditional design bid build project recycle.

Uhm and so we are utilizing the existing staff. You know they are still assigned to the projects.

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2 The project staff are the same, you know that effort.  
3 It's a little bit higher uhm, right, because it's a  
4 brand new program and so we are setting up these  
5 procedures and contracts etc. for the first time.

6 But we have been able to shift uhm within the  
7 existing resources.

8 CHAIRPERSON DROMM: Okay and what are the  
9 characteristics uhm of a project that uhm, you know,  
10 you would identify to use design build for?

11 JAMIE TORRES-SPRINGER: So, yeah, so I would say  
12 Council Member, we are in this pilot stage. Uhm, we  
13 uhm, basically what we are getting set up to do as I  
14 had mentioned earlier, our frontend planning unit.  
15 So, they have a set of criteria that they are  
16 applying. Uhm, you know, sort of boil it down, we  
17 need projects that are where things are pretty clear  
18 up front. And you know, no surprise in construction  
19 in New York City. That's not that many projects.

20 You know, just to give you an example, uhm, we  
21 are quite hesitant to go and just do a design build  
22 project for a regular street reconstruction with  
23 sewer work and watermain work underneath because you  
24 know, honestly, we don't always know what we are  
25 going to find. And that's why sometimes we have

1  
2 these frustrating you know times of how long it takes  
3 to build these projects. And also, we are dependent  
4 on the utilities uhm for often relocating some of  
5 their infrastructure. Although, we are actually  
6 making quite a bit of progress on that which I am  
7 happy to talk about.

8       So but because of that, that's not a suitable  
9 design build project. And so, we are working in this  
10 pilot to find projects that we can – you know that  
11 don't have a lot of scope change. Don't have a lot  
12 of sort of mysteries or unknowns upfront and that we  
13 can lock things in and proceed with the design  
14 builder and we are going to work through these pilots  
15 and we are learning a lot about what's an appropriate  
16 design build project.

17       CHAIRPERSON DROMM: Just not to deviate too much  
18 from my line of questioning but you said something  
19 that uhm, I wanted to bring up which is that are you  
20 working also with Parks? Uhm, I have an issue where  
21 uhm, they are refusing to plant trees in existing  
22 tree pits because the utilities are saying that they  
23 – it's too dangerous to put a tree in the pit where  
24 there used to be a tree. I don't get it. If it  
25 wasn't dangerous before, how is it dangerous now?

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2 But the utilizes have been uhm, you know not  
3 willing to work with Parks on this issue and I would  
4 really like to see some type of work done on that  
5 because we can't deforest New York City.

6 JAMIE TORRES-SPRINGER: Definitely agree with  
7 that and we do a lot of work with Parks. I am not  
8 familiar with that specific situation.

9 I will just take the opportunity uhm Council  
10 Member to say, we have made it a real priority to  
11 coordinate upfront with the utilities. We now have a  
12 monthly meeting with the utilities where a lot gets  
13 resolved. And then we have moved up uhm their design  
14 reviews when we are designing these major street  
15 reconstruction projects, so that they are in the  
16 process earlier. And I can look into that specific  
17 situation for you but it does get very complex out  
18 there.

19 CHAIRPERSON DROMM: I would love to talk with you  
20 about that. Because actually, I almost had to  
21 prevent a fist fight from occurring in office on this  
22 very issue. That was me but with the utilities, so  
23 we will talk more about that offline.

24 JAMIE TORRES-SPRINGER: Sure.  
25

1  
2 CHAIRPERSON DROMM: Uhm, so what is the estimated  
3 cost and project duration savings the agency is  
4 expecting to achieve by fully implementing design  
5 build?

6 JAMIE TORRES-SPRINGER: Uhm, I think Rachel may  
7 want to say something about that but uhm, I would say  
8 that we are continuing to develop the program and we  
9 will be able to give more information as we proceed  
10 through the projects.

11 We know for sure that we are saving nine months,  
12 nine to twelve months on every design build project  
13 because we only have to go through one procurement,  
14 not two. And then, we estimated in the passage of  
15 the legislation we would see in the order of a six  
16 percent savings.

17 You know, it's actually - it becomes quite  
18 complicated uhm because in some ways it's the  
19 avoidance of all the additional costs that we run  
20 into from delays and discovering new things and  
21 having to go back and redesign and all the escalation  
22 that happens. We avoid all of that and a lot of  
23 design build is about transferring risk for some of  
24 those unknown costs to the design builder.

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2       So, you know, we are looking forward to studying  
3 that and quantifying that but we do expect them to be  
4 significant savings.

5       CHAIRPERSON DROMM: Okay and thanks Commissioner.  
6 My last question is going to be, as we were preparing  
7 for today's hearing, I noticed that there was the  
8 language authorizing progressive design build. Can  
9 you explain to me what's the difference between  
10 regular design build and progressive design build?

11       JAMIE TORRES-SPRINGER: Well, yes, it is true.  
12 We need to work on that terminology because we -  
13 especially in our city -

14       CHAIRPERSON DROMM: Progressive - I used be a  
15 progressive anyway.

16       JAMIE TORRES-SPRINGER: Especially in our city,  
17 you know, everything needs - you know, everything  
18 should be progressive and is progressive. Uhm, you  
19 know what we mean there is basically it's some what  
20 of a technicality but uhm, there is a way to approach  
21 design build that we are not authorized for by the  
22 legislature, which is basically that we can just use  
23 full, quality-based selection. Bring on a team right  
24 away and then we can work on the project together,  
25 without locking in the budget you know upfront. And

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2 that would be certainly, that's you know, that's how  
3 the private sector builds.

4 Uhm, you know they bring on their team, everybody  
5 you know, gets in the room and you figure out you  
6 know, how to design and deliver the project. That  
7 would be the maximum flexibility. We are working  
8 with the you know, the legislation and piloting that  
9 in its existing form and we are finding ways to  
10 implement that and having progressive design build  
11 would be an additional tool in our toolbox.

12 So, is it the funding piece really that  
13 determines the difference?

14 JAMIE TORRES-SPRINGER: In terms of the degree to  
15 which we are locking in the price.

16 CHAIRPERSON DROMM: Uh, huh. Okay, thank you  
17 very much and I am going to turn it over to Counsel  
18 now.

19 COMMITTEE COUNSEL: Thank you Chair Dromm. Uhm,  
20 we now have questions from Chair Rosenthal and I just  
21 want to acknowledge that Council Member Lander has  
22 joined us.

23 CHAIRPERSON ROSENTHAL: Uh, thank you so much. I  
24 actually Chair, if Council Member Ampry-Samuel would  
25 like to go next, I know her hand has been up for a

1  
2 while and I have quite a few questions. So, I just  
3 wanted to let her go first.

4 COUNCIL MEMBER AMPRY-SAMUEL: I really appreciate  
5 that because I really do have a meeting and I was  
6 just telling my staff, oh, my goodness. So, thank  
7 you, thank you, thank you, thank you, thank you.

8 Uhm, I will make this very quick. Uhm, so  
9 Commissioner you mentioned the frontend planning that  
10 you are doing now. Uhm and my question related to  
11 that and you already know what I am about to ask  
12 probably.

13 Uhm, I have two - and not to make this district  
14 specific at all because I know that we are in a  
15 budget hearing but just so that I can understand the  
16 process while we are doing the budget. I have two  
17 projects in my district now. The boxing gym that's a  
18 NYCHA project, that was an originally a \$1 million  
19 cost attached to it and now it is \$10 million over  
20 the course of two years. And we have had this  
21 conversation before where it has highly jumped from  
22 \$1 million to \$10 million and then there is another  
23 project in my district under DDC which is the  
24 community center 444 Thomas Borland that had an  
25 original cost of \$25 million. In last weeks meeting,

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2 that project jumped from \$25 million and now I am  
3 being told that it will cost \$100 million.

4 And so, last year during the budget, we removed  
5 \$10 million from that \$25 million to go to the NYCHA  
6 project so that we can at least move forward with  
7 that NYCHA project. And so, my question is, why -  
8 like did these two projects have the frontend  
9 planning? And you know, like what's happening, just  
10 so I can know how to plan accordingly when it comes  
11 to allocating funding or fighting for dollars for my  
12 district?

13 JAMIE TORRES-SPRINGER: Yes, thank you Council  
14 Member and I do want to acknowledge that every time  
15 we see each other we talk about this which we  
16 appreciate and you know I am glad that we do because  
17 these projects are I know very critical to the  
18 Administration, to the Mayor and to you and our  
19 transformative projects for your community.

20 So, I mean, I actually earlier on I was  
21 mentioning how we have started to use this frontend  
22 planning process to get much more clear about what a  
23 project costs and what its scope is and whether it is  
24 constructable upfront and I think these are two  
25 really good examples of that.

1  
2 Uhm, the - as I understand it, the boxing gym, as  
3 you said, while it was sort of conceived with that  
4 budget number, when we took it in over here at DDC we  
5 immediately put it through frontend planning and  
6 identified that there were a lot of issues and you  
7 know, I think we all know this is sort of underneath  
8 this many billions of dollars of uhm, of difficult  
9 unfunded capital needs that NYCHA has.

10 Uhm, and uh, that's sort of an example of it is  
11 that you know in fact, if you are going to go and  
12 build a recreation center in NYCHA, uhm once you  
13 really start looking at the building, it doesn't cost  
14 \$1 million. We found that you know we just needed  
15 basic safety structural improvements and the budget  
16 did increase.

17 The good news is we are about to start design on  
18 that, as I think you are aware. We are just waiting  
19 for our CP from OMB that will get us started and then  
20 we have a two year schedule and plan to complete  
21 construction very quickly. Certainly plan to engage  
22 with you and the Tenants Association after design  
23 starts and work together on what the design looks  
24 like.

1  
2 Uhm, the Thomas Borland, 444 Thomas Borland uhm I  
3 know that that is a homeless services and human  
4 resources administration project that is being sent  
5 to us now as an initiated project. So, the first  
6 thing we are going to do is take it through frontend  
7 planning. I hadn't heard that new number. That  
8 sounds like breaking news from a recent meeting that  
9 you had.

10 I am going to follow that up and find out exactly  
11 what is going on with that but I will just say that  
12 now we are at the beginning and we are going to you  
13 know, do the right thing and figure out exactly how  
14 much it really will cost to build that project.

15 COUNCIL MEMBER AMPRY-SAMUEL: Thank you so much  
16 Chairs. Thank you.

17 CHAIRPERSON ROSENTHAL: Sure, Council Member, I  
18 am a little bit actually confused by all those  
19 answers but I can tell you understand it and -

20 COUNCIL MEMBER AMPRY-SAMUEL: I was going to ask  
21 you. I was actually going to text you and then after  
22 this hearing ask for you to explain it to me.

23 CHAIRPERSON ROSENTHAL: Okay, we are in trouble  
24 but the one thing that I do think that we have to  
25 check, that the Commissioner mentioned is getting OMB

1  
2 to release the CP for the building. It's my  
3 understanding that all CP's, I guess it's tomorrow,  
4 will be released by March 25<sup>th</sup>.

5 So, do you expect it to be in that fourth tranche  
6 that they have talked about?

7 JAMIE TORRES-SPRINGER: Uhm, I would just say, I  
8 think this is slightly different. This is just the  
9 normal process of that CP's have to be reviewed by  
10 OMB to you know to make sure that we have an  
11 adequately budgeted and scope project.

12 I think I can also say on behalf of my -

13 SERGEANT AT ARMS: Time expired.

14 JAMIE TORRES-SPRINGER: Oh.

15 CHAIRPERSON ROSENTHAL: Thank you. No, keep  
16 going.

17 JAMIE TORRES-SPRINGER: I can also say on behalf  
18 of my colleagues at OMB, uhm, we, we also you know  
19 leave aside the pause, we also all recognize that  
20 that capital initiation process does take too long  
21 and we are working together on improvements to the CP  
22 process as well.

23 CHAIRPERSON ROSENTHAL: Yeah, I just uhm, I would  
24 encourage you Council Member Ampry-Samuel to reach  
25 out to City Hall on that. I will give it a look. I

1  
2 have a list of those projects; I will give it a quick  
3 look. Uhm but you and I should talk about that  
4 later. That's a little concerning.

5 Okay, thank you so much and I have been totally  
6 in that situation, so I get that.

7 Uhm, so Commissioner, I want to talk a little bit  
8 about uhm, the amazing blueprint you have and then  
9 think about that - all the tweaks you were able to  
10 make in during the pause with the Executive orders.  
11 And so, all those things that you were able to sort  
12 of skip over. And I am curious uhm, I mean I will  
13 look forward to seeing the newly released blueprint  
14 to see the specifics but is it right to understand  
15 that during the pause, uhm, with the Executive  
16 orders, you were able to save uhm eight months in  
17 total? Five month in initiation and three months in  
18 procurement?

19 JAMIE TORRES-SPRINGER: Uhm, thank you Chair. I  
20 think there was actually lots of different sets of  
21 savings that we found. So one, I think what you are  
22 describing is, from the implementation of our  
23 strategic plan over the last three years, there were  
24 sort of two big time savings that we found. This is  
25 not emergency projects; this is regular projects.

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CHAIRPERSON ROSENTHAL: Oh, I see, I see.

3

4

JAMIE TORRES-SPRINGER: We much accelerated our project initiation effort. Uhm and so I think we said that we saved five months there and then through sort of the low hanging fruit of procurement reform, delegations from oversights, you know, lots of different things, saved on average three months for the average project.

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During the pandemic, we have saved years. I mean the best example to me is these centers for excellence that we built for Gotham Health where they honestly six months from start to finish instead of probably six years or more.

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CHAIRPERSON ROSENTHAL: So, that's stunning right? And it emphasizes the imperative to uhm, to probably uhm, to put into law - change laws, change procedures to allow those hurdles to go away forever right? Maybe that's a simplistic way of saying it.

20

21

22

JAMIE TORRES-SPRINGER: No and I can mention that. I can just expand on that if you would like. If you would like me to.

23

24

25

CHAIRPERSON ROSENTHAL: Please.

JAMIE TORRES-SPRINGER: Yeah, so the - so, that's absolutely right. The overall problem is this idea

1  
2 of having to accept the lowest bid. That's where it  
3 all comes from. It is general municipal law 103  
4 State Law. Because of that, we have to use Design  
5 Bid Build. We have to fully design a project, then  
6 bid it out to the builder. No you know work can  
7 happen between design and construction. Uhm, and  
8 then you know also, we can't go with the quality, the  
9 highest quality.

10 So, one way that that's been relaxed is through  
11 the design build legislation. What we did during the  
12 pandemic is called CM build that I described in the  
13 testimony.

14 CHAIRPERSON ROSENTHAL: Oh, okay.

15 JAMIE TORRES-SPRINGER: Which is basically you  
16 can hire an integrated team and the CM can manage the  
17 project. The design and the construction of the  
18 project for you. We are able to get great M/WBE  
19 results. Able to you know, shave a lot of time off  
20 and we came in with those projects on budget or under  
21 budget, so that's another way that legislation could  
22 help us if we were able to use that approach much  
23 more.

24 CHAIRPERSON ROSENTHAL: I am not asking you to  
25 you know, give away any wonderful information but

1  
2 could you sort of talk about the – do you think you  
3 could put different, have different buckets of like,  
4 legislative reform you know, state level, city level?

5 JAMIE TORRES-SPRINGER: Yeah.

6 CHAIRPERSON ROSENTHAL: Uhm, Comptroller reform?  
7 Uhm, what would the different buckets be and could  
8 you give a sense of either time or money or neither  
9 for each bucket?

10 JAMIE TORRES-SPRINGER: Sure. Uhm, a lot of it  
11 is at the state level and we would love to have the  
12 Council's support for those initiatives. That would  
13 be you know, getting more alternative approaches to  
14 delivery that I mentioned CM build. Other ways that  
15 Chair Dromm mentioned, expanded design build, which  
16 would be a goal for us as well.

17 We also uhm, there is a program related to  
18 insurance called Owner Controlled and Contractor  
19 Controlled Insurance Programs OCP and CCIP are the  
20 acronyms we use and those actually, the School  
21 Construction Authority is able to use those.

22 Basically, it means that every smaller contractor  
23 including our M/BWE contractors, now they have to go  
24 out and get their own insurance, which is incredibly  
25 difficult and actually limits their ability to

1  
2 participate. So, instead, we are able to hold the  
3 insurance on their behalf and we could save a huge  
4 amount of time and money with that.

5 So, that's another big state initiative. At the  
6 City level, uhm, we have mentioned a number of  
7 streamlining that could occur. You know, also some  
8 rule changes to the PPB. We have also mentioned that  
9 there is Local Law 63, which is a very good law. An  
10 important way to make sure that the city is you know,  
11 maximizing employment for city employees and work for  
12 city employees and we fully support that. It does  
13 have an unintended consequence of delaying uh, excuse  
14 me, our procurement for design professionals and for  
15 uhm, engineers, supervising engineers in the field.

16 And so, without at all impacting the protections  
17 that that puts in place for city employees, uhm, we  
18 think there are some ways that that could be modified  
19 to reduce the amount of time it takes us to procure  
20 the design consulting professionals.

21 CHAIRPERSON ROSENTHAL: I see, so could you  
22 explain that one more time? So, there is Local Law  
23 63, does that apply to expense or capital?

24  
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2 JAMIE TORRES-SPRINGER: Uhm, it's capital. I  
3 believe it is all capital for, just for professional  
4 services.

5 RACHEL LAISERIN: Yeah, it's - it can be capital  
6 or expense but it's more about the category, so it  
7 doesn't apply to construction but it does apply to  
8 all professional services or standard services.

9 CHAIRPERSON ROSENTHAL: And the way DDC uses  
10 professional or standard services is as a part - I am  
11 just trying to tease it out because Local Law 63 is  
12 so incredibly important and valuable uhm for city  
13 employees.

14 So, and I think a very important piece of  
15 legislation to make sure that we are not you know  
16 simply you know, avoiding using city employees and  
17 therefore contracting out. So, could you explain? I  
18 am just still not quite sure on how you tease this  
19 out.

20 JAMIE TORRES-SPRINGER: I think I will ask Rachel  
21 if you don't mind to explain it as she has a lot of  
22 procurement experience, a lot of experience with  
23 Local Law 63.

24 CHAIRPERSON ROSENTHAL: Yeah.  
25

1  
2 RACHEL LAISERIN: Yeah, so as I said, it's for  
3 professional or standard services for contracts over  
4 \$200,000 and I in the DDC universe you know that  
5 impacts a few different areas.

6 One is the design contracts that we do for our  
7 public building side. I think the Commissioner  
8 mentioned earlier on our street and watermain and  
9 sewer work, a lot of that work is designed in-house  
10 but we don't have the expertise and we are using  
11 design firms through a procurement process that is  
12 impacted by Local Law 63.

13 CHAIRPERSON ROSENTHAL: But Rachel, with Design  
14 Build, would there be a possibility that we would  
15 skip over your in house work?

16 RACHEL LAISERIN: Yeah, Local Law 63 uhm, again,  
17 right now it is not codified in the PPB rules but it  
18 is you know, we are not subject to Local Law 63 for  
19 that and you know, Local Law, we were not subject to  
20 Local Law 63 during the pandemic and the emergency  
21 related procurements either.

22 CHAIRPERSON ROSENTHAL: Okay, so, uhm, I am going  
23 to uhm, just ask you one more time to clarify. What  
24 is the change that you are asking for in Local Law or  
25

1  
2 that you would be asking for in the blueprint for  
3 Local Law 63 or the Tweak?

4 RACHEL LAISERIN: Yeah so, I mean, I think the  
5 unintended consequence that the Commissioner spoke  
6 about is this additional time.

7 So, what the law requires is that there be public  
8 notice of these contracts in advance. Uhm, so, we  
9 put together an annual plan and we say these are the  
10 projects we anticipate using design. You know,  
11 outside design firms for or outside resident  
12 engineers. In which case, there is actually no -  
13 when we do that in advance, there is actually no  
14 impact to our schedule. That's publicly noticed,  
15 it's available for everyone to see and then we just  
16 proceed.

17 But what happens you know throughout the course  
18 of kind of life and uhm, budget cycles and changes  
19 that occur throughout the year, new projects come up  
20 or they move forward.

21 CHAIRPERSON ROSENTHAL: Okay.

22 RACHEL LAISERIN: Uhm and if we didn't have those  
23 projects on our Local Law 63 kind of procurement plan  
24 in advance -

1  
2 CHAIRPERSON ROSENTHAL: Which you had put forward  
3 at the beginning of the year.

4 RACHEL LAISERIN: Correct, right so that plan is  
5 published every July 31<sup>st</sup> and it is anticipated. It  
6 covers the full Fiscal Year. Uhm, and so, if we miss  
7 that opportunity uhm, then we have to go out with  
8 public notice again, right?

9 CHAIRPERSON ROSENTHAL: For sure.

10 RACHEL LAISERIN: Right, for that specific  
11 project.

12 CHAIRPERSON ROSENTHAL: Sure.

13 RACHEL LAISERIN: Uhm, it's a minimum of a 60-day  
14 public notice period.

15 CHAIRPERSON ROSENTHAL: But why isn't it still  
16 important? Why shouldn't the people who could  
17 possibly be doing that work in house have a chance to  
18 have that work?

19 RACHEL LAISERIN: I mean, absolutely but keep in  
20 mind right now it's sequential. So, there is a 60-  
21 day plus, you know, because there is an  
22 administrative step before the public notice. Uhm,  
23 there is a 60-day pause where we are not able to  
24 start a procurement.

1  
2       So, one of the suggestions is to have that notice  
3 period run in parallel with our procurement. Our  
4 procurements are certainly over 60-days. Uhm, so,  
5 while that notice is available, if there were  
6 concerns that people wanted to raise, it could happen  
7 in parallel.

8       CHAIRPERSON ROSENTHAL: I see, I see, I see and  
9 how – but would it be able to stop a procurement? If  
10 somebody said, okay, I am seeing this procurement is  
11 going forward and you are letting me know that you  
12 are not going to in house, you are using outside  
13 consultants, could somebody say, hey, wait, why can't  
14 you use in house? Would that stop the procurement?

15       JAMIE TORRES-SPRINGER: It certainly could.

16       RACHEL LAISERIN: Yeah, it definitely could.

17       JAMIE TORRES-SPRINGER: I mean, I just want to be  
18 clear, we are talking about in the universe of the  
19 city's contracting a small number of contracts that  
20 are for professional design consultants at this  
21 agency. You know, again, Local Law 63 serves a very  
22 valid purpose in protecting city employees that we  
23 you know would not propert to disturb at all but you  
24 know, there is a sort of technical fix here for a  
25 very small subset where you know, it is obvious that

1  
2 we are going to use designed professionals,  
3 professional design services since we use them for  
4 all of these projects.

5 CHAIRPERSON ROSENTHAL: Wait, wait, wait, sorry,  
6 I am just going to tease through that sentence, if it  
7 is alright Commissioner.

8 It's obvious we are going to use designed  
9 professionals, in other words consultants. What if  
10 you hired those people and had more people with those  
11 skill sets in house from the get go? What is it  
12 about the nature of the work that these design  
13 consultants do that's different?

14 JAMIE TORRES-SPRINGER: Yeah, so we do have an in  
15 house design capacity. Uhm, but you know we don't  
16 hundreds of highly qualified architects and engineers  
17 to do that design work. Uhm, you know it would take  
18 a sort of massive expansion of the size of DDC. And  
19 you know, some of these buildings that are being  
20 designed require the type of specialized skills that  
21 you know, we wouldn't be able to have a staff that  
22 you know, is a permanent staff that maintains those  
23 skill sets.

24

25

1  
2 I mean, you need to be you know working on  
3 multiple projects across the country and around the  
4 world and so on.

5 CHAIRPERSON ROSENTHAL: Those specialists work on  
6 projects around the world.

7 JAMIE TORRES-SPRINGER: Yeah, it's really  
8 specialized work that we can't hire for.

9 CHAIRPERSON ROSENTHAL: Can you give two  
10 examples?

11 JAMIE TORRES-SPRINGER: Uhm -

12 CHAIRPERSON ROSENTHAL: Or one.

13 JAMIE TORRES-SPRINGER: Most of our external  
14 design work or all of our external design work is for  
15 our public buildings project, so the design of some  
16 of the major buildings in the city.

17 CHAIRPERSON ROSENTHAL: And why can't your in  
18 house staff do that?

19 JAMIE TORRES-SPRINGER: Well, they do. There is  
20 in house work that is done but uhm, but you know as I  
21 say there is a lot of specialized skills in the  
22 architectural engineering work for the design of  
23 those buildings.

24 CHAIRPERSON ROSENTHAL: I am a total lay person.  
25 I am not a lawyer; I am not an architect. I am just

1  
2 a mom. A stay at home mom. So, I don't understand  
3 what specialty. I am hoping you will say a word that  
4 is a subspecialty of architecture that I can then  
5 understand why you don't have those people on staff  
6 today.

7 JAMIE TORRES-SPRINGER: Yeah, maybe we should  
8 come back to you and try to give some more specific  
9 examples Chair since this is an interest of yours.  
10 Uhm, yeah, I am not sure. You know, it is really,  
11 you know, this is about sort of you know major  
12 building design, right. You know, we have buildings  
13 that cost hundreds of millions of dollars and we have  
14 a whole you know architectural firm working on it.

15 CHAIRPERSON ROSENTHAL: Right, but you are also  
16 down as you mentioned, over 250 positions, right?  
17 Because you have a hiring freeze.

18 Now I don't know how many of those are in the  
19 design subspecialty unit. Can I ask you? Can I just  
20 make an analogy? Just because I am trying to  
21 understand this and I again, total lay person but you  
22 know like if in the field of medicine, right? You  
23 can say somebody is a heart specialist but you know,  
24 then there are like three different vows. So, people  
25 become specialists of each of those three different

1  
2 vows or somebody becomes you know, because there are  
3 certain individuals that have these little micro-  
4 health issues that only you know, one doctor in the  
5 country knows how to treat.

6 And you know, you sort of have to find that  
7 doctor. Is that an accurate analogy? So, that  
8 number one.

9 Number two, how many people are you down in that  
10 design you know engineering, architecture, uh  
11 division at DDC right now?

12 JAMIE TORRES-SPRINGER: Yeah, I am glad you asked  
13 that question about head count. Rachel, do you want  
14 to clarify on our headcount first of all?

15 RACHEL LAISERIN: Yeah, uhm, so I just want to  
16 clarify something about Local Law 63. None of the  
17 requirements of the law, I think the general intent,  
18 is to ensure that the city is not contracting out for  
19 work uhm, because of you know shortfalls and  
20 headcount.

21 So, every time whether we are putting it on our  
22 annual plan or we are adding it to a plan, we are  
23 looking at a specific project. Uhm, we have to make  
24 a determination that we are not outsourcing work that  
25 could be done by city employees. That is a specific,

1  
2 a very specific function. It's a requirement of the  
3 law, each time we are certifying that it is a very  
4 specific function that the city employees do not have  
5 which is why we are contracting for that.

6 So, we definitely, we are not contracting for  
7 designers or residencies more because of any change  
8 in our structural headcount. But you are correct, we  
9 see in the FY - you know in this preliminary plan a  
10 reduction in our headcount. That is a reduction in  
11 our budget headcount. Those were all vacant  
12 positions prior to the pandemic and I think kind of  
13 in a like Fiscal responsibility. OMB said well, you  
14 don't have - these positions aren't filled right now.  
15 We are in a hiring freeze, so we are just going to  
16 remove them from your budget. We still have some  
17 additional vacancies and as we work to fill those,  
18 you know if we have additional needs, we will work  
19 with our partners obviously at the Office of  
20 Management and Budget if additional headcount should  
21 be required.

22 CHAIRPERSON ROSENTHAL: Well, again, I am really  
23 sorry to be thick. How many people in your budgeted  
24 headcount? And there were vacancies, how many of  
25 those vacancies are in the unit of architecture

1  
2 design? Whatever that particular subsection that  
3 sometimes you contract out with Local Law 33  
4 professional services? How many professional  
5 services staff are you down?

6 JAMIE TORRES-SPRINGER: I don't know if Rachel  
7 has that number but the number would be sort of in  
8 the - if there is you know, we would have vacant  
9 heads in the tens or the dozens. You know whereas -

10 CHAIRPERSON ROSENTHAL: Okay.

11 JAMIE TORRES-SPRINGER: You know, there is sort  
12 of ten of millions of dollars of work that we require  
13 professional design consultants to do.

14 I mean, it's a major part of how we deliver. So,  
15 it's not, I don't want to hazard a guess as to how  
16 much we would have to increase the size of the agency  
17 by - it would have to be hundreds and hundreds of  
18 people and then we wouldn't have the specialized  
19 expertise still to design these major projects  
20 because you really, the work gets done by  
21 architectural and engineering firms uhm, in this  
22 world.

23 CHAIRPERSON ROSENTHAL: Oh, so it's not just one  
24 person, it's a whole firm that does this type of  
25 specific -

1  
2 JAMIE TORRES-SPRINGER: Yeah, yeah, yeah and the  
3 great projects that we build you know, you sort of  
4 see them. They meet these very high standards of  
5 design. We just described this now as project  
6 excellence. You know, design and construction  
7 excellence.

8 We rely on firms that are designing buildings all  
9 around the world to deliver these very high quality  
10 architecture. Uhm, increasingly over the last few  
11 years, we have placed the emphasis on we have to be  
12 able to construct it. Uhm, and it is not all about  
13 you know the fanciest building but that too is a real  
14 specialized skill. Uhm, that you know a firm might  
15 be designing a building in the private sector and be  
16 able to bring lessons and expertise about how that  
17 building was designed and delivered to DDC and to our  
18 public buildings.

19 CHAIRPERSON ROSENTHAL: Okay, you know and this  
20 is just one piece of the state legislation, city  
21 legislation that would have to be changed. I think  
22 we should have a hearing on all of this, so we can  
23 you know as soon as your blueprint comes out, so we  
24 can really understand what we gain and what we lose  
25 with these changes.

COMMITTEE ON FINANCE JOINTLY WITH THE  
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1  
2 You know, so, kind of like you are saying Rachel,  
3 there were unintended consequences in passing Local  
4 Law 63. You know, I would then ask the opposite,  
5 could there be unintended consequences of making this  
6 tweak uhm that you are suggesting?

7 JAMIE TORRES-SPRINGER: Happy to keep on,  
8 continue that conversation. Thank you.

9 CHAIRPERSON ROSENTHAL: Okay, thank you.

10 Alright, I think I have beaten it down to a pulp.

11 Uhm, so, uh, do you expect in the executive budget  
12 that there might be an increase to headcount. I mean  
13 just given that the Mayor announced \$17 billion in  
14 commitments this year, realistically, are you going  
15 to need uhm an increase to headcount in order to make  
16 that happen?

17 RACHEL LAISERIN: So, I will take that. Yeah, I  
18 will take that. Uhm, so we don't - the FY21 budgeted  
19 headcount is actually a little bit lower by about 50  
20 compared to FY22 already. Uhm, you know that is down  
21 from prior years as I mentioned, those were  
22 vacancies. Uhm and you know we are working with OMB.  
23 We are still subject. I know the Council is aware  
24 subject to kind of a slow return of hiring of the  
25 city workforce. Uhm, so when we do have existing

1  
2 vacancies that we working to fill to the extent that  
3 our portfolio rose and we are able to fill all of our  
4 existing vacancies. You know, we will continue to  
5 advocate you know if we have additional needs beyond  
6 that.

7 CHAIRPERSON ROSENTHAL: And so, if uhm the city -  
8 if the stimulus money doesn't come through for six  
9 more months and the city all of a sudden said to you,  
10 you know, you need to take a further reduction, what  
11 would the impact be?

12 JAMIE TORRES-SPRINGER: Well, I think Rachel, if  
13 I may, I just want to emphasis that the major point  
14 Rachel is making is our reduction has been in vacant  
15 headcount. So, we were operating - we were  
16 delivering over \$2 billion a year in public  
17 infrastructure in buildings with the staff that we  
18 had and still have and we will continue to do that.  
19 And are confident that we can do that.

20 Uhm, so, uhm, I am sorry, now I have forgotten  
21 the precise question that you asked Chair.

22 CHAIRPERSON ROSENTHAL: You and me both.

23 JAMIE TORRES-SPRINGER: Yeah, but that's sort of  
24 the major point is you know we are going to build  
25

1  
2 back. Continue to fill vacancies but we are in a  
3 very good position to deliver this work.

4 CHAIRPERSON ROSENTHAL: Okay, uhm, I am going to  
5 ask your side to do a little research but I am going  
6 to continue on with my questions in some other areas.  
7 But can I ask you Commissioner to ask someone on your  
8 team to look at the exact wording of Local Law 63?  
9 Just to really – maybe there is a – you have a legal  
10 person on here. Uhm, because I want to understand  
11 the definition of displacement and how Local Law 63  
12 defines displacement. Okay and we will circle around  
13 to that at the end. If you could ask someone to do  
14 that while I am asking other random questions.

15 JAMIE TORRES-SPRINGER: Sure Chair and we are  
16 happy to do that. I do just want to say that that's  
17 really a conversation that we should have with the  
18 Mayor's Office of Contract Services and the Law  
19 Department and we would be very happy to have that  
20 conversation.

21 CHAIRPERSON ROSENTHAL: Oh, okay.

22 JAMIE TORRES-SPRINGER: You know, I think we are,  
23 you know, we are just here to say you know, just  
24 there is a number of different things we can do to  
25 help streamline procurement and oversight. That's an

1  
2 example of one of them. Uhm, and certainly something  
3 that we would love to engage more but we would love  
4 to bring the Mayor's Office of Contract Services and  
5 the Law Department to that discussion.

6 CHAIRPERSON ROSENTHAL: Well, maybe that's the  
7 answer then. Let's, as a follow up to this, let's  
8 have that meeting.

9 JAMIE TORRES-SPRINGER: Love to do that.

10 CHAIRPERSON ROSENTHAL: Okay, alright, I  
11 appreciate that. Sorry, just a few more questions.

12 JAMIE TORRES-SPRINGER: No, please.

13 CHAIRPERSON ROSENTHAL: So, the frontend  
14 planning, which Council Member Dromm asked about,  
15 Chair Dromm asked about, uhm, are all projects now  
16 going through the comprehensive frontend planning  
17 process?

18 JAMIE TORRES-SPRINGER: Yes, they are.

19 CHAIRPERSON ROSENTHAL: Oh, that's amazing. Uhm,  
20 and is there a way to expand the unit in the future  
21 to even improve the pipeline?

22 JAMIE TORRES-SPRINGER: Yeah, thank you. It is  
23 our intention to continue to expand frontend  
24 planning. Uhm, there is a number of things we can  
25 do. One of the realizations in creating the

1  
2 strategic plan that we have was that city as a whole  
3 can use more you know, really capital planning and we  
4 have an office at City Planning that does what we  
5 think of as sort of the inputs to that. The outputs  
6 of that uhm are you know where we can use help and  
7 you know where we can do even more work.

8 Last year, we did a pilot with the Brooklyn  
9 Public Library where we looked at five of their  
10 libraries well before there was a capital project for  
11 them and evaluated them, so that they could go and  
12 get the funding that they needed based on really  
13 understanding what was needed for the library. And  
14 that's really our aspiration for frontend planning.  
15 I think we call that part of it advance planning. Uh  
16 and uhm, I also recognize Council Member Lander is on  
17 and as been a strong advocate for that. And yeah, we  
18 would love to do that in the future.

19 CHAIRPERSON ROSENTHAL: Hmm, hmm, do you need  
20 more staff or do you need anything for that?

21 JAMIE TORRES-SPRINGER: Well, its been in our  
22 plan and it is something frankly now that we are  
23 coming out of the pandemic where the focus has been  
24 on emergency work, including for our frontend  
25 planning unit. I mean, they have just been an

1  
2 enormous resource for us all over the city, you know  
3 figuring out how to build out these testing centers  
4 and vaccination sites in days, sometimes hours. We  
5 have to take a step back and revisit you know, who is  
6 doing what and how much more capacity we need.

7 RACHEL LAISERIN: Yeah and I do want to just add  
8 to that, that we actually have dedicated funding and  
9 headcount in our budget for the frontend planning  
10 unit.

11 CHAIRPERSON ROSENTHAL: Okay.

12 RACHEL LAISERIN: So, they don't just get  
13 shuffled around. It is dedicated and to the extent  
14 there are vacancies, they go right back to that unit.

15 CHAIRPERSON ROSENTHAL: Okay, okay, got it, got  
16 it, got it, got it, thank you. Uhm, a quick question  
17 about your active projects. Uhm, I am wondering it  
18 looks like roughly 60 percent of the agencies capital  
19 budget consists of projects for DOC and DOT. You  
20 know, as a Council Member, you know speaking for my  
21 colleagues, how do you - is there a way to prioritize  
22 the projects to make sure that smaller projects are  
23 not left behind?

24 JAMIE TORRES-SPRINGER: Certainly, it's an  
25 important question. I would say, every project we

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have is a priority. Every project is assigned to a project manager. Uhm, receives the appropriate level of management. So, uhm, you know, there is not a sort of pecking order uhm or prioritization. We are trying to advance everything at once and we have done a lot of work on smaller projects. Uhm, that we haven't had a chance to talk about but uhm for example, creating more prequalification lists for the designers and the contractors that will be doing that work.

Also you know and I hope we have an opportunity to share more about our M/WBE promotion efforts. You know, that's where uhm, smaller projects often can be led by M/WBE firms that are smaller in scale and we have had lots of success with that. So, it really is a priority and it's the bulk of our work.

CHAIRPERSON ROSENTHAL: I see, I see. So, actually maybe could spend a couple sentences actually talking about that. I am familiar when I was Chair of the Committee on Contracts, I looked at SBS's M/WBE outreach and that working sessions. Do you do yours in conjunction with them or something different?

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JAMIE TORRES-SPRINGER: I would love to ask Wayne to expand on that. I do want to say you know that - I want to recognize that Commissioner Grillo made this an enormous priority for the agency. We saw results as I mentioned over 30 percent M/WBE in Fiscal '20 and it certainly is a major priority for me to keep that up and I want to ask Wayne, who is the perfect person to do that. I want to ask Wayne to explain some of what is on our agenda.

CHAIRPERSON ROSENTHAL: Great, thank you.

WAYNE LAMBERT: Thank you and thank you Chair Rosenthal for your question. You know, I want to start by saying that that you know, we understand here at DDC that as we go, so do the city in terms of the evaluation and performance because of our large span in budget.

You know, to that end, we understand implications of the work that we do here and we drive to be the leading agency as it relates to M/WBE performance but also, even the initiatives are partnering with the oversight like you mentioned small business service and other city agencies. Obviously the work that we do falls under the purview of Local Law 1 but also outside of that, it will design on other project.

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2 Under Local Law 1, you know we do adhere to the  
3 rules that we get from the Mayor's Office of Contract  
4 Service. And others, you know, we try to make sure  
5 that we set high goals on our projects. It is a  
6 critical part of the – it has a critical impact on  
7 the performance. We try to set goals and we take it  
8 one step further. Not only setting just an overall  
9 goal, we set disaggregated goals for example to  
10 ensure that you know, the opportunities that go about  
11 across the board in an equitable manner.

12 We were actually the leading agency in doing that  
13 and now the Mayor's Office of M/WBE has now pushed  
14 other city agencies to do this.

15 CHAIRPERSON ROSENTHAL: That's great.

16 WAYNE LAMBERT: Of their goal setting process.  
17 You know not to you know; on the Commissioner we talk  
18 about the number of [INAUDIBLE 2:29:55] that we are  
19 proud of. Again, we are also proud of that in the  
20 fact that during this Fiscal Year, we set the highest  
21 goal on a city procurement over 40 percent.

22 CHAIRPERSON ROSENTHAL: Sweet.

23 WAYNE LAMBERT: We are pushing the envelope and  
24 we know that when other agencies see that they are

1  
2 going to try - you know, the agency we do that  
3 competitive.

4 CHAIRPERSON ROSENTHAL: I like that.

5 WAYNE LAMBERT: Yeah, they are competitive and we  
6 definitely set goals and we want to be the leader in  
7 the agency as I mentioned earlier. Again, the  
8 Commissioner also mentioned the mentoring program  
9 right? We are carving out a number of projects  
10 solely for M/WBE's and we know that this program is  
11 successful. We seen it at our sister agency SDA.  
12 You know we don't have all of the same flexibility as  
13 SCA and MTA and you know there was reference earlier  
14 to OCC being sort of a barrier for M/WBE's. You know  
15 we are pushing on the legislative slide to get that  
16 move that forward. Uhm, you know, but the mentoring  
17 program, we hope to launch by the end of this year.

18 CHAIRPERSON ROSENTHAL: Okay.

19 WAYNE LAMBERT: Yes and we are actually very  
20 excited about that and that was a baby of  
21 Commissioner Grillo and still now. And also, uhm,  
22 and then also, you know we do have an M/WBE Advisory  
23 Committee that we work very closely with. Uhm, you  
24 know, many of those members are under citywide  
25 Advisory Council team as well but they often serve as

1  
2 our eyes and ears underground. They give us a pulse  
3 of what M/WBE's are experiencing because many of  
4 those members are also M/WBE's and went through many  
5 of the same challenges.

6 CHAIRPERSON ROSENTHAL: Yes.

7 WAYNE LAMBERT: Very frequently uhm to the extent  
8 that we have a committee, we have subcommittees. We  
9 get their input and you know apply it to our  
10 processes we make. We take their suggestions very  
11 seriously and I talk to those folks every other day.  
12 Often times, they text, call, all that good stuff.

13 So, we definitely want to make sure that we are  
14 you know engaged with the M/WBE community and getting  
15 the word out there. I talked also about outside of  
16 Local Law 1, right? We have design build and we are  
17 pushing the envelop there. You know, historically  
18 design build usually has an overall M/WBE goal. Uhm,  
19 you know we make sure that we set the goal on the  
20 frontend and the backend, so it is not only on the  
21 construction side where we know that the building  
22 teams tend to historically you know, they will  
23 backload the opportunities from the M/WBE's and those  
24 are usually smaller types of projects but we have  
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1  
2 strong M/WBE's who can do great work in the frontend  
3 as well.

4       So, that's why we make sure to include a goal  
5 there. We are building out a team to help monitor  
6 these large projects against new for the city and new  
7 for DDC but we want to make sure that we start off on  
8 the right foot. We have sessions solely dear to our  
9 M/WBE's coming up. We call them forum sessions or  
10 forum series. And again, they are targeted to  
11 M/WBE's, so they can fully understand you know all of  
12 the jest of our design build. It's a complicated -  
13 you know, it is easier and more efficient but there  
14 are some complexities there as well and we want our  
15 M/WBE's to understand it.

16       Again, thinking about the work that we do in the  
17 long term, right. We want to help vendors now but we  
18 are thinking about getting rid of the disparities  
19 over the long haul as well.

20       CHAIRPERSON ROSENTHAL: Nice.

21       WAYNE LAMBERT: I can talk about this stuff all  
22 day long, so.

23       CHAIRPERSON ROSENTHAL: I see that and you're  
24 answering all my questions, so I don't even have a  
25

1  
2 follow up, which is really bumming me out. So, I  
3 might have to ask you a curveball question.

4 Uhm, so, I have been very active developing the  
5 Working Cooperatives in the city and there is a  
6 wonderful construction committee uh, construction  
7 firm that is a worker cooperative. So, just putting  
8 that out there.

9 WAYNE LAMBERT: Oh totally and that's another  
10 step that we should take in terms of M/WBE, right?  
11 Thinking about how you know, because when you have  
12 employees who buy into the company right? We know  
13 that -

14 CHAIRPERSON ROSENTHAL: Exactly.

15 WAYNE LAMBERT: They are more engaged, right.  
16 So, yeah, so that's definitely a next step for us in  
17 the advancement of the M/WBE program.

18 CHAIRPERSON ROSENTHAL: Wow because you know,  
19 Deputy Mayor Thompson actually has co-opted some of  
20 our worker co-op work to be the employee ownership  
21 model.

22 Uhm, that would be amazing to hear that you all  
23 are part of that initiative as well.

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COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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2 WAYNE LAMBERT: Totally, yes, we definitely are  
3 involved here at DDC. I actually came from the  
4 Mayor's Office of M/WBE as well and -

5 CHAIRPERSON ROSENTHAL: Uh, ha.

6 WAYNE LAMBERT: Team, so I have a little cheat  
7 sheet there on that front. You know, we've - you  
8 know they are doing the work there on the citywide  
9 side but again, the hope is that we share information  
10 with M/WBE's across the board to help build up the  
11 companies and get more resources into the companies.  
12 That way they can grow and expand and have more  
13 capacity to work on many of our projects here at DDC.  
14 Not just the small ones but the larger ones as well.

15 CHAIRPERSON ROSENTHAL: Yeah, I got nothing.  
16 That was great, thank you for that. You have  
17 exhausted my list of questions because that was  
18 amazing.

19 Uhm, so Commissioner, I have to go back and bust  
20 your chops about one other quick thing before I wrap  
21 up and that is the Capital Commitment Rate. Uhm, so,  
22 uh, DDC you know and of course, this is all you know,  
23 through the lens of COVID. You know understanding  
24 the impacts of COVID but uhm, DDC had an actual  
25 commitment rate of \$873 million in Fiscal Year '20

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2 and that was uhm, a 72 percent commitment rate. Uhm,  
3 what percent is committed in - oh, no, no, no, sorry.  
4 What I meant to say was, that is so much lower than  
5 Fiscal Year 2019, which obviously was a banner year  
6 and you know, you are on this trajectory like this.  
7 Where in FY19 it was 124 percent committed.

8 Uhm, so, what's your anticipated commitment rate  
9 for Fiscal Year '21 and uhm, yeah, that's my  
10 question.

11 JAMIE TORRES-SPRINGER: Yeah, uhm, we certainly  
12 pay a lot of attention to the commitment rate because  
13 it shows whether we are meeting our goals and I might  
14 ask Rachel to speak to any specifics. I will just  
15 say, you know, I mean, it's been a difficult year.  
16 Uhm, you know for everyone personally and  
17 professionally. This pause that we have been on has  
18 certainly you know as you said, we could see it in  
19 Fiscal '20 uhm, that we didn't commit nearly as much  
20 as we intended to and yeah, I mean, we are not going  
21 to get to our commitment rate for Fiscal '21. There  
22 will need to be projects that are pushed out into  
23 Fiscal '22.

24 The good news is uhm you know, based on that  
25 Fiscal '22 will be an extremely good year for

1  
2 commitments. Uhm, so I don't Rachel if there is  
3 anything you want to add to that?

4 RACHEL LAISERIN: Uh, no, I think you covered it  
5 really well. I mean, I mentioned this earlier, the  
6 bulk of our commitments traditionally you know happen  
7 in the last quarter of the Fiscal Year. And with the  
8 pandemic kind of starting in you know March of 2020,  
9 that was you know, kind of the worst time just from a  
10 commitment plan rate. Which is why you saw that  
11 number drop.

12 CHAIRPERSON ROSENTHAL: Yeah.

13 RACHEL LAISERIN: And as we spoke about at the  
14 beginning of the testimony, the restart uhm, you know  
15 the last piece to come back was procurement right,  
16 which effects our commitment plan.

17 So, we are restarting the procurement kind of  
18 machine you know now and have been over the last few  
19 weeks but there is only so much time left in the  
20 Fiscal Year and that is why you know, this year as  
21 well, we are probably not going to achieve, certainly  
22 not the over 100 percent that we passed but we are  
23 very much on track you know for next year.

24 Uhm, I think we had mentioned this in a prior  
25 hearing about capital restarts. That it's possibly

1  
2 flattened out and that we have many more commitments  
3 in the fall than we might in a typical year.

4 CHAIRPERSON ROSENTHAL: Right, right, right,  
5 right. So, the seasonality is going to flatten  
6 because of the pause.

7 RACHEL LAISERIN: Yes.

8 CHAIRPERSON ROSENTHAL: So, the fall should be a  
9 good – you think is going to make up a lot of the  
10 shortfall from '21?

11 RACHEL LAISERIN: We will see, we will see  
12 because you know the whole budget obviously is being  
13 reviewed now but uhm, you know in terms of our  
14 workload, that is certainly how it is trending.

15 CHAIRPERSON ROSENTHAL: Okay, great and you have  
16 already sort of answered this. Last question, uhm,  
17 could you estimate what the impact of the strategic  
18 blueprint will be to your commitment rates and you  
19 know, part of that is the stuff you figured out that  
20 you can do on your own and then a chunk of that will  
21 be you know, what is required by state or city  
22 legislation?

23 JAMIE TORRES-SPRINGER: Yeah, I think the way I  
24 would put that uhm, I am not – I have to think about  
25 how the commitment rate would be impacted. I mean,

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2 we set our commitment rate based on sort of each year  
3 our projection of how much we are going to get into  
4 contract. Uhm, so you know and that's a function of  
5 how fast we are working but also how much is funded.  
6 You know, how many projects are funded. So, I'd have  
7 to think about how we would impact the climate rate  
8 but I think the most important thing is our  
9 durations, our timelines for finishing projects.

10 CHAIRPERSON ROSENTHAL: Hmm, hmm.

11 JAMIE TORRES-SPRINGER: And we are very – we are  
12 very pleased, as I mentioned earlier, that before the  
13 pandemic, we had shaved on average six month off the  
14 parts of projects that are at the frontend. The time  
15 it takes to initiate them and the time it takes to  
16 procure design and construction uhm, contracts.

17 So, we already saved the six months. Our  
18 projection is that we have an additional three years  
19 of savings that we will get out of the design and  
20 construction phases of projects.

21 CHAIRPERSON ROSENTHAL: That's insane.

22 JAMIE TORRES-SPRINGER: And that's a lot of the  
23 reasons that we have talked about, alternative  
24 approaches to delivery uhm, haven't had a chance and  
25 I would love to just mention quickly, that we are

1  
2 also working on minimizing change orders through an  
3 integrated unit we have created and something called  
4 an expanded work allowance, where basically we have  
5 an allowance up front for things that normally become  
6 change orders so that they don't have to become  
7 change orders.

8 Uhm, and then also, the other big thing that we  
9 have done - there is actually a few more things but  
10 uhm, uh, we have now put much more aggressive  
11 durations into our contracts. So, we are telling our  
12 designers and our contractors, you must build this  
13 project must faster. And we are incentivizing them  
14 to do that. We are giving them the tools to do it.  
15 In terms of resources, IT systems, the expanded work  
16 allowance but it is very much our expectation that  
17 they are going to deliver and there are incentives  
18 for them to do so. And so, we expect as I said,  
19 overall to get our average project down by about  
20 three years.

21 CHAIRPERSON ROSENTHAL: That's insane. I look  
22 forward to that hearing to hear about more of that,  
23 more of that in detail and what the Council can do to  
24 help make those changes.

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2 So, thank you all so very much and I am going to  
3 turn it back to Committee Counsel.

4 COMMITTEE COUNSEL: Thank you Chair Rosenthal. I  
5 see we have a question from Council Member Lander at  
6 this time.

7 SERGEANT AT ARMS: Time starts now.

8 COUNCIL MEMBER LANDER: Thank you so much. Look,  
9 mostly I just wanted to come on and say  
10 congratulations to the new Commissioner. Jamie,  
11 congratulations I wanted to be here for your first  
12 hearing. It is so well deserved but it is also so  
13 urgent for the city at this moment, the opportunity  
14 to move forward out of this pandemic with investment  
15 in our infrastructure and our capital projects with  
16 you. It is great and all of the work you have  
17 already put in to streamlining and improving project  
18 both timeliness and efficiency and planning. It is  
19 really great.

20 So, just a couple of quick questions. First, you  
21 know one of the projects that understandably got  
22 delayed by the pandemic is our capital projects  
23 tracker database, for which we passed a law about a  
24 year ago. But I just heard from City Hall that that  
25 process is back up and running. We are going to be

1  
2 convening the advisory group and I know DDC has been  
3 doing just a lot of that kind of work. All the kinds  
4 of work you have been describing.

5 So, uhm, you know, how do you see that fitting  
6 into this broader set of reforms?

7 JAMIE TORRES-SPRINGER: Yes and thank you. Thank  
8 you very much Council Member for your kind words.

9 Uhm, it is very much a part of it. You know we  
10 know that this isn't only about delivery. This is  
11 you know about transparency, so that we are  
12 demonstrating uh, you know what public dollars are  
13 being spent on. How effectively we are working and I  
14 think that initiative that you mentioned is an  
15 important part of that. I do also, I am also aware  
16 that we have that advisory committee restarting and  
17 we certainly have been collecting the data. So, now  
18 it is just a question of working with our colleagues,  
19 our oversights at OMB and elsewhere to make sure that  
20 we put that system in place. Uhm, so we are looking  
21 forward to that.

22 COUNCIL MEMBER LANDER: Super, well, I am looking  
23 forward to that and hopefully that can be kind of a  
24 part of this shared project between things that  
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1  
2 Council can do. Things the Administration is doing  
3 across a lot of agencies.

4 Uhm, alright, two bigger picture questions. Uhm,  
5 you know, this week, the Biden Administration has  
6 started pushing forward with you know, three trillion  
7 dollar infrastructure program. Uhm, if, you know, if  
8 anything like that passes, you know just like so many  
9 fingers crossed, it would be a lot more money coming  
10 down to city's like New York to invest even more in  
11 our infrastructure. So, it's all the more important  
12 that you are working on this whole set of issues but  
13 obviously you know, ramping up that quickly. You  
14 know, we always wind up in this debate about what are  
15 shovel ready projects.

16 So, I guess my question is, you know, we don't  
17 know yet the contours of that. Everything is moving  
18 so quickly in recovery but what would it look like to  
19 get ready for something like that and imagine taking  
20 advantage of an opportunity to do a once in a  
21 generation set of public investments on the top of a  
22 system that's already doing so much. And you know,  
23 challenged to deliver quickly for all the reasons  
24 that you have described.

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JAMIE TORRES-SPRINGER: Yeah, thank you. It is a very hopeful time in terms of infrastructure, regionally and in the city. A couple of answer, I mean, one is that you know, we as the construction agency you know, projects are fully funded when they come to us and then we you know, we design and build them. So, that would presumably result in more projects that are fully funded coming to us. Uh you know and any sort of gap filling would occur at the level of OMB.

Uhm, I would say much of what we have talked about is really about enabling us to mobilize much faster and design build pilot that we are doing in particular, you know, we can get into construction from you know project initiation into construction within months. And that is a huge change. We also mentioned earlier, uh, and you know the sort of best example of being able to accelerate is the work of the agency during the pandemic. Where you know, we built a field hospital in 11 days.

Uhm, we built \$120 million worth of state of the art acute care facilities for Health + Hospitals and Gotham Health in six months. From conception to completion, which normally would have taken us six

1  
2 years or more. So, a lot of that was the ability to  
3 do value or quality-based selection. Uhm and to use  
4 the CM build model of delivery and if we had that  
5 legislation from the state that would allow us to do  
6 that, we would be able mobilize much more quickly to  
7 deliver on those priorities.

8 COUNCIL MEMBER LANDER: So, it sounds like if  
9 that, when that happens let's say being optimistic,  
10 uhm, that it will be worth focusing on both state  
11 level and other city level changes that we might want  
12 to wrap around the federal infrastructure package to  
13 make sure projects can be delivered through it  
14 quickly. Which will probably be a condition of the  
15 federal funding in any case, so, yeah.

16 Okay, last question and this in some ways you  
17 know, I was struck you know when you were talking  
18 about the fact that so many of the things that make  
19 it take longer were put in place for very good  
20 reasons and then they accrete over time and it is  
21 hard to remember either what the value was or how you  
22 really get it out but you know yesterday, the Mayor  
23 announced this racial equity commission.

24 SERGEANT AT ARMS: Time expired.

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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COUNCIL MEMBER LANDER: And uhm, you know it struck me that fair share and kind of achieving a fair share of uhm, you know, projects across the city is sort of one of the rules that has – and I wonder how you think it is consistent to make sure given what we have seen in the pandemic, given our desire for a more just and equal city. How are we balanced you know a real intentionality about equity in our capital project delivery with also wanting to make sure we get the projects delivered on time? Create the jobs? Get the projects done?

JAMIE TORRES-SPRINGER: Uhm, no small question Council Member. You know, I think that has a lot of different aspects to it. Certainly the equitable distribution of capital investment is something that on the capital planning side, the Administration is taking very seriously and there is work that the Department of City Planning has been doing on that.

I also just want to say personally, uhm, for the last few months I have been very involved in the siting of the vaccine centers and the Mayor's Taskforce on Racial Inclusion and Equity and some work that they have done. There is actually a report that's been put out just identifying the zip codes

1  
2 where we are most in need of these interventions has  
3 been absolutely critical to helping us target where  
4 to place those centers.

5 So, I think that's a very good model. And then,  
6 you know, probably and in some ways more importantly  
7 for DDC is the work that Wayne has been describing.  
8 Uhm, what we can most do to advance racial inclusion  
9 and equity has helped to build the capital within  
10 M/WBE firms and you know, ensure that they are  
11 creating viable businesses that can prime contracts.  
12 Because that's really how you start to you know fill  
13 the wealth gap. Uhm, build up the capital in those  
14 businesses in our city and we really believe very  
15 strongly in that.

16 COUNCIL MEMBER LANDER: Sure, thank you very much  
17 for those answers and even more for all this work and  
18 to you and your whole team, congratulations.

19 JAMIE TORRES-SPRINGER: Thanks Council Member.

20 COMMITTEE COUNSEL: Okay Chair Dromm, I don't see  
21 any further questions. Uhm, should I pass it back to  
22 you?

23 CHAIRPERSON DROMM: Yes. So, I just want to  
24 mention you know business services also included  
25 LGBTQ, similarly to how they are working with M/WBE

1  
2 and would love to ask you to consider the possibility  
3 of doing something along the same lines with what DDC  
4 is doing as well.

5 JAMIE TORRES-SPRINGER: Yeah, thanks Chair. We  
6 will look into what SBS has done with that. That's  
7 certainly an important objective. I don't know if  
8 Wayne has anything off the top but we will have to go  
9 see if there is something additional we can do.

10 WAYNE LAMBERT: For sure and thank you Chair for  
11 your question. Yes, so SBS, they do have a program  
12 known as the EBE Emergent Business Enterprise program  
13 and to push from small business services uhm, is to  
14 get you know companies that will fall outside of the  
15 purview of the M/WBE program to apply for the  
16 Emergent Business Enterprise program.

17 Again, that program speaks to more socially or  
18 economic disadvantage circumstances. It is a bit  
19 more difficult to get certified into. Hence the  
20 reason why there is a low number of certified firms  
21 right now. But you know the city does encourage LGBT  
22 - folks who fall into the LGBT label to if they meet  
23 the requirements of M/WBE to apply for that in the  
24 meantime. But right now there is not a program  
25 necessarily for LGBT.

1  
2       The closest one is the EBE program and we ensure  
3 that uh, there are goals based on the disparity study  
4 for the EBE program as well.

5       So, we will definitely look into that and again  
6 as Commissioner mentioned, whatever SBS is doing, you  
7 know, we are a partner and we support any effort that  
8 they make to try to advance. Well, one, make sure  
9 that everybody is across the board for all companies  
10 in office.

11       CHAIRPERSON DROMM: Sure, great and I would love  
12 to have that discussion and the trees with you both  
13 later on and to the point. But anyway, I think  
14 that's going to conclude what we are doing here with  
15 you now. And I just want to read this statement and  
16 we will conclude this portion of today's hearing.  
17 Thank you to the Department of Design and  
18 Construction for being here.

19       We will now take a short break, maybe ten minutes  
20 or so before we begin the public portion of the  
21 hearing. I ask my colleagues who will be joining us  
22 for the public portion to remain in this Zoom with  
23 your microphone muted until we are ready to begin and  
24 thank you again to DDC, to everybody, our new  
25

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1  
2 Commissioner for joining us here today. Great job,  
3 thank you. I look forward to working with you.

4 CHAIRPERSON ROSENTHAL: Thank you so much.

5 [BREAK 2:51:37-3:01:32]

6 CHAIRPERSON ROSENTHAL: Alright, are we good to  
7 start in again?

8 COMMITTEE COUNSEL: We are.

9 CHAIRPERSON ROSENTHAL: Okay, great. So, good  
10 afternoon, uh, my name is Helen Rosenthal, I Chair  
11 the Subcommittee on Capital Budget and we will now  
12 hear from the public.

13 So, I will now turn it over to Committee Counsel  
14 to go through some procedural items and then he will  
15 call up the first panel. Thank you so much.

16 COMMITTEE COUNSEL: Okay, we will now hear  
17 testimony from members of the public. Please listen  
18 for your name as I will be calling individuals one by  
19 one and we will also announce the person who is next.  
20 Once your name is called, please accept the prompt to  
21 unmute yourself and the Sergeant at Arms will set the  
22 timer and announce that you may begin. Your  
23 testimony will be limited to three minutes.

24 I would like to now call on Henry Garrido  
25 followed by Ralph Palladino.

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SERGEANT AT ARMS: Time starts now.

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HENRY GARRIDO: Uh, good afternoon members of the Committee. Thank you for the opportunity to testify today. We will be providing written testimony for the Committee for the record. But I wanted to take an opportunity to discuss some of the earlier conversations regarding DDC's positions on the amendment of Local Law 63.

10

11

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Let me very clear, Local Law 63 was not passed or intended as designed to be a protection of city workers only. It was primarily a protection for the taxpayers in the wake of the city scandal which led to the biggest and largest municipal fraud case in the history of the United States and that was the contracts with SASC at the time.

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The construction contracts that we are talking about were not limited to that. We saw an increasing amount of cost overrun as a result of change orders and admissions where many of the agencies including DDC and I am surprised, actually I am shocked to hear by the newly appointed Commission that they are part of the first efforts to include this blueprint is to amend Local Law 63.

1  
2       When in fact, it is our position that DDC is  
3 violating Local Law 63 as it stands right now.  
4 Because the Local Law 63 definition of displacement  
5 was quite clear. It wasn't just displacement as it  
6 exercises the layoffs but it also meant any funded  
7 position that were in the budget including those who  
8 were covered by attrition. And I am surprised and  
9 glad and I really want to thank Council Member Helen  
10 Rosenthal for bringing this up. That while DDC has  
11 250 vacancies plus, it is still going ahead with  
12 contracting out a lot of work.

13       Let me say that their discussion and proposal  
14 that design build is the solution to a lot of these  
15 bottlenecks that they have created, you know, of  
16 their own making, right? The problems that they  
17 created, it's ridiculous and the city tried to amend  
18 design build and it wasn't until DC37 joined the  
19 coalition and pushed Albany with this legislation was  
20 changed and done.

21       This is not the solution. The solution is not to  
22 remove the checks and balances that were put there in  
23 the first place. The solution is to get the agency  
24 to act more efficiently by informing the Council, the  
25 public and by protecting the city workers by having a

1  
2 procurement plan that reflects accurately what they  
3 are intending to do with the budgeted amount of money  
4 that it is allocated.

5 There is a bottleneck, there is no question about  
6 it. Local Law 63 is not in our opinion the reason  
7 for that. And lastly, I will say this. The city's  
8 solution to a budget deficit is always to put PEG  
9 program. A project to eliminate the Grant that  
10 includes attrition.

11 And about a month ago, we had a hearing with the  
12 Contracts Committee that essentially argued -

13 SERGEANT AT ARMS: Time expired.

14 HENRY GARRIDO: That Local Law 63 and at the  
15 time, you know, they pointed to the Mayor's Office of  
16 Contract who then responded to say, not our deal.  
17 Uhm, and so, we really need to clear this out for the  
18 future of the city and for the betterment of our  
19 procurement policies. Thank you Madam Chairman and  
20 Mr. Chair as well. So, thank you everybody on behalf  
21 of DC37.

22 CHAIRPERSON ROSENTHAL: Thank you so much. Can I  
23 just ask you? Do you have one more minute? I know  
24 you are a busy guy.

1  
2 HENRY GARRIDO: I am Madam, yes, any questions  
3 that you have I would be glad to answer. I am  
4 actually in the field at a construction site oddly  
5 you know. We are doing some work here; our members  
6 are doing work and we came to check on a safety issue  
7 here.

8 CHAIRPERSON ROSENTHAL: Right, you are everyday  
9 more amazing than the day before. So, here is my  
10 question uhm, do you – what they seem to say was –  
11 help me parse this out.

12 They seem to say yes, we are fine with doing this  
13 at the beginning of the year but sometimes as the  
14 year goes along, there is an emergency building thing  
15 that needs to happen. And I am guessing that they  
16 would give examples during the pandemic of, we had to  
17 build a field hospital right and that had to happen  
18 in a minute.

19 But what did you think of that argument when she  
20 said, this is for really only you know, sort of the  
21 unexpected projects?

22 HENRY GARRIDO: Well, with all due respect, I  
23 think it is a false argument because by her own  
24 testimony. Emergency procurement is not subject to  
25 Local Law 63. That's number one.

1  
2       Number two, there is nothing that prevents in  
3 fact, if you look right now under the Mayor's Office  
4 of Contracts and look at DDC's procurement plan, you  
5 will see that they have amended the procurement on  
6 the Local Law 63 three times within a matter of six  
7 months.

8       So, there is nothing that prevents the Local Law  
9 63, the premise to amend a position that you have  
10 when you first did the procurement plan.

11       The issue is, removing the checks and balances  
12 that are there, including cost analysis. It's not  
13 just about displacement, including is, can you build  
14 capacity in house as you mentioned? Are you  
15 depriving the city of the institution and knowledge  
16 that it needs by bringing contractors that come in  
17 with a low bid. Or are you basically hostage as the  
18 project is going and then delays are carrying and  
19 then you can say, well, we need more contractors to  
20 complete the work that a previous contractor did.

21       And lastly, the point that you make is really  
22 critical which is, we cannot have consultants  
23 supervising consultants. We still have city time -

24       CHAIRPERSON ROSENTHAL: That was city time right  
25 there, yeah.

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1  
2 HENRY GARRIDO: Once you have that, there is no  
3 quality assurance and we are not saying every project  
4 should be done by city workers. We acknowledge that  
5 but when the institutional knowledge needs to be  
6 transferred, we need to city workforce to be there.

7 And secondly, we need city workers to oversee  
8 these contractors because otherwise, they don't have  
9 a responsibility to the city or to the citizens.  
10 There responsibilities to the bottom line are to  
11 maximize profits.

12 CHAIRPERSON ROSENTHAL: Thank you so much.  
13 Really appreciate your effort. Thank you for being  
14 here. Thank you for testifying and for sure, if we  
15 have this follow up meeting, you know, we would want  
16 you to join us.

17 HENRY GARRIDO: Thank you Councilwoman, it's an  
18 honor.

19 CHAIRPERSON ROSENTHAL: Always a pleasure, thank  
20 you.

21 COMMITTEE COUNSEL: We will now have Ralph  
22 Palladino followed by Kelly Grace Price.

23 SERGEANT AT ARMS: Time starts now.

24 RALPH PALLADINO: Good day. Local 1549 Clerical  
25

1 Administrative Employee, so President A. Rodriguez.

2 I am stepping in for him today. I am kidding, it is  
3 baseball season.  
4

5 Uhm, our requested items, if placed in the final  
6 budget will save taxpayers dollars, generate tax  
7 revenues for the city and enhance public services.

8 Uhm, essential workers pay is coming into the city  
9 and the state that will go directly or should go  
10 directly to those workers who are frontline essential  
11 workers in hospitals, in the Police Department, etc.

12 And we want to make sure that the money is spent  
13 and spent the way it is supposed to be spent uhm, for  
14 the proper people. And the clerical area, the  
15 clerical associates and hospitals were frontline  
16 workers all the time. 911 and 311, the same thing  
17 and the eligibility specialists for SNAP Medicaid and  
18 HASA also.

19 So, we hope and we would like to make sure that  
20 they are included in any payments. The spending  
21 power that they can generate from those payments will  
22 help small businesses and also increase tax revenue  
23 from those businesses to the city.

24 Other items that would save tax dollars and  
25 generate savings is civilianization of the uniform

1  
2 services, especially the NYPD. Uhm, this should be  
3 also part of the reform that's going to Albany. This  
4 is an old issue. To stop the tax on the civil  
5 service system and save tax dollars by making sure  
6 that higher paid noncompetitive titles are not taking  
7 civil service positions while they are doing the same  
8 work. That is also a savings. This is not an  
9 intraunion fight, this is a budget issue and tax  
10 dollar issue.

11 In terms of the hiring of eligibility specialists  
12 that have been drastically reduced in HRA, which has  
13 increased the error rates and also the timeliness for  
14 SNAP applications was reduced as well.

15 SNAP has administrative funds coming to it -  
16 through it to city's and states in this federal  
17 stimulus by the way and we are opposing the bill in  
18 Albany uh, the way it is written now. It must be  
19 reformed, S3223 and Assembly 5414 until it is  
20 revised. It should not be mandatory that the person  
21 getting the service uhm, have to use the phonenumber.  
22 It should be their choice and it should not be  
23 permanent, the way this bill is written.

24 Uhm, the other thing that we need to have is use  
25 some of that money to hire the 911 people and 311

1  
2 people that are severely understaffed and also use  
3 the interpreter title which there maybe even money  
4 for in the stimulus package for all we know. Instead  
5 of using all the highly exploitative contract  
6 services.

7 And so, that's the summary of the -

8 SERGEANT AT ARMS: Time expired.

9 RALPH PALLADINO: Presentation and I just wanted  
10 to say to both Chairs, to well, Chair Dromm is not  
11 here right now, I don't think but he has always been  
12 very cordial and very friendly and also very  
13 cooperative and I want to thank him. And also, to  
14 Chair Rosenthal, I have testified at about five or  
15 six hearings and you have been in every single one of  
16 them and I don't know how you do it but keep up the  
17 good work.

18 CHAIRPERSON ROSENTHAL: Thank you and thank you  
19 for that testimony. Uh, really appreciate it.

20 COMMITTEE COUNSEL: Thank you. Next, we have  
21 Kelly Grace Price followed by MJ Okma. Thank you.

22 SERGEANT AT ARMS: Time starts now.

23 COMMITTEE COUNSEL: Ms. Price, it looks like you  
24 are unmuted but we don't hear any audio. Are you  
25 able to speak with us?

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1  
2 I think we will come back to you uhm, unless you  
3 are able to resolve your audio issue. Okay, uhm,  
4 moving on, we will have MJ Okma followed by Jessica  
5 Cinque.

6 SERGEANT AT ARMS: Time starts now.

7 MJ OKMA: Good afternoon. My name is MJ Okma  
8 with the Human Services Council. At the last finance  
9 hearing several weeks back, I spoke about how over  
10 the past year a city contracted human services  
11 workers, from majority women of color, were not  
12 provided PPE. They were not given a COLA in the  
13 Fiscal Year '21 budget and they were not afforded job  
14 protection while the city and state  
15 disproportionately cut human services, resulting in a  
16 net loss of 44,000 jobs in New York City.

17 One of the extremely damaging cuts from the city  
18 that fed into this crisis, was the retroactive  
19 dismantling of the Indirect Cost Rate funding  
20 Initiative before it was ever truly implemented.

21 Since that last hearing, MOCS and OMB have told  
22 human services providers that they will face another  
23 staggering retroactive cut of up to 70 percent of  
24 their indirect funding for Fiscal Year '21 contracts.  
25 With less than four months left in the Fiscal Year.

1  
2 This cut was announced at the same week the  
3 federal stimulus package passed, bringing an  
4 additional \$6 billion to New York City. Yet still,  
5 the city refuses to pay out their human services  
6 contracts as promised.

7 This cut of up to 70 percent for this Fiscal Year  
8 is far larger than the incredibly damaging 40 percent  
9 retroactive cut from Fiscal Year '20, which was  
10 condemned by nearly half the City Council, the  
11 Comptroller and all five borough presidents. And  
12 this larger cut will only be repeated in Fiscal Year  
13 '22 unless funding is included in the upcoming  
14 budget.

15 To address this crisis, the Fiscal Year '22  
16 budget must include \$171 million to fully honor the  
17 ICR Initiative as already committed by the State of  
18 New York. This \$171 million covers \$91 million in  
19 total for Fiscal Year '22, \$57 million for Fiscal  
20 Year '21 and uhm, \$23 million for Fiscal Year '20 to  
21 fill in the gaps between the costs and the city's  
22 commitment to nonprofits and what is actually  
23 included in the past two budgets.

24 I included a detailed breakdown of these numbers  
25 in my submitted testimony. The Fiscal Year '22

1  
2 budget must also support the human services workforce  
3 with the restoration of the COLA at a rate of at  
4 least 3 percent and comprehensive emergency pay for  
5 city contracted human services workers retroactive to  
6 March 23<sup>rd</sup> when the stay at home order was first put  
7 into place.

8       New York City Council saw the crisis facing the  
9 human services sector and fought for the ICR funding  
10 initiative and for the human services workforce in  
11 Fiscal Year '20. Then, as we face COVID-19 cuts were  
12 disproportionately imposed on the sector creating  
13 widespread layoffs in a crisis much larger than what  
14 we faced in Fiscal Year '20.

15       Thank you Chair Rosenthal for providing me this  
16 opportunity to testify and for your partnership on  
17 this issue. We greatly value your support and we are  
18 counting on the City Council to include the needed  
19 \$171 million for indirect funding in the Preliminary  
20 Budget Response next month.

21       Thank you so much and I am happy to answer to  
22 answer any questions.

23       CHAIRPERSON ROSENTHAL: Thank you MJ. You are  
24 you know I really appreciate your taking the time to  
25 testify here and to submit your testimony. And you

1  
2 know that I am going to do everything we can to get  
3 hat money back. It is just outrageous. Thank you.

4 MJ OKMA: Thank you so much.

5 COMMITTEE COUNSEL: Thank you. Next, we will  
6 have Jessica Cinque followed by Nadine Duncan.

7 SERGEANT AT ARMS: Time starts now.

8 JESSICA CINQUE: Good afternoon Committee Members  
9 and Chairs Dromm and Rosenthal. Thank you for  
10 hearing testimony today.

11 My name is Jessica Cinque and I am a Policy  
12 Analyst at FPWA. FPWA is an anti-poverty and policy  
13 organization with a membership of 170 community and  
14 faith based human services organizations in New York.  
15 We strongly support the city's strengthening its  
16 partnerships with nonprofits by fully honoring the  
17 Indirect Cost Rate Funding Initiative to provide  
18 adequate investments for FY21 and beyond.

19 Because of the interdependent nature of city and  
20 nonprofit contracts, the city is not able to deliver  
21 certain services without nonprofit partnership and  
22 nonprofits are not able to operate without government  
23 funding but when given proper resources, nonprofits  
24 are equipped and empowered to respond nimbly to  
25 changing needs of the communities they serve with

1  
2 efficiency and cultural competence. FPWA stands with  
3 the sector and strongly urging the city to fully  
4 implement the ICR initiative.

5 We also ask the city to retroactively award  
6 emergency pay to human services workers. The  
7 contributions made by such workers in the height of  
8 the crisis were and are absolutely essential. A just  
9 recovery from this pandemic requires that we  
10 retroactively award these workers with emergency pay  
11 to March 23, 2020, when non-essential workers in New  
12 York were ordered to stay home.

13 We also ask the city to invest in sector specific  
14 human services contracts. For example with  
15 Department for the Aging. In FY20 over 4.6 million  
16 meals were delivered to over 31,000 homebound adults  
17 across NYC and the need for that has only increased  
18 since. In FY21, the city pays reimbursement rates  
19 that fall short by approximately \$2.00 a meal. This  
20 results in thousands of dollars lost every year for  
21 nonprofits and ask that to your request, an  
22 additional \$16.6 be included for the Home Delivered  
23 Meals program in FY22. Are Additionally, we request  
24 the \$10 million for senior center staff and \$5

1 million for their kitchen staff. Which was promised  
2 but not included in the Preliminary Budget.  
3

4 Another critical area in which to invest is youth  
5 services programming. Cuts to Summer SONYC will  
6 leave 43,000 students without programming or support  
7 this summer. It is critical that youth have  
8 constructive activities that support their wellbeing  
9 and recovery in the immediate and in the long term as  
10 well. With this in mind, we urge the city to fully  
11 restore the \$25.7 million cut from our students to  
12 restore Summer SONYC.

13 Lastly, I will highlight the comprehensive  
14 background check backlog within the Department of  
15 Mental Health and Hygiene for Early Education  
16 providers. Since this backlog is so dense, many  
17 providers across the city are still waiting for their  
18 clearances to come through even now.

19 Department of Mental Health and Hygiene must be  
20 given the resources it needs to appropriately clear  
21 staff quickly and efficiently.

22 In closing, the FY22 budget can either lead us to  
23 recovery in a more equitable and to lead us to be  
24 stronger than before or it can deepen and further  
25 intrench the inequities bared by this pandemic.

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SERGEANT AT ARMS: Time expired.

JESSICA CINQUE: Thank you very much for the opportunity to testify and please know that FPWA stands ready to work with you on this front.

CHAIRPERSON ROSENTHAL: That's a big statement. Really appreciate the support of FPWA. So, thank you for that and thank you for testifying. I also want to mention that we have been joined by Minority Leader Steve Matteo.

COMMITTEE COUNSEL: Thank you. Next, we have Nadine Duncan followed by Ravi Reddi.

SERGEANT AT ARMS: Time starts now.

NADINE DUNCAN: Good afternoon. My name is Nadine Duncan and I am the Comptroller at Sheltering Arms. Thank you Chair Rosenthal and also Minority Leader Matteo and the Members of the Committee on Finance for the opportunity to submit the testimony.

Sheltering Arms is one of the city's largest providers of education, youth development and community and family wellbeing programs for the Bronx, Manhattan, Brooklyn and Queens. We serve nearly 15,000 children, you and families each year. And employ more than 1,100 staff from across New York City.

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1  
2 Uhm, restore funding for the Indirect Cost Rate  
3 Initiative, ICR. First, New York City's FY22 budget  
4 must honor the city's commitment to cover providers  
5 true indirect cost by including \$171 million in ICR  
6 funding. This investment in the ICR initiative is  
7 the primary risk to organizations like Sheltering  
8 Arms. It is unconscionable that New York City would  
9 commit to this initiative, require providers to go  
10 through a lengthy process to demonstrate actual cost  
11 and then refuse to pay providers to the full rate  
12 approved by the Mayor's Office of Contract Services,  
13 MOCS.

14 Through the ICR, Sheltering Arms was approved for  
15 an Indirect Cost Rate of 13.46 percent. However,  
16 under the current Executive Budget, MOCS is only able  
17 to honor a rate of 10 percent. This reduction will  
18 result in a gap of approximately \$2 million in  
19 critical indirect funding across our FY21 contracts.  
20 This funding is needed to support a poor  
21 infrastructure that allows us to continue providing  
22 high quality services to our communities across New  
23 York City.

24 Things like upgrading and maintaining our payroll  
25 systems to ensure staff are paid accurately and on

1  
2 time. Ensuring that our technology across 50 sites  
3 including 20 residential sites and hundreds of home  
4 offices are effectively meeting the needs of  
5 increased reliance on internet, including video  
6 meetings and therapy sessions, remote learning and  
7 five sharing example, improving Wi-Fi, maintaining  
8 computers and laptops, upgrading licensing for Log Me  
9 In and VPN access. PPE and cleaning for  
10 administrative staff and services for staff whose  
11 work could not be completed remotely.

12 Example, our facilities team continue to make  
13 deliveries of PPE and donations to our residential  
14 and programs sites. Our accounts payable team which  
15 must continue to print paper checks to ensure our  
16 bills are paid.

17 SERGEANT AT ARMS: Time expired.

18 NADINE DUNCAN: We are lucky to have received  
19 Cares Act funding however, financially uncertainty at  
20 the city state levels mean that the financial future  
21 of our agencies also is uncertain. Driven by a board  
22 of directors to remain cautious. With more than \$6  
23 billion slated for New York City, which more than  
24 covers the anticipated shortfall of \$5.25 billion for  
25 FY21. There is no excuse for the city to not

1  
2 baseline the full \$91 million that the Office of  
3 Management and Budget has said is needed in order to  
4 fully fund the ICR for FY22 and to restore the \$80  
5 million needed to make providers whole for  
6 retroactive cuts made to the ICR for FY20 and '21.

7 Full funding for the ICR initiative is critical  
8 to our ability to continue providing high quality  
9 services to children, youth and family across New  
10 York City.

11 Uhm, I am not sure where I am with time.

12 CHAIRPERSON ROSENTHAL: Oh, I mean, if you could  
13 wrap it up but Comptroller Duncan you are making so  
14 much sense and providing so much good insight. Uhm,  
15 have you entered your testimony for the record?

16 NADINE DUNCAN: I am going to enter it for the  
17 record, yes.

18 CHAIRPERSON ROSENTHAL: Okay, if you could please  
19 do that. Uhm, it's all read and kept and used uhm,  
20 for the city's analysis and I appreciate you so much.  
21 If there is one sentence you want to give just to  
22 wrap it up.

23 NADINE DUNCAN: I just want to say thank you for  
24 the opportunity to testify before you today and that  
25

1  
2 the City Council's partnership on the issues  
3 impacting our sector and our communities.

4 I am happy to answer any questions, any  
5 additional questions you may have. Thank you and  
6 have a nice day.

7 CHAIRPERSON ROSENTHAL: Thank you.

8 COMMITTEE COUNSEL: Thank you and as a reminder  
9 to all to submit written testimony, you can email  
10 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Okay, next, we have  
11 testimony from Ravi Reddi followed by Magdalena  
12 Barbosa.

13 SERGEANT AT ARMS: Time starts now.

14 RAVI REDDI: So, thank you for giving me the  
15 opportunity from the Asian American Federation to  
16 testify this afternoon. I am Ravi Reddi, the  
17 Associate Director for Advocacy and Policy at the  
18 AAF. We are here to make sure that our communities  
19 needs are on the record before the Committee on  
20 Finance as we work on the FY 2022 Budget and  
21 especially in light of recent events.

22 Top of mind for so many in our community is  
23 rising anti-Asian violence. Our seniors are isolated  
24 due to the pandemic but it is a fear of violence that  
25 keeps them from venturing out as we look to the

1  
2 pandemic recovery. Our small business are catering,  
3 many are already bankrupt but 60 percent of our small  
4 business owners say in a recent survey that fear of  
5 anti-Asian xenophobia has impacted themselves, their  
6 staff and their establishments.

7       So, we are going to cut to the chase and get to a  
8 few ways that City Council can help us. We need help  
9 with getting support for the efforts of trusted Asian  
10 led, Asian serving organizations to centralize  
11 reporting of incidents in order to connect victims to  
12 the services they need. We need investments in  
13 community-based programs such as safety ambassador  
14 programs that can connect elders and other vulnerable  
15 community members to train volunteers who can escort  
16 them on streets and safety deescalate situations as  
17 needed. And provide for recovery services in Asian  
18 languages to help victims feel from the trauma, such  
19 as victims funds and mental health support.

20       And so much of this work requires supporting the  
21 organizations and the community who are already doing  
22 the work. For example, AAF has provided direct  
23 technical support and capacity building services to  
24 over 100 small business owners along Union Street  
25 Flushing. Our small business program function as a

1  
2 critical hub for business education and as a critical  
3 conduit between city and our small businesses.

4       However, this program ended in January and you  
5 know, we are still seeing demand for this service.  
6 We are still seeing demand for this beyond its  
7 current boundary. So, we are asking for an  
8 investment of \$1 million so that we can keep it  
9 going.

10       And when it comes to immigration integration,  
11 this budget is a pivotal opportunity for our  
12 government to regain the trust of our immigrant  
13 communities. To this end, City Council must set  
14 aside \$2 million for immigration legal services  
15 funding for community based organization with a track  
16 record of providing not only immigration legal  
17 services but also the case management services that  
18 can link our community up with them.

19       And on top of funding a fully and consistently  
20 implemented Local Law 30, we are asking City Council  
21 to fund a community legal interpreter bank with \$2  
22 million and commit \$250,000 per worker co-op for  
23 three language translation co-ops covering Asian,  
24 African and Latin American languages.

1  
2 From providing employment opportunities in our  
3 immigrant communities to relieving strains on  
4 existing CBO capacity, to providing interpretation.  
5 The benefits would multifaceted. And especially in  
6 our direct services work and those of our member and  
7 partners organizations, we need City Council to step  
8 up to the challenge to address the access and  
9 capacity issues of our service providers with an  
10 initial \$2 million investment to provide cultural  
11 competent mental health programs. Ranging from  
12 formalizing community education programs to capacity  
13 building efforts and replicating successful program  
14 models by training mainstream organizations as well  
15 as -

16 SERGEANT AT ARMS: Time expired.

17 RAVI REDDI: And finally, I just want to make  
18 sure that City Council members know that you know  
19 while you are working on budget, the FY 2022 budget,  
20 it is incredibly important to look at how RFP's are  
21 processed and making sure RFP's and contracting  
22 processes are conducive to the needs and the  
23 experiences of you know, the community-based  
24 organizations who are really doing the work and  
25 leading by example. A lot them are small, a lot of

1  
2 them lack the capacity to really fill – spend on the  
3 time on these RFP’s not to mention language access  
4 issues and systemic issues.

5       So, we would really want City Council members to  
6 really look at the systemic issues and we look  
7 forward to working with them and remedying them  
8 because a lot of our organizations are doing the  
9 work. They are doing it on a shoestring budget but  
10 they have demonstrated everything the City can do if  
11 we just work together.

12       So, with that, you know I want to thank you for  
13 the opportunity to speak today. You know, we have  
14 been through so much over the past year and  
15 especially over the past few months. And the budget  
16 is the best way for City Council to show that we are  
17 a priority and our community is cared for, as it  
18 deserves. Thank you.

19       CHAIRPERSON ROSENTHAL: Thank you very much.

20       COMMITTEE COUNSEL: Chair, I will be calling on  
21 the next panelist. The next panelist will be  
22 Magdalena Barbosa followed by Julie Tighe.

23       SERGEANT AT ARMS: Time starts now.

24       MAGDALENA BARBOSA: Good afternoon. Hi, my name  
25 is Magdalena Barbosa, I am a Managing Attorney at

1  
2 Catholic Migration Service in our employment law unit  
3 and I am submitting this testimony on behalf of the  
4 citywide immigrant legal empowerment collaborative  
5 CILEC in support of increased and sustainable multi-  
6 year funding for the Low-Wage Worker Initiative.

7 CILEC is a collaborative of several legal  
8 services organizations and community based  
9 organizations that deliver a high quality civil legal  
10 services and employment and immigration matters and  
11 provide community outreach in Know Your Rights to  
12 low-income and immigrant workers in the city.

13 For the past three years, the Administration and  
14 City Council have provided dedicated city funding to  
15 CILEC and other organizations that provide employment  
16 related legal services through the Low-Wage Worker  
17 Initiative to support the staffing and administrative  
18 structures needed to deliver these services to New  
19 York City's low-wage workers.

20 Uhm, the Low-Wage Worker Initiative is the only  
21 dedicated city funding for employment related civil  
22 legal services to assist low-wage and immigrant  
23 workers to obtain redress from wage theft,  
24 discrimination and other work place injustices.

1  
2 We strongly urge the New York City Council to  
3 demonstrate its commitment to New York City low-age  
4 and immigrant essential workers to stabilize this  
5 critical funding and baseline \$7.5 million for the  
6 Low-Wage Worker Initiative.

7 In Fiscal Year '19 and Fiscal Year '20, the  
8 Council budgeted – the budget included \$2 million for  
9 the Low-Wage Worker Initiative and an additional  
10 \$500,000 for the Low-Wage Worker support. Uhm, a  
11 grant that provided outreach and organizing efforts  
12 to low-wage workers.

13 In Fiscal Year '21, the Administration and  
14 Council restored the \$2 million for the Low-Wage  
15 Worker Initiative after it was previously excluded  
16 from the budget but unfortunately decreased funding  
17 for the Low-Wage Worker support.

18 Without ongoing robust and sustainable funding,  
19 our organizations ability to continue to effectively  
20 address the employment related legal needs of the  
21 city are in jeopardy. Workers throughout the city's  
22 immigrant communities rely on programs funded by the  
23 Low-Wage Worker Initiative, as many cannot access or  
24 afford private legal representation.

1  
2 This grant allows organizations like Catholic  
3 Migration Services to represent workers who have been  
4 denied their earned wages and benefits by  
5 unscrupulous employers and government programs.

6 When workers wages are stolen or they are  
7 prevented from taking paid sick leave or lose their  
8 employment due to discrimination, their families  
9 struggle to afford basic necessities, like putting  
10 food on the table and paying rent. Since January  
11 2020 to date, our small employment unit at Catholic  
12 Migration Services has recovered over \$450,000 for  
13 low-wage workers in recovered wages and settlements  
14 to resolve employment discrimination and retaliation.

15 The need for funding of these programs that  
16 protect the economic security -

17 SERGEANT AT ARMS: Time expired.

18 MAGDALENA BARBOSA: Oops, has increased since the  
19 outbreak of COVID-19. Our attorney's are responding  
20 to folks who have lost their jobs, fear for their  
21 health and safety on the job or who has become sick  
22 or who have balanced the demands of working and  
23 caring for sick family members or children.

24 Uhm, I will speed it up. In light of the urgent  
25 need that I have described, I respectfully request

1  
2 that the New York City Council commit to baselining  
3 \$7.5 million for the Low-Wage Worker Initiative.

4 Thank you for the opportunity to present this  
5 testimony and our organizations look forward to  
6 working with the City Council to protect the most  
7 vulnerable workers rights during the pandemic and  
8 beyond. Thank you.

9 CHAIRPERSON ROSENTHAL: Thank you so much.  
10 Thanks for testifying. Thanks for your testimony. I  
11 appreciate it and you know; it is really only the  
12 administration that can baseline any funds. The City  
13 Council is only allowed to put in funding for one  
14 year.

15 So, uhm, we are all working on trying to get this  
16 administration to baseline the funding. Thank you so  
17 much.

18 COMMITTEE COUNSEL: Next, we will hear by Julie  
19 Tighe followed by Phoebe Flaherty.

20 SERGEANT AT ARMS: Time starts now.

21 CARLOS FASTELL CROKE: Uh, good afternoon. I am  
22 obviously not Julie Tighe but I am testifying in her  
23 stead. My name is Carlos Castell Croke, I am the  
24 Associate for New York City Programs at the New York  
25 League of Conservation Voters. Uhm NYLCV represents

1  
2 over 30,000 members in New York City and we are  
3 committed to advancing a sustainability agenda that  
4 will make our people, our neighborhoods and our  
5 economy healthier and more resilient.

6 I would like to thank Chair Dromm, Rosenthal and  
7 all of the Council Members on the Committee for the  
8 opportunity to testify today.

9 NYLCV supports a Fiscal Year 2022 uh city budget  
10 that secures progress on many of the environmental  
11 transportation and public health priorities. Mayor  
12 de Blasio has committed to and in NYC and beyond.  
13 Our city is on the road to recovery from the COVID-19  
14 pandemic and it is incumbent on our elected leaders  
15 to invest our tax dollars in climate action and  
16 solutions as we rebound from this crisis and not lose  
17 ground.

18 Especially with the influx of relief funds that  
19 will flow from the American Rescue Act. We would  
20 like to highlight three budget investments in Fiscal  
21 Year 2022 in order to fight climate change and  
22 protect public health. Parks, organic waste  
23 management and electric school buses. Parks and  
24 other green spaces are one of the city's most  
25 valuable environmental assets and are a major source

1  
2 of the city's urban canopy which mitigates climate  
3 change and provides clean air and habitats for native  
4 wildlife and contributes to the wellbeing of our  
5 residents and economy.

6 Reserving these spaces is a top priority for  
7 NYLCV. Over the past year through the hardship of  
8 the pandemic, we have seen the cleanliness and safety  
9 of our parks drop significantly due to unfair  
10 budgetary cuts. The staffing and programs which also  
11 impacts the people who need it the most.

12 Due specifically to the \$45 million in cuts to  
13 seasonal staff spending in forestry contracts last  
14 year, parks saw one of the worst years for  
15 cleanliness on record. Therefore, in this critical  
16 year of our Play Fair Campaign, we are asking for the  
17 Council to Play Fair now and restore \$78.9 million in  
18 Fiscal Year 2022 Parks budget.

19 Last year, the city also made substantial cuts to  
20 the Sanitation Department. Uhm, we really need to  
21 invest in the Sanitation Department to make sure that  
22 we achieve our zero waste goals. Uhm, that will  
23 include giving \$40 million to the Department of  
24 Sanitation. So, if they can fully fund the staff  
25 consultants and data management needed to implement

1  
2 commercial waste zones, along with \$14 million in  
3 funding for composting programs across the city will  
4 start to bring us back towards our zero waste goals.

5 Uhm, this funding will position us to take  
6 aggressive waste reduction action such as legislation  
7 to create a citywide curbside composting program.

8 Uhm, an initiative such as this will ultimately save  
9 the city money, put organic materials back to use as  
10 fuels and soil amendments instead of treated as  
11 waste. Reduce emission from landfills and put us  
12 back on track with those goals.

13 Uhm, and lastly, we also ask the Council invest  
14 \$3 million in the Fiscal 2020 budget for the purchase  
15 of electric school buses. Uhm, you know, we really  
16 need to make sure that we are protecting the people  
17 in our most vulnerable neighborhoods who really  
18 suffer from asthma and other respiratory illnesses  
19 that are caused by emissions.

20 SERGEANT AT ARMS: Time expired.

21 CARLOS CASTELL CROKE: Real briefly, my last  
22 paragraph. Uhm, the COVID-19 crisis still placing  
23 stress on our economy and our communities. This is  
24 apparent in the FY21 budget. That does not need to  
25

1  
2 be the case again this year now that the federal  
3 government has provided relief.

4 We urge the City Council to have foresight and  
5 prepare for the next crisis that we are already amiss  
6 the climate crisis. Combined our asks are less than  
7 0.1 percent of the total FY22 budget and will help us  
8 protect New Yorkers from climate change in 2021 and  
9 for years to come. Thank you.

10 CHAIRPERSON ROSENTHAL: Thank you.

11 COMMITTEE COUNSEL: Next, we will hear from  
12 Phoebe Flaherty followed by David Rysdahl.

13 SERGEANT AT ARMS: Time starts now.

14 PHOEBE FLAHERTY: Hi, good afternoon. My name is  
15 Phoebe Flaherty, I am an Organizer at ALIGN and we  
16 coordinate the Climate Works for All coalition and  
17 the Transform Don't Trash Coalition. And as we all  
18 know; we are still in the middle of this pandemic and  
19 New York's Black and Brown Environmental Justice  
20 Communities are bearing brunt of the impact of the  
21 virus and the economic downturn.

22 We are seeing record high unemployment,  
23 concentrated in BIPOC environmental justice  
24 communities. Our city's budget must prioritize  
25

1 investment in job creation for these communities that  
2 have been hit the hardest by the pandemic.

3  
4 As Climate Works for All, we have developed the  
5 equitable recovery report, a roadmap to creating  
6 100,000 good green jobs for New York City's Black and  
7 Brown communities and moving us out of the pandemic  
8 and recession towards climate goals by investing \$16  
9 billion over three years.

10 This is the comprehensive plan that we need to  
11 move our city through crisis and towards equity and  
12 climate justice. We know that the city is still  
13 reeling from the crisis and we have developed interim  
14 Climate budget priorities that will lead us on the  
15 same path towards investment in communities and green  
16 job creation right now within this year's budget.

17 So, this year we are asking for within the 2022  
18 budget an investment of \$80 million to retrofit  
19 public schools and \$100 million to install solar on  
20 public schools.

21 As of 2019, more than 1,000 K-12 schools, uhm,  
22 are admitting at levels beyond Local Law 97's 2030-  
23 2034 period of compliance. An average rate of \$7.55  
24 per square foot to retrofit buildings, the city would  
25 need over \$1 billion throughout the next 13 years to

1  
2 meet the Local Law 97 emission targets. That is, the  
3 City needs about \$80 million every year to retrofit  
4 schools. Research shows that these building  
5 retrofits would create 482 good union jobs at this  
6 level of investment annually throughout the crisis.

7 In 2014, New York City committed to installing  
8 100 megawatts of solar on public schools by 2025.  
9 In order to achieve this goal, solar panels would  
10 need to be installed on over 300 public buildings in  
11 the following decades. An immediate investment of  
12 \$100 million toward DCAS solar program would provide  
13 the capacity and resources to meet the 2025 solar  
14 goals.

15 Uhm, and that completion of savings from these  
16 sites will be equivalent to taking more than 2,000  
17 cars off the streets per year and research shows that  
18 an investment of \$100 million will create more than  
19 500 direct and indirect jobs.

20 So, in addition to these retrofit and solar asks,  
21 we are also asking what we just heard previously,  
22 investments otherwise \$17 million towards public  
23 waste management to expand the composting and  
24 organics program. \$4 million to staff the commercial  
25 waste zones program.

1  
2 Uhm, and we are asking for \$3 million towards  
3 clean transportation expansions via electric school  
4 buses. So, this total of \$200 million in investment  
5 towards climate job creating policies for New York  
6 City is what we believe can move us out of the COVID  
7 crisis, address the climate crisis and move us on the  
8 path towards equitable recovery.

9 Thanks so much for the opportunity to speak  
10 today.

11 CHAIRPERSON ROSENTHAL: Thank you.

12 COMMITTEE COUNSEL: Next, we will hear from David  
13 Rysdahl followed by Deyanira Del Rio.

14 SERGEANT AT ARMS: Time starts now.

15 DAVID RYSDAHL: Hi, thank you for to the  
16 Committee and to the Committee Chairs Rosenthal and  
17 Dromm for having me. My name is David Rysdahl in  
18 solidarity with Phoebe. I am submitting this  
19 testimony on behalf of the Climate Justice  
20 Organization 350NYC and the Broader Climate Coalition  
21 Climate Works for All.

22 This past year has illuminated and exasperated  
23 the trenchant inequalities in our system but we at  
24 Climate Works for All see hope in the midst of all  
25 this turmoil. Our solution is to invest in green

1  
2 infrastructure projects that center Black and Brown  
3 communities, create good union jobs and move us  
4 towards our climate goals. We must address the  
5 economic recession, racial injustice and the climate  
6 crisis at the same time, for these are all linked  
7 together.

8       This is why Climate Works for All has put  
9 together an Equitable Recovery Report, which is our  
10 broad vision for investing in communities and putting  
11 100,000 New Yorkers back to work. But specifically,  
12 for our budget priorities for 2021 or as Phoebe said,  
13 investing \$80 million and retrofitting public schools  
14 to meet the Local Law 97 standards. Funding would go  
15 towards schools that are currently above 2030-2034  
16 standards.

17       An annual investment of \$80 million would bring a  
18 large portion of high emitting schools into  
19 compliance by 2035. We also as Phoebe said, invest  
20 \$100 million in solar in schools. Funding would go  
21 towards solar installation on public schools, an  
22 annual investment of \$100 million would allow us to  
23 meet our solar goals by 2025.

24       In addition, we are asking for \$17 million in  
25 public waste management including \$4 million for CWZ

1  
2 implementation and \$13 million to expand organics  
3 collection. Plus an additional \$3 million towards  
4 clean transportation expansion for electric school  
5 buses. All together again, reiterating what Phoebe  
6 said, a total of \$200 million in this year's budget  
7 for climate priorities.

8 My wife grew up in New York. My little brother  
9 suffers from acute asthma caused from the poor air he  
10 has breathed his entire life. We all deserve better.  
11 And the year of COVID had shown us how deeply our  
12 fates are linked. We must move into the future  
13 differently than we came. We must invest in our  
14 communities and address racial inequalities, create  
15 good union jobs and fight climate change. Thank you  
16 so much for having me.

17 CHAIRPERSON ROSENTHAL: Thank you.

18 COMMITTEE COUNSEL: Next, we will hear from  
19 Deyanira Del Rio followed by Izoria Fields, excuse  
20 me.

21 SERGEANT AT ARMS: Time starts now.

22 DEYANIRA DEL RIO: Great, good afternoon and  
23 thank you Chairs Dromm and Chair Rosenthal and all  
24 the members of the Committee and Subcommittee.  
25 Thanks for the opportunity to speak.

1  
2 I am here from New Economy Project, a citywide  
3 economic justice organization and testifying about  
4 the City Council's Discretionary Funding Initiative  
5 launched in Fiscal Year 2020 that's supports  
6 community land trust citywide.

7 Through the CLT Initiative, uhm New York City has  
8 gone from having one operating community land trust.  
9 One or two to now more than fifteen across the five  
10 boroughs of New York City, putting New York as a  
11 leader in the national field in terms of supporting  
12 community land trust and community ownership over  
13 land, housing and neighborhood development. As a  
14 matter of racial justice, neighborhood equity and  
15 just recovery. Our coalition which for this coming  
16 Fiscal Year 2022 will include 18 organizations  
17 citywide is seeking \$1.51 million in the City  
18 Discretionary Funding Budget to support this ongoing  
19 community education, organizing, neighborhood led  
20 planning and comprehensive training and technical  
21 assistance that has allowed the CLT movement to grow  
22 so robustly over the past few years.

23 CLT's again, are about promoting community  
24 ownership and stewardship of land. Taking housing  
25 and development out of the speculative market and

1  
2 ensuring that housing and other development on CLT  
3 land which includes retail space, community owned  
4 solar gardens and much more. Ensuring that all of  
5 that development remains permanently affordable and  
6 for community benefit. CLT's have been a very modest  
7 investment that the City Council has made but the  
8 returns have been multi-fold. Preserving public  
9 subsidy in housing and other neighborhood led  
10 development through permanent affordability and other  
11 restrictions.

12       So, we hope that the City Council will continue  
13 its ground breaking work to advance CLT's and social  
14 housing, particularly in the wake of the current  
15 pandemic, which has exacerbated housing and economic  
16 security. And as the Council starts to work on  
17 further policy making to uhm, you know, create  
18 mechanisms the channel land and housing, both in the  
19 private market and in the public land disposition  
20 realm, to CLT's and other community organizations.

21       Uhm, in my written testimony I will include the  
22 detailed one pager that outlines the organizations  
23 involved and progress made. Many of those groups are  
24 also testifying here today and you will hear about  
25 the really deep intensive work that is at the core of

1  
2 the community land trust model. And just how far we  
3 have been able to get in less than a couple of years.

4 So, thank you so much for your time today and I  
5 would be happy to answer any questions.

6 CHAIRPERSON ROSENTHAL: Thank you so much Ms. Del  
7 Rio. Always appreciate your advocacy and your smart  
8 testimony, really appreciate your work. Thank you.

9 COMMITTEE COUNSEL: Next, we will hear from  
10 Izoria Fields followed Hannah Anousheh.

11 SERGEANT AT ARMS: Time starts now.

12 IZORIA FIELDS: Good afternoon Committee Chair  
13 Cornegy, Subcommittee Chair Rosenthal, and member of  
14 the Committee and Subcommittee. I thank you all for  
15 the opportunity to testify today.

16 My name is Izoria Fields and I am the President  
17 of the East New York Community Land Trust. As an  
18 organization, we are a grassroots organization that  
19 consists of members of the East New York community.  
20 It is truly an organization that is developed by the  
21 community to support community needs.

22 Over the last year we have done several events.  
23 We have hosted several events both in person and  
24 virtually to spread awareness about what a CLT is and  
25 how we can impact the community together.

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We have incorporated as a non-profit organization and we have grown our steering committee to over 25 access members. And we have even went in the community and served over 250 vacant publicly owned lots that are in East New York. These lots can be used for home ownership opportunities. They can be used for affordable spaces for businesses, commercial spaces. It could be used for green spaces. A lot of things that our community needs that we do not have currently.

And this has been an exacerbated issue due to the COVID-19 pandemic. People are having a really hard time financially and as a realtor in the community, it pains me to have to tell people they cannot afford to purchase in what is one of the lowest income communities in our city. You know, it is very painful to have to tell people that they cannot afford here. So, instead of continuing that narrative, we need to change the narrative.

By funding the COP initiative and the initiatives of COP's across the city, we will provide that affordability that our community members really crucially need today. Thank you for your time.

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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1  
2 CHAIRPERSON ROSENTHAL: Thank you for your time  
3 and the perspective. I really appreciate that.

4 COMMITTEE COUNSEL: Next, we will hear from  
5 Hannah Anousheh followed by Debra Ack.

6 SERGEANT AT ARMS: Time starts now.

7 HANNAH ANOUSHEH: Good afternoon Committee Chair  
8 Dromm and Committee Chair Rosenthal and the other  
9 Council Members here today. Thank you for the  
10 opportunity to testify. My name is Hannah Anousheh  
11 and I am the Coordinator of the East New York  
12 Community Land Trust and I am on staff at Cypress  
13 Hills Local Development Cooperation.

14 Uhm, East New York CLT is a member of the New  
15 York City Community Land Initiative nicely and we are  
16 one of 18 existing or emerging CLT's in the growing  
17 citywide CLT movement. I am here to urge this  
18 Committee to advocate for \$1.5 million in renewed  
19 funding for the citywide CLT initiative in FY22.  
20 CHLDC received funding for the CLT initiative in  
21 Fiscal Year '21 and this allowed us to hire a CLT  
22 coordinator, myself and work with community leaders  
23 to host CLT one on one workshops and educate the  
24 community about the CLT model and these workshops led  
25 to the formation of the East New York CLT and to the

1  
2 growth of our steering committee, which is made up  
3 entirely of East New York and Brownsville residents  
4 and uhm, you know, these residents meet weekly over  
5 Zoom and of course so many volunteer hours into this  
6 work.

7 Uhm and as Izoria mentioned, we surveyed hundreds  
8 of publicly and privately owned vacant lots across  
9 East New York and we are developing community plans  
10 for what residents would like to see on these sites.  
11 And we are really advocating for HPD and EDC and  
12 other agencies to transfer ownership of specific  
13 sites to the East New York CLT affordable housing and  
14 for other uses. And we are really eager to take  
15 community control of land and actually put land in  
16 our CLT. But we really can't do this without renewed  
17 funding from the City Council. You know, as I  
18 mentioned the CLT Steering Committee does an  
19 incredible amount of work and they are all  
20 volunteers.

21 But it is a lot of work and we really need the  
22 City Council funding for staff and for operational  
23 costs because it is really a lot of work and we  
24 really want the ability to grow the East New York CLT  
25 and the citywide CLT movement.

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SUBCOMMITTEE ON CAPITAL BUDGET

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1  
2       So, again, I urge you to provide \$1.5 million in  
3 funding for the CLT Initiative in Fiscal Year '22.

4 Thank you so much for your time.

5       CHAIRPERSON ROSENTHAL: Thank you Hannah.

6       COMMITTEE COUNSEL: Thank you. Next, we will  
7 hear from Debra Ack followed by Athena Bernkopf.

8       SERGEANT AT ARMS: Time starts now.

9       DEBRA ACK: Good afternoon everyone. Good  
10 afternoon Chair Dromm in his absence. Good afternoon  
11 Chair Rosenthal and members of the Committee.

12       My name is Debra Ack and I am the Recording  
13 Secretary of the East New York Community Land Trust.  
14 The East New York Community Land Trust has given my  
15 life purpose, especially during this COVID-19  
16 pandemic. With being on lockdown, it gives me a  
17 reason to keep moving and fighting for change in East  
18 New York.

19       I have lived in East New York for approximately  
20 18 years. I have raised two beautiful children here.  
21 I have seen the change in East New York and look  
22 forward to continuing change for my community. By  
23 acquiring long-term land ownership and stewardship  
24 for us, by us, this funding will give us this  
25 opportunity to do just that.

1  
2           2020 and 2021 has its ups and downs. It has all  
3 been hard for us both professionally and personally.  
4 For the East New York CLT, COVID gave us the  
5 opportunity to reach our community and surrounding  
6 communities via Zoom. Through our monthly one on one  
7 workshops, we have had individuals and nonprofit  
8 organizations reach out to us inquiring how they can  
9 create a CLT for their neighborhood.

10           Just imagine a CLT in every corner of Brooklyn.  
11 This can only be done with the Council's continued  
12 support. For the FY 2022 Budget, we are asking for  
13 \$1.51 million to move CLT's forward in New York.

14           During this pandemic, the East New York CLT has  
15 held 12 virtual community events and 6 in person  
16 events to educate residents about the Community Land  
17 Trust model and bring them into the CLT movement. We  
18 have deepened our community relationships through  
19 food giveaways, lot cleanups and a youth design  
20 competition for a T-shirt. We need the City Council  
21 to invest in our CLT and in the citywide CLT  
22 movement.

23           Please renew funding for the CLT Initiative at  
24 \$1.5 million. Thank you for the opportunity to  
25 address the Council.

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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1  
2 CHAIRPERSON ROSENTHAL: Thank you so much Ms. Ack  
3 for coming. I appreciate your testimony.

4 DEBRA ACK: Thank you.

5 COMMITTEE COUNSEL: Next, we will hear from  
6 Athena Bernkopf followed by – we will circle back to  
7 Kelly Grace Price.

8 SERGEANT AT ARMS: Time starts now.

9 ATHENA BERNKOPF: Hi, good afternoon Committee  
10 Chairs Dromm and Rosenthal and members of the  
11 Committee and Subcommittee and thank you for the  
12 opportunity to testify today.

13 My name is Athena Bernkopf and I am the Project  
14 Coordinator of the East Harlem El Barrio Community  
15 Land Trust. We are also a member of the New York  
16 City Community Land Initiative and one of the 18  
17 partner organizations that are part of the citywide  
18 community land trust initiative at \$61.51 million in  
19 City Council discretionary funding, to develop CLT's  
20 and permanent affordable housing, commercial and  
21 community spaces in all five boroughs of New York  
22 City.

23 We are asking the Committee and Council to  
24 support renewed funding for the citywide initiative  
25 in the FY22 budget. These Harlem El Barrio CLT works

1  
2 to develop and preserve community controlled truly  
3 and permanently affordable housing, commercial green  
4 and cultural spaces in East Harlem El Barrio that  
5 prioritizes households of extremely low to low  
6 incomes.

7 As a strategy to ensure permanent affordability,  
8 East Harlem El Barrio Community Land Trust will own  
9 land and lease it to buildings on that land as well  
10 as develop a resident controlled neutral housing  
11 association. As some already know, in the past year,  
12 we have closed on the first four properties to enter  
13 onto the CLT, including 4 residential buildings that  
14 will be owned by a newly formed East Harlem El Barrio  
15 mutual housing association.

16 In closing on this transfer, we have been able to  
17 begin on long needed repairs with a nonprofit  
18 development partner Banana Kelly Improvement  
19 Corporation.

20 These are repairs that some residents have been  
21 waiting on for over a decade and having been  
22 displaced from their own homes over 12 years ago  
23 because the conditions of their buildings were  
24 unlivable. We have also been able to establish and  
25 protect a long-term stability of the property and

1  
2 rents in the buildings to the 99 year ground lease  
3 between the land trust and the Mutual Housing  
4 Association.

5 All of the residential units will be rented below  
6 market rate in a range from 35 to 100 percent AMI.

7 We continue to deepen resident engagement [LOST AUDIO  
8 3:57:46] process in trainings to prepare residents of  
9 the buildings to step into leadership of the Mutual  
10 Housing Association and the Land Trust.

11 This has been made possible in large part through  
12 the funding we have received from the city so far and  
13 we intend to continue expanding CLT infrastructure  
14 throughout Harlem and the rest of the city.

15 We have turned to Community Land Trust as one of  
16 the most powerful tools we can use right now to  
17 invest in development without displacement. We  
18 uplift the leadership of Black and Brown working  
19 class communities in the stewardship of lending  
20 property, knowing that we are the most impacted by  
21 the city's housing and public health crisis and  
22 therefore, we are best qualified to bill out the  
23 foundations of helping neighborhoods that actually  
24 meet our most critical community needs.

1  
2 Without this effort, we are likely looking at  
3 more short-term actions than incur exorbitant costs  
4 to the city, which far out weigh any benefit that may  
5 come from them. We urge City Council to redouble its  
6 commitment to CLT's at this critical time.

7 Thank you for the opportunity to testify today  
8 and we look forward to continue working with you all  
9 and pushing forward a just recovery for New York  
10 City.

11 CHAIRPERSON ROSENTHAL: Thank you and really  
12 appreciate your work.

13 COMMITTEE COUNSEL: We will now hear from Kelly  
14 Grace followed by Michele Cortese.

15 SERGEANT AT ARMS: Time starts now.

16 KELLY GRACE PRICE: Hi, good afternoon. I hope  
17 my audio connection has been fixed. I think it has  
18 from the subtitles.

19 I am Kelly Grace Price from Close Rosie's. Of  
20 course we are dedicated to closing the Rose M. Singer  
21 Center, the jail on Rikers Island. A few quick  
22 things from a budgetary standpoint. We haven't seen  
23 any kind of bottom line numbers for the women's jail  
24 and maybe from a financial and budgetary perspective  
25 Chair Rosenthal and Chair Dromm, you might be able to

1  
2 get some sort of idea of gender parity in the DDC  
3 budget as far as jails. It would be wonderful to  
4 have any kind of transparency. The entire process as  
5 you know, for the jails rebuild plan has been very  
6 oblique and not very cooperative. And maybe you can  
7 use your positions here to get some information out  
8 of the DDC about who the project manager is  
9 specifically. Can we have some clarity on timelines?  
10 Uhm, and also, can the design process be more  
11 collaborative?

12 What we have seen is kind of a farce. Uhm, I  
13 heard the new Commissioner say that ground has  
14 already been broken in Queens but regardless of if it  
15 is for the women's jail or the men's jail or a  
16 parking lot, no one has seen a plan. I haven't seen  
17 public plans of any kind. It will be nice if the DDC  
18 could have some answerability to the Council on that.

19 Uhm, that's all I have to say. I am mad that I  
20 missed my opportunity to speak so early in this  
21 hearing. Thank you for giving me an early timeslot  
22 and thank you so much for always taking our  
23 considerations into the budgetary process.

24 CHAIRPERSON ROSENTHAL: Thank you so much Kelly  
25 Grace Price. Really appreciate you and uhm and you

1  
2 are absolutely right. You know, it is crazy that  
3 they are not having the advocacy groups uhm be more  
4 apart of designing uhm what's going on in the new  
5 site, so thank you.

6 COMMITTEE COUNSEL: Next, we will hear from  
7 Michele Cortese followed by Maryanne Kaishian.

8 SERGEANT AT ARMS: Time starts now.

9 MICHELE CORTESE: Can you hear me? I hope so.  
10 Uhm, thank you Chairwoman Rosenthal, Chair Dromm, I  
11 don't know if you are still on and any of the other  
12 members of the City Council.

13 My name is Michele Cortese. I am the Executive  
14 Director of the Center for Family Representation. I  
15 think we have met with you before Chair Rosenthal.  
16 We work with 2,400 parents a year who are charged in  
17 family court by ACS when ACS alleges that they have  
18 maltreated their children or placed them at risk.

19 Uhm, the vast majority of our clients are Black  
20 and Brown mothers and fathers who have been  
21 particularly impacted by the pandemic. They have  
22 lost access to part-time employment. They have had  
23 trouble accessing services. Many of them were unable  
24 to see their children for months at the beginning of  
25

1  
2 the pandemic who were in foster care because visits  
3 were so abruptly halted.

4 I am here to testify about three different  
5 things. Uhm, first and foremost, I would ask that  
6 City Council take whatever actions it can to pressure  
7 the Mayor's Office of Criminal Justice and OMB to  
8 restore our funding in FY22 to FY21 levels. All of  
9 the family defender organizations, CFR, Bronx  
10 Defenders, Neighborhood Defender Services of Harlem  
11 and Brooklyn Defender Services are still baselined at  
12 Fiscal 2016 levels. And every year we go through a  
13 torturous and lengthy contract amendment process to  
14 enable us to get our funding restored where it needs  
15 to be.

16 There is a huge backlog in family court. It has  
17 been largely virtual, which means there are many  
18 matters that the court has not attended to and ACS  
19 filings are beginning to reach pre-pandemic levels.  
20 And as I am sure you have heard and read about, there  
21 is a plethora of media attention about hidden child  
22 abuse, hidden child neglect and as children's  
23 programming open's up, we are expecting many, many  
24 more filings. But our pending caseloads have  
25 remained exactly as they were pre-pandemic.

1  
2       So, we are doing just as much work under very  
3 difficult circumstances for our clients. I am also  
4 hoping that the City Council and particularly the  
5 Speaker will continue and increase funding for the  
6 Right to Family Advocacy and Guardianship Initiative.  
7 That enables the four defender organizations to work  
8 with parents during an ACS investigation. We  
9 continue to do this during the pandemic. We have had  
10 clients in shelters, charged with neglect for not  
11 adequately helping their children attend remote  
12 schooling. We have had other parents charged with  
13 neglect for substandard housing.

14       Many, many things that they haven't been able to  
15 control during the pandemic or for their inability to  
16 access important services. We are asking for \$3  
17 million -

18       SERGEANT AT ARMS: Time expired.

19       MICHELE CORTESE: In Fiscal '22 and we are asking  
20 for the restoration of \$9.6 million in uhm, the  
21 Article 10 funding contracts with MOCJ. The last  
22 thing I would just ask because thanks to City  
23 Council, we are able to give immigration assistance,  
24 housing assistance and criminal defense services to  
25 our family court clients through the legal services

1  
2 for the Working Corp. and the Legal Services for Low-  
3 Income New Yorkers Initiative. We hope that that  
4 funding will be robust again in Fiscal '22. All of  
5 those issues for non-citizen clients. Housing,  
6 public benefits, criminal defense, loom even larger  
7 as we come out of the pandemic. Thank you very much  
8 for your time.

9 CHAIRPERSON ROSENTHAL: Thank you. That's a lot  
10 of work. You need a lot more funding.

11 MICHELE CORTESE: Thank you very much and thanks  
12 to all of you.

13 COMMITTEE COUNSEL: We will now hear from  
14 Maryanne Kaishian followed Shane Correia.

15 SERGEANT AT ARMS: Time starts now.

16 MARYANNE KAISHIAN: Good afternoon everyone. My  
17 name is Maryanne Kaishian, I am Senior Policy Council  
18 with Brooklyn Defender Services. I want to thank the  
19 City Council and Chairs Rosenthal and Dromm for  
20 holding this critical hearing on the city's budget.

21 How we allocate our budget is a statement of our  
22 values and this city must value the needs of its  
23 community members over government surveillance and  
24 control mechanisms that harm them.

1  
2 We at Brooklyn Defender Services provide critical  
3 services from criminal defense to family  
4 reunification, to immigration assistance, to support  
5 for our incarcerated neighbors that are all  
6 necessitated by major and unacceptable failures and  
7 gaps in our social safety nets.

8 We are committed to providing a necessary bridge  
9 to quality services and relentless advocacy for  
10 people who continue to be impacted by the criminal  
11 legal family regulation and immigration systems. But  
12 we are here to urge the city to move away from  
13 funding these systems all together.

14 Simply put, we urge the city and this Council to  
15 take meaningful steps to make the need for our  
16 services obsolete. New York City is supposedly one  
17 of the most progressive city's in the world. Yet for  
18 too long the city has invested in systems that have  
19 worked, surveil and control low income neighborhoods  
20 and Black and Brown communities rather than investing  
21 in uplifting these communities and families.

22 During the past few weeks of budget hearings, we  
23 have learned that the agency is committed to critical  
24 oversight, including the CCRB and the BOC rely on  
25 private funding to do the work of holding the NYPD

1  
2 and the Department of Correction accountable for the  
3 treatment of New Yorkers.

4 This does not jive with the stated goal to this  
5 City Council. State institutions of surveillance and  
6 classifications will only grow while oversight  
7 entities struggle and largely fail to keep up and we  
8 cannot continue to throw good money after bad.

9 Specifically, it is time that this city valued  
10 the experience and needs of its community members  
11 over a police force that neither protects nor serves  
12 them. While there has been considerable hand ringing  
13 over the message that defunding the police sends, we  
14 must consider the message it sends to our young  
15 people. When we cut summer youth employment programs  
16 to afford to pay the officers who terrorize their  
17 communities or when teachers are short changed, while  
18 the NYPD blows past its annual overtime allotment  
19 this time just eight months into the Fiscal Year.

20 We must consider the message we send about the  
21 value of human life and dignity when we defund  
22 everything but the police. We urge the City Council  
23 to work with the Mayor to fund our communities and  
24 the programs and services that work for them, not  
25 against them.

1  
2 I thank you very much for your time and for your  
3 continued commitment to budget justice. Thank you.

4 CHAIRPERSON ROSENTHAL: Thank you very much.  
5 Love Brooklyn Defenders.

6 COMMITTEE COUNSEL: Next, we will hear from Shane  
7 Correia followed by Greg Mihailovich.

8 SERGEANT AT ARMS: Time starts now.

9 SHANE CORREIA: Hello, good afternoon. Thank you  
10 Chair Rosenthal and members of the New York City  
11 Council for allowing me the opportunity to testify  
12 today.

13 My name is Shane Correia and I work at the Center  
14 for Court Innovation. I want to focus this testimony  
15 on those time sensitive issues impacting our  
16 programming regarding reforms in the justice system,  
17 spanning cuts in funding to justice programming  
18 during the pandemic to responsibly closing Rikers,  
19 and if time permitting gun violence in public  
20 housing.

21 Regarding the Criminal Justice Initiative for  
22 innovative programming. During the Fiscal Year '21  
23 budget, our specific award was halved, which was  
24 unfortunate as its funding permits us to flexibly  
25 respond to the immediate needs of what we are seeing

1  
2 in our communities, pilot ideas and evaluate them if  
3 they have any merit for taking it to scale.

4 Due to COVID, we focused on housing instability,  
5 mental health responses and domestic violence program  
6 but because of these cuts, we had to make difficult  
7 choices. Among them were reductions in support for  
8 antigun violence programming outside of catchment  
9 areas otherwise funded by the city. Child trauma  
10 support in the Bronx and reduce DWI screenings and  
11 assessments for traffic safety while deaths this year  
12 reached some of the highest levels since the  
13 beginning of Vision Zero.

14 We ask Council to support a return to Fiscal Year  
15 '20 levels as the COVID situation stabilizes so that  
16 we can continue to pilot, evaluate and implement  
17 models that we grow and leverage with public and  
18 private funding to help serve our communities.

19 Next, on reducing the use of unnecessary  
20 incarceration, I would like to focus Council's  
21 attention of the points of agreement and specifically  
22 pre-arraignment diversion programming which is  
23 included. Currently, City Council funds Project  
24 Reset, which helps divert people from their  
25 arraignment for desk appearance tickets and prevents

1  
2 unnecessary bench warrants that can result in jail  
3 time.

4       While funded in the outer boroughs through the  
5 Administration, funding was discontinued at the end  
6 of this past Fiscal Year and currently only operates  
7 in the Bronx and Manhattan through asset work that  
8 you are funding. We would like to see Project Reset  
9 or Pre-arraignment programming continue again in the  
10 outer boroughs. While it is included in the points  
11 of agreement, there is no specific date attached to  
12 it, which leaves a great amount of uncertainty on how  
13 to divert these cases from the justice system, so  
14 that people don't unnecessarily end up in Rikers for  
15 a low-level DAT.

16       Additionally, we would also like to continue  
17 support from Council and our Brooklyn felony  
18 alternatives to incarceration programming. We are  
19 seeing that we have been able to serve successfully  
20 over 73 people with an 89 percent compliance rate,  
21 keeping them in their community as opposed to on  
22 Rikers Island and we are able to address the issues  
23 such as substance use, mental health issues and also,  
24 frankly a proportion of them that are flagging for  
25

1  
2 homelessness. Which we know contributes to some of  
3 the instability that contributes from ill behavior.

4 I am noticing the time now that I don't have a  
5 moment to discuss gun violence and public safety but  
6 I look forward to connecting with the Council over  
7 the coming year on these issues. Thank you for the  
8 time.

9 SERGEANT AT ARMS: Time expired.

10 CHAIRPERSON ROSENTHAL: Thank you very much. May  
11 I ask, did you uhm, was your organization consulted  
12 as part of the police accountability overhaul?

13 SHANE CORREIA: So, part of our organization  
14 specifically out in Brownsville and the Red Hook  
15 communities did purchase certain forums with about 50  
16 other community-based organizations. Uhm, however  
17 the extent and level of which is still something that  
18 I am being briefed on and hope to connect with the  
19 NYPD and those teams over the next two weeks.

20 CHAIRPERSON ROSENTHAL: Yeah, it might be worth  
21 looking at the sections that apply to the work you do  
22 and seeing if what's in there is sufficient.

23 SHANE CORREIA: Absolutely.

24 CHAIRPERSON ROSENTHAL: Yeah, really appreciate  
25 you. Thank you.

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SHANE CORREIA: Thank you.

COMMITTEE COUNSEL: Next, we will hear from Greg Mihailovich followed by Robin Vitale.

SERGEANT AT ARMS: Time starts now.

GREG MIHAILOVICH: Okay, thank you Chair Rosenthal, Chair Dromm and member of the New York City Council. My name is Greg Mihailovich, I am a Community Advocacy Director for the American Heart Association here in New York City.

Uhm, so at AHA we believe that every person deserves the opportunity for a full and healthy life. In order to accomplish that, we need to identify and remove the social and systemic barriers to good health and unfortunately, COVID has only increased those barriers.

But we do ask the New York City Council as we go through the budget process that you know, with the federal aid coming from the American Rescue Plan Act, there is an opportunity to kind of accelerate the city's recovery from the pandemic.

So, on capital issues, I want to touch on active transportation and the written testimony goes into a little more detail but physical activity guidelines for Americans from the US Department of Health and

1  
2 Human Services recommends that adults should move  
3 more and sit less. In engaging in daily physical  
4 activity reduces the risk of obesity, heart disease,  
5 stroke, hypertension, also helps you manage stress.

6 Now, promoting active transportation, the  
7 opportunity to walk, bike, roll, around the community  
8 through policy systems and environmental change is  
9 one of the leading evidence based strategies to  
10 increase physical activity regardless of age, income,  
11 racial or ethnic background ability or disability.

12 I mean, to put it simply, the built environment  
13 contributes to an increase in physical activity. So,  
14 there is a lot of great announced initiatives to help  
15 increase physical activity in New York City.

16 Permanent open streets, bikes on bridges, bike  
17 boulevards. They want to close gaps in Brooklyn and  
18 Queens greenways and this is all great but we need to  
19 make sure that there is dedicated and equitable long  
20 term funding for these projects and we ask the  
21 Council and the different agencies to continue to  
22 look at this through an equity lens. Because there  
23 are a lot of under resourced communities that don't  
24 have the access to these – the active transportation  
25 opportunities because an investment in this active

1  
2 living infrastructure is an investment in better  
3 health outcomes.

4 Uhm, on a noncapital issue, I just want to touch  
5 on, AHA is really excited about this recent  
6 announcement of \$11 million investment in SNAP  
7 incentives. Uhm, the SNAP is real important in  
8 helping reduce food insecurity for households but  
9 SNAP incentives helps people eat more fruit and  
10 vegetables, increase the quality of their diet and a  
11 higher intake of fruit and vegetables is actually  
12 associated with a lower mortality rate.

13 So, you know, to put in perspective though, this  
14 \$11 million that is going to increase the program is  
15 a great step in the right direction but \$11 million  
16 is approximately \$5 a month for 185,000 people. And  
17 there are nearly, there are more than 1.5 million New  
18 Yorkers facing food insecurity.

19 So, this is just a small step in the right  
20 direction. It is not an opportunity to do a victory  
21 lap. So, we are reminding the Council that the need  
22 is greater than this. We need to keep pushing the  
23 envelop to making sure that people have food on their  
24 tables and that they have healthy food on their

1  
2 tables, so they can live their full and healthy  
3 lives.

4 So, thank you for your time. AHA remains your  
5 partner in good health and thank you for everything  
6 you have done to protect the health and wellbeing of  
7 residents in New York City.

8 SERGEANT AT ARMS: Time expired.

9 CHAIRPERSON ROSENTHAL: Thank you so much. Can I  
10 ask you two quick questions? They are a little bit  
11 off topic. Are you familiar with Borough President  
12 Adams uhm, sort of health plans for the borough and  
13 his school lunch plans?

14 GREG MIHAILOVICH: Uh, we have - passively  
15 familiar. I wouldn't say that I am an expert on it  
16 but I will answer what I can.

17 CHAIRPERSON ROSENTHAL: Yeah, no, I just wondered  
18 if the American Heart Association would partner with  
19 him uhm, on some of the amazing work he has done  
20 around diet and food.

21 GREG MIHAILOVICH: Oh, no, no, we have regular  
22 conversations with his office around it. You know he  
23 is the big proponent about the plants diet and yeah,  
24 we have been talking not just beyond the city but on  
25 uh, upper levels of advocacy about opportunities to

1  
2 work together. Uhm, but yeah, if there are specific  
3 questions about it but yeah, no, we have a good  
4 relationship with him and we talk about this stuff  
5 all the time.

6 CHAIRPERSON ROSENTHAL: Awesome, yeah, I just  
7 noticed on your website that uhm, the most recent uhm  
8 statements are you know, that people should  
9 occasionally eat vegetables and the plant based diet  
10 and that just seemed curious to me, uhm, given all  
11 the concrete scientific evidence about a plant based  
12 diet compared to a dairy and meat diet in terms of  
13 heart health.

14 GREG MIHAILOVICH: Well, I mean, I mean first and  
15 foremost, AHA is a science backed organization. Like  
16 everything we advocate for has the backing of you  
17 know, like pure review science. But one of the  
18 things that we have to acknowledge is meeting people  
19 where they are.

20 So, while eating more fruits and vegetables or  
21 possibly even just solely you know fruit and  
22 vegetable on a plant based diet maybe the thing that,  
23 sometimes that unattainable for a lot of members.  
24 So, the idea is like, how can you impact better  
25 health outcomes in your diet in the short-term. Uhm,

1  
2 you know, some of what like Borough President Adams  
3 is very aspirational but in the short-term, how can  
4 you improve in your diet.

5 So, it is a range of issues. So, I would have to  
6 look specifically to what you were referring to on  
7 our website but it's not just here is the gold  
8 standards. Like, what can you do tomorrow? What  
9 kind of small things can you move yourself in this  
10 journey to a better diet?

11 CHAIRPERSON ROSENTHAL: Thank you very much.

12 GREG MIHAILOVICH: Yeah.

13 COMMITTEE COUNCIL: Next, we will hear from Robin  
14 Vitale followed by Ting Ting Fu.

15 SERGEANT AT ARMS: Time starts now.

16 ROBIN VITALE: Thank you so much Chair Rosenthal  
17 and I am Robin Vitale serving as Vice President of  
18 Health for the American Heart Association. I am  
19 happy to pick up the mantle from my colleague Greg  
20 Mihailovich left off.

21 Most of our budget priorities do fall under the  
22 general expense space but I have been asked to  
23 prioritize two additional areas beyond what Greg just  
24 shared. I will begin focusing on tobacco control.  
25 Specifically, there is a connection to the Department

1  
2 of Finance and the Sheriff's office team specifically  
3 in their role in enforcing tobacco sales. That is a  
4 tech issue, we are certainly very aware that any time  
5 we pass any kind of tobacco into law, there is an  
6 increase in that need and so, we do focus on that as  
7 an opportunity.

8 As you know Chair, we continue to prioritize our  
9 campaign to restrict back those mentholated products.  
10 Those tobacco products are particularly dangers and  
11 continue to victimize communities of color, low-  
12 income communities and that is a top priority for our  
13 organization in the months ahead.

14 Related to that, we are asking the Council to  
15 invest in dedicated funds around tobacco cessation.  
16 To make sure that as these laws are implemented and  
17 we are supporting New Yorkers particularly those  
18 communities, communities of color, low income New  
19 Yorkers that are addicted to those products, to make  
20 sure that they have access to the vital services to  
21 help them quit, so they are not engaged in any type  
22 of enforcement activity.

23 Uhm, secondly, I want to prioritize the Heart  
24 Associations focus around hypertension, hypertension  
25 management. Uhm, this continues to be a significant

1  
2 area of concern with more than half of adult New  
3 Yorkers, I am sorry, one-third of our adult  
4 population sharing they have been diagnosed with the  
5 high blood pressure and more than half of those have  
6 uncontrolled blood pressure.

7       So, significantly concern for our mission as  
8 hypertension is a leading preventable cause of  
9 stroke. We are asking the Council to dedicate funds  
10 to uhm, our health systems. Entities like H+H as  
11 well as our related health centers uhm, who  
12 throughout the pandemic have continuously expressed  
13 need to provide more services, more resources so that  
14 New Yorkers can participate in telehealth services.  
15 Realizing that through the pandemic, many New Yorkers  
16 were fearful of going to their doctor. Going to  
17 getting those routine checkups. We want to make sure  
18 that as many health centers are equipped with things  
19 like blood pressure cuffs and related educational  
20 kits. So that New Yorkers can stay at home,  
21 participate in telehealth appointment and continue to  
22 monitor those numbers.

23       Self-measured blood pressure is an evidence based  
24 initiative. There is a tremendous amount of support  
25 to having those resources available to the public and

1  
2 we would love to see some dedicated funds from the  
3 budget for that purpose.

4 Uhm, I will stop there. Thank you very much for  
5 your time and attention.

6 CHAIRPERSON ROSENTHAL: Sure, I appreciate it but  
7 let me just continue for one second. Have you ever  
8 supported a plant-based diet? Has American Heart  
9 Association ever pushed a plant-based diet for the  
10 Health + Hospitals Cooperation or the Department of  
11 Education?

12 ROBIN VITALE: You know it is very interesting  
13 Chair and I really appreciate this line of  
14 conversation. It is something that we have I think  
15 discussed in the past. Particularly with Borough  
16 President Adams and number of others that are very  
17 vocal and passionate about this.

18 As we have mentioned, you know, Greg did outline  
19 that the current positioning of the American Heart  
20 Association, while the evidence is growing in that  
21 plant-based space, our position nationally is to  
22 encourage individuals who are pursuing and strength  
23 and focus around their diet and nutrition to insert  
24 as many plants and fruits and vegetables into their  
25 diet as they can. Realizing that there are

1  
2 limitations in how affordable those items are. How  
3 accessible they are across the country. We do want  
4 to be accessible and relatable to the majority of  
5 Americans.

6 That being said, I encourage you to continue this  
7 line of thought. I think the future is very bright  
8 in that space, thinking about how the American Heart  
9 Association is a national organization can be more  
10 supportive and forward thinking down the road. But  
11 at this time, the national position is to encourage  
12 New Yorkers to continue to pursue fruits and  
13 vegetables as part of their diet. But not  
14 necessarily restrict that focus you know laterally to  
15 simply plant-based diets.

16 CHAIRPERSON ROSENTHAL: Okay and can you remind  
17 me again the American Heart Association, do you get  
18 funding from the agriculture? From the meat industry  
19 or the dairy industry?

20 ROBIN VITALE: I am happy to follow up with more  
21 specific details about that. You know, we are  
22 obviously certainly very focused on maintaining the  
23 ethics of our positions, keeping that you know,  
24 completely separate from any positions that we do  
25 take. We are very transparent in that to make sure

1  
2 that there is no conflict. Our policy positions, all  
3 of our work is independent from any funding that we  
4 receive.

5 CHAIRPERSON ROSENTHAL: Hmm, thank you so much.

6 ROBIN VITALE: Appreciate your time.

7 COMMITTEE COUNSEL: Next, will hear from Ting  
8 Ting Fu followed by Bill Bateson.

9 SERGEANT AT ARMS: Time starts now.

10 TING TING FU: Hi, my name is Ting Ting Fu and I  
11 am the Lead Organizer at UPROSE. Thank you for the  
12 opportunity to submit testimony today. I am here on  
13 behalf of UPROSE and the Climate Works For All  
14 Coalition to support the request and echo the urgency  
15 of adopting the climate works role budget that  
16 prioritizes fair and necessary budget acts that moves  
17 us on a path towards an equitable future by creating  
18 climate jobs and justice for frontline Black and  
19 Brown communities at Sunset Park.

20 Sunset Park is the frontline community of over  
21 130,000 residents in Southwest Brooklyn that lives  
22 with many polluting infrastructures and a growing  
23 number of climate change impacts, including more  
24 intense storms and increasing temperatures. Founding  
25 in 1966, UPROSE is Brooklyn's oldest Latino community

1  
2 based organization. We are intergenerational, multi-  
3 racial, nationally recognized, women of color led,  
4 grassroots organization that works at the  
5 intersection of racial justice and climate change.

6 This year we have seen investment in green – this  
7 year we must invest in green infrastructure projects  
8 in Black and Brown communities. Create good paying  
9 climate union jobs and move us towards our climate  
10 goals while addressing economic disparities, racial  
11 injustice and the climate crisis at the same time.

12 An equitable recovery report is our broad vision  
13 for investing in communities and putting 100,000  
14 workers – New Yorkers back to work and moving us  
15 aggressively towards robust climate solutions.

16 In Sunset Park, we have witnessed our community  
17 members lose their financial stability, who are  
18 experiencing the devastating impacts of COVID-19. As  
19 you know, communities of color like ours have felt a  
20 disproportionate loss of jobs, health and lives as a  
21 result of the pandemic.

22 Sunset Park, like many other environmental  
23 justice communities across New York City was the  
24 hardest hit by the global COVID-19 pandemic. Due to  
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1  
2 the long-term exposure to high levels of air  
3 pollution.

4 Exposure coupled with social economic  
5 disparities, such as lack of access to healthcare,  
6 housing and food security has caused extreme  
7 devastation in our community. Many investments that  
8 support climate mitigation resiliency align with  
9 COVID recovery. Not only recovery from the pandemic  
10 itself but recovery from an inequitable regulatory  
11 processes and systems that allow the pandemic to have  
12 such disproportionate impacts on frontline  
13 communities.

14 As we build back, we must build back stronger.  
15 We must prioritize investments such as retrofitting  
16 of public buildings in our communities. Boldly  
17 advancing solar initiatives in our schools.  
18 Allocating funding for better waste management  
19 systems and investing expansion of electric buses.

20 Particularly as a part of addressing the need for  
21 a better service of transportation. These  
22 investments are key steps in both addressing the  
23 needs of communities starting to come back from the  
24 many impacts of the pandemic.

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2 While at the same time, working to address the  
3 impacts of climate change that are already here and  
4 those we know are on the horizon. A total of \$200  
5 million investment in this years budget is a  
6 necessary start. We must invest in communities and  
7 address racial inequities, create good climate jobs  
8 and fight climate change.

9 SERGEANT AT ARMS: Time expired.

10 TING TING FU: I would like to thank the New York  
11 City Council for holding this hearing and the  
12 opportunity to provide this testimony. I made it.

13 CHAIRPERSON ROSENTHAL: Awesome. Uhm, Ms. Fu, I  
14 am a huge fan of UPROSE. They just did wonderful  
15 community organizing uhm, around Industry city and  
16 uhm, your work with ALIGN and the coalition is much  
17 admired. So, thank you for the testimony and thank  
18 you for participating.

19 TING TING FU: Thank you.

20 COMMITTEE COUNSEL: Next, we will hear from Bill  
21 Bateson.

22 SERGEANT AT ARMS: Time starts now.

23 BILL BATESON: I am Bill Bateson, Director of  
24 CIVITAS. We are working in partner to [LOST AUDIO  
25 4:27:29]

COMMITTEE ON FINANCE JOINTLY WITH THE  
SUBCOMMITTEE ON CAPITAL BUDGET

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SERGEANT AT ARMS: Mr. Bateson?

CHAIRPERSON ROSENTHAL: Mr. Bateson, oh, go ahead.

BILL BATESON: Yeah, am I hearable?

CHAIRPERSON ROSENTHAL: No, that's the problem. It's going in and out and it's -

BILL BATESON: Oh, in January of this year, Mayor de Blasio announced a \$284 million in funding for repairs to the East River Esplanade between Gracie Mansion and 125<sup>th</sup> Street at the RFK bridge, which is East Harlem. [INAUDIBLE 4:27:59] and friends of the Esplanade have co-sponsored a letter signed by 24 other groups including State Assembly and the leaders of both Community Boards 8 and 11, thanking the Mayor for his needed funding and requesting the money be included in the upcoming capital budgets and that the project be moved forward in the most expeditious manner possible.

Uhm, the significant funding seemed urgent and justified for the three main reasons. Erosion and structural uh collapse, its manifest in recent years with sink holes seems extremely likely to continue without structural remediation that prevents title

1  
2 action and water from seeping under the esplanade and  
3 removing the fill and rotting the piles.

4 Uhm, uhm, this waterfront park is very thin but  
5 important strip of recreational space between the FDR  
6 Drive and the Harlem River. The FDR Drive is  
7 adjacent and as the erosion continues, anyone who  
8 uses the FDR Drive should be concerned about this  
9 waterfront.

10 The second reason, the esplanade has stanching  
11 potential as a waterfront destination for the  
12 adjacent neighborhood and also Central Harlem. It  
13 contains the path that is a key link in the hope for  
14 loop of the Manhattan greenway.

15 And then finally, it is one of the very few good  
16 park spaces for East Harlem. Uhm, the city has  
17 dedicated substantial funding for multiple locations  
18 on the East River waterfront further south around the  
19 Battery and 59<sup>th</sup> Street Bridge including engineering  
20 an entirely new beautiful uhm waterfront near East  
21 Midtown.

22 The East Harlem waterfront is actually collapsing  
23 and being rotted away and uhm, we feel the disparity  
24 is disturbing and this should have been a higher  
25 priority a long time ago.

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Thank you very much for your time.

CHAIRPERSON ROSENTHAL: Thank you for your  
testimony.

BILL BATESON: Thank you.

COMMITTEE COUNSEL: If we have inadvertently  
missed anyone that would like to testify, please use  
the Zoom raise hand function now and we will call on  
you in the order in which your hand is raised.

Chair Rosenthal, seeing no hands raised currently  
in Zoom. It appears that we have concluded our  
public portion of this hearing.

CHAIRPERSON ROSENTHAL: Well, I uhm, I want to  
make sure I am not unmuted. Uhm, I just want to  
thank everyone who testified today. Uhm, as Council  
has said, as a reminder, if there is anyone who would  
like to submit written testimony for the record, they  
may do so by emailing their testimony by next Monday  
to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

And with that, this concludes today's hearing.

[GAVEL].

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 April 9, 2021